
Supervision of Timber Harvesting Operations

October 2009

Guidance

The Association of BC Forest Professionals (ABC FP) is responsible for ensuring that its members are practising forestry consistent with the *Foresters Act*. This paper is intended to discuss the role of ABC FP members with regards to the supervision of timber harvesting operations and to provide guidance to forest professionals to ensure the *Foresters Act* is adhered to and the mandate of the ABC FP is achieved.

One key element in the practice of professional forestry is the protection of the public interest. The definition of the public's interests and how it may be assessed is covered in "Interpreting the Public's Interests", available on the ABC FP website at www.abcfp.ca.

Section 4 of the *Foresters Act* sets out the duties and objects of the Association of BC Forest Professionals (ABC FP) as follows:

4. (1) *It is the duty of the association*

a) *to serve and protect the public interest,*

b) *to exercise its powers and functions, and to perform its duties, under this Act, and*

c) *to enforce this Act.*

(2) *The objects of the association are the following:*

a) *to uphold the public interest respecting the practice of professional forestry by*

i) *ensuring the competence, independence, professional conduct and integrity of its members, and*

ii) *ensuring that each person engaged in the practice of professional forestry is accountable to the association;*

b) *to advocate for and uphold principles of stewardship of forests, forest lands, forest resources and forest ecosystems;*

c) *to govern its members in accordance with this Act, the bylaws and the resolutions;*

d) *to establish, monitor and enforce standards of education and qualifications for enrollment, registration and continued membership in the association;*

e) *to establish, monitor and enforce codes of conduct and standards of practice for its members;*

f) *to create and administer voluntary certification schemes for technical occupations*

related to the practice of professional forestry.

The *Foresters Act* defines the practice of professional forestry in an inclusive manner as follows:

“practice of professional forestry” means, for fees or other remuneration, advising on, performing or directing works, services or undertakings which, because of their scope and implications respecting forests, forest lands, forest resources and forest ecosystems, require the specialized education, knowledge, training and experience of a registered member, an enrolled member or a special permit holder, and includes the following:

a) planning, advising on, directing, approving methods for, supervising, engaging in and reporting on the inventory, classification, valuation, appraisal, conservation, protection, management, enhancement, harvesting, silviculture and rehabilitation of forests, forest lands, forest resources and forest ecosystems;

The direction and supervision of timber harvesting operations are examples of the practice of professional forestry in British Columbia. The supervision of timber harvesting is an important part of the practice because of three components of the definition. Firstly, the action words in the definition of the practice of professional forestry are “advising on, performing or directing works, services or undertakings” and these are consistent with actions required of supervision. Secondly, in the definition of the practice of professional forestry the requirement that states “because of their scope and implications respecting forests, forest lands, forest resources and forest ecosystems” asks whether the actions are important with respect to the forests. And lastly, in the definition if the previous two situations exist to the extent that they “require the specialized education, knowledge, training and experience of a registered member” then the actions are the practice of professional forestry.

The Act also allows non-ABCFP members to practise forestry as long as they are under the supervision of an ABCFP member as follows:

This Act does not apply to restrict a person from engaging in the practice of professional forestry if the person does it under the supervision of

i) a registered member, or

ii) a special permit holder acting in accordance with the special permit.

The ABCFP recognizes that various skills and levels of expertise are required to successfully complete timber harvesting to the satisfaction of the landowner, client or employer, legislation, policies and the public. A team effort is required. This team includes but is not limited to ABCFP members, other resources professionals, machine operators, fallers, truckers, contractors, union crews, various government

agencies and employers. Individual workers who are not forest professionals should not be put in the position where they would have to practise professional forestry in order to undertake his or her job functions.

The diligence required to ensure professional service is appropriately supplied begins with a good planning framework. A plan for the site is required on Crown land before harvesting can commence on a major licence. This plan must be signed off by the appropriate forest professional. The plan should include: detail on the resource values found on the site, safety considerations, the silvicultural system, harvesting methods and any other pertinent site specific details.

Under the *Private Managed Forest Land Act* and the Woodlot Licence Planning and Practices Regulation there are different requirements that may or may not require the signature and seal of an ABCFP member. Where regulatory defaults or best management practices have been developed by ABCFP members in order to protect the public interest, the woodlot licensee and/or landowner may adopt these defaults and not require the services of an ABCFP member. However, should the licensee or landowner vary from the defaults, then an ABCFP member is required for sign off on the variance or variances.

The ABCFP does not expect that the onsite, day-to-day supervision must be done by an ABCFP member. However, the ABCFP does expect that an ABCFP member will have professional oversight to ensure that the harvesting is conducted in a manner that meets the results or strategies of the plan where a plan is required (i.e. forest stewardship plans on Crown land). In the case of variances that have been signed off by an ABCFP member, the ABCFP expects that the member will exercise professional oversight with respect to these variances.

