



General Bulletin

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"Area Under the Plan" for Forest Development Plans

Introduction

The "area under the plan" should provide the statutory decision maker (SDM) and the public with a clear understanding of the extent of lands considered in preparing a forest development plan (FDP) and, once defined, it is also used to apply provisions of the Forest Practices Code of British Columbia Act (FPC).

There has been much debate about what "area under the plan" is. This bulletin attempts to describe it as it is most commonly understood and distinguish it from other "areas" that are referred to in forest legislation.

Defining "Area Under the Plan"

The term "area under the plan" is not defined in the Forest Practices Code of British Columbia Act (FPC) or the Operational Planning Regulation (OPR), however, OPR9 gives some direction to persons preparing FDPs as to what the "area under the plan" has to include. It also gives the SDM the power to specify the "area under the plan" if he or she feels the area as proposed is inadequate. If the SDM takes this route he/she must inform the person(s) of their right to request a review and appeal [OPR9(4) & 9(5)].

"Area under the plan" defines the outer limit of the FDP and is used to specify a geographic area for which the legislative requirements of FDPs will apply - the most important sections in this regard are FPC10(1)(b) - FDP content, OPR13 - Forest health assessments and OPR18 - Map information requirements.

It is important that the "area under the plan" be of sufficient size to include all areas affected by the timber harvesting and road construction or modification operations proposed under the plan (OPR9). What affected means is ultimately the SDM's call when he or she approves the FDP and will have to be reasonable and defensible. Boundaries, if utilized to define the "area under the plan", could include the total "area affected" boundary around cutblocks and roads, topographic features, operability limits, licensee chart/operating areas or mapsheet boundaries.

The preparer of the FDP should determine the "area under the plan" soon after road and cutblock placement is known. This total area will then define the area over which the proponent must record and evaluate the occurrence of detected forest health factors (OPR13), carry out a forest health assessment (OPR13), if required, and over which FDP

map and information requirements will apply (OPR18). This is an iterative process since the impact of road/cutblock placement on the resources within the affected area may shift cutblock/road placement which may re-define the affected area and so on.

It is important not to confuse the "area under the plan" with the affected area referred to in OPR9(1). There is only one "area under the plan" while there are as many affected areas as there are resources included in the FDP. To facilitate communication with the public and resource agencies, it is recommended that proponents clearly identify the landbase the FDP applies to. There are also other "areas" referred to in the OPR - all 4 "areas" are listed in Appendix 1 for clarification.

In order to identify the "area under the plan", several approaches can be taken. The FDP can be a series of mapsheets with the default "area under the plan" being the outer map boundaries or neat lines. If a cutblock or road is near the edge of the mapsheet, the adjacent mapsheet should be added in order to fully include the affected area. If some of the mapsheet is to be excluded, a boundary should clearly indicate this.

Another way is to establish the affected area boundary around each road and cutblock (as per OPR9) for each resource. Drawing a line around the sum of the affected areas would define the "area under the plan". In more practical terms, a logical planning unit that incorporates all cutblocks and roads should be chosen and a check made that this boundary incorporates all affected areas.

A final suggestion for depicting "area under the plan" is to list the geographic areas which the FDP includes. Care should be taken to ensure that all affected areas are included within this description and the boundaries, which may not be mapped, are clear to the SDM and the public.

If harvesting and road building activity extend to the edge of the tenure or chart area, the area affected and therefore the "area under the plan" will overlap encumbered lands (other tenures, parks, private land or other). The status of the adjacent land will dictate the ability of the proponent to acquire the information required by legislation for the "area under the plan". In some cases, failure to include this information may compel the SDM to conclude that the requirements of FPC41(1)(a) have not been met. For any tenures where FDPs overlap, meetings between the affected parties are useful to identify the boundaries and share information. It is recommended that district staff encourage and coordinate these meetings.

After the "area under the plan" boundary has been identified by the proponent, it is important to consistently refer to the same area in public notices and letters of transmittal. Overview key maps are recommended, especially for those plans that contain many separate mapsheets.

Applying the Concept

Example No. 1 - Terrain stability mapping and terrain stability field assessments (TSFAs).

OPR18(1)(c) sets out the mapping requirements for terrain stability for the "area under the plan" - meaning the entire FDP area must be mapped. If there is no terrain stability hazard mapping or reconnaissance terrain stability mapping, then all areas within the "area under the plan" that have slopes exceeding 60% would have to be identified in the FDP, as per standard procedures.

For proposed FDPs that overlap community watersheds, terrain mapping as described in OPR12 must be carried out for the "areas under the plan" that are within community watersheds.

The terrain stability field assessments (TSFAs) required in accordance with OPR16 or 17 have to be carried out only for cutblocks and adjacent (affected) areas. Likewise TSFAs required in accordance with Forest Road Regulation (FRR)4(5) only have to be carried out for the affected area around roads before a person carries out construction, modification or deactivation.

Example No. 2 - Known scenic areas and visual impact assessments.

Before an FDP is submitted for approval FPC17(2)(a)(iii) requires that scenic areas be identified and classified in accordance with the regulations. OPR18(1)(e)(viii) requires that known scenic areas be shown in the FDP for the "area under the plan." Visual impact assessments (VIA's) are then required (OPR37(1)(a) & FRR4(7)), for those areas (cutblocks & roads) within the FDP that are within a scenic area to demonstrate that the timber harvesting and road construction/modification operations are consistent with the established visual quality objectives for that area. From a legislative point of view, VIA's are not required until after FDP approval. However, they may be carried out voluntarily by the licence holder prior to FDP submission on visually sensitive areas.

Example No. 3 - Forest health.

The approach to addressing forest health issues via the FDP is a 3 step process. First, forest health factors are recorded and evaluated for the "area under the plan" [OPR13(a)]. Then, before making an FDP available for review, a forest health assessment must be conducted for the "area under the plan", if requested by the District Manager [OPR13(b)]. Since this assessment is at the discretion of the SDM, he/she may specify that it be carried out only on a portion of the "area under the plan". If the area is not specified, the default is the "area under the plan". OPR18(1)(t) then requires the FDP to include measures to reduce any significant risks identified in the forest health assessment for the "area under the plan".

Conclusion

The "area under the plan" is one of several "areas" that are important in preparing an FDP and following legislative requirements related to it. Another is the "affected area" which must be determined for all proposed roads and cutblocks within the FDP. All affected areas must be within the "area under the plan". The third category of area is "areas under the plan". Unlike affected areas, these are determined by the overlap specific watersheds have with the FDP. When reviewing legislative requirements as they relate to the FDP, care must be taken to determine the category of area (the portion of the FDP) the requirements apply to.

Contact

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Appendix 1 - "Areas" within the OPR and FRR relative to FDPs

Type of area	Relevant section(s) of the OPR/FRR
"area" under the plan	<ul style="list-style-type: none"> • OPR13 Forest health assessment • OPR18 Map and information requirements for all FDPs
"areas" under the plan	<ul style="list-style-type: none"> • OPR14 Watershed assessments required before review of FDPs
"affected" area within and adjacent to a cutblock	<ul style="list-style-type: none"> • OPR15 Riparian assessment for areas of joint approval • OPR16 TSFAs - joint approval • OPR17 TSFAs not in OPR16 • OPR20(1)(a)&(b) Category A cutblocks
"affected" area within and adjacent to a road	<ul style="list-style-type: none"> • OPR15 Riparian assessment for areas of joint approval • FRR4(5) TSFA prior to road construction.

	<p>modification or deactivation</p> <ul style="list-style-type: none">• FRR4(8) AIA prior to road construction or modification
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