



General Bulletin

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Use of District Manager Authority to make Scenic Areas *known* and Establish Visual Quality Objectives

Introduction

The *Operational Planning Regulation* (OPR) provides two tools for managing visual resources: Scenic Areas and Visual Quality Objectives (VQOs). Scenic Area and VQO are defined in OPR Sec.1. Scenic Areas may be made *known* and VQO established through higher level plans (HLP) or by the district manager. Forest Practices Code Bulletins 6 & 7 spell out what is required by regulation, when these provisions are invoked. It is recognized that it would be preferable to identify and make scenic areas *known* and establish VQO through HLP. However, in many cases it may be necessary for the district manager to identify and make scenic areas *known* and establish VQOs prior to HLP being in place or in absence of direction from HLP.

The objective of this guide is to provide district managers with information on which to base their decision, as to which tool to apply, and how to make scenic areas known and establish VQOs in absence of higher level plans, or for HLP not providing direction for site specific VQO or scenic areas.

Scenic Areas with and without VQOs: (Considerations)

In all cases scenic areas must be made known to enable provisions within the Forest Practices Code act and regulations. Once this has been done scenic areas can be managed with or without established VQOs. Known scenic areas with established VQOs is the preferred management scenario. However, there will be circumstances where a district manager may not want to establish VQOs. As a guide scenic areas should be made known and VQOs established where the visual resource is known to be at risk. Where there is only a moderate risk for visual quality scenic areas alone may be appropriate.

Both of the above approaches have their advantages and disadvantages. The statutory decision-maker may wish to review the considerations listed below to determine which tool is most appropriate for the situation at hand.

Scenic Areas with established VQOs

- Provide a measurable and auditable target, operationally and for timber supply analyses.
- Are binding once established and included in an operational plan.
- Meeting basic VQO definition, good visual landscape design and scale of alteration are significant factors in meeting a VQO.
- Provide the public with confidence that visual resources are being managed.

- Promote long term timber flow planning which can reduce impacts.
- May inhibit wood supply where restrictive VQOs are prescribed and where advance planning not done.
- Provide criteria for estimating timber availability and rate of harvest in timber supply analyses. (VQO % alteration and Visual Effective Green-up tree height).
- Visual Impact Assessments (VIA) are required, (OPR Sec. 37(1)(a)).

Known Scenic Areas without established VQO

- Serve to identify/red flag visual values.
- Recommended visual quality classes can provide an indication of the level of activity that would be appropriate for managing and conserving visual values.
- A person must ensure that a FDP includes the known scenic areas information for the area under the plan, and specify measures that will be carried out to protect the scenic resources. (Refer to Sec. 18(1)(e)(viii) of OPR and Sec. 10(1)(c)(ii) of the Act*).
- A proponent may be required to submit supporting information to ensure that the plan adequately manages and conserves the visual resource (*FPC Act* Sect. 41(2)).
Where this approach is practised the amount of supporting information requested must be reasonable. It should not be so extensive that it begins to approach the requirements for a Visual Impact Assessment.
- The best way to ensure that the visual values of a scenic area are being adequately managed and conserved is to plan the practices by using proven visual design techniques.
- May be less restrictive on fibre flow depending on what is practised as current management.
- Visual Impact Assessments are not a requirement, but some components (such as visual simulations) may be useful as decision support.

*Note: While scenic areas are not specifically listed in the definition of forest resources, the definition is not exclusive of scenic areas. Further to this the Code preamble states sustainable use includes the conservation of scenic diversity and other forest resources. The intent is clear that scenic areas are a forest resource. As such a scenic area must be considered in the balancing act under s. 41(1)(b) the same as any other forest resource. Under section 10(1)(c)(ii) any measures that are going to be carried out to protect forest resources must be specified in the FDP.

Visually Sensitive Landscapes Outside Known Scenic Areas

Where Visual Landscape Inventory information has not been identified and made known or where VQOs have not been established through a HLP or by a district manager, then the Forest Practices Code provisions for managing visual resources do not generally apply.

However, where an unacceptable risk is proposed to a viewscape (e.g. significant harvesting proposed across from a tourism lodge) this could be addressed under 41(1)(b) of the Act. For more information on the application of section 41(1)(b) and in the context of risk assessment, refer to the Compliance and Enforcement Branch Bulletin No. 4 titled "Application of Section 41(1)(b) of the Forest Practices Code of British Columbia Act", dated July 14, 2000.

Procedures for Identifying and Making Scenic Areas Known

Where the decision is made to identify and make known scenic areas district managers may wish to utilize some or all of the following procedures.

Review

- Examine approved government strategic land use plans (e.g., Regional Plans or LRMPs) or HLP for guidance on managing visual resources, e.g., does it suggest where scenic areas should be made known.

Consult

- Review visual landscape inventory with district resources specialists, other agencies and public to determine which areas covered by the visual landscape inventory should be made scenic.

Notification

- The district manager should in writing identify the location of scenic areas to licensees at least four months before a FDP is submitted in order for the scenic areas to become “known” information. (Reference Sec. 1(1)(b) OPR).

Procedures for Establishing VQO

Where the decision is made to establish VQO, district managers may wish to utilize some or all of the following procedures.

Review

- Approved government strategic land use plans (e.g., Regional Plans or LRMPs) or HLP for guidance on managing visual resources, e.g., does it suggest where VQO should be established.
- The social and economic objectives of the Crown as stated in the minister’s (February 26, 1996) section 8 letter to the chief forester.
- Review the Forest Practices Code – Timber Supply Analysis Report.

Consult

- Review visual landscape inventory with district resource specialists and DMT.
- Conduct interagency referrals and discussions.
- Seek input from public user groups, stakeholders, etc. to gauge local issues, hot spots, and public tolerance levels.
- Choose an appropriate public involvement process to solicit public feedback on the proposed VQO.

Resolve Conflicts

- Identify and resolve conflicts with other agency/resource management objectives.

Analysis

- Carry out analysis (manual or computerized) of the potential effect of VQO on timber availability. (This step may not be necessary if a TSR or timber supply analysis has been completed).

Make Changes

- Amend VQO if required and where appropriate by weighing the relative importance of each resource values and record the rationale for changes.

Notification

- A note should be published in a local newspaper indicating that:
 - VQO have been established;
 - the location of the VQO; and
 - that a map showing the area covered by VQO is available at the district office.
- Notify licencees of all scenic areas having established VQO in order that they can plan their activities and take visual resources into account.

Contacts

If you require further clarification or have any questions regarding this bulletin, please contact your Regional Visual Resource Specialist or:

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