



Growing Professionalism in the Forest

The Ontario Professional Foresters Association (OPFA) in keeping with its responsibility is embarking on an assessment of issues and options as a first step in pursuit of a goal:

To further protect the Public's environmental, societal, economic and cultural interests in the forest by establishing a Comprehensive Regulated Community of Practice for all Disciplines concerned with caring for and proper utilization of the Urban, Rural and Crown Forests in Ontario.

Challenge:

- Increasing public expectations for both conserving environmental and social/cultural values on the one hand and forest jobs and communities on the other;
- Growing recognition of the intrinsic physical & mental health and social benefits of forests;
- Changing economics for forest industries and the need to support a wider range of products, both wood and other values;
- Increasing regulatory environment for landowners;
- Increasing landowner need for reliable professional advice and assistance;
- Declining share of government resources at all levels and capacity assigned to both oversight and assistance.

All of these factors are making professional forest care and utilization decisions and actions both more complex and more critical. A variety of disciplines are involved and practitioners of each need to be recognized for their specific skill, knowledge and authority. Employers, clients and regulators need to be able to rely on their advice and action, knowing the practitioners of each discipline meet specified qualification criteria and are personally accountable. Cooperation and respect among the disciplines is increasingly important.

Current situation (April 2011):

Some disciplines, such as professional foresters, engineers, geoscientists and land surveyors, are clearly regulated with standards and processes established and enforced. But a number of disciplines either do not have clearly required qualification criteria or processes for personal accountability, or we do not understand them.

Response:

In keeping with its responsibilities for "development, management, conservation and sustainability of forests and urban forests", Council has initiated a multi-year project in pursuit of the goal above.

Immediate Action:

- As a next step, **over the next six-months, OPFA will be undertaking research** to identify issues, barriers, opportunities and allies and to explore the various options. (Subsequent action, while considered and expected to be extensive, will be defined by research results):
- for each key discipline:
 - What are the issues, concerns and opportunities?
 - Would they like to become allies or partners?
 - Do some or all elements of effective regulation already exist?
 - What are the boundaries and overlaps of their scope of practice? How best defined?
- What are the options for regulation and which are most suitable?
- How can we best foster cooperation and a sense of community?
- Are there economies of scale or other benefits of a common regulatory body for all or some of the disciplines?
- What are the legislative options and their pros and cons?
- To what extent could achieving the goal reduce cost to government?
- Are there other considerations warranting attention?



GROWING PROFESSIONALISM IN THE FOREST

**REPORT OF THE
ONTARIO PROFESSIONAL FORESTERS COUNCIL
TO THE MEMBERS
APRIL 2011**



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Introduction

This report records, in broad strokes, the plan for an OPFA multi-year project to build a broader accountable community of care for Ontario's forests.

Goal Statement for Initiative

Reflecting the mandate established by the Ontario Legislature in the current Ontario Professional Foresters Act, the following represents the working goal statement for the initiative. It is framed in a manner to provide clarity that this initiative seeks to include all disciplines associated with the development, management, conservation and sustainability of Ontario's forests presently and others that will emerge as time goes on, in relation to achieving the future state of the community of practice in Ontario. The statement includes practices associated with Urban, Rural and Crown Forests in Ontario.

To further protect the Public's environmental, societal, economic and cultural interests in the forest by establishing a Comprehensive Regulated Community of Practice for all Disciplines concerned with caring for and proper utilization of the Urban, Rural and Crown Forests in Ontario.

This is an ambitious goal statement that provides for the long term focus of the initiative. It is recognized that the goal will take up to five years to achieve through a well planned and managed approach. **Committee members all agree that building a strong foundation of support through seeking the advice of groups affected, experts in the profession and from significant parties who have an interest is essential to achieve momentum for the initiative.**

By way of perspective, the present OPFA regulatory regime was established on a strong foundation of many years as an unregulated body representing a cohesive community of practice. Any new regulatory regime that may include disciplines not presently associated with the regulated community of practice should see the benefit of belonging to a modern regulatory body.



