

# Stillwater Pilot Project Regulation

## Questions and Answers

Feb. 9, 2001

### Introduction

These questions and answers have been prepared for attachment to the briefing package for the Stillwater Pilot Project Regulation. The questions may also form background for a news release announcing the implementation of the pilot project.

### Questions and Answers:

1. What benefits of this pilot project will accrue to Weyerhaeuser and the Government?
  - a. For Weyerhaeuser it is anticipated that the increased flexibility afforded in shifting planning and approvals from the stand level to the landscape level will lead to:
    - Decreased inventory costs in the form of logs and manufactured products.
    - The costs of preparing, presenting and approving plans will be reduced by 50%.
    - Greater flexibility to relocate operations in quick response to market changes.
    - Greater opportunities for certification in the short term will assist the licensee in maintaining market share.
  - b. For government the benefits are seen to be:
    - Enhanced public participation will lead to less conflict.
    - MOF and MELP staff will have more time to focus on forest practices on the ground with less reviewing of paper plans.
    - 75% fewer amendments to plans, resulting in significant cost savings.
    - The pilot will provide a working model of performance-based forest management in an adaptive management framework.

2. Pilot projects are typically targeted for areas under a Higher Level Plan. Why is this pilot proceeding after the Premier recently announced the beginning of a process leading to a Land and Resource Management Plan for the entire Sunshine Coast Forest District?

The legislation provides for the option of the regulation containing provisions for the balancing of competing values and interests. The pilot regulation does this by providing resource value goals, resource management zones and objectives that must be met in subsequent preparation and approval of the Forest Stewardship Plan. Moreover, there is a requirement that the zones, objectives and Plans be required to be consistent with any future Higher Level Plan declared by Government. There has been a public process, in that the zoning and objectives have been endorsed by a community advisory group (CAG) set up to encourage early involvement in the forest management planning process. Also, there has been public comment received during the 72 day period in which the pilot was advertised for public input. The vast majority of comments received were in support of the balancing provisions.

3. How are government and the public assured that this project is not watering-down the Code's forest practices standards, and that high levels of environmental and forest stewardship are to be maintained?

The legislation enabling such pilots requires numerous legislated tests that must be met in order for a pilot to proceed. The most notable tests are the requirements that the pilot project will provide: at least the equivalent protection for forest resources as provided in the Code, and the adequate management and conservation of forest resources. The pilot project meets these tests in a number of ways:

- a. Resource management objectives are provided to protect forest resources at the landscape level.
- b. A forest stewardship plan is required that will include detailed strategies and measurable targets consistent with the management objectives.
- c. Government enforcement ability is assured as the regulation maintains the tools for enforcement through stop work orders, remediation, administrative penalties and offences.
- d. The role of the Forest Practices Board is maintained and, in fact, the regulation specifically provides Board oversight of the forest stewardship planning process similar to Code development plan oversight.
- e. Weyerhaeuser is committed to pursuing certification of its forest operations conducted under this pilot. It is a key certification requirement that management processes and activities meet or exceed legislation and regulations.
- f. Prior to approving a cutting permit the District Manager will be required to ensure that particular concerns related to cultural heritage resources or

other public concerns in contentious areas have been adequately addressed.

- g. Access management planning is required in consultation with the CAG, MOF and MELP to balance public needs with adequate resource management in road maintenance, access and deactivation.
  - h. Prior to preparation of the FSP and/or an application for a cutting permit, the licensee will be required to prepare all assessments currently required by the Code.
  - i. Finally, the regulation provides for the cancellation or suspension of the pilot project at any time with six months notice.
4. How does the pilot look after the interests of other resource users such as tourism operators and harvesters of botanical forest products?
- a. There are resource management objectives designed to protect the interest of tourism operators and harvesters of botanical forest products, as there are objectives for the protection of all forest resources and continuation of uses.
  - b. Forest management will be planned and conducted in consultation with the community advisory group, which is required under its terms of reference to consider the protection of all forest uses.
  - c. Any licensed users and the public will have ongoing, continuous opportunity to review and comment on forest operations conducted under the pilot.
  - d. Prior to approving a cutting permit the District Manager will be required to ensure that particular public concerns in contentious areas have been adequately addressed. This will include areas of importance to forest users.
5. How will the general public have the opportunity to review and comment on forest operations conducted under the pilot?
- a. The CAG will work with Weyerhaeuser on an ongoing basis and invites public input at all times.
  - b. The public will have the opportunity to review and comment on a proposed FSP and any subsequent amendments.
  - c. Prior to approving a cutting permit the District Manager will be required to ensure that particular public concerns in contentious areas, which will be identified in the FSP, have been adequately addressed.
  - d. Weyerhaeuser will maintain a monthly updated operational information map to provide the public the opportunity to input the planning process at the cut block level. The licensee will maintain a comment log, which will be available to government agencies, First Nations, the CAG, and the general public on request. This process will be closely monitored by the CAG.

