

## **Chief Forester Order Respecting the AAC Determination for the Fraser TSA**

Section 8.3.1 of the *Forest Act* stipulates in part that:

*If ... the chief forester considers that the allowable annual cut ... is not likely to be changed significantly with a new determination, then ... the chief forester by written order may postpone the next determination...to a date that is up to 10 years after the date of the relevant last determination, and must give written reasons for the postponement.*

In July 2004, the former chief forester determined a new Allowable Annual Cut (AAC) for the Fraser Timber Supply Area (TSA). The current AAC, effective August 1, 2004 is 1,270,000 cubic metres.

In deciding whether to postpone the next AAC determination for the Fraser TSA, I have reviewed:

- each of the factors potentially affecting timber supply on the TSA;
- the *Fraser TSA Rationale for AAC Determination*, dated July 27, 2004;
- the *Fraser TSA Timber Supply Area Analysis Report*, dated December, 2003; and
- the First Nations consultation process that covered the period from September 25, 2007 to June 9, 2008

I note the base case timber supply forecast in the 2003 analysis report projects that an annual harvest of 1,270,000 cubic metres could be maintained for the next 140 years after which the harvest increases by 20 percent to a long-term level of 1,520,000 cubic metres per year.

In the 2003 analysis the growing stock associated with the timber harvesting land base decreased from an initial level of about 68 million cubic metres to about 61 million and then increases to about 77 million in the long term. The extensive growing stock throughout the planning horizon contributes to the robust timber supply forecast projected in the base case.

In the 2004 rationale, the chief forester discussed the impact and interaction of key factors affecting timber supply in the short, medium, and long terms. I have reviewed each factor specified under Section 8 of the *Forest Act* and have also discussed current practice and the availability of new information with Ministry of Forests and Range (MFR) district and branch specialists. I am aware that since the last (2004) determination:

- there are no land use decisions or new data available that significantly changes the size of the timber harvesting land base (THLB) assumed in the 2003 analysis. I note that although recent data shows that about 8

percent of the harvested areas are located outside the THLB, these areas may be offset by areas within the THLB that are unlikely to ever be harvested.

- the two most important factors affecting timber supply in the previous analysis were the new VRI inventory and site productivity estimates for Coastal Western Hemlock (CWH) biogeoclimatic zone. There is no new information available that would change the assumptions used in the previous analysis. Licensees suggest that harvest level projections would be higher if the site index adjustments in the CWH were also applied to other biogeoclimatic zones.
- data from the past three years indicate that unsalvaged losses are likely higher than those assumed in the 2003 analysis but the impact is not significant.
- mountain pine beetle, Douglas-fir beetle and spruce budworm are all present at endemic levels in the Fraser TSA. However, there is no significant volume loss attributable to these forest pests.
- in accordance with the spotted owl management plan, I note that some harvesting occurred in owl management areas to enhance future owl habitat. Although this was not modelled in the 2003 analysis, the impact on timber supply from this activity is not considered significant.
- in the 2003 analysis, nine out of 31 landscape units had spatially-defined OGMA's; aspatial biodiversity constraints were applied to the remainder of the TSA. There are now spatial OGMA's for 15 landscape units and it is expected that a further 7 landscape units will have OGMA's in 2008. Staff estimate that establishing spatial OGMA's on the entire TSA will reduce the timber supply by about two percent in the long term.
- dead merchantable sawlogs encountered during harvesting are not included in the 2003 analysis. However, in practice, these sawlogs are taken to the mills and charged to the AAC. MFR staff estimate that accounting for the "dead potential" sawlogs could increase timber supply by about 3.6 percent.

I am aware of the Province's legal obligation to consult with First Nations on proposed forest management decisions. I have reviewed the information obtained through the First Nations consultation that was undertaken by the MFR with those First Nations whose asserted traditional territories overlap with the Fraser TSA. I note that:

- there are 31 First Nations and 6 tribal councils in the Fraser TSA and they include Aitchelitz Indian Band, Boothroyd Band, Boston Bar First Nation, Burrard Indian Band, Chawathil Indian Band, Cheam Indian Band, Chehalis Indian Band, Ch-ihl-kway-uhk Tribes, Douglas First Nation, In-Shuck-ch Nation, Katzie First Nation, Kwantlen First Nation, Kwaw-Kwaw-Apilt, Leq'a: Mel First Nation, Lower Stl'atl'imx Tribal Council, Matsqui First Nation, Nlaka'pamux Nation Tribal Council, Peters Band, Popkum Indian Band, Scowlitz First Nation, Seabird Island First Nation,

Shxw'ow'hamel First Nation, Skawahlook First Nation, Skowkale First Nation, Skwah First Nation, Skway First Nation, Soowahlie Indian Band, Spuzzum First Nation, Squiala First Nation, Sto:Lo Nation, Sto:lo Tribal Council, Sumas First Nation, Tsawwassen First Nation, Tzeachten First Nation, Union Bar First Nation, Yakwekwioose Indian Band, and Yale First Nation.