Working Statement: the Present State of the Profession

This statement was developed to provide a starting point for the initiative and provide a comprehensive, concise statement of the drivers that are or will cause continuing change to the nature of the profession.

A group of disciplines engaged in managing forests (ecosystems, environment) on behalf of the public. Professional Foresters are joined by many disciplines in the planning and execution of activities related to achieving healthy forests. (E.g. Biologists, Technicians). Professional Foresters are personally held professionally accountable to protect the public interest while many others have limited or no personal accountability. (Either within their discipline or within the OPF Act 2000 and Regulation 145/01.). Many disciplines (e.g. Forest Technicians) are excluded by the regulation. Within Crown Forests considerable effort is undertaken in forest management planning while the execution of plans is slow and measures of operational success are not readily available. Members of the OPFA regulated under the OPF Act have clear accountability for working within a code of professional conduct, and defined scope of practice and are subject to discipline. Members are also required to ensure continued professional growth in their practice.

The “Push” or Drivers of Change

- New legislation such as the Far North Act, Endangered Species Act.
- Focus on Bio-centric outcomes and values
- Increasing and complex demands on the forests both from a utilization for multiple objectives and national imperatives related to climate change resulting in the inclusion of many more disciplines
- New economic demands, e.g. bio-fuels
- Continued and potential growth of unauthorized practice
- Continued public expectation of “professions” to be regulated
- Trend toward professional regulation in other Provinces
- Industry driven forestry has declined while other values such as environmental and recreation based objectives are continuing to increase
- Little profile for the profession in the general public perception.
- Advocacy for effective practice is a growing concern of the members of the OPFA
- Decline and transformation in faculties of “Forestry” and new degrees emerging e.g. forest conservation

It is recognized that the profession has made significant contributions to society. Many examples exist from a world class forest management planning system for crown lands, the establishment of certified forests and incorporation of multiple uses of the forest to expanded urban forests, improving conservation efforts on private lands. More change and demands require any profession to grow and change to stay current with public expectations, changes in science and technology and with future trends. Our work with and for the health of Ontario’s forests is no exception and needs to ensure that the community of practice includes all those disciplines required to ensure the establishment and continuation of healthy forests.



Working Statement: the Future State of Forest Professionalism

This statement was developed to provide a focus for the initiative on the future state of the profession and provide a comprehensive, concise statement of the context that will change the nature of the profession.

The profession in the future will have a larger group of disciplines involved in the health of the forest to achieve multiple benefits. The profession will be characterized as critical to the quality of life for the citizens of the province. The profession will have the following characteristics

- All members of this community of practise will be held legally accountable for their activities in the management of healthy, productive and sustainable forests and recognized by the public as being accountable.
- All members starting with Foresters will realize incentives/benefits of membership in the profession through increased employment opportunities and affirmation that their profession makes a strong contribution to society.
- First Nations and Aboriginal peoples will participate and see their interests realized in the profession.
- The profession will be regulated by a government that is committed to significant public investment in forests which are cared for by regulated disciplines to achieve multiple benefits and protect the public or societal interests
- Technical and professional certification will have requirements that are more inclusive of the broad base of science necessary to enter the community of practice
- The construct for the community of forest practise might be shaped along the lines of a Forest Professionals Association similar to the approach to some other jurisdictions. (BC)



Alternative Paths

The committee reviewed and discussed in general terms the paths forward that seemed to be reasonable candidate options. Further definition of the options will be required but in general terms are presented in the following. If the Community of Practice can be maintained, and the critical policy, planning and operational decisions are determined by regulated professionals, the goal will be reached.

1. Creation of New Regulatory Colleges

While it appears that the government is unlikely to approve new statutes to create other regulatory bodies (e.g. College of Forest Biologists; College of Forest Technicians and Technologists), this path could work.

