
Notice to the Profession: High-Retention Harvesting and Partial Cutting in BC Coastal Forests

September 2008

Guidelines

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Preamble

The Forest Practices Board (FPB) undertook a Special Investigation into High-Retention Harvesting and Timber Sustainability on the British Columbia Coast. In addition to directing recommendation #2 toward the ABCFP, the FPB noted several concerns related to professional practice and professional stewardship. The Professional Practice Committee (PPC)¹ of the ABCFP has reviewed the report, discussed the content with the FPB and others.

The ABCFP has sufficient concern over the data and conclusions found by the FPB and evident in subsequent discussions that it is issuing a Notice to the Profession² in an effort to communicate to forest professionals the application of professional practice standards in high-retention harvesting. This notice connects some of the important components of the professional practice standards to high-retention harvesting. However, every situation is different and the onus remains on the individual professional to find the balance in practice.

The overall effectiveness of professional reliance is dependent on not only the professional behaviour of members, but also the continuous improvement of technical standards, the policy associated with implementing technical standards and the ability to plan, implement and monitor forest management activities. With respect to professional reliance three fundamental aspects continue to stand out from the FPB report. Firstly, while some of the high-retention harvesting prescriptions (HRHP) and procedures may have spanned the transition from the regulated prescriptive era under the Forest Practices Code to a new results based approach under the *Forest and Range Practices Act* (FRPA), the technical and professional guidance to apply appropriate prescriptive principles was, and still is, available to members. Secondly, in our view, the prescriptive mechanism is not broken, but it is evolving as a result of changing management policy and legislation. While legislated changes such as supervising and engaging in harvesting, in the *Foresters Act* 2003, were meant to complement FRPA, the FPB has observed that sufficient implementation of prescriptions and actively engaging forest professionals in the harvesting phases still is not applied to a consistent level in practice. And finally, forest professionals who focus on continual improvement in their practices and most especially in areas of innovative or non-traditional practice, are required for the long-term success of professional reliance.

The FPB Report identifies recommendation #2 for the ABCFP in situations of high-

¹ Professional Practice Committee responds to practice issues, not only in providing guidance to members but also in advocating for improvements to technical standards and operating procedures.

² Notice to the Profession provides communication on matters of immediate importance to members regarding the profession or the practice of professional forestry.

retention harvesting.

Forest Practices Board Recommendation #2

“provide guidance to members to ensure they are using appropriate professional diligence in the design of high retention silviculture prescriptions on the coast.”

ABCFP guidance documents and Standards of Professional Practice are available to develop due diligence when prescribing high-retention harvesting methods. The guidance is rooted in the qualities of professional competence, ancillary documentation, professional practice influenced by competitive interests, due diligence and the requirement to balance present and future values.

Professional Competence

Professional competence “has to do with sufficiency of qualifications to deal with the matter in question.” The Standards of Professional Practice identify three essential components of competence, which are: knowledge; completeness and correctness; and professional care.

Specific to HRHP, forest professionals continuously assess and upgrade their knowledge. Examples of important knowledge sources include,

- a) The Coast Region Implementation Team produced technical information on Partial Cutting in Coastal Forests;
- b) Experts in the area of silviculture system strategies provide advice and guidance (e.g. WFP MASS research);
- c) Practising professionals working in partial cutting strategies can enable a member to utilize the collective knowledge and mentoring advice of peers.

Forest professionals ensure that their work is complete, correct and clear. The HRH prescriptive products of practice need to be free from errors and omissions, scientifically and technically sound, provide a clear analysis of options and balance the expectations of the public, professional colleagues and employer.

Professional care is the degree of care that a prudent professional will exercise to avoid reasonably foreseeable negative consequences. The HRHP is an evolving area of practice complicated by multiple objectives and non-traditional silviculture system designs in BC. Professional care means that HRH prescriptions are supported by sufficient rationale so that others can implement the prescription for action and meet the objectives and commitments embodied in the work. The rationale serves as a demonstration that professional judgment had been applied to the prescription.

