



General Bulletin

Number 14

October 13, 1998

Terrain Stability Field Assessments for Operational Planning and Cutting Permit Issuance

(For Forest Development Plans Submitted On Or After October 15, 1998)

Background

Recent changes to the Operational Planning Regulation (OPR) has shifted the primary linkage that previously existed between terrain stability field assessments (TSFAs) and Forest Development Plans (FDPs). Rather than being required during preparation of the FDP, TSFAs are now linked to the ability to apply for a cutting permit (CP) and to prepare a silviculture prescription (SP).

In order to harvest, licence holders must work through three administrative stages: forest development plan; cutting permit; and silviculture prescription. The purpose of this bulletin is to provide Ministry staff with an understanding of the new relationships, effective October 15, 1998, between TSFAs and these three administrative stages.

Forest Development Plan Stage

There are a number of assessments that are linked to the forest development stage. Specifically, forest health assessments (OPR 13), watershed assessments (OPR14), riparian assessments (OPR 15) and terrain stability field assessments (OPR 16/17). One of the key differences between these assessments is the time at which they link to the FDP process.

The forest health assessment, watershed assessments and riparian assessments, if required, must be completed ***before making an FDP available for review***. The terrain stability field assessment, if required, must be completed ***before a cutting permit may be applied for***.

Option 1

While not required at the FDP stage, the license holder may choose to conduct a TSFA before review and referral and include the statement required by OPR 20(3) for each cutblock for which a TSFA is conducted. There is a risk of losing the TSFA investment as the cutblock may not achieve Category A status due to public / referral concerns or due to problems related to assessments still to be carried out.

Cutting Permit Application Stage

Under section 19(1) of the Forest Practices Code of British Columbia Act (FPC), a holder of a major licence, community forest licence or a woodlot licence may only apply for a cutting permit if an FDP identifies the cutblock. In addition to this requirement, section 16 and 17 of the OPR require, for specified areas, that a terrain stability field assessment be completed and OPR 20(3) requires a statement to be incorporated into an FDP before a cutting permit may be applied for. It is important to note that if a terrain stability field assessment is not required under OPR 16 or 17, the licensee is eligible to apply for a cutting permit once the FDP in which the cutblock is identified is approved. The attached flow chart titled, "Terrain Stability Field Assessments - Cutting Permit Application," provides an overview of the conditions that would trigger the need for a TSFA.

Where a TSFA is required under OPR 16 or 17 the license holder has two options for proceeding from here:

Option 2

The second option is that the TSFA is completed after the FDP in which the cutblock is proposed as a Category A block has been approved. The statement required under OPR 20(3) can be submitted as an amendment to the FDP. The advantage to this option is that the licensee has some certainty regarding the cutblock, given that comments submitted during the review of the FDP have been considered (see OPR 29 discussion below).

When the statement is submitted as an amendment, the district manager must determine (under FPC 43) if the amendment is a minor amendment, in which case there is no need to hold a review. However, if the district manager determines that a standard amendment is required, the 60-day review period must be carried out. (The SDM must put his or her mind to each amendment on a case by case basis to determine if the amendment materially changes the objectives or results of the FDP.) It is important to note that if the amendment is a minor amendment, the public does not have access to the TSFA as they would if they were reviewing a standard amendment.

If the license holder wishes to proceed using this option, it is recommended districts request the license holder to flag cutblocks requiring a TSFA on the FDP. This would facilitate comment at the review stage and potentially save time during the FDP amendment process. If, after completing a TSFA, it is determined that the cut block is consistent with the results and recommendations of the TSFA, the FDP amendment, in accordance with OPR 20(3), may more easily be considered a minor amendment.

Option 3

The third option is for the licensee to complete the TSFA after the approval of the FDP in which the cutblock was proposed as a Category A block and then submit the statement required under OPR 20(3) in a subsequent FDP. The advantage to the licensee in taking this approach is that there is some certainty related to the block, as the comments received in the review have already been considered (see discussion on OPR 29(2)). In addition, the

block is provided limited protection under OPR 21 (see below).

OPR 29(2)(a) (Scope of Review and Comment)

This sub-section states that the licensee and the district manager do not have to consider comments on Category A cutblocks already approved under a previous FDP unless the comments are related to an assessment required under OPR 16/17 that was not completed for the cutblock before approval of that plan. This allows the public and referral agencies/individuals to provide comments on approved Category A cutblocks with TSFAs that were completed **after** the original FDP was approved.

