



MANAGED
FOREST
COUNCIL

2015 / 2016 CORPORATE PLAN

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I. INTRODUCTION

The Managed Forest Council (Council) was established in 2004 as an independent agency under the *Private Managed Forest Land Act* (the Act) with a mandate to regulate forest practices on Managed Forest land. The Council consists of five members: two members appointed by the Minister of Forests, Lands and Natural Resource Operations (the Minister); two members elected by the owners of private managed forest land; and a chair who is elected by the other four members. As part of its 2013 Communications plan Council has adopted the trade name, Managed Forest Council to distinguish itself from organizations involved with private forest lands in the province. This new trade name was adopted for use in the Fall of 2014.

The operations of Council are 100% funded by an annual administration fee levied by the Council on the owners of private managed forest land. There is no government funding of the program.

Section 5 of the Act sets out the objects of Council as follows:

Object of Council

- 5 The object of the council is to encourage forest management practices on private managed forest land, taking into account the social, environmental and economic benefits of those practices.

The Act provides a framework for private land to become managed forest land. This involves the submission to Council of a management commitment that meets the requirements of the Act and regulations and a decision by the Assessment Authority under the *Assessment Act* to classify the land as managed forest land. The Act also provides a mechanism to have the private managed forest land classification removed. In some cases this removal requires the Council to levy an exit fee on the owner before removing the private land from the managed forest program.

The Act states government's forest management objectives for private managed forest land with respect to soil conservation, water quality, fish habitat, critical wildlife habitat and reforestation. The Act further empowers Council and the Lieutenant Governor in Council to make regulations consistent with these forest management objectives.

Council is empowered under the Act to utilize various administrative remedies to ensure owners of managed forest land comply with the requirements of the Act and regulations.

The Council is required to submit an annual report to the Minister.

II. STRATEGIC DIRECTION FOR ACHIEVING MANDATE

To achieve Council's object under section 5 of the Act, Council established a Statement of Principles for encouraging forest management practices on managed forest land. The principles are as follows:

- (a) The Council will strive to ensure the forest practice requirements it establishes in regulation address the government forest management objectives established in sections 12 to 16 of the Act;

- (b) Council will carefully review all new management commitments and amendments to ensure they are consistent with good forest management practices;
- (c) Council will establish policies and guidelines respecting forest management requirements and make them publicly available;
- (d) Council will prepare field practices guidebooks and distribute them to owners to foster a consistent understanding of forest management practices requirements;
- (e) Council will conduct periodic field training sessions to further foster understanding of forest management practice requirements and implementation issues;
- (f) Council will conduct an inspection and audit program to provide an ongoing assessment of compliance by owners with the forest management obligations;
- (g) Council will ensure compliance with the forest management requirements of the Act and, where appropriate, take fair and equitable enforcement measures;
- (h) Council will ensure it conducts its affairs in relation to encouraging forest management practices in an open and transparent manner.

The implementation of these principles forms the core of Council's operations each year.

In addition, Council carries out many functions to meet other requirements placed on the Council under the Act. These requirements include:

- Imposing an annual administration fee on the owners;
- Providing required notifications to the Assessment Authority;
- Calculating and levying exit fees where required;
- Preparing an annual report for the Minister.

Finally, Council seeks to encourage participation in the managed forest program by

- retaining owners who comply with the Act and regulations, and
- informing owners of private forest land of the potential opportunities within the private managed forest program.

III. COUNCIL GOALS & PERFORMANCE MEASURES

Each year Council develops a corporate plan and budget for operations carried out in the following fiscal year (April 1 - March 31). The corporate plan is completed in the context of a longer term vision of what Council is trying to achieve. Council long term vision is captured in a series of strategic initiatives for the years following the current corporate plan. This plan includes 2 ongoing strategic initiatives for the 2015 / 2017 fiscal years.