2. Creation of a College of Natural Resource Professionals

If the above barrier proves significant, OPFA might need to give way to something like a College of Natural Resource Professionals overseeing several professions. This path may achieve financial and efficiency benefits as well.

This approach is in keeping with the present environment of reducing and consolidation of government agencies proposed recently by the Ministry of Finance. Further weight supporting this direction is evidenced in a number of requests for proposals from Ministries and agencies for assistance in consolidation of agencies.

3. OPF Act and Regulatory Changes

This approach is within the control of the Minister of Natural Resources and represents on the surface the path of least resistance. I.e. a change to Regulation 145/01 Excluded acts to include key disciplines.

These are only three possible paths to achieving the goal. Others may appear or be developed through the consultation process. E.g. Blue Ribbon Panel may develop other options.

Any path chosen will need to be considered in the context of maintaining the existing focus and core business of the OPFA in protecting the public interest. Effective strategies need to be pursued with respect to management of the potential growth of practices unauthorized by the present legislation, the regulations and the applicable bylaws of the association.



Key Professions- Disciplines That Should Be Included

The working group held a wide ranging conversation related to which disciplines should be included in a regulated context participating in the community of forest practices. These disciplines included those presently excluded from the OPF Act and regulations along with others such as GIS professionals, forest entomologists, land use planners etc.

The inclusion of these disciplines is filtered by the need to ensure that they are contained within a framework of accountability ***when undertaking work that is described in the Ontario Professional Foresters Act 2000.***

I. Crown Land

- Foresters (already included and those not yet included)
- Forest Biologists (including botanist, zoologists, ecologists, wildlife, fisheries)
- Natural Resource technicians and technologists (including those related to forest inventory, management, etc., botany, zoology, ecology, wildlife, fisheries, inventory, etc.)

II. Rural and Urban

- Certified Arborists,
- Landscape Architects,
- Professional Planners
- Agronomists

III. Policy Development Professionals

- Involved with development of policies related to the health and utilization of the forest

IV. Other Disciplines

- Tree Markers
- Forest management plan approver certified under the "Managed Forest Tax Improvement Program
- Certified Land Surveyor
- Professional Engineer and Engineering Technologists
- GIS/modellers



Audience Listing

The following list was developed by the committee to categorize the many stakeholders, potential allies, and organizations having an interest that should be engaged and/or informed of this initiative. This list is intended to be used as a guide to prepare a communication strategy for the initiative.

1. Key Stakeholders

a. Directly Affected

i. Crown

1. Foresters
2. Forest Biologists
(Including botanists, zoologists, ecologists, wildlife, fisheries)
3. Forest technicians and technologists
(Including those related to forest inventory, management, etc., botany, zoology, ecology, wildlife, fisheries, inventory, etc.)

ii. Rural/ urban

1. Arborists,
2. Landscape Architects,
3. Professional Planners

iii. Policy development professionals

iv. forest restorationists

b. Possibly Affected

- i. Tree Markers
- ii. MFTIP Plan approvers who develop plans
- iii. GIS/modellers

c. Those With An Interest:

- i. Potential key allies or objectors
 1. First Nations/Metis
 2. Key ENGOS:
 - a. CIF, OFA, CFA, Trees Ontario, Tree Canada



