

## RESOURCE MANAGEMENT ZONE HIGHER LEVEL PLAN DEVELOPMENT

The following table illustrates how RMZ–HLPs are developed through a three-stage process involving resource agency staff, the public, and ministers. The ministers may delegate their responsibilities to their regional agency representatives.

Stage	Tasks and activities	Participants
Stage 1: Obtain Approval-in-Principle	<b>Develop HLP Content for Approval-in-Principle</b>	
	<ul style="list-style-type: none"> <li>Identify content of strategic land use plan appropriate for HLP</li> </ul>	MOF/MELP district and regional staff on IPT or regional planning teams; AST
	<ul style="list-style-type: none"> <li>Consult with strategic land use planning tables and statutory decision-makers as appropriate</li> </ul>	Strategic land use planning tables; IPT; MOF district manager; MELP DEO
	<ul style="list-style-type: none"> <li>Submit proposed HLP content to MOF regional manager, MELP regional director, MEM regional manager, and IAMC</li> <li>Review proposed content for legal compliance with Forest Practices Code</li> </ul>	MOF, MELP, MEM regional staff; IAMC Forest Practices Branch; Ministry of Attorney General
Stage 2: Draft HLP Order	<b>ADM and Deputy Minister Review</b>	
	<ul style="list-style-type: none"> <li>Review any issues about interpretation of land use recommendations (as required)</li> <li>Review proposed HLP content</li> </ul>	AST; Forest Practices Branch; ± ADMs LUCC; ± DMCALU ADMs LUCC; DMCALU
	<b>Ministerial Review for Approval-in-Principle</b>	
Stage 3: Approve, File HLP Order	<ul style="list-style-type: none"> <li>Review proposed HLP content and provide approval-in-principle</li> </ul>	Ministers (MOF, MELP, MEM)
	<b>Prepare Order and Support Material</b>	
	<ul style="list-style-type: none"> <li>Develop draft HLP order based on ministerial direction, legislation, provincial policy; refer to legal counsel for input/advice</li> <li>Review draft HLP order and approve for public review and comment process</li> <li>Implement 60-day public review and comment process</li> </ul>	AST; Forest Practices Branch ADMs LUCC MOF regional staff
	<b>Review and Comment</b>	
Stage 3: Approve, File HLP Order	<ul style="list-style-type: none"> <li>Amend draft HLP order as appropriate based on public review</li> <li>Review draft HLP order as appropriate</li> </ul>	AST; MOF/MELP region; Forest Practices Branch ADMs LUCC; DMCALU
	<b>Ministerial Review and Approval</b>	
	<ul style="list-style-type: none"> <li>Review draft HLP order and provide final approval and signing (may be approached individually)</li> <li>File approved HLP order with MOF regional manager</li> <li>Advertise public notice of approved order and arrange public viewing of HLP order and maps at MOF region, district offices</li> </ul>	Ministers (MOF, MELP, MEM) Forest Practices Branch MOF regional/district manager



For more information please contact  
Forest Practices Branch, Ministry of Forests.  
([www.for.gov.bc.ca/hfp/planning/planning.htm](http://www.for.gov.bc.ca/hfp/planning/planning.htm))

AST	Approval Support Team (headquarters and field staff in MELP, MOF, MEM, LUCO)
ADMs LUCC	Assistant Deputy Ministers Land Use and Coastal Committee
DEO	Designated Environment Official
DMCALU	Deputy Ministers Committee on Aboriginal and Land Use Issues
FPC	Forest Practices Code
HLP	Higher Level Plan
IAMC	Interagency Management Committee (regional interagency committee of senior land and resource management officials)
IPT	Interagency Planning Team (local resource managers from MOF, MELP, MEM)

