

# Ontario Professional Foresters Association

## Practice Bulletin No. 3

### Contingency Plans

Approved by Council, September 13, 2004

#### **PURPOSE**

The purpose of this bulletin is to bring to clarify the accountability of members of the Ontario Professional Foresters Association (OPFA) acting as plan authors involved in the development of Contingency Plans in the Forest Management Planning process for Crown forests.

#### **BACKGROUND**

The Forest Management Planning Manual establishes the circumstances in which contingency plans are to be prepared and the process to be followed in their preparation. A contingency plan is prepared by a Registered Professional Forester (R.P.F.), assisted by an interdisciplinary team and a local citizens committee. The contingency plan is certified by the plan author and submitted for review by Ministry of Natural Resources (MNR) district and regional staff.

#### **ISSUE**

Contingency Plans are interim forest management plans that permit the implementation of operations for the period between the expiry of the current approved forest management plan (FMP) and the approval of a new forest management plan. The increase in the number of Contingency Plans being prepared has raised some questions as to the accountability issues that the plan authors of FMPs face as a result of their apparent inability to ensure that the required FMPs were prepared and approved by the scheduled renewal dates. In particular, there has been a concern that the plan authors may, in some way, be in violation of the Code of Ethics or guilty of Professional Misconduct when plans are unable to be submitted due to the unavailability of required information at established deadlines and/or to a lack of cooperation from planning team members.

Are plan authors, in some way, in violation of the Code of Ethics or guilty of Professional Misconduct when forest management plans are unable to be submitted due to the unavailability of required information at established deadlines?

#### **SUMMARY & RECOMMENDATIONS**

The OPFA is of the opinion that this situation in no way reflects on the professional ability of the plan author and does not place the plan author in violation of the Code of Ethics or make the plan author guilty of professional misconduct.

It is recommended however that when this type of situation can be anticipated, plan authors should document the instances where information was not available, deadlines were not met, data and approvals were not provided in a timely manner and the subsequent impacts both to the planning process and to the planned operations on the forest management unit.

#### **GENERAL RECOMMENDATIONS**

Given that a member considers that they are in a situation where they may face a potential Code of Ethics violation or be guilty of professional misconduct, what are the appropriate steps for the member to follow in order to determine the appropriate action to be taken?

1. Ask themselves what would a reasonable forester do in these circumstances and how would that forester view the situation if asked to comment.
2. Consult with other professional colleagues for their professional opinions.
3. Consult the OPFA's Blue Ribbon Panel for confidential advice.
4. If the prevalent opinion is that there is a potential violation of the Professional Foresters Act 2000, the Code of Ethics or a by-law or that to continue would constitute professional misconduct, the member must notify the supervisor or client and advise that continuation would constitute a violation of the Professional Foresters Act 2000 and that the member is not prepared to continue until these potential conflicts do not exist.