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- b. Sierra, CPAWS, Wildlands, Ivey, Ontario Nature, Nature Conservancy
 - c. OFAH,
 - 3. Other overlapping legislatively regulated professions – PEO (Engineers), OACETT, Geoscientists, Agronomists (?)
 - 4. Certification bodies: FSC, SFI, CSA
 - 5. Environmental Commissioner
 - 6. University and College Faculties (related)
 - 7. Forest Industry: employers, unions, employees, contractors and associations
 - 8. Relevant consulting organizations (crown, rural, urban)
 - 9. Municipalities and Municipal Associations
 - 10. Conservation Authorities & Conservation Ontario
 - 11. Key Ministries and Public Servants:
 - a. MNR
 - b. MNDMF
 - c. Environment
 - d. OMAFRA
 - e. MMAH
 - f. Energy
 - g. Transportation
 - 12. Political Parties: PC, NDP, Green, Liberal
 - 13. Landowners, both industrial and individual
- d. Other Potential Allies**
 - i. Hydro One & local distribution utilities
 - ii. Forest Futures
 - iii. Forest Policy Committees (PFPC, PFTC & RACs)
 - iv. CCFM
 - v. Society of American Foresters
- e. Other Potential Audiences**
 - i. OWA
 - ii. OFAH,
 - iii. Model Forests (& network),
 - iv. Stewardship Councils (and SNO)



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- v. Ducks Unlimited
- vi. Orchard and nut growers
- vii. Xmas tree growers
- viii. Trappers
- ix. Other profession regulators and related bodies
- x. CFPFA (Other forestry regulators in Canada)
- xi. LCCs
- xii. Ontario Chapter of the Society of Ecological Restorationists.
- xiii. Climate Change Folks
- xiv. Other Life & Earth Science research individuals and bodies
- xv. Other Environmental lobbyists and actors (via CCO, Env network)

f. Media,

- i. Key trade & professional publications
- ii. Environmental beat journalists
- iii. Dailies
- iv. Weeklies



The Members of the OPFA

All of the existing members will have a significant interest in this initiative and will bring many perspectives to the table for discussion. It is understood that support for the inclusion of other disciplines formally in a common regulatory framework will vary across the membership. This initiative brings forward both opportunities for significant improvement and the potential for significant change for the professionals and change is not always welcome..

While some Members may object for these and other reasons, the majority are expected to be supportive and many have been calling for some of the changes involved.

After the needed research and relationship building, this initiative will offer a significant opportunity for member involvement. In fact, Member involvement is likely to be a critical factor in achieving success.

The key message at this stage of the initiative is that the OPFA as part of its responsibility under the act is exploring the options of ensuring that there is an accountability and qualifications framework in place governing the activities of all key disciplines engaged in caring for forests on urban, rural and crown lands. This is all about growing professionalism and recognizing there are a number of disciplines that are now and will be engaged in the future in the profession.



Key Actions Required

Key Actions- By Annual General Meeting- April 2011

1. Endorsement of Report and Approval of Next Steps by OPFA Council – Secure Resources February 2011

2. Finalize Terms of Reference and Update MNR and MNDMF Executive and Ministers by March 15, 2011

3. Establish Blue Ribbon Panel- Advisory Group and hold initial consultation to discuss concept

4. Incorporate Advice of Blue Ribbon Panel and report to Council with revised project plan, communications plan and strategy for member engagement at Annual General Meeting by March 31, 2011 and Article for Members not attending

Key Actions by Fall 2011-Member Seminars

5. Initiate Informal Discussions with Key Partners and Disciplines
E.g. Natural Resource Technicians
Biologists OFA –following AGM

6. Prepare briefing and discussion notes for distribution to members and discussion at Fall Member Seminars

7. Develop and test alternative paths

Key Actions by Annual General Meeting April 2012

8. Review Direction with Blue Ribbon Advisory Panel. Update OPFA Members and Council and Update Government Ministers and Executives by January 31, 2012

9. Prepare report to Council with Member Input related to significant issues and risks to be managed with updated critical path and preferred path for change.

10. Report to Members; confirmation resolution re any needed by-law changes



Key Actions by Annual General Meeting 2015

The specific actions necessary will depend largely on the shape and focus of a proposed regulation and changes to the Act or Acts that would provide for inclusion of or separate regulation of additional disciplines to be regulated. (e.g. protection of names such as. Registered Forest Technician; Registered Forest Biologist)

This three year period will involve the detailed design of any new regulatory constructs and/or modifications to the OPFA structure and may involve considerable efforts in changes to all bylaws related to professional competency, discipline, scope of practice definition, etc.