## ROLES AND RESPONSIBILITIES RELATED TO STRATEGIC LAND USE PLANS, RMZ–HLPs, AND LU–HLPs

Roles	Regional Land Use Plans/ LRMPs	RMZ–HLP	LU–HLP
<b>MOF district manager</b>	Technical input and approval of staff support for Regional Land Use Plans and LRMPs	MOF district manager will make minister-approved HLP order available to public	MOF district manager reviews LU objectives developed by district planners and MELP forest ecosystem specialist
<b>MELP designated environment official (DEO)</b>		MOF district manager will ensure compliance with RMZ–HLP through approval of operational plans	MOF district manager establishes, MELP DEO approves LU–HLP order prepared by staff  MOF district manager files approved order with MOF RM
<b>MOF regional manager (RM)</b>	Technical input and approval of staff support for Regional Land Use Plans and LRMPs	MOF RM is responsible for public review process	Make LU order, maps, and related documents available for viewing to public
<b>MELP regional director (RD)</b>	1st endorsement of LRMP content	Minister-approved HLP is filed with MOF RM. MOF RM makes order available to public	LU–HLP order is filed with MOF RM
<b>MEM regional manager (RM)</b>		If ministers delegate authority, MOF/MEM RMs and MELP RD can establish, vary, or cancel RMZs and objectives	
<b>Assistant deputy ministers</b>	Review Regional Land Use Plans  Review LRMP and products	Review initial content for proposed HLP  Review draft HLP order after legal counsel and approve for public review  Review final HLP order  Send comments to technical staff	Approve policy/procedures  Chief forester may give direction
<b>Deputy ministers</b>	Review Regional Land Use Plans  Review LRMP and products  Approve LRMP schedules and priorities	Review initial content for proposed HLP  Address contentious issues and review final HLP order for minister approval	No involvement
<b>Ministers (MOF, MELP, MEM)</b>	Approve Regional Land Use Plans  Approve LRMPs	Approve initial proposed content of HLP  Approve final HLP order (may consult with ELUC before approving)	Approved RMZ–HLP may guide LU planning

DEO Designated Environment Official  
 ELUC Environment and Land Use Committee  
 HLP Higher Level Plan  
 LRMP Land and Resource Management Plan  
 LU–HLP Landscape Unit HLP  
 MELP Ministry of Environment, Lands and Parks

MEM Ministry of Energy and Mines  
 MOF Ministry of Forests  
 RD Regional Director  
 RM Regional Manager  
 RMZ–HLP Resource Management Zone HLP

## HIGHER LEVEL PLANS: FREQUENTLY ASKED QUESTIONS

The following are frequently asked questions related to Higher Level Plans. For more information on HLPs, refer to the brochure *Higher Level Plans: Greater Strength for Land Use Objectives*.

**Q. What is a Higher Level Plan (HLP)?**

A. An HLP is a forest resource management objective that is established as legally binding by a written order. The objective applies to a resource management zone, landscape unit, sensitive area, recreation site, recreation trail, or interpretive forest site. HLPs are a provision of the FPC Act that give direction to operational plans.

**Q. What is the purpose of HLPs?**

A. HLPs enable government to make forest resource management objectives, often derived from strategic land use plans, legally binding. In this way, HLPs help to increase accountability in operational planning. HLPs also provide a means to vary or extend FPC legislation to address local resource management issues.

**Q. What is an HLP order?**

A. An HLP order is a written document that legally establishes the HLP objectives, the boundaries of the area to which they apply, and the date that the HLP will take effect. To be approved, the order must be signed by one or more statutory decision-makers as defined under the FPC Act.

**Q. Is there a requirement to prepare HLPs?**

A. No. While the FPC Act provides for HLPs to make selected forest resource management objectives legally binding, it does not require that HLPs be established. However, if a resource management zone, landscape unit, sensitive area, or recreation site or trail is established, HLP objectives must be established for these areas.

**Q. Why are strategic land use plans implemented as both policy and through legislation?**

A. Strategic land use plans identify resource management objectives for large areas with diverse environments and variable information bases. Objectives that relate to broad concepts unsuitable for implementation through legislation, or which have no legislation to make them legally binding, are most appropriate as policy guidance. Objectives that have readily measurable outcomes and a legislative mechanism (such as the FPC Act) to make them binding can be legally established through legislation.

**Q. What is the relationship between Regional Land Use Plans/LRMPs and HLPs?**

A. Regional Land Use Plans and LRMPs address many issues and resource values that can be implemented through legislation or as government policy. HLPs, through the FPC Act, enable some of the forest resource management objectives from Regional Land Use Plans and LRMPs to be made legally binding.

