General Bulletin

Number 32 **February 06, 2001**

Making Information "Known"

This bulletin is designed to provide supporting advice for the district manager (DM) and the designated environment official (DEO) in their role in identifying or making information "known". Due to the significance of "known" information, the Ministry of Forests (MoF) and the Ministry of Environment, Lands and Parks (MELP), at the district level, should consider meeting and formally establishing a common understanding and approach for working together to make information "known".

The term "known" is defined in the Forest Practices Code Operational Planning Regulation as;

> "known" means, when used to describe a feature, objective or other thing referred to in this regulation as "known", a feature, objective or other thing that is:
>
> a. contained in a higher level plan, or
>
> b. otherwise made available by the district manager or designated environment official at least 4 months before the operational plan is submitted for approval.

"Known" information should be considered a subset of "best available " information and only certain categories of information can formally be made "known" under the authority of various regulations.

For example, Section 18(1) of the Operational Planning Regulation (OPR) states:

> **18** (1) A person must ensure that a forest development plan includes the following information for the area under the plan:
>
> (e) the following known items:
>
> (x) community watersheds

And Section **18**(1)(x) states:

> (x) for community watersheds, the known water quality objectives

This means the preparer of a proposed forest development plan (FDP) is legally required to include the location and water quality objectives for community watersheds on the FDP when this has been made "known" four months in advance of the plan being submitted for approval.

The DM and DEO can make information "known" pursuant to the Forest Practices Code specific to the forest district in which they have authority. References throughout the regulations clearly identify the categories of information that fall into this process. When reviewing an FDP for approval, it is important that the decision-makers know what information has been formally designated as "known" since, after information is made "known", this "known" information is a mandatory content requirement for the FDP.

The process of making information "known" requires open lines of communication between the DM and DEO. There may be cases when information is made "known" independently(1), however, in areas of joint approval, the DM and DEO should agree on a procedure for effectively communicating "known" information to the proponents of proposed operational plans. Joint designation of "known" information by MOF and MOELP sends a strong unified message to the public and licensees (Appendix A).

> **(1)** Either the DM or the DEO independently may make information "known". In such cases, this "known" information should be communicated to the other party so that each is able to maintain an up-to-date record of existing "known" information.

An open process of making information "known" will assist in ensuring the desired end results are more clearly understood by all concerned. When there is a high potential for misunderstanding among stakeholders about information that is made "known", it may be important to prepare supporting documentation in order to provide clarity and depth of understanding (Appendix B). In preparing supporting documentation, the DM or DEO should rely on resource agency staff experts (including outside agencies, if necessary) to assist in understanding and interpreting the information presented.

Making information "known" should not be confused with the statutory decision maker requesting additional information under Section 41(2) of the Forest Practices Code Act as part of an operational plan approval determination. As well, the requirement to use "known" information in an FDP is different from the requirement to use "best available" information (Section 5 of the OPR) for all map and information requirements for operational plans. In this respect professionals foresters who are preparing the plan must utilize best available information on resource values, whether or not this has been made "known" in a formal sense. For example, forest development plans are required to include the best available information for terrain stability, including terrain stability hazard maps showing areas of moderate or high likelihood of landslides, if these maps are available.

Contacts

If there are any questions about this bulletin, please contact:

Name	Branch, Ministry	Phone	E-Mail
Charlie Western	Resource Tenures & Engineering, MOF	(250) 387-8306	Charlie.Western@gems4.gov.bc.ca
Cassandra Mann	Compliance & Enforcement, MOF	(250) 356-9785	Cassandra.Mann@gems7.gov.bc.ca
Greg McKinnon	Habitat, MOELP	(250) 387-9592	Greg.Mckinnon@gems9.gov.bc.ca
Les Swain	Water Management, MOELP	(250) 387-4227	Les.Swain@gems7.gov.bc.ca

References

Forest Practices Code General Bulletin No. 25, *"Requirements for Consistency Between Forest Development Plans and Higher Level Plans"*
Resource Tenures and Engineering Branch and
Forest Practices Branch, Ministry of Forests

Appendix A
An example of a joint sign-off cover letter

File:

Date:

«Licensee»

RE: Designation of Known Information

Dear Sir/Madame:

The following _____ has been designated as "known" information in the _____ Forest District as per Section 1 of the Forest Practices Code of British Columbia Act Operational Planning Regulation (B.C. Reg. 107/98).

This information is made known as of _____ (choose a date 8 days after the mailing date) and must be incorporated into related operational plan submissions 4 months after this date.

Key information supporting this designation is attached.

Please note that this process is designed to complement and co-ordinate with other formal processes such as the declaration of Higher Level Plan Objectives.

If you have any questions about this designation, please contact one of the

undersigned.

(Signature)	(Signature)
_____	_____
Name District Manager	Name Designated Environment Official

_____ Forest District

Appendix B
Supporting documentation for "known" information

The following summarizes the information and references utilized in support of the "known" information provided to each licensee pursuant to Section 1 of the Forest Practices Code of British Columbia Act (FPC) Operational Planning Regulation (B.C. Reg. 107/98).

[Add the necessary detail for completeness and to provide a record of what has been included depending on the nature of the information being made known. For example this record may include reference to various consultant or ministry reports which support the information being made known.]