OPR 21 - Limited Protection for Cutblocks and Roads

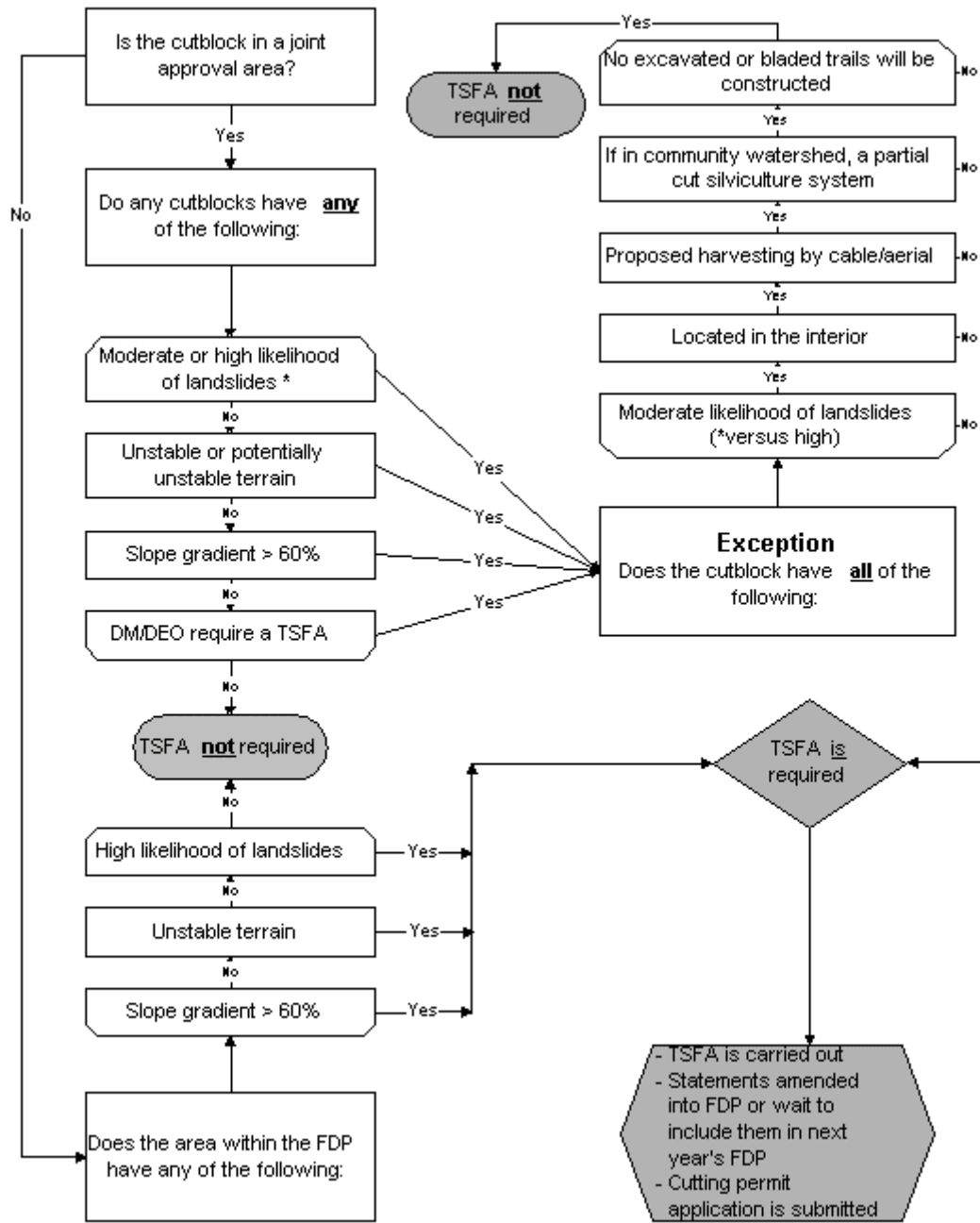
When the district manager reviews the next FDP, he or she may only refuse to approve the FDP if the specific cutblock for which a TSFA was conducted fails to meet the requirements of FPC 41 based on new information from the TSFA. In this case the results and recommendations of the TSFA would be inconsistent with the cutblock as proposed in the FDP.