The continued attention to communication with and engagement of key audiences will be essential to maintain momentum. The major success factor will be characterized by behaviours from the new disciplines to be included, that indicate that they are welcomed and essential to the modernization of the professional care for Forest health in Ontario. Active involvement by the key groups such as Biologists and Technicians in the design and realization of their inclusion is considered particularly critical.

The resourcing of this new or modified construct will require an increase in capacity to administer the new or modified entity given the potential sizeable increase in membership.



Background of the Initiative

Exploration of this initiative was initially approved by the Ontario Professional Forester Association on December 3, 2007 and a task group established with the purpose of exploring the potential to engage the key disciplines involved in caring for, managing and utilizing forests (activities as defined by the OPF Act 2000) that were not within the legal authority of the Ontario Professional Foresters Act (largely, the list of exclusions contained in regulation 145/01).

The initiative had as a foundation the recognition that the Forestry Profession was undertaking significant change driven, in part, by the need for a comprehensive approach to ensuring healthy forests that can accommodate the multiple and growing expectations and demands by the public.

This initiative of the OPFA was informed by a detailed report from the task group to Council in December 2008 (known as the Riley Report after its Chair) which detailed options for increasing the membership base of the association through

- Inclusion of other key disciplines, recognizing the critical need to provide a clear accountability framework for all disciplines engaged in activities associated with the scope of professional practice in forests.
- Grow the membership base
- Address the significant issue of potential for unregulated, non accountable actions undertaken by other disciplines

A group of Council members was established to review and build on the report resulting in a clearer sense of the public need, recognition that there were alternative ways to reach the desired outcomes and the scale of the project. In the Fall of 2010, a Working Group was struck to lead “Growing Professionalism in the Forest”. External advice was sought.

Discussions were held with the Minister of Natural Resources and the Minister of Northern Development, Mines and Forestry to gauge the potential support for this initiative. Meetings were held in the fall of 2010 resulting in general support for the initiative and a requirement to report back to the Ministers with terms of reference for the initiative.

The working group met on January 26, 27, 2011 and this report contains the road map developed for the journey to achieve success in this undertaking.



Recommendations to Council *(Approved February 2011)*

The Working Group proposed and at a February 8 2011 meeting, Council approved the following recommendations:

Recommendation 1 - the goal statement for the initiative

Recommendation 2 –the key actions and time frames identified by the committee

Recommendation 3 –the terms of reference for the Growing Professionalism in the Forest Project

