

## **Rationale and Discussion regarding the Zeballos Forest Stewardship Plan**

As the delegated decision maker for Forest Stewardship Plan (FSP) submissions in the Campbell River Forest District, I have considered the content of the Zeballos FSP and additional supporting information provided. A copy of my determination is available under separate cover. A rationale or discussion is not a required part of the approval process for a Forest Stewardship Plan, nevertheless, I feel it is important to discuss some of the considerations I made in my determination and there are elements of my approval that warrant clarification, as this is one of the first approved comprehensive FSPs in the province. Where I have not provided discussion or clarification, I am of the view that the approval of the plan speaks for itself.

### **Forest Stewardship Plans under the *Forest and Range Practices Act***

A change in legislation governing the approval of forest management plans occurred in January 2004 when the *Forest and Range Practices Act* (FRPA) came into effect. Under FRPA, forest licensees must have authorization from the province before they are permitted to harvest Crown timber or build roads. To obtain that authorization, they must first submit a forest stewardship plan for review and approval. If the forest stewardship plan is approved, the agreement-holder can then be issued a harvest authority (i.e., a cutting permit or a road permit).



Forest stewardship plans have several purposes:

- To generally illustrate forest development intentions within a forest development unit or units (FDUs) (but possibly not showing specific cutblocks and roads) up to a five-year time frame for an area where harvesting rights have been authorized via an agreement (TFL, Forest Licence etc.) issued under the *Forest Act*.
- To allow the public, First Nations, resource agencies, and other agreement-holders the opportunity to review and provide input on the general location of proposed forest development activities by the holders of major licences, community forest agreements, and pulpwood agreements, and by the BC Timber Sales (BCTS) Program.
- To ensure that road building and harvesting activities are undertaken in a manner consistent with established government objectives.
- To identify the portions of a planning area on which results and/or strategies will apply, and to indicate how consistency with any applicable objectives for the planning area will be achieved through the implementation of these results and/or strategies.
- To provide for the operational implementation of the goals and objectives contained in strategic land-use objectives and zoning approved by government.

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- To promote discussion and consultation among agreement holders, resource agencies, non-government organizations, First Nations, and the public about forest development and related activities.

### **Legislative Authority**

*Section 16 (1) of the Forest and Range Practices Act (FRPA)* provides that the Minister of Forests must approve a forest stewardship plan or amendment if it conforms to the requirements of Section 5 of FRPA. The Minister may delegate FSP determinations to the District Manager and did so in a delegation matrix signed July 2, 2004.

### **Date of submission**

The date of submission for this plan is accepted as January 12, 2005. The submission was revised prior to my approval on the following dates: May 19, 2005, July 22, 2005, and September 12, 2005.

### **Review and Comment**

The plan contains an innovative process for post approval public input. This course of action is a method of ensuring public and resource user concerns are incorporated into the planning process. I commend the plan proponents on their approach to this issue.

### **Results and Strategies**

The evaluation of a Forest Stewardship Plan is conducted in the context of the forest resources associated with the plan area. Caution should be used in extrapolating the applicability of the results, strategies, measures and standards contained in this plan to other geographic locations or circumstances.

One of the underpinnings of the FRPA model is increased reliance on professionals in the delivery of forest management activities. I have considered this in my determination and have relied upon professional accountability to support delivery of the results and strategies contained in this plan.

#### **• Objectives set by government for timber**

Forest Stewardship Plan proponents are exempted from having to provide a result or strategy for the timber objective as provided for in Section 12(8) of the *Forest Planning and Practices Regulation (FPPR)*. Nevertheless, this plan proposes a strategy in relation to this objective. I have determined that the strategy is consistent with the objective to the extent practicable. Some clarification of this determination is warranted.

In the event that the holders of the plan request a re-balancing of objectives under Section 27 of the FPPR, the Minister will have to determine whether it is in the public interest to do so. The determination of the public interest may, and likely will, involve an assessment of a broader range of considerations than are contemplated by this strategy as the assessment of timber supply impact targets related to the conservation of other forest

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values are typically conducted at a scope and scale that is different than the area under this FSP.

Should the Minister deem that a re-balancing of objectives is appropriate, the information arising from the analysis indicated by the plan proponents will be useful to have available. However, the range of considerations and information that will be brought to bear on any exercise involving the balancing of objectives, results or strategies is at the discretion of the Minister or his delegate and may involve the consideration of whatever information the Minister deems reasonable or appropriate under the circumstances.

