

***Draft Terms of Reference of Industry Recognized
Practice Development for BC Wildfire Act and
Regulation for:***

**Fire Suppression Systems
and Fire Fighting Hand Tools**

These Terms of Reference signal the Wildfire Industry Recognized Practice Committee's intent to seek the input of stakeholders such as service-providing operators, contractors, consultants, administrators, project sponsors, regulators, and any other party with a direct or indirect interest in the matter discussed below. All parties are asked to make submissions as soon as practical so that the Committee can consider their submissions.

Purpose

The *Wildfire Act and Regulation* defines a legislated result, but in some areas of practice, this legislation does not clearly articulate standards, procedures and methods to obtain a given result. For example, the Act and Regulation do not prescribe or define specifically how regulations pertaining to fire tools and fire suppression systems (including water delivery systems, a suppressant or surfactant delivery system, or a fire extinguisher) are to be met. This becomes a particular problem in situations where operational access is restricted, or the work sites are inaccessible by road. Overlapping jurisdiction and legislation also add to the uncertainty of what is required to stay within the law. This increases the onus on operators on or within 300m of forest and grass land to ensure worker safety, reduce operational risk, and exercise due diligence to deal with fire risk.

To ensure that stakeholder interests are protected, the solution is to develop industry recognized practices (IRPs) that meet the intent of the legislation and provide practical guidance so operations can be undertaken safely, lawfully, and with reasonable confidence. A Wildfire Industry Recognized Practices Committee (the "Committee") has been formed to develop IRPs to comply with statutory requirements outlined in the *Wildfire Act and Regulation*. The process will be transparent and inclusive and it is expected that practices developed by this committee will meet the test of "all reasonable care" and form a defense of due diligence for stakeholders in the event of possible prosecution under the *Wildfire Act*.

The first IRP to be developed by the Committee will be requirements for **Fire Suppression Systems and Fire Fighting Hand Tools** under the new Wildfire Act, specifically the requirements of high hazard forestry activities where project worksite access is restricted or inaccessible by road. The *Wildfire Act* applies to both industrial operations and forestry operations within 300m of forest or grass land. This means the IRP should be relevant to a variety of sectors and operations, including logging and silviculture operations, mining, utility operations (electrical, oil, gas, radio, microwave,

and telephone service), exploration drilling, ski hill grooming, railway and highway vegetation management, road construction and maintenance, and others.

If this initial IRP development process is successful, the Committee anticipates it will serve as a model to develop other required guidelines (such as for debris management).

The goal of the Committee is to finalize the IRP for **Fire Suppression Systems and Fire Fighting Hand Tools** in time for the start of the 2008 fire season (April 15, 2008).

Objectives of Industry Recognized Practice Committee

- Undertake a balanced, inclusive, and transparent IRP development process that exercises due diligence and leads to reasonable and practical practices;
- Define as fully as possible which industrial and forestry activities intersect with the relevant acts and regulations under the conditions described by these IRP Terms of Reference;
- Develop specific requirements in terms of tools, water delivery systems, fire suppression systems etc. that apply to activities, and the various field conditions in which they may be undertaken;
- Describe field conditions where certain activities should be proscribed;
- Distribute the resulting IRPs to all stakeholders and regulators whose operations or authority fall under the legislation being addressed.

B.C. Wildfire Industry Recognized Practices Committee:

The B.C. Wildfire IRP Committee comprises organizations and experts with a direct interest in operations affected by the legislative requirements identified in these IRP Terms of Reference. The list of Committee members in the Appendix includes Curriculum Vitae or descriptions of the organizations. These will become matters of public record of the IRP developer working group to demonstrate each developer's affiliation and connection to the IRP under development.

As a working group of lead developers, the Committee members are bound to the appropriate principles and practices that give integrity and legitimacy to the IRP process. Those principles and practices are included as an Appendix to these Terms of Reference.

All documents and records of the Committee are available for review by making a written request to the Committee. A spokesperson for the Committee will be chosen by the membership prior to the release of the first draft of industry recognized practices.

Members of the Wildfire Industry Recognized Practices Committee

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Council of Forest Industries – contact to be determined

Canadian Association of Geophysical Contractors – contact to be determined

Other members of the Committee have yet to be confirmed and will be announced.

As part of the committee, we also have the following technical experts to ensure credible expertise in this area:

Bruce Blackwell M.Sc. RPBio, RPF

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Fire Consultant – to be determined

Stakeholders

The committee has identified a broad cross-section of organizations and companies whose operations may be impacted by the requirements of the *Wildfire Act*, and who have been invited to review and approve IRP drafts. Proposed stakeholders for both industry and government include:

- BC Transmission Corporation
- BC Hydro
- Ministry of Forests
- Ministry of Highways
- Railways: CP Rail, BC Rail, CN Rail, Burlington Northern, Southern
- Ministry of Environment / BC Parks
- Integrated Vegetation Management Association
- BC Road Builders & Heavy Construction Association
- Canadian Association of Geophysical Contractors
- ENFORM (oil and gas)
- Mining Association of BC
- Association of Mineral Exploration BC
- Council of Forest Industries
- Interior Lumber Manufacturers Association
- Coastal Forest Products Association
- Western Silviculture Contractors Association
- Interior Logging Association
- North West Loggers Association
- Western Fallers Association
- Truck Loggers Association
- CGG Veritas
- Telus, Shaw, Rogers
- BC Community Forest Association
- Central Interior Logging Association
- Canadian Association of Petroleum Producers
- Kinder Morgan
- Spectra Energy
- Association of BC Forest Professionals
- Canada West Ski Areas Association
- Federation of BC Woodlot Associations

IRP Process Timetable

Interested parties and material stakeholders should make their positions known in writing to the Wildfire IRP Committee by February 5, 2008. Addresses, fax numbers, and email

January 7, 2008

coordinates for the IRP developers to whom responses should be sent are listed below. The Committee intends to conclude the process before the 2008 wildfire season.

1. Comments from stakeholders to be received by February 5, 2008.
2. IRP Committee to develop draft set of guidelines by February 5, 2008.
3. This first draft will be reviewed during a workshop to be scheduled February 5, 2008, at Sun Peaks, concurrent with the Annual General Meeting of the Western Silvicultural Contractors Association.
4. Draft document will be edited within 15 days to include comments received during the workshop and from stakeholders, and will be circulated to all identified stakeholders for review and approval.
5. Second draft will be sent out for review by February 21, 2008. Deadline for stakeholder comments on second draft will be March 21, 2008.
6. All comments will be considered with the goal of achieving consensus on the draft standard on or before April 10, 2008.
7. Wildfire industry recognized practices to be issued by April 15, 2008, for application to operations undertaken during the 2008 fire season.

Draft