Council, while meeting its legal mandate and statement of principles, will pursue the following goals and performance measures:

1.0 Administrative Operations

1.1 Annual Administration Fee

- To keep the amount of the annual administrative fee to the minimum amount to comprehensively and effectively meet its mandate
- To notify owners of the annual administration fee in February of each year
- To invest pre-paid and accrued annual administration fees into guaranteed investment certificates to the benefit of Council and Owners
- To actively pursue outstanding administration fees

1.2 Declaration of Surplus or Deficit

- To determine as soon as practicable after the end of the fiscal year what if any surplus or deficit can be attributed to that fiscal year
- To report to the owners as soon as practicable the amount of the surplus or deficit and the Council's intention for addressing that surplus or deficit

1.3 Entry and Exit

- To process all management commitment applications and amendments within 30 days except in extraordinary circumstances.
- To calculate and levy exit fees within 45 days of becoming aware that an exit fee should be applied

Corporate Goal # 1: Administrative Operations, Entry and Exit: Provide timely processing of administrative requirements regarding owners entry to and exit from the MF program in order to help facilitate their planning and operations.

Performance Measure:

Performance Measure	2015 / 2016 Stretch Target	2015 / 2016 Proposed	2016 / 207 Proposed	2017 / 2018 Proposed
- days to process MC applications and amendments	25	30	30	30
- days to calculate and levy exit fees	35	45	45	45

Discussion: Unnecessary delays in approvals reflect a cumbersome, poorly organized bureaucratic system. Timely approvals result in efficiencies for both Council and managed forest owners. Council staff will review administrative processes and incorporate efficiencies to achieve these targets on a consistent basis.

1.4 Annual Financial Audit

- To ensure Council finances are audited annually by a qualified auditor as soon as practicable after March 31 each year.

- To implement recommendations, if any, of the qualified auditor.

1.5 Annual Report

- To ensure Council annual report is prepared in accordance with the Act and submitted to the Minister by mid October of each year.

1.6 Budget and Strategic Plan Monitoring

- To ensure that progress of attainment of the Corporate Plan goals are reviewed against budget expenditures at least on a bi-monthly basis.

2.0 Field Operations (ensuring compliance)

2.1 Inspections & Audits

- To develop and implement an inspection program that delivers on Council's policy objective of inspecting each managed forest once every 5 years.
- To develop and implement the audit program to focus resources on key themes identified by Council.
- To use qualified inspectors and auditors
- To ensure inspectors and auditors are fluent in their understanding of the Act and its regulations

Corporate Goal # 2: Inspections: Ensure ongoing compliance with Council policy of inspecting each Managed Forest in the program at least once every five years.

Performance Measure:

Performance Measure	2015 / 2016 Stretch Target	2015 / 2016 Target	2016/ 2017 Proposed	2017/2018 Proposed
# of inspections	70	60	60	50

Discussion: With over 273 Managed Forests in the program the achievement of the Council goal of inspecting each MF once every five years requires the program to include inspections of approximately 55 MFs per year. The inspection program focuses on the key environmental values the Council is mandated to regulate. Council ongoing inspection program is designed to be an effective and efficient process that ensures participants are fulfilling the legal requirements established by law and the management practices reflected in their Management Commitments.

2.2 Investigations

- To diligently investigate each potential non-compliance of which the Council is aware
- To use only qualified investigators
- To ensure investigators are fluent in their understanding of the Act and its regulations.

2.3 Determinations

- To make compliance determinations in accordance with the Compliance Determination Manual as soon as practicable after providing an opportunity to be heard
- To provide a determination and rationale within 30 days of the completion of the opportunity to be heard process.

2.4 Reviews and Appeals

- To conduct reviews in accordance with the Compliance Determination Manual
- To provide a determination and rationale in respect of the request for review within 30 days of the completion of the opportunity to be heard process.
- To participate fully in appeals of Council decisions to the Forest Appeals Commission

2.5 Responding to Complaints and Inquiries

- To respond to each complaint or inquiry received in a respectful manner and a timely fashion.
- To diligently pursue each complaint and inquiry to ascertain if a follow up inspection or investigation may be warranted.