- **Objectives set by government for wildlife**

I have determined that the results and strategies in the Zeballos FSP are consistent to the extent practicable with the objective for wildlife as described by notices provided by the Minister of Environment.

The Minister of Environment and his delegate have published notices regarding the wildlife objective that describes the extent and attributes of areas that will be retained for their contribution in meeting conservation goals for selected species of wildlife. These notices apply to large geographic areas and often contain many administrative units. These notices are intended to be for interim use until spatially defined wildlife habitat areas (WHAs) and ungulate winter ranges (UWRs) are in place.

While these interim orders are better than having no guidance, it is my view that it will be difficult to apply the consistency test to some results or strategies in some areas of the Province because of the lack of spatial definition. This situation will be improved once the Ministry of Environment and other parties complete the spatial work for WHAs and UWRs. The benefit will be increased certainty for both wildlife and timber values.

- **Marbled Murrelet**

One member of the public expressed concern that there was divergence between current government policy regarding the conservation of marbled murrelets and the recommendations of the Marbled Murrelet Recovery Team which arose from a conservation assessment. I have considered this matter and have concluded that the conservation assessment is being diligently considered by the appropriate parties in the development of a recovery strategy. I have also considered that any changes that may need to be made to government policy following the development of a recovery strategy can be made in the context of the statutory regime. I have further concluded that timber harvesting under this Forest Stewardship Plan will not preclude opportunities to implement any changes likely to arise from the development of a conservation strategy.

Conservation options will, however, diminish over time; hence there is a need to complete this work in a timely way.

I have also considered and relied upon the guidance provided to members of the Association of British Columbia Forestry Professionals regarding managing for

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species at risk and have anticipated that professionals involved in the implementation of the results and strategies contained in this FSP will continue to conduct their activities with this in mind.

- **Objectives set by government for water, fish, wildlife, and biodiversity in riparian areas**

Windthrow presents a risk to some forest values in some riparian areas. This plan proposes alternatives to the practice requirements that will allow for the proactive treatment of anticipated negative impacts of potential windthrow in some riparian reserve zones. The result or strategy ensures that the values related to water, fish, wildlife, and biodiversity are maintained at a level equal to or greater than that provided by the default practice requirements.

Throughout the review process, many views were expressed to me regarding this proposal. An alternate view is that riparian reserve zones should not have harvesting treatments in anticipation of the need to manage for deleterious windthrow based upon the concern that there are risks that the strategy could be inappropriately or over-used.

I have weighed the arguments and determined that providing flexibility to manage truly deleterious windthrow is appropriate. I expect that implementation of this result or strategy will be monitored over the term of this plan and beyond to provide information on its utility.

- **Objectives set by government for cultural heritage resources**

The result or strategy proposed by the licensees is fairly general in nature and relies upon government confirmation of comments made by First Nations in information meetings that may occur between the licensees and First Nations during the term of the plan to define the nature of cultural heritage resources.

The licensees also committed to communication with the First Nations as described at tab 3.4 of the information submitted in support of the plan. The licensees went to considerable effort to catalogue areas where indicators of cultural heritage resources exist within the plan area. This information will be useful in focussing communication in regards to currently unidentified cultural heritage resources following FSP approval. However, I am not of the view that it is appropriate to rely solely upon this cataloguing of areas containing indicators of cultural heritage resources as it is possible, and indeed likely, that cultural heritage resources exist outside of the catalogued areas. I have, therefore, imposed a condition in respect of my approval that will allow First Nations that have traditional territories within the plan area to identify areas that require further communication following FSP approval.

Guidance has been developed with respect to addressing First Nations' access to Western Red Cedar and Cypress by the Coast Forest Region. The strategies in this FSP are consistent with the short-term aspects of this guidance and I have relied upon this in my determination of consistency with the objective. I have relied upon the risk analysis provided by the plan proponents to satisfy myself that longer term conservation and

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protection options regarding cedar will not be precluded by ongoing harvesting under this plan. I note that the proponents are committed to working with First Nations, other licence holders and government in order to address long term access to cedar as contemplated by the regional guidance.

- **Stocking Standards**

Silviculture systems that rely upon partial cutting are currently evolving on the coast. Standards appropriate to these systems will likely be amended into this plan over time as new regimes are developed.

This concludes my rationale and discussion regarding my approval of the Zeballos Forest Stewardship Plan.

A handwritten signature in blue ink, appearing to read 'Rory K. Annett', is written over a light blue rectangular background.

Rory Annett, R.P.F.  
District Manager