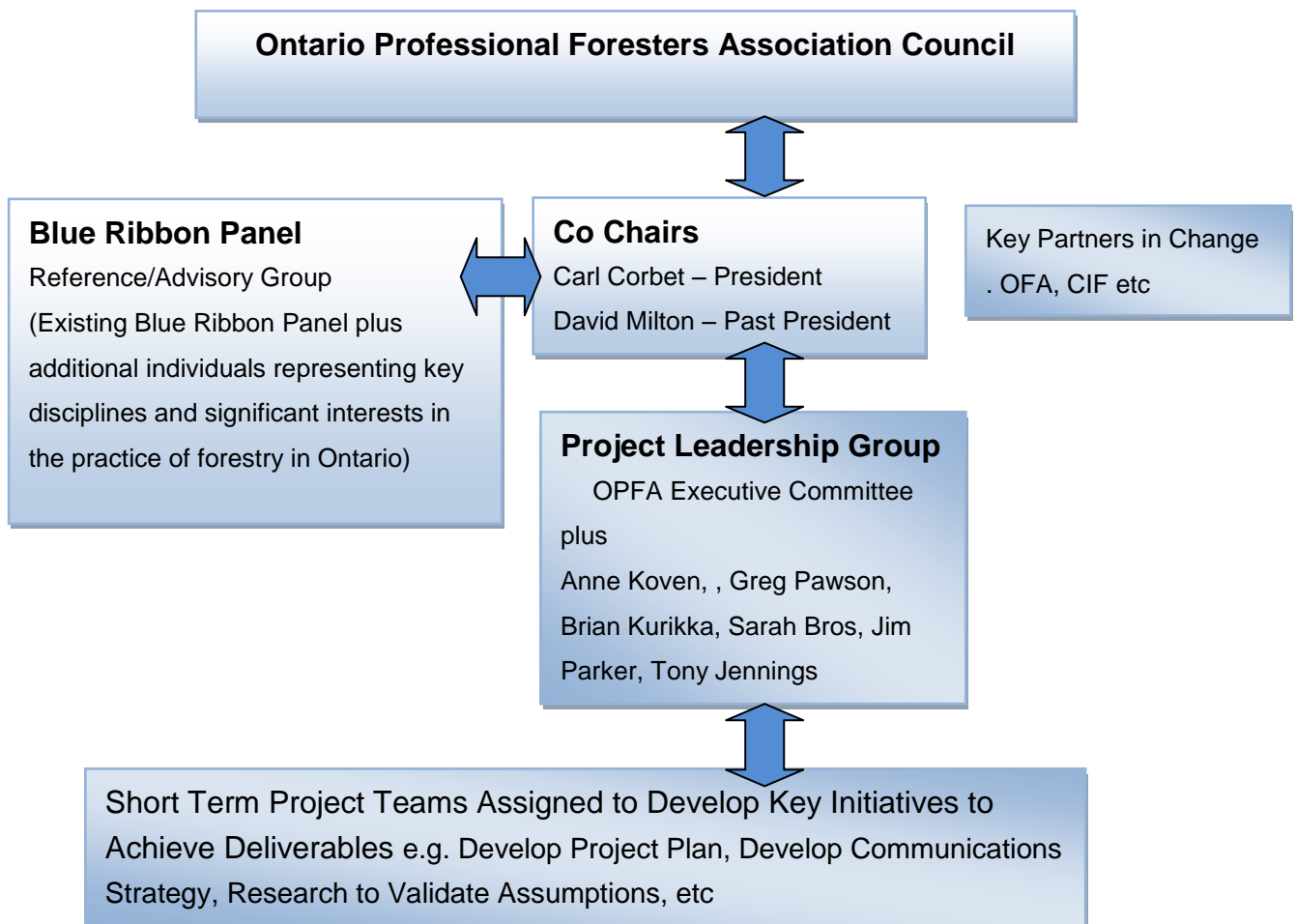
Recommendation 4 –the draft briefing note to the Ministers of Natural Resources and of Northern Development, Mines and Forestry.

Recommendation 5 – the Governance Structure for the project and, subject to Council receiving periodic reports, further delegates to the Executive Committee the authority to utilize unrestricted net assets, add to the Blue Ribbon Panel and the project leadership group and to approve any needed adjustments to project its documentation or to other affected parts of the OPFA operating plan.

And further that Council directed the co-chairs to develop a detailed project and communications plan for the initiative and the Executive Director to acquire the services of a project coordinator to support this initiative.

Governance

The governance structure developed during the session is outlined in the following chart and is intended to ensure the most effective engagement of OPFA members and critical partners in achieving success.



- A project manager/coordinator is being sought to enable the leadership group and short term project teams to achieve timely results.



Appendix A – Disciplines Presently Excluded by Regulation

Regulation 145/01 Excluded acts

“4. For the purposes of clause 3 (2) (b) of the Act, a person who performs an act in relation to the management or manipulation of forests that is within the generally accepted scope of any of the following professions, trades or occupations is not practicing professional forestry when so acting, unless the person is a registered professional forester:

- Natural resource technician and technologist
- Forest management plan approver certified under the "Managed Forest Tax Improvement Program".
- Certified tree marker.
- Biologist.
- Certified arborist.
- Landscape architect.
- Professional planner.
- Certified Ontario or Canadian land surveyor.
- Botanist.
- Zoologist.
- Professional engineer.
- Certified property appraisers.
- Agronomist.
- Ecologist. O. Reg. 145/01, s. 4”



Appendix B

Terms of Reference for the Committee Leading the Growing of Professionalism in the Forest Initiative

Purpose of the Committee

The committee purpose is focused on the establishment of an accountability / legal framework that provides for regulatory coverage of other disciplines in the forest Community of Practice.