3.0 Providing Policies, Procedures and Interpretive Guidance

3.1 Interpretation

- To periodically assess whether or not additional interpretive guidance is required or whether existing guidance needs to be clarified
- To work with owners' representatives on vetting any Council guidance before it is finalized
- To strive to implement interpretive guidance changes in the fall of each year.

3.2 Manuals

- To periodically assess whether modifications to existing manuals are required
- To strive to implement manual changes in the fall of each year.

4.0 Continuous Council Improvement

4.1 Training of Council and Staff

- To ensure Council members and staff are well trained with respect to administrative law and compliance and enforcement matters.

Corporate Goal # 3: Continuous Improvement, Training: Provide training opportunities for Council and staff to stay relevant and informed with respect to technical advancements, administrative law and compliance and enforcement, as required.

Performance Measure:

Performance Measure	2015 / 2016 Stretch Target	2015 / 2016 Proposed	2016 / 2017 Proposed	2017 / 2018 Proposed
Training opportunities per person or for the group	2	1	1	1

Discussion: Ongoing training for Council and staff is essential for Council to fulfill its mandate in a progressive and efficient manner. Council recognizes the importance of providing ongoing training and will make every effort to schedule new opportunities throughout the year for Council members and staff.

4.2 Clarifying Council Mandate

- To identify, develop and implement necessary changes to the Act and regulations in such a way as to inform the owners of private managed forest land and to facilitate planned and periodic change to the owners' operations.

4.3 Assessing Council Performance

- To review actual deliverables against those specified in the annual plan
- To periodically review whether or not Council is performing in accordance with its strategic direction and statement of principles.
- To annually review the risk management framework and incorporate any necessary adjustments.
- To require Council members report annually in April as to that member's compliance with Council's established code of conduct.

Corporate Goal # 4: Assessing Council Performance: Regular attendance at Council meetings to ensure the mandate granted to Council through the creation of the Private Managed Forest Land Act is achieved.

Performance Measure:

Performance Measure	2015 / 2016 Stretch Target	2015 / 2016 Proposed	2016 / 2017 Proposed	2017 / 2018 Proposed
Meeting Attendance, min. 80 %	90%	80%	80%	80%

Discussion: Standards of Conduct for Council members are outlined in the Governance Policy in a listing of guidelines and expectations. The expectation is members maintain a minimum attendance record of 80 % at regularly scheduled council meetings throughout the year. The Council (4) and Chair (1) meet monthly for a total of 60 person days per year.

5.0 Extension (encouraging compliance)

5.1 Owners

- To work with owners to improve understanding of regulatory requirements
- To work with owner representatives to ensure open communication and, where warranted, effective coordination on delivery of specific initiatives.

5.2 Local Government

- To engage municipal and regional district representatives.
- To provide educational opportunities to local government as they arise
- To work with local government on Council regulatory initiatives
- To work with local governments on OCP reviews
- To work with local governments on local issues involving the private managed forest land program.
- To attend conferences and actively participate in workshops sponsored by local governments and regional districts.

5.3 Government Agencies

- To work with various government agencies with respect to specific incidences in the field, committees and regulatory initiatives
- To work with the Assessment Authority on an on-going basis to ensure there is an understanding of respective policies and procedures and operational requirements.
- To meet with senior staff from the Assessment Authority on an annual basis to ensure there is open and timely communication of inter-agency issues
- To work with lead ministry staff to ensure the minister is kept informed of any pending issues that may be of interest
- To meet with lead ministry officials on at least a semi-annual basis to ensure relevant initiatives are fully vetted by the respective agencies

6.0 Promotion of Private Managed Forest Land

6.1 Owners

- To work with owners to improve their understanding of the regulatory framework under the Act and regulations and potential implications under the *Assessment Act* and *Local Government Act*.

6.2 Local Government To meet periodically with local governments where there are significant amounts of private forest land to inform them of the regulatory protections in place for lands within the private managed forest land classification.

- To periodically secure a booth at UBCM AGM to promote the mandate and operations of the Council

6.3 Government Agencies

- To meet periodically with government agencies to foster an understanding of how the private managed forest land program is a cost effective way of promoting a higher level of forest management than on private forest lands which are outside of the program.

