

WOODLOT LICENCE W1940

WOODLOT LICENCE PLAN


TERM – 10 YEARS

May 1, 2009 to April 30, 2019

Mills Holdings Limited dba Ripple Rock Timber
90C Westgate Road
Campbell River, BC
V9W 1R2

Authorized Licensee Signature:

Bryan Mills



April 25, 2009

(Original submission March 6, 2009)

Registered Professional Forester Signature:

John Marlow, R.P.F.



The seal is circular with the text "REGISTERED PROFESSIONAL FORESTER" around the top and "BRITISH COLUMBIA" around the bottom. In the center, it says "No. 2558".

April 25, 2009

(original submission March 6, 2009)

DISCLAIMER:

Recognizing the special nature of management on a Woodlot Licence, this disclaimer forms part of the Woodlot Licence Plan (WLP) for Woodlot Licence W1940 and advises that:

- The decision to operate under one or more of the Default Performance Requirements (DPR) provided in the Woodlot Licence Planning and Practices Regulation (WLPPR) is the sole responsibility of the woodlot licence holder. This disclaimer is signed under the explicit understanding of information provided by government that, the use and achievement of a DPR meets the expectations of government with respect to the management of woodlot licences.
- The undersigned Registered Professional Forester has been retained to provide advice on the practice of professional forestry with regards to items such as alternative performance requirements that do not have a default performance requirement provided in the Woodlot Licence Planning and Practices Regulation (WLPPR).

Signed: _____

Name: John Marlow, R.P.F.

RPF #: 2638

Contact # 250-285-2544

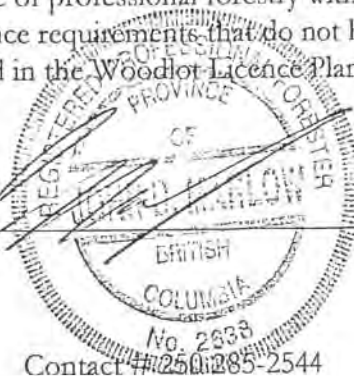


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INTRODUCTION

Woodlot Licence W1940 was offered to Mills Holdings Limited in November 2009 through a competitive bid process. Following the approval of management Plan #1, the Woodlot Licence was issued at the end of December 2008 and this Woodlot Licence Plan (WLP) is the first WLP for this licence.

Woodlot Licence W1940 is located north of Campbell River between Menzies Bay and Brown Bay and contains 800ha of Schedule B (crown) land. There is no Schedule A (private) land associated with Woodlot Licence W1940. The biogeoclimatic zone of this area is the Coastal Western Hemlock (CWH) very dry, maritime (xm1 and xm2).

Woodlot Licence W1940 is held by Mills Holdings Limited and will be managed under the company name Ripple Rock Timber. The company is based in Campbell River and the logs are sold to a variety of markets. Forest management activities are generally carried out by the licensee either 'hands-on, or by forest consultants.

Mandatory Content for a Woodlot Licence Plan

2-1 Plan Area

Woodlot Licence W1940 is located north of Campbell River between Menzies Bay and Brown Bay and this WLP covers the entire area of the Licence.

Schedule A – Private Land

There is no Schedule A land associated with Woodlot Licence W1940.

Schedule B – Crown Land

The Schedule B (Crown) portion of Woodlot Licence W1940 contains approximately 800 hectares and is located approximately 20km north of Campbell River and extends from the ocean along the east boundary to Highway 19 along the west. There are private land holding located both north south, and west of the Woodlot Licence area. There is also provincial forest located east of Woodlot Licence W1940 managed by the British Columbia Timber Sale (BCTS) program.

2-2 Map and Information

The 1:20,000 scale WLP maps included in Appendix A1 show the location of the crown land of Woodlot Licence W1940. In addition to the Woodlot Licence plan maps are a Visual Quality Objective (VQO) map and a Resource Planning map. The applicable information required under section 8(1) of the Woodlot Licence Planning and Practices Regulation (WLPPR) is provided on these maps.

All of Woodlot Licence W1940 is located in the Coastal Western Hemlock (CWH) biogeoclimatic zone and is further classified as being located in the 'very dry /maritime (xm1 and xm2) subzone. As per section 8(1) (g) of the Woodlot Licence Planning and Practices Regulation, Woodlot Licence W1940 is located in the Sayward Landscape Unit.

2-3 Higher Level Plans

This WLP is consistent with the currently approved Management Plan for Woodlot Licence W1940.

Woodlot Licence W1940 is also located on lands within the Sayward Landscape Plan (February 2003) and the Vancouver Island Land Use Plan, Resource management Zone 31. Activities at Woodlot W1940 will be consistent with both higher level plans.

2-4 Areas Where Timber Harvesting Will Be Avoided

The use of a variety of reserve types contributes to the sustainability of all forest resource values and the long-term maintenance of biodiversity values. As well, in particularly sensitive areas of Woodlot Licence W1940, timber harvesting will be avoided to protect resource features such as biodiversity, fish habitat, cultural features, and slope stability. As per the Woodlot Licence planning and Practices Regulation, the Wildlife Tree Management

Area target retention is 8% of the Woodlot Licence area. This target retention will be accomplished via Old Growth Management Areas (OGMAs), Riparian Reserve Zones, Ungulate Winter ranges (UWR), and sensitive sites.

In addition, several long-term research plots (“Growth and Yield Plots) exist in Woodlot Licence W1940. These plots have been discussed with Ministry of Forests Research Branch (Louise Montigny) and most of these plots will be measured once again and then are available for harvest. One Growth and Yield plot (plot 5) will be maintained indefinitely, and there is a 100m radius permanent reserve established around that plot. Correspondence from MOF Research Branch is included in Appendix A6.

Reserve areas (“Areas Where Timber Harvesting Will be Avoided) are summarized in Table 1.

For this initial Woodlot Licence Plan, approximately 7.8% (62.4ha) has been identified as permanent reserves throughout the Woodlot Licence Area. As Forest Management activities proceed at Woodlot Licence W1940, the 8% target for biodiversity will be attained via within stand reserves and additional long-term reserves.

Table 1: Areas where timber harvesting will be avoided.

Reserve Name	Function	Area
Menzies Creek Reserve	S2 Riparian Reserve Zone	10.3ha
Morstrom Lake Reserve Zone	Lakeshore Reserve Zone	1.2ha
OGMA #1	Old Growth Management Area	39.8ha
UWR	Ungulate Winter Range	4.7ha
Seymour Narrows Foreshore Reserve	Ocean Reserve – Landscape / Biodiversity Values	5.6ha
Experimental Plot Reserve	Retention / Protection of long-term research plot	0.8
Total Reserve		62.4ha

2-5 Areas Where Timber Harvesting Will Be Modified

Visual Landscape Management

A substantial portion of Woodlot Licence W1940 is classified as ‘Scenic Areas’ and these areas all have assigned ‘Visual Quality Objectives’. Alteration limits, and definitions for these areas are taken from the Forest Planning and Practices Regulation (FPPR) and are included Appendix A5. Note that these definitions are borrowed from the FPPR and do not technically apply to Woodlot Licences. Visual Landscape Management at Woodlot Licence W1940 will be conducted using the intent of these definitions. Areas classified as Preservation or Retention are included in the category of ‘Areas Where Timber Harvesting

Will be Modified' as these areas may require unique harvesting plans and long-term planning to attain the Visual Quality Objective. Areas with a VQO of Partial Retention are considered to be areas where the VQO can be attained with regular forest management activities as practiced at the Woodlot Licence level (small scale forestry).

The remainder of Woodlot Licence W1940 is managed by normal forest practices as described in the Management Plan, government legislation, regulations, and standards, and this WLP.

Table 2: Areas Where Timber Harvesting Will Be Modified

Block	Reason for Modified Harvest	Area
Preservation VQO	Visual Landscape Management / Biodiversity	108ha
Retention VQO	Visual Landscape Management / Biodiversity	230ha
Total Modified Harvest Area		338ha

2.6 Protecting and Conserving Cultural Heritage Resources

Woodlot Licence W1940 is within the traditional territory of the Campbell River First Nation, Cape Mudge First nation, K'omox First Nation, and the Homalco First nation. A full copy of this Woodlot Licence Plan has been sent to the following:

- Chief Robert Pollard and Council – Campbell River First Nation
- Chief Ralph Dick and Council - Cape Mudge First Nation
- Chief Richard Harry and Council – Homalco First Nation
- Chief Earnest Hardy and Council – K'omoks First Nation
- Rod Naknakim, Chief Negotiator, Laich Kwil Tach Treaty Society

In addition to receiving a full copy of this WLP, all these First Nation groups have also been invited to provide information in regards to traditional first nation uses of the Woodlot Licence area.

Should field work at any time discover indications of CHR's, appropriate agencies will be notified immediately.

The following **Results and Strategies** apply to the management of Cultural Heritage Resources at Woodlot Licence W1940.

1. The licensee will provide copies of the Woodlot Licence Plan to the affected First Nations for review and will request information regarding traditional uses of the Woodlot area.
2. The licensee will evaluate all possible site specific cultural heritage resources identified within areas of potential timber harvesting and road construction activities. Any identified cultural heritage resource information will be shared with the applicable first nation.
3. The licensee, when designing a cutblock or road, will identify
 - a. The portion of the area occupied by the CHR

- b. The nature of the CHR
 - c. Whether the CHR is to be protected or conserved, and
 - d. If the CHR is to be conserved, what constraints, if any, are to apply to the forest practices carried out in the area.
- 4. For each CHR identified under subsection (3) for protection, the licensee will carry out or authorize a forest practice only to the extent that the forest practice does not damage, or render ineffective, the CHR.
- 5. For each CHR identified under subsection (3) for being conserved, the licensee will carry out or authorize a forest practice only to the extent that the forest practice is consistent with the constraints, if any, specified in the design for the cutblock or the road.
- 6. The licensee will address and respond to any First Nation comments received post WLP approval and will also engage with the First Nation appropriately in regards to any interests asserted by the First Nation.
- 7. The licensee commits to participating in a Forest Industry Cedar Strategy, should one develop in the district.
- 8. The licensee is committed to the conservation of red cedar trees which currently exist in Wildlife Tree Retention areas, and also commits to the recruitment of red cedar where stands will be reforested to a proportion of red cedar where ecologically appropriate.

The licensee has developed a working relationship with many of the affected First Nations and will continue to be diligent in direct referrals and consultation with affected first nations. Where required, the licensee will hire archaeological consultants where appropriate.

Under Schedule 1 of the Woodlot Licence planning and Practices Regulation (Factors), all factors indicated in section 5 have been considered in the development of this strategy. This consideration will be completed cooperatively with the affected first nations where the first nations will be informed and included in all decision making in regards to CHR's

2.7 Wildlife Tree Retention Strategy

The use of permanent reserves, and retained trees within cutblocks will ensure a sufficient area has been preserved to retain and promote wildlife trees. For the purpose of the 'Wildlife Tree Retention Strategy', all permanent reserves are also considered to be 'Wildlife Tree patches'. Presently Woodlot Licence W1940 has approximately 7.8% (62.4ha) in reserve. The target retention under the WLPPR is 8%. Additional reserves will be identified and forest management activities progress at Woodlot Licence W1940.

Detailed ecological descriptions of all Wildlife Tree Retention Areas are presented in Table 3.

a) Table 3 – Wildlife Tree Retention Areas and Forest Cover Attributes

Reserve Name	Forest Cover Attributes	Function
Menzies Creek	Poly 304 – MbDr(Fd) 458 Site Index 37 Poly 1454 – Fd 465, SI49	Riparian Reserve, biodiversity management, preservation of riparian values.
Morstrom Lake Reserve	Poly 1467 – Fd 465, SI44 Poly 914 – FdHw55, SI39 Poly896 – DrFd 467, SI24	Riparian Reserve, biodiversity management, protection of ecologically sensitive sites.
Old Growth Management Area	Poly 222 – Fd(Cw)954,SI19 Poly 107 – Fd(Cw)954,SI19 Poly 98 – FdHw954, SI21 Poly 118 – