

Dawson Creek Timber Supply Area (TSA) Old Growth Management Area (OGMA) Amendment Process

Introduction

The need to establish a process for amending legally-established objectives for Old Growth Management Areas (OGMAs) has arisen from recent requests for amendments to existing spatial OGMAs in other regions. It is anticipated that there will continue to be requests in the future, and that a consistent review process is necessary to ensure proposals are treated equitably and to minimize the resources required to manage these requests.

The process described in this document is intended to address proposed amendments that fall outside the scope of operational flexibility provided for in the legally established objectives for OGMAs.

Flexibility within the Dawson Creek TSA Spatial Old Growth Order is currently set at:

- 10% of the gross OGMA area for OGMAs less than 50 ha. or,
- 5% or 40 ha. whichever is less, of the gross OGMA area if the OGMA is 50 ha. or larger.

This amendment process offers a number of relatively simple procedural suggestions that are voluntary on the part of the proponent that, if adopted, are designed to make the review and approval of an amendment more timely and efficient for all parties.

Objectives

The objectives of this process are to:

- Effectively and consistently manage the amendment and replacement of OGMAs;
- Develop a standard process that will be used when assessing requests for amendments or replacements; and,
- Standardize how the outcomes or products are communicated to licensees, other affected stakeholders and First Nations.

Process

Step 1: Request for amendment is received by the Integrated Land Management Bureau (ILMB)
--

Requests for OGMA amendments will be sent to ILMB. ILMB will initiate a review of all requests received by January 15 of each year. Requests for amendments will only be

considered once each year. The request can come from an agency, the public, a forest licensee, or First Nation. It must be accompanied by a map at an appropriate scale and include a rationale that describes why an amendment is necessary. Amendment proposals that involve impacts to established OGMA must also propose a replacement area. Amendment proposals that request new or additional OGMA area must also identify equivalent area of existing OGMA for deletion. It may be in the best interest of the proponent to discuss intentions with forest licensees, stakeholders and First Nations prior to formally requesting an amendment.

All amendment proposals must clearly compare how the proposal meets or exceeds criteria that were used in establishing the original area. Considerations for data to be included in the rationale are listed in Step 2b. The criteria may vary depending on what criteria were used to initially establish the area, what information is available, and where the direction came from for establishing the area. In some cases, it may be difficult to determine what the original criteria were. For example, the OGMA may have been established after a negotiation process that looked at a combination of criteria and timber supply impacts. It is therefore very important that the proponent make a strong case for an amendment using the best information available and to supplement this with appropriate new information.

In the rationale, the proponent should include a letter of support from a person who can substantiate the need for an amendment (i.e. RPBio, RPF) and the appropriateness of the replacement area based on old growth values. The rationale should also include support from those who may be affected by the amendment, i.e. First Nation.

Step 2: Internal Government Review

Step 2a: Assess Rationale for Amendment

ILMB will determine if the proponent's rationale for amending the OGMA is valid. Valid reasons for amending an area include:

- overlap with tenures, including planned or approved cutblocks, particularly those that existed at the time the area was originally established;
- access issues overlooked or unknown during the initial assessment (i.e. an OGMA is blocking access to timber that is outside an OGMA);
- new information; or
- inventory errors (i.e. whereby an OGMA was located based upon incorrect or insufficient information).

If ILMB is not satisfied with the proponent's rationale for requesting an amendment, the proponent will be asked to revise the rationale. This will send the process back to Step 1. If the proponent does not wish to revise the rationale, the amendment process will end.

If ILMB is satisfied that the proponent's rationale justifies an amendment, the process will move on to Step 2b.

Step 2b: Assess Replacement Area

An interagency technical team may be formed where there is a clear need for other agencies to become involved. In most cases, this will include the Integrated Land Management Bureau, the Ministry of Environment, and the Ministry of Forests and Range. The technical team (or individual expert) will assess whether or not the proposed replacement area meets or exceeds criteria that were used in establishing the original area. These criteria may include:

- Landscape Unit
- Ecological unit - BEC zone, variant, or site series (or surrogate) consistent with what was used in the original establishment process
- Area (hectares)
- Age of stand
- Species composition
- Site productivity
- Landbase classification (THLB, Non-Contributing, Partially Contributing, Contributing, other)
- Interior forest condition
- Other information that may be appropriate or useful, i.e., site index, crown closure, overlap with other biodiversity values, slope, aspect, First Nations' interests in the area, or other field-verified information

ILMB will assess the proposal to amend OGMA's in the context of cumulative impacts to biodiversity and to timber supply, and not strictly on an individual criterion basis.

If ILMB decides that the replacement area does not meet the necessary criteria, it will advise the proponent to revise its proposal. This will send the process back to the beginning of Step 2b (i.e. rationale is acceptable and replacement area will be evaluated).

If the proponent does not wish to revise the proposal, the process will end.

The technical team or expert is responsible for making a recommendation to the appropriate decision-maker. If the team cannot agree, the proposal will be forwarded to the North East Managers Committee.

Step 3: Consultation and Communication

If the proponent's rationale and replacement area are acceptable, ILMB must consult with affected stakeholders and First Nations. ILMB must also consult with the appropriate Plan Implementation and Monitoring Committee (PIMC) if there is one in place.

ILMB must advertise a public review period and make the proposed amendment available on its website. The public review period can be concurrent with stakeholder, First Nations and PIMC consultations.

The proponent is responsible for making reasonable efforts to address and resolve any significant comments that arise from the information sharing and public review. The proponent needs to be aware that any outstanding issues may pose a risk to the proposal.

Step 4: Decision

ILMB must document comments and unresolved issues arising from the public review and consultations. ILMB will prepare a briefing note to the Statutory or Delegated Decision Maker in a standard format.

If the amendment is approved, ILMB will be responsible for contacting the persons they consulted with, and making public announcements as necessary. ILMB will also be responsible for ensuring that changes to the official maps are made.

If the amendment is not approved, the proponent has the option to revise the proposal and re-submit it within a reasonable timeframe.