

Ontario Professional Foresters Association

Practice Bulletin No. 6

Forest Management Guide for Natural Disturbance Pattern Emulation

Approved by Council, September 13, 2004

PURPOSE

The purpose of this bulletin is to clarify the accountability of members when they are involved in the application of the Forest Management Guide for Natural Disturbance Pattern Emulation as part of the forest management planning process for Crown forests.

BACKGROUND

The Forest Management Guide for Natural Disturbance Pattern Emulation provides direction to forest managers on emulating natural fire disturbance patterns and events at the landscape and stand level during planning and implementation of forest harvest and renewal prescriptions. It is designed to change the pattern of forest harvesting at the landscape and stand level, to make forest management activities better simulate the way fire disturbs the forest. In so doing, it is more likely that the ecological functions associated with the natural disturbance pattern will be maintained.

The Guide describes a process to provide for a range of sizes of harvest areas, which better simulate the disturbance pattern produced naturally on the landscape. The Guide also provides direction on retaining residual trees in harvest areas and addresses operational definitions for clearcuts.

ISSUE & RECOMMENDATIONS

A member may have concerns about either the quality of the science used to develop the Guide or in the application of the Guide, as prescribed by the Ministry of Natural Resources (MNR).

If the Registered Professional Forester (R.P.F.) is in disagreement with the science used to develop the Guide and can provide **solid evidence of major discrepancies in the science** used, or **provide evidence of better science** that has not been used, the R.P.F. could consider this to be a case of bad forestry being requested by the landowner. In this instance the R.P.F. has a duty to document to the MNR the reasons for considering the use of the Guide to develop prescriptions to be bad forestry and provide alternatives that the R.P.F. considers to be good forestry. If the MNR does not change its position, the R.P.F. must document to the MNR why the prescription is bad forestry and that, in signing the FMP, the R.P.F. is not certifying this particular prescription that has resulted from the Guide.

If the R.P.F. is in disagreement with the direction given by the MNR on how the Guide is to be applied and/or the prescription resulting from this direction and can provide **solid evidence of major discrepancies in the interpretation and/or application of the Guide**, the R.P.F. could consider this to be a case of bad forestry being requested by the landowner. In this instance the R.P.F. has a duty to document to the MNR the reasons for considering the prescription to be bad forestry and provide alternatives that the R.P.F. considers to be good forestry. If the MNR does not change its position, the R.P.F. must document to MNR why the prescription is bad forestry and that, in signing the FMP, the R.P.F. is not certifying this particular prescription.

In either case, should the R.P.F. feel that he or she is not competent in this aspect of professional forestry, the R.P.F. should document this and notify the planning team of this fact and take the position that in signing the FMP, the R.P.F. is not certifying the prescriptions based on the application of the Guide as prescribed by the MNR.

If an R.P.F. signs an FMP and is not prepared to defend the prescription resulting from this Guide, then the R.P.F. may be in violation of the Code of Ethics (Fidelity to citizens), guilty of professional misconduct (definitions numbers 3.2, 35 and 36) and may be in violation of the Standards of Practice By-law (Principle 4).

If however, the R.P.F. is in agreement with the direction given by MNR on how the Guide is to be applied and/or with the prescription resulting from this direction then the R.P.F. is not in violation of the Code of Ethics, guilty of professional misconduct and in violation of the Standards of Practice By-law when he/she signs the plan.

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.