

January 19, 2018

Jennifer McGuire
Assistant Deputy Minister
Ministry of Environment and Climate Change
PO Box 9339 Station Provincial Government
Victoria, BC V9W 9M1

Sent via email: CitizenEngagement@gov.bc.ca

Re: Professional Reliance Review

Dear Ms. McGuire,

Thank you for the opportunity to provide written comments on the Professional Reliance (PR) review currently underway by the BC Government.

As Chief Forester of Western Forest Products, it is my responsibility to lead the more than 100 Registered Professional Foresters on staff, as well as, other Qualified Professionals (QPs) in their areas of practice (e.g. geoscientists, archeologists, and biologist) and to ensure the company follows their guidance. It is an important responsibility and one that I do not take lightly.

As a professional forester myself, it is an honour and a privilege to work with so many dedicated professionals who are committed to ensuring our company works diligently to meet the continually evolving social, environmental and economic interests of the people of BC.

I'm particularly proud of the professionals that work for our organization who demonstrate a high level of enthusiasm and energy for our chosen profession. They routinely demonstrate a balanced view of managing forest resources for both present and future generations of British Columbians. They challenge our thinking by introducing new ideas, concepts and solutions that make me realize how fascinating and dynamic a sector forestry is and I believe it is a strength of our system.

Professionals are accountable for their activities because not all decisions can, nor should be, dictated through the stringent legislation, regulation and policy governing the forest sector. Personal and professional reputations as well as the knowledge that their ability to continue to practice in their chosen field can be impacted by the decisions they make, act as the great motivator for making the "right choice" for each unique and specific situation. In many cases, it is the same motivator for a company to ensure we follow the advice of our professionals; corporate reputations are, as they should be, on the line if professional advice is ignored.

“Can Professional Reliance be improved?” In a broad context, we should always strive to do better. However, it is important to understand that how professional reliance is applied is dependent on the industry and the framework and circumstances surrounding it is different by sector. In forestry, QPs operate under a large array of very stringent legislation and regulation - starting with how Annual Allowable Cuts are determined to set sustainable harvest levels in BC.

Western Forest Products manages forest lands exclusively on the coast of BC and has not been a part of the massive salvage initiative that has occurred in the interior in response to mountain pine beetle. However, observing from the outside, much of the conversation today stems from a world where mountain pine beetle has run its course and we are looking back at whether BCs practices were the right ones. Looking ahead, it is important to remember that those salvage initiatives were a social choice made at the time. It is the framework that was chosen to guide the efforts of those working to implement it. The situation drove the response and Qualified Professionals supported the effort, but in no way is the outcome a result of Professional Reliance. It was a result of the decision society made at the time to salvage dead and dying trees.

In the broader context of forestry, the *Forest and Range Practices Act of British Columbia* (FRPA) was intended to create a results-based regime grounded in the foundation of the prior Forest Practices Code. FRPA was enacted in 2004 with an intended transition to full implementation.

Has the FRPA framework been fully implemented as intended?

No. As part of the results based regime and framework in which QPs are guided, there was intended to be a functioning effectiveness monitoring program. That is not the case today. The Forest and Range Evaluation Program (FREP), was intended to provide that framework but it has not been successful to date at providing a framework where there can be sufficient confidence for QPs to recommend innovative practices that stray from pre-existing and more prescriptive practices that previously existed under the Forest Practices Code.

This is a flaw in the framework, not in PR.

What can government do to better support the oversight of professional reliance in the context of forestry?

It can ensure the FRPA framework is fully implemented as intended and that QPs are given the tools upon which to base their practice.

Government can also ensure its compliance and enforcement function is an effective model. It should work towards ensuring those who implement compliance and enforcement understand and see all inspection notices – both positive and negative. As that type of information can support other independent valuation initiatives, such as sustainable forest management certification, that work to improve forest management practices over time.

Government can also continue to fund its independent watchdog the Forest Practices Board with a mandate to provide feedback on how well companies are incorporating the advice of QPs and how the framework for which they operate can be improved. The independence of the Board is critical as they are, and should continue to be, free to criticize (and commend) the practices within both government and industry.

What can professional associations do to better support professional reliance?

They can better advocate for QPs to improve the framework surrounding professional reliance and build a program for continued learning and education on the basis of that framework. They can also ensure there are known repercussions when QPs or non-QPs operate outside of their area of professional practice.

Is there currently an appropriate level of government oversight to assure the public are protected?

In the context of forestry, the answer is yes. However, that oversight should be grounded through a fully implemented framework for FRPA that includes a well-funded and structured effectiveness review program and the resources to support it.

Thank you for the opportunity to participate in this review.

Please contact me directly should you have any additional questions or need any further information.

Sincerely,



Shannon Janzen, RPF