

# Discipline Case Digest



**Discipline Case:** 2012-02

**Subject Member:** Registered Professional Forester

**Referred to:** Complaints Resolution Committee

**Date of Decision:** November 2014

## Allegations

This case resulted from a complaint submitted by the ABCFP president in May of 2011. The allegations were that poor professional forest practices may have contributed to a landslide.

Concerns were raised in regards to road and trail related water management issues, and whether practices may have been substandard, may have contributed to a landslide incident, and may not have been resolved in a timely manner. Appropriate care may not have been taken during harvest operations in planning for and controlling water on roads and trails that are in the vicinity of steep unstable slopes to maintain slope stability. Natural drainage patterns may not have been re-established during and after harvest; water may not have been directed to natural drainage areas away from unstable terrain. Conditions may not have been monitored commensurate with risk and as a result corrective actions may not have been undertaken in a timely manner.

The complaint was referred to the Standing Investigations Committee (SIC) and an investigation of the allegations was done. In addition to the concerns noted above the investigation committee (IC) examined terrain stability and hydrology information, risk assessment near the steep unstable terrain, and neighbouring hazards and risks from forest operations.

## Decision

The IC found evidence to show that the subject member conducted terrain stability assessments on areas within the project area that required it. The IC concluded that although the area outside the block was steep, a terrain stability assessment on that ground was unnecessary because it was outside the jurisdiction of the licensee. The IC determined that the cutblock was walked by other professionals experienced in the region. There was no evidence they identified or raised concerns that would have triggered further investigations. The IC found that the subject member conducted other assessments necessary to this project (i.e. referrals to an acceptable standard).

The IC found that the subject member was frequently on site viewing operations. The IC determined that the logging contractor is very experienced and has a solid reputation as a reliable contractor. The IC concluded that the road building, harvesting and road deactivation operations were conducted to an industry acceptable standard. Road deactivation was done to the standard of seasonal deactivation with the expectation of the contractor returning in the spring to complete the project. The IC concluded based

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on the information located that the subject member conducted the planning and inspection of this project in a manner acceptable to the standards of the Association. The IC found that there are no grounds for the issuance of a citation under Section 27 of the *Foresters Act*. This conclusion was supported by the Complaints Resolution Committee (CRC) and the registrar. This complaint is now closed.