References

- ABCFP Standards of Professional Practice. (corresponding guidelines for interpretation)
- CAB/ABCFP Guidance document (Draft).
- MASS (CFS <http://cfs.nrcan.gc.ca/subsite/mass>)
- CRIT Report “Silvicultural System and Partial Cut Harvesting Issues in the Coast Forest Discussion Paper.” May 15, 2006.

Ancillary Documents

Ancillary documents are prepared in support of, or as a precursor to the prescription and/or the rationale. The FPB found few, if any, written rationales in support of decisions and no ancillary documents.

Professional rationales are necessary to ensure correct implementation of the prescription, express the progression of thought toward the decision, and confirm the application of professional judgment. Ancillary documents are considered the least important part of prescription development until there is a problem. Some practising professionals mistakenly believe that ancillary documents expose professional error. More often than not, ancillary documents demonstrate professional diligence.

The significance or the weight of a rationale or ancillary document is related to prescriptive risk. In situations where there is a standard and tested approach the documents need only be supportive in nature. Otherwise, where limited past experience exists, either because of project activities or the ecology or other variation, ancillary documents and supporting rationale are necessary and essential components of the prescriptive document.

A significant component of the practice issues identified by the FPB report relate to the development of professional rationales and commitments. The ABCFP has drafted detailed guidance document to define a standard of expectation related to rationales and commitments.

References

- ABCFP Standards of Professional Practice.
- Guidance for Professional Quality Rationales and Commitments ABCFP (July 2008)

Applying Professional Principles Beyond the Demands of Employment

Bylaw 11, reflects on how some forest professionals might sacrifice the public interest in order to meet demands of employment. Economic pressures are always present. Professionals need to clearly understand when demands relative to economics are going to compromise good forest stewardship and be able to communicate effectively to the employer the risks associated with these decisions. Also the employer needs to be aware of the legislative authority of the professional and respect the role of the professional.

Practising Professional Due Diligence

Practising Professional Due Diligence is taking all the necessary steps to ensure that the desired outcome is achieved or that the chances of a negative consequence or outcome are minimized. In the development of HRHP it is necessary to realistically anticipate the potential negative consequences of the prescribed activities and then to apply a reasonable care to avoid the activities or prevent the harm in the outcome.

A discussion paper prepared by the MFR in 2006 (Reader) noted that defenses of due diligence will likely fail if one of the following is evident:

- Lack of requisite training or experience;
- A failure to keep pace with advances in scientific/technical knowledge; or
- Rely on the advice or assistance of someone who:
 - Lacks the requisite training and experience; or
 - Fails to keep pace with advances in scientific/technical knowledge.
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In short, the MFR discussion paper highlights that it is not what we know, but what we should have known, that remains the test of our diligence in practice. (Reader 2006)

A final significant conclusion in the FPB report addressed the negative effects that some of the high-retention harvesting practices are likely to have on forest stewardship. Upholding the principles of forest stewardship is one of the six objects of the profession of forestry. Forest Professionals demonstrate stewardship by **balancing present and future values** against the capacity of the land to provide for those values. (Bylaw 12.6.1) The Interpretation Guideline for the stewardship standard describes the stewardship standard as “the crucible through which all professional decisions are evaluated.” The stewardship of our natural resources takes into consideration the values of the landowner and society. Most of the standards of professional practice speak to how a forest professional does things correctly, whereas, stewardship speaks to doing the correct or right thing. When

forest professionals apply the stewardship standard to a practice situation they may apply an accepted and tested set of treatments or they may employ a well-crafted solution tailored specifically to the problem. Such is the case with HRHP, a highly complex task that requires a diversity of solutions. Care must be taken to ensure that the flexibility of a unique solution is not exploited as a mask for one single benefit. As a result, the forest professional will apply two measures of certainty:

1. the forest professional will evaluate the specific decisions in light of impacts on the whole range of forest resources and values on a temporal and spatial scale;
2. the forest professionals will avail themselves of sufficient rationale and communication tools to ensure that their prescribed actions can be understood.

References

- ABCFP Code of Ethics (Bylaw 11.3.2)
- Standards of Professional Practice



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Ensuring BC's Forests Are In Good Hands.