

Visco, Greg ENV:EX

From: Minister, ENV ENV:EX
Sent: Friday, January 12, 2018 8:49 AM
To: Correspondence Unit ENV:EX
Subject: FW: Submission on the Professional Reliance Review
Attachments: Ltr. Professional Reliance Submission.pdf

Follow Up Flag: Follow up
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Categories: Greg

From: Kevin Boon [<mailto:bccattle@cattlemen.bc.ca>]
Sent: Friday, January 12, 2018 7:22 AM
To: Minister, ENV ENV:EX
Subject: Submission on the Professional Reliance Review

Dear Honourable Minister Heyman:

Please find attached a letter from the BC Cattlemen's Association President, Brian McKersie in regards to the BCCA's submission on the Profession Reliance Review.

Regards,

Becky Everett

Becky Everett – Executive Assistant
BC Cattlemen's Association
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BRITISH COLUMBIA CATTLEMEN'S ASSOCIATION

Representing the Beef Cattle Industry of British Columbia

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January 12, 2019

Honourable George Heyman, Minister
Environment and Climate Change
PO Box 9047 , Stn Prov Govt
Room 112, Legislature Buildings
Victoria, BC V8W 9E2

Our File # 2018-005

SENT BY EMAIL TO: ENV.minister@gov.bc.ca

Subject: Professional Reliance Review

Dear Minister Heyman,

Please accept this letter as the British Columbia Cattlemen's Association (BCCA) submission on the Professional Reliance Review. The BCCA has felt for a number of years that the model certainly needs tweaking but does not need replacing. Our comments relate primarily to Forest and Range Act legislation. We feel that if you accept our recommendations the legislation will be stronger, fairer to other stakeholders and will improve public trust.

Our submission focuses on three topics:

- District Manger Authority
- Unqualified Practice
- Small 'p' Professional Certification

District Manger Authority

In December of 2015 the Forest Practices Board released the report 'District Managers' Authority Over Forest Operations'. In the report the Board made the following recommendation:

"the Board recommends that government introduce a regulation to implement Forest Act section 81.1. The regulation should authorize district managers to refuse a cutting permit or road permit if the minister determines that any of the following applies:

- there is clearly significant risk to public health or safety;
- there is clearly significant risk to forest resources or values;
- there is likely to be a contravention of legislation; or
- the interests of another tenure holder have not been adequately addressed (if that tenure holder requests district manager intervention).

We have often wondered why the government would tie the hands of their own Ministry staff to prevent them from intervening in situations where there are clearly significant risks to public health, safety, or to forest resources or values or there is likely to be a contravention of legislation or the interests of another tenure holder (authorized primarily by the same Ministry) have not been adequately addressed. In fairness, most cutting permits are completely acceptable however it still makes one wonder why the government would want to support a model that does not have 'checks and balances' and at the same time expect public trust and support of this model.

Further, range tenure holders along with other authorized tenure holders have often found themselves in situations where their interests and rights become quite secondary to the needs of the forest industry and when it is brought to the attention of the local District Manager only to be told 'there is nothing I can do about it'.

Recommendation:

Implement the Forest Practices Board recommendation as found and written in their December, 2015 report titled 'District Managers' Authority Over Forest Operations'.

Unqualified Practice

There are many examples where timber harvesting plans have shown a lack of knowledge, understanding or interest regarding 'natural range barriers' and 'invasive plants' even though there is a legislated requirement. This often leads to detrimental effects post harvesting for other authorized users that include increased operating costs and making it difficult to meet the obligations of their own tenures.

Recommendation:

All operational plans that address natural barrier removal and/or invasive plants requirements must be prepared by a qualified person.

Small 'p – professional' Certification

In the past our Association has promoted the concept of a voluntary certification program for authorized Crown land users for very specific activities such as smaller scale in stream works. Our thinking was that if a tenure holder took formal training that ensured the tenure holder acquired and understood the effects of an activity (i.e. in terms of in-stream works they would understand the attributes of a specific stream, minimizing the impact of the activity and the acceptable time frame for conducting the activity) then the tenure holder would no longer be required to obtain permits or authorizations and would only be required to provide a notification to government agencies. If the tenure holder successfully completed the training they would become a 'small p – professional' for that specific activity.

Other types of certification might address identifying natural barriers and mitigating their removal and developing effective plans for addressing invasive plants.

Recommendation:

That government co-ordinate a joint meeting of Associations representing tenure holders or other individuals working on Crown land to identify specific activities where a 'small p-professional' certification program may be beneficial to all parties concerned.

In closing I would like to thank you for the opportunity to comment. If you would like to discuss this further please do not hesitate to call.

Yours truly,

A handwritten signature in black ink that reads "Brian McKersie". The signature is written in a cursive style with a large initial 'B' and 'M'.

Brian McKersie, President
British Columbia Cattlemen's Association