Silviculture Prescription Stage

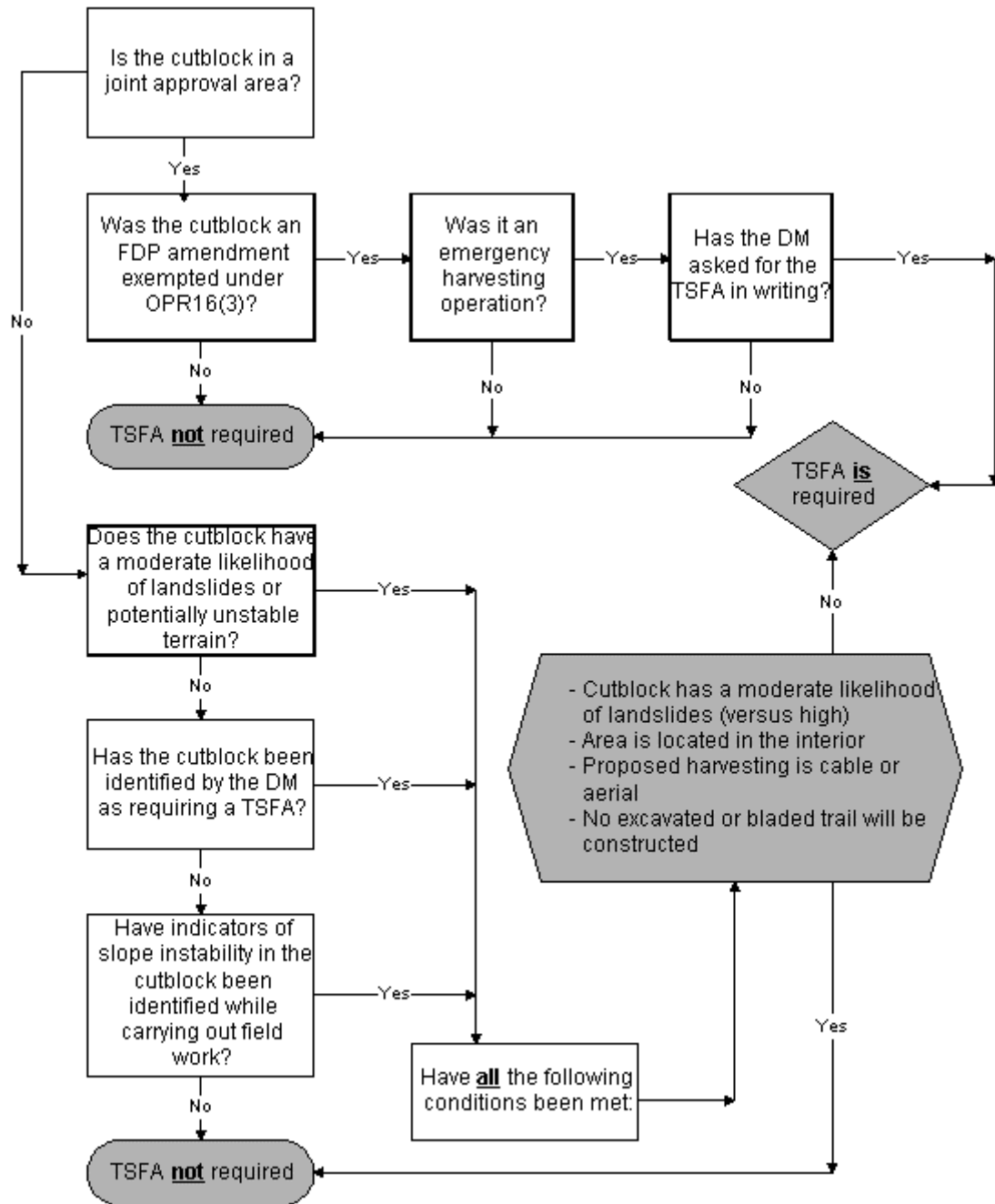
At the silviculture prescription (SP) stage, there is a further screening for cutblocks that may have terrain stability concerns that would warrant a TSFA (OPR 37). The attached flowchart, "Terrain Stability Field Assessments - Silviculture Prescriptions," outlines the final checks that have to be made, as part of SP preparation, to determine if TSFAs will be necessary for cutblocks that did not have these assessments carried out on them at the CP application stage.

Note: Only TSFAs conducted under OPR 16/17 require the FDP to be amended before the CP can be applied for. There is no such condition for TSFAs required at the SP stage under OPR 37.

Terrain Stability Field Assessments Cutting Permit Application



Terrain Stability Field Assessments Silviculture Prescription



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