The Land Use Coordination Office (LUCO) oversees Regional Land Use Plans and LRMPs. The Ministry of Forests (MOF), in co-operation with the Ministry of Environment, Lands and Parks (MELP), and Ministry of Energy and Mines (MEM), administers HLPs.

**Q. Does one HLP affect another HLP?**

A. Yes. All HLPs in an area must be consistent with one another. An LU-HLP must be consistent with an RMZ-HLP in the same area. SA-HLPs and Site & Trail-HLPs must be consistent with an LU-HLP and/or RMZ-HLP in the same area.

**Q. Can HLP requirements vary FPC Act regulations?**

A. Yes. An HLP can introduce a requirement that varies from those in FPC Act regulations if:

- the regulations specifically allow an HLP to vary the noted limit or specification, or
- the HLP objective still meets or exceeds the minimum FPC Act requirements.

(continued...)



## HIGHER LEVEL PLANS: FREQUENTLY ASKED QUESTIONS (continued)

**Q. Can the Forest Practices Board and Forest Appeals Commission review decisions concerning the establishment or content of HLPs?**

- A. Under the terms of the FPC Act, the Board and the Appeals Commission are not legally able to review HLP decisions or content. However, the Board may conduct audits or investigate complaints regarding consistency of operational plans with HLPs.

**Q. How do HLPs affect access for mineral exploration?**

- A. The *Mining Rights Amendment Act* (MRA Act) (1998) assures access for mineral exploration and development outside of protected areas. Under the MRA Act, the MEM chief inspector of mines may decide whether a special use permit (SUP) under the FPC Act is required to allow off-tenure access to conduct on-tenure mineral exploration work permitted under the *Mines Act*.

Where required by the chief inspector of mines, the MOF district manager must issue an SUP for the construction of appropriate access. The SUP would be subject to “any applicable HLP” as specified by the ministers of Energy and Mines; Environment, Lands and Parks; and Forests.

The FPC Act defines an applicable HLP as an objective for a resource management zone that applies to SUPs for mineral access. By comparison, all other HLPs direct operational plans.

**Q. Can HLPs help to conserve biodiversity and protect endangered species?**

- A. Yes. HLPs can complement biodiversity and wildlife conservation measures delivered through the Identified Wildlife Management Strategy or other means. HLPs can be used to maintain suitable habitat on Crown land by influencing the location, method, and timing of forestry operations (e.g., cutblock placement, harvesting).

**Q. Can HLPs help to encourage timber production in a specified area?**

- A. Yes. HLPs can be used to vary some specified provisions in FPC legislation. For example, HLPs can be used to increase maximum cutblock size or reduce harvesting intervals in areas of enhanced resource management. However, HLPs cannot be used to vary allowable annual cut as determined by the chief forester.

**Q. Can HLPs set limits for controlling logging cost increases?**

- A. No. HLPs can only direct activities and practices that may affect logging costs—they cannot set limits for those costs.

**Q. Can operational plans be approved without HLPs in place?**

- A. Yes. An MOF district manager can approve an operational plan without an established HLP for the area so long as the operational plan meets all the requirements of FPC legislation.

**Q. Who ensures that an HLP is achieved?**

- A. The MOF district manager, and in specified areas the MELP DEO, through the review and approval of operational plans. Forest licensees must ensure that operational plans are consistent with all HLPs in effect for the operational plan area.

DEO	Designated Environment Official
FPC Act	<i>Forest Practices Code of British Columbia Act</i>
HLP	Higher Level Plan
LRMP	Land and Resource Management Plan
LUCO	Land Use Coordination Office
LU-HLP	Landscape Unit HLP
MELP	Ministry of Environment, Lands and Parks
MEM	Ministry of Energy and Mines

MOF	Ministry of Forests
MRA Act	<i>Mining Rights Amendment Act</i>
RMZ-HLP	Resource Management Zone HLP
SA-HLP	Sensitive Area HLP
Site & Trail-HLP	Recreation Site and Trail HLP
SUP	Special Use Permit