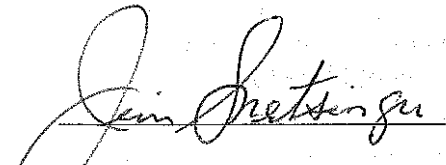
- three letters dated September 25, 2007, October 30, 2007 and December 21, 2007 were sent to each First Nation group, requesting information about how their aboriginal interests may be impacted by postponing the AAC determination for the Fraser TSA.
- the In-SHUCK-ch First Nation replied on October 15, 2007. In their letter they provided references to the Seven Generations Plan and Land Stewardship Plan, and stated that they would provide more information at a later date. On December 21, 2007, MFR followed up with the In-SHUCK-ch First Nation but no further comments were received.
- The Squiala First Nation replied on November 8, 2007 stating that at this time no impact would be made to their aboriginal interests as a result of the decision to postpone the AAC determination.
- The Boston Bar First Nation replied on November 20, 2007 indicating that they did not agree with a postponement of the AAC determination for the Fraser TSA. They specifically expressed concerns with the sustainability of the current AAC as they feel the forest resources are being depleted to the point of severely limiting their economic future. In response, the District replied on December 21, 2007, and at a later date prepared a separate analysis to determine what percentage of the AAC harvest was coming from Boston Bar's asserted traditional territory. I note that the harvest for the past several years was consistent with what was expected given the amount of Crown forested land in Boston Bar's asserted traditional territory as compared with the Crown forested land in the Fraser TSA. A meeting was held on May 16, 2008 to communicate these results to Boston Bar First Nation. I am aware that MFR district staff have committed to follow up with Boston Bar through continued discussions.
- Comments were received from the Katzie First Nation on June 23, 2008 which reiterated previously expressed concerns about the sustainability of harvesting in the Upper Pitt area and the management of ecosystem representation. They further indicated that they would like to see a sustainability assessment or plan be made prior to future harvesting. Katzie First Nation's asserted traditional territory was also included in the separate analysis to determine what percentage of the AAC harvest was coming from their asserted traditional territory. It was communicated that

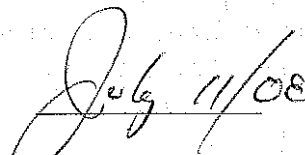
the harvest for the past several years was consistent with what was expected given the amount of Crown forested land in Katzie's asserted traditional territory as compared with the Crown forested land in the Fraser TSA. A meeting was held on May 16, 2008 with the Katzie First Nation where MFR district staff have committed to continue to work with them at the planning level.

- In response to the concerns of the Boston Bar and Katzie First Nations with respect to the sustainability of the timber supply, I note that the purpose of my AAC determinations for TSAs is to ensure that timber supply is sustainably managed for the entire TSA. Forest operators may move around the TSA such that harvesting may concentrate in some areas for a time period and move to other areas for the next period, as long as overall harvesting in the TSA does not exceed the AAC. However, forest operations in each area and in each year are subject to requirements under FRPA that ensure the full range of forest values are managed and protected.

After reviewing the information, I am satisfied that the First Nations whose asserted traditional territories overlap with the Fraser TSA were consulted on the postponement of the AAC determination. The information available to me indicates that current management practices are consistent with sustainable management of timber supply and of other forest values. Through the consultation process I am unaware of aboriginal issues that may be affected by a postponement of the AAC determination. I note that district staff will continue to be available to consult with First Nations on specific operational planning and other issues. If however, any new information does arise, then I will consider it in the next AAC determination.

In summary, based upon my review of the factors discussed in the 2004 rationale, the limited new data available, and my knowledge of the timber supply dynamics of this management unit, I have determined that the AAC for the Fraser TSA would not likely change with a new determination. Under my authority as outlined in Section 8 (3.1) of the *Forest Act*, I hereby postpone the next AAC determination to a date prior to August 1, 2014, which is 10 years since the last determination. If significant new information is made available to me, or if major changes in management assumptions occur, then I am prepared to revisit the next determination sooner than the maximum 10-year period indicated in the legislation.

  
Jim Snetsinger, R.P.F.  
Chief Forester

  
Date