Corporate Goal # 5: Promotion of Managed Forest Land Council: To raise the profile of Council and its role in the regulation of Forest Management activities on Private Managed Forest Land through greater active engagement of its various stakeholders.

Performance Measures:

Performance Measure	2015 / 2016 Stretch Target	2015 / 2016 Proposed	2016 / 2017 Proposed	2017 / 2018 Proposed
# of stakeholder engagements	14	10	10	10

Discussion: Council as part of its ongoing Communications Initiative launched in 2014 has a goal of raising its profile with the various stakeholders with which it interacts. This was identified as a critical component within Council 2013 survey of stakeholders. Engagements may take the form of informal meetings, presentations to local governments or participation in annual stakeholder conferences.

7.0 Potential Regulatory Reforms

7.1 Identifying Potential Regulatory Reforms

- To review audits, inspections, investigations and determinations to ascertain if there are any regulatory gaps, redundancies or technical issues that need to be addressed
- To seek input and review suggestions from outside agencies for potential legislative or regulatory changes not identified through internal review processes

7.2 Implementation

- To carefully consider the implications of any potential changes to the regulatory framework
- To work with all affected parties on any potential regulatory amendment initiatives
- To the extent practicable, provide a fair notice period to owners of any pending regulatory changes
- To the extent practicable, plan for any regulatory amendments to take effect at the same time in any given year.

8.0 Preparation for Future Operations

8.1 Development of Next Corporate Plan and Calendar

- To ensure the next Corporate Plan is prepared through January - March of each year
- To ensure the Corporate Calendar is developed in conjunction with the Corporate Plan

8.2 Development of Strategic Initiatives

- To schedule and plan initiatives that strive to support the achievement of Council core mandate as it relates to soil conservation, water quality, fish habitat, reforestation and habitat for species at risk

8.3 Development of Next Fiscal Budget

- To utilize the Corporate plan in the Budget development process
- To begin development of the Budget in the Fall of each year
- To ensure the Budget is approved by January of each year

IV. RISK MANAGEMENT

The Council has incorporated risk management into all of its operations by integrating a risk identification and analysis phase into this strategic plan. At a high level, the risk elements and risk management approach and activities are set out below.

Risk Element	Risk Management Approach	Risk Management Activity
Legal filing dates	<ul style="list-style-type: none"> • ensure that Council meets all legal requirements under the Act and regulations 	<ul style="list-style-type: none"> • send annual administration fee invoices to owners in February • inform owners promptly of surplus or deficit • file annual report as soon as practicable • inform Assessment Authority by specified cut off dates
Statutory decisions upheld	<ul style="list-style-type: none"> • ensure all decisions are made within statutory time limits • ensure all decisions are within jurisdiction • ensure all decisions conform with duty to be fair 	<ul style="list-style-type: none"> • establish policies and procedures, including time limits, for completing investigations need to check • review and update the compliance manual as required • provide all parties? everyone with an opportunity to be heard and reasons for the decision
Regulatory	<ul style="list-style-type: none"> • ensure that the forest practices requirements are wholly consistent with the forest management objectives in the Act • ensure that the Act and regulations enable the 	<ul style="list-style-type: none"> • annually assess regulations to identify any areas requiring improvement • work with MFNRO on any potential amendments to the Act or LGC regulations

Risk Element	Risk Management Approach	Risk Management Activity
	Council to effectively carry out its mandate	
Financial	<ul style="list-style-type: none"> ensure that operations are cost-effective ensure that there are sufficient funds to ensure compliance with the Act and regulations. 	<ul style="list-style-type: none"> place fees received in interest bearing account until funds required ensure routine financial control procedures including monthly review of financial reports by Council, annual financial audits, and ongoing expenditure controls exercised by delegated signing authorities
Compliance	<ul style="list-style-type: none"> ensure that owners comply with regulatory requirements 	<ul style="list-style-type: none"> customize audit and inspection program to ensure Council has adequate information of operational compliance of all land owners
Communications	<ul style="list-style-type: none"> ensure that communications are appropriate with all stakeholder groups 	<ul style="list-style-type: none"> implement the communication plan with consideration for all stakeholder groups review and update communication plan as required
Council knowledge	<ul style="list-style-type: none"> ensure that council members and staff are well trained ensure that council members and staff are well informed 	<ul style="list-style-type: none"> attend appropriate training for administrative tribunals distribute all materials required for meetings at least 1 week before the meeting.