Additionally, ABCFP members, or non-members under their supervision, may confirm that the strategies or results committed to in the plan are consistent with approved objectives (i.e. government actions regulations and FRPA). Professionals will need to determine the appropriate level of supervision to apply (direct or otherwise) to a given operational activity, in this case harvesting. The level of supervision should be commensurate with the planning framework being applied. If, for example, a plan signed off by a professional contains innovative or untested strategies, the professional may be expected to attend the operation more frequently to monitor the activity to both ensure the outcome is being delivered and to make appropriate changes if it is not. Where a plan or activity is routine or follows default practices, a professional may decide not to attend as frequently, if at all. In either case, in lieu of attending onsite, a professional may designate another professional or a competent non-member to supervise the operation. It is the responsibility of the ABCFP member to know the background of the designated person and ensure that he or she is competent to supervise the operation.

The ABCFP expects that employers will abide by the *Foresters Act*. This includes recognizing that directing and supervising the harvesting of forests is the practice of professional forestry. Employers, ABCFP members and non-members, under direct supervision, who are responsible for timber harvesting operations have a number of ways to ensure that sites are harvested appropriately and the requirements of the *Foresters Act* are met. The tools available to ensure these obligations are met may include:

- Contract specifications;
- Pre-work conferences to ensure that the loggers understand and can follow the plan;
- Environmental management systems, standard operating procedures, or other documentation that incorporates well-documented systems to ensure compliance with laws and plans;
- Risk assessments based on site monitoring;
- A system for recognizing and implementing best management practices (BMPs);
- Establishment of reporting requirements that ensure an ABCFP member in charge is aware of potential issues respecting the successful completion of harvesting operations;
- The use of consultants and third-party audits;
- The use of regulatory default provisions including alternative performance requirements, where provided for, under applicable regulations; and
- Monitoring for compliance with legal requirements.

Examples of how an employer and ABCFP member could ensure that the *Foresters Act* requirements are met with regards to harvesting supervision:

EXAMPLE #1:

1. Employer engages ABCFP member(s) to develop FSP.
2. Employer engages ABCFP member(s) to develop site level plans for harvest unit (i.e. site plan).
3. Employer, or contractor, has a safety program in place to ensure workplace safety.
4. Employer implements due diligence systems that include elements to ensure compliance with laws, regulations, cutting permits, roads permits, logging plans etc. (certification systems such as ISO 14001, CSA, SFI, or FSC are encouraged).
At a minimum, these due diligence systems should include:

a) A risk-based monitoring system is in place to determine the need for, and frequency of, monitoring the performance of the harvesting operation. Best management practices may be employed as required.

b) An appropriate pre-work conference. This conference needs to be completed for each harvest unit with the logging crew, or their representative, to ensure all of the operators understand the plan and the desired results; are aware of the requirements for safety; and can follow and execute the harvest strategies in the site level plan developed by the ABCFP member. The pre-work is signed off by the ABCFP member or a non-member under direct supervision and the logging crew supervisor. This signoff acknowledges that the logging crew has the experience and knows how to complete the work; understands how to follow the plan; and commits to a reporting system should anything on the ground not match the plan or any activities take place that are not approved in the plan.

c) Harvesting proceeds as per the plan and without a requirement for onsite supervision by an ABCFP member.

d) A process is in place to deal with unanticipated events such as, situations where the plan is not followed; where the plan may not match the site; or where the logging crew require further instruction on how to follow the plan, or deal with unforeseen issues.

e) A harvest completion report is done by or under the direct supervision of an

ABCFP member. This report should be copied to the prescribing professional and reviewed as part of the process to ensure that the harvesting has been done to a level that meets the intention of the harvesting prescription as prescribed or amended.

EXAMPLE #2 Woodlot Licence:

1. A woodlot licensee prepares a woodlot licence plan in accordance with the Woodlot Licence Planning & Practices Regulation, including an alternative performance requirement which stipulates 12% of the total area within a cutblock less than five hectares in size may be occupied by permanent access structures. The regulatory default is 10%.
2. The variance or alternative performance requirement for permanent access structure signed and sealed by an ABCFP member. A rationale is provided for the variance.
3. The ABCFP member ensures the woodlot licensee is fully aware of, and understands, the alternative performance requirement. It is recommended that the ABCFP member discuss harvesting strategies required to achieve the alternative performance requirement.
4. The woodlot licence plan is subsequently approved by the district manager.
5. The woodlot licensee is responsible for conducting operations in accordance with forest legislation, the approved woodlot licence plan and any harvesting authority granted by the Ministry of Forests and Range, including not exceeding the measurable and defined alternative performance requirement; i.e. 12% of the total area within a cutblock.
6. An ABCFP member may be involved with supervising the harvesting operations at the request of, or together with, the woodlot licensee.
7. If the alternative performance requirement for permanent access structures is exceeded, the licensee must request an ABCFP member to assess the situation and prepare the required remediation plan, which the ABCFP member must sign and seal.
8. The woodlot licensee, with assistance from the ABCFP member, supervises implementation of the remediation plan and conducts any post-treatment assessments that are required.



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Ensuring BC's Forests Are In Good Hands.