6. Under the pilot the detail normally provided in forest development plans will not be contained in the forest stewardship plan. How will the process ensure that the interests of First Nations are adequately protected?
  - a. First Nations have been kept informed during the development of the pilot and have not provided any concerns.
  - b. First Nations have been invited to participate on the CAG, and although they have declined for now, the invitation remains open.
  - c. First Nations will be invited to review the operational information map monthly with government agencies and the licensee.
  - d. Prior to approving a cutting permit the District Manager will be required to ensure that particular concerns related to cultural heritage resources have been adequately addressed. This will follow the monthly meeting, thus ensuring that present consultation requirements are maintained.
  
7. How can Cabinet be assured that there has been ample public review and comment on the pilot?
  - The pilot has been developed in close and ongoing consultation with the CAG, which was formed in March, 2000 to provide representation for a cross-section of community interests and values by having 14 seats at the table. It has provided and encouraged consultation with the licensee regarding community concerns and issues identified by the CAG and the wider public.
  - The CAG, in formulating its formal comments on the pilot, sought the input of the Forest Caucus of the BC Environmental Network, and has considered the views of the BCEN in offering its continuing endorsement of the pilot.
  - As required in the enabling legislation, the pilot project was made available to the wide public by advertising in the local Powell River newspaper a 72 day viewing and comment period. In addition, the pilot was put on display cooperatively by the licensee and the CAG in a local shopping mall for two days. The comments received and the licensee's response have been summarized and presented to the ministers. Although not required, the licensee is responding to all public comments received.
  
8. What has Weyerhaeuser done to address the comments provided by the Forest Caucus of the BC Environmental Network?

Weyerhaeuser welcomed the comments of the BCEN, and was able to agree to a number of BCEN suggestions. In general, it seemed that BCEN's general test for the pilot project is whether it "meets or beats" the Code around both process and environmental protections. With all due respect to this view, Weyerhaeuser does not agree that the test in Part 10.1 should be framed exactly this way. In Weyerhaeuser's view, the essence of Part 10.1 is to allow

for **something different** than the Code that seeks to improve the regulatory framework, while ensuring that process and environmental protections are addressed. Some inputs from BCEN would undermine the very purpose of the pilot by providing for legislated tests and additional process around the approval of cutting permit applications. Other suggestions such as the requirement for the Chief Forester to revisit the AAC, or that the regulation specify that the requirements in the regulation are complementary to existing Code standards are unnecessary, in that nothing would be added to the regulatory framework. Another BCEN suggestion that the balancing provisions be expanded to include broader land-use decisions is not appropriate to the small size of the pilot area, and is now overtaken by the LRMP announcement.

9. What are the views of the Forest Practices Board on the pilot project?
  - a. The FPB has taken the decision to not provide detailed comment on the overall acceptability or detailed substantive content of the pilot project. Board staff have provided comment on the provisions with respect to its continuing role under the new regulatory framework introduced by the pilot. Those comments have been given consideration to ensure the Board's oversight role will continue with a forest stewardship plan equivalent to its role with respect to forest development plans under the Code.
  
10. How will Old Growth forest values and biodiversity be adequately protected and managed under the pilot?
  - a. Under the Protected Areas Strategy the Mt. Mahoney area was granted protected status. This status will continue.
  - b. Four old growth zones are proposed under the pilot for 100% retention. In addition, other old growth zones are proposed for very restrictive management that emphasizes protection.
  - c. There is a requirement that the zones, objectives and forest stewardship plan be required to be consistent with the upcoming LRMP when it is completed. Thus, any future change in emphasis will be accounted for.
  - d. There is a requirement that resource objectives for grizzly bear, marbled murrelet, mountain goat and deer habitat must be in place before the pilot fully comes on stream..
  - e. There is a management objective to conserve, protect and restore natural biodiversity.
  - f. The project calls for the full application of variable retention, a management requirement that has been widely endorsed by environmentalists.

11. How will water be protected under the pilot?

There is a resource management objective to maintain or improve water quantity and quality. The forest stewardship plan will be required to contain strategies and measurable targets that are consistent with that objective. In the case of community watersheds there is a requirement for riparian assessments to be completed prior to the application for a cutting permit and to seek the review and comment of local water users, or the IWMP Working Group, as the case may be.

12. How are recreational values protected and managed for under the pilot?

- a. There are 7 new recreation/tourism zones where the management emphasis will be on recreation and tourism
- b. Protective reserves, management zones and buffers have been proposed and agreed to with the CAG on a number of key trails and lakes.
- c. Aesthetics will be managed with Visual Quality Objectives established through the forest stewardship planning process.
- d. Access will be managed to maintain an appropriate level of recreational access in consultation with the CAG.

13. How will public concerns with road deactivation be addressed?

- a. The forest stewardship plan will deliver an access management strategy through the preparation of an annual access management plan, which will be done in close consultation with the CAG.
- b. The access management plan will be available for public viewing and will include the level of deactivation planned or completed.
- c. The forest stewardship plan will also define deactivation standards for temporary and permanent deactivation.

14. What is Weyerhaeuser's intent concerning the application of the variable retention system under the pilot?

- a. Weyerhaeuser maintains its commitment to phasing out clearcutting by 2003 on all operations, including the Stillwater pilot.
- b. The regulatory framework being piloted is centered around a concept of adaptive management whereby the outcomes of forest practices on the ground will be assessed and changes made to forest management in an ongoing cycle of continuous improvement.
- c. The outcomes of variable retention will be assessed and the practice will be changed as appropriate from time to time.