Council will ensure that risk management is a consideration in each of its operations and financial functions. This will ensure that the Council acts in a cost-effective and operationally efficient manner.

V. STAKEHOLDERS

To provide context for the development of specific goals within the Corporate Plan, the Council has identified its stakeholders (and potential stakeholders), documented the relationships with these stakeholders and the type of communication or interaction that is warranted. These are set out below:

Stakeholder	Relationship	Communication or Interaction
Ministry of Forests, Lands and Natural Resource Operations	<ul style="list-style-type: none"> Parent ministry Responsible for Act Potential auditor Fellow regulatory agency: water, fish, wildlife, habitat management 	<ul style="list-style-type: none"> Provide annual report Meet semi-annually to discuss initiatives On-going interaction to address issues as they arise Maintain dialogue on cross agency issues
Ministry of Environment	<ul style="list-style-type: none"> Fellow regulatory agency: water quality, species at risk 	<ul style="list-style-type: none"> Maintain dialogue on cross agency issues
Department of Fisheries and Oceans	<ul style="list-style-type: none"> Fellow regulatory agency: anadromous fish and habitat 	<ul style="list-style-type: none"> Maintain dialogue on cross agency issues

Stakeholder	Relationship	Communication or Interaction
Ministry of Community, Sport and Cultural Development	<ul style="list-style-type: none"> • Fellow regulatory agency: local government interface; OCPs 	<ul style="list-style-type: none"> • Coordination on issues effecting municipalities • Discuss of issues related to Section 21 of PMFL C Act
BC Assessment Authority	<ul style="list-style-type: none"> • Fellow regulatory agency: Assessment Act • Sister agency for lands entering and exiting private managed forest land program 	<ul style="list-style-type: none"> • Coordinate actions for entry and exit of areas • Discuss opportunities for recruitment and retention of new MF • Discuss opportunities for clarifying effective dates • Coordinate regulatory reform
Surveyor of Taxes	<ul style="list-style-type: none"> • Fellow regulatory agency • Collector of exit fees levied on rural properties 	<ul style="list-style-type: none"> • Coordinate actions for collection of exit fees where appropriate
Local governments	<ul style="list-style-type: none"> • Interactions respecting: <ul style="list-style-type: none"> ○ bylaws, ○ exit fees, ○ enforcement of Act and regulations 	<ul style="list-style-type: none"> • work collectively on specific regulatory issues • work individually on local operational issues
Land owners	<ul style="list-style-type: none"> • Regulated party • Funding source 	<ul style="list-style-type: none"> • ensure compliance • promote knowledge through policies, guidelines, brochures and training • keep informed as to Council finances
Public	<ul style="list-style-type: none"> • Educational and individual or group expressions of forest management concerns 	<ul style="list-style-type: none"> • Individual, group or one-on-one educational or problem resolution sessions
Private Forest Landowners Association	<ul style="list-style-type: none"> • Many landowners are members 	<ul style="list-style-type: none"> • Discussion of program issues as they arise • Attendance at PFLA AGM

Council will periodically assess whether adjustments are required to ensure the desired level of communication and interaction is achieved with each identified stakeholder and if the need exists to identify additional stakeholders.

VI. PLANNING CURRENT AND FUTURE OPERATIONS

CURRENT OPERATIONS (Corporate Calendar)

Council utilizes a simple straightforward system developed through Excel to track critical dates, goals and strategies throughout the year. The Corporate Calendar is updated each spring to coincide with upcoming goals and strategic initiatives set by Council through updates to its Corporate Plan.

FUTURE OPERATIONS

Setting goals or objectives for future activities is done so through the establishment of a series of strategic initiatives. Each year as development of the Corporate Plan proceeds Council may propose a series of higher level initiatives for completion throughout the upcoming year or in subsequent years. The direction these strategic initiatives present will ensure Council remains at the forefront of its mandate related to soil conservation, water quality, fish habitat and reforestation. The establishment of these initiatives is a critical component to guide budget planning process in subsequent fiscal years. For the 2015 / 2016 / 2017 fiscal years the following ongoing Strategic Initiatives will be pursued.

Strategic Initiative 1

Drinking Water Study, 2015 / 2016

A forest management objective specified under Section 13 of the *Private Managed Forest Land Act* is to protect human drinking water, both during and after harvesting. Protection of water quality is a significant and ongoing concern of many communities and individual water license holders that obtain drinking water supplies from watersheds which may contain Private Managed Forest Land. Council conducted an audit which was released in 2014 that reviewed the effectiveness of the regulations in relation to the forest management objectives specified in the Act. With reference to drinking water protection, the study identified a limitation to the scope of the regulations in that the prescribed requirements only apply to licensed waterworks intakes that are issued to incorporated water user communities. The regulations do not extend to water license intakes issued to single users for domestic water consumption. The audit was limited in scope in that assessment of drinking water protection for licensed water intakes which are regulated under the regulation was limited to a relatively small sample size. And finally, it suggested Council Regulation lacked provisions to assess the potential effects from forest management activities on water quality within the MF portion in a water catchment.

To address these issues Council is conducting a study to evaluate whether the current regulatory framework under the Private Managed Forest Land Act meets the intent of drinking water protection objective under Section 13. The study will include a review of:

- water quality at licensed water intakes and individual water licenses relative to forest management activities on private managed forest lands (through a review of available reports and data from the Ministry of Environment and interviews with water license holders)
- administrative processes and field practices utilized by managed forest owners to protect drinking water quality when undertaking forest management activities
- interactions between water license holders and private managed forest owners, and
- effectiveness and limitations of the current regulatory framework

The study will be conducted in two phases. The first phase was initiated in the 2014/15 fiscal year, and included project design, data collection and analysis. The second phase of the study continues in 2015/16 and will include the development of an RFP to review the level of pre harvest assessments and on-ground practices around the protection of drinking water sources. The second phase will include an extensive literature review to inform Council as to past and current strategies and practices utilized by forest practitioners in the protection of drinking water sources.

Phase 1: 2014 / 2015 Budget: 20 thousand

Phase 2: 2015 / 2016 Budget: 30 thousand

Strategic Initiative 2

Communication Strategy, 2015 – 2016 / 2017

The purpose of Council's communication strategy is to raise its profile with the various stakeholders with whom it interacts in a way very different from past engagement strategies. In the past Council maintained a low profile concentrating its effort on delivering on its regulatory mandate. With heightened concerns from various stakeholders now prominent on a daily basis Council believes that being responsive to these concerns is an important component in the achievement of its long term goals. The communications strategy has been developed to reach out to those stakeholders and provide greater outreach and education opportunities than existed in the past.

2015 / 2016 Budget: 30 thousand

2016 and beyond: 10 thousand for outreach / education / travel to sustain strategy

VII. ASSESSING DELIVERY OF PAST OPERATIONS

Council's 2015 – 2016 Corporate Plan is the second annual plan that contains a series of performance measures. These measures were developed and enshrined into the corporate plan as a measure of Council performance in the achievement of its yearly strategies and goals. Each year Council will assess its performance in relation to these measures, and if required, adjust or modify its practices to better achieve its goals and strategies.

Council is required to produce an Annual Report for the Minister of Forest, Lands and Natural Resource Operation. Performance measures first developed in Councils 2014 /2015 Corporate Plan will be reported out for the first time in its 2014 / 2015 Annual Report to the Minister

Date: June 9, 2015

Approved: Rod Davis, Chair