Members of the Committee

Co-Chairs

- Carl Corbet, R.P.F. President OPFA
- David Milton, R.P.F. Past President OPFA

The co-chairs will jointly manage the entire initiative and report to Council at each regularly scheduled Council meeting and as appropriate between Meetings. The co-chairs with the assistance of the committee members will develop detailed project plans with deliverables and dates for achievement along with a comprehensive communications plan to support the initiative.

The co-chairs will also undertake to ensure that the Ministers of Natural Resources and Northern Development and Mines and their executives will be kept informed of the progress and issues arising from the initiative through the normal meeting protocols established by Council.

Members

- OPFA Executive:
 - Carl Corbett, RPF – President, Retired General Manager, Algonquin Forestry Authority: Committee Co-Chair
 - David Milton, RPF – Past President, Previously President Ontario Lumber Manufacturers Association, Committee Co-Chair
 - Frank Miklas, RPF – District Manger Thunder Bay District, MNR Previously Manager, Tenure & Pricing Project MNDMF
 - Mike Barker, - Public OPFA Councillor, Northern Development Consultant
 - Graeme Davis, RPF – Simcoe County Forester
- Ann Koven, - Public OPFA Councillor, Chair OPFA Urban Forestry Committee
- Brian Kurikka, - Public OPFA Councillor, Forest Technologist on faculty of Confederation College
- Sarah Bros, RPF - OPFA Councillor, Crown Land and Rural Private Lands Consultant, Northern Ontario
- Greg Pawson, RPF - Past Member of Council and its earlier task force
- Tony Jennings, Executive Director, OPFA



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The committee members will bring their expertise, perspective and experience to the committee to assist the Co-Chairs in delivering results associated with this initiative. Members will participate in the development of all project plans including scope of work, timing of deliverables and also contribute through the attendance at other meetings as may be required to support the Co-Chairs.

Resources

The committee will be supported by a project coordinator to be selected by the Executive Director and the project budget in the Annual operating plan.

The committee will also be supported by advice and guidance through a reference panel that includes existing members of the OPFA Blue Ribbon panel and others identified representing organizations and interests in the professionalism in the forests of Ontario.

Meetings of the Committee

The committee will meet as required to achieve the deliverables of this initiative. Meetings face to face or through the use of telecommunications technology will be at the choice of the Co-Chairs. The committee will meet face to face at least every three months until the completion of their work. The committee will keep minutes of any decisions taken which will form the basis of the regular update to Council.

Initial Key Deliverables and Time Lines

Deliverable	Detail	Timing
Project Plan	Deliverables planned by key dates including membership for blue ribbon advisory group	March Council Meeting Note there is no meeting scheduled at the moment.
Update of Ministers and Ministry Executives	Scope of consultation and timing is main interest along with project governance and high level communications strategy	March 21, 2011
Communications Plan for the initiative	Report to AGM	April 14 2011
By mid October (1 st Fall Seminar)	Complete research about and assemble alternative paths, Explore interest/issues with key affected disciplines and key audiences. Draft proposals to share with Members and others at 15-20 Fall Seminars	October 2011
By 2011 year-end	Assess Member support, partners, and select option(s) to pursue. Identify legislation needs for selected options.	December 2011
By 2012 Annual Meeting (earlier?)	Legislation draft. Plan for 2012 – 2015 to establish standards and processes for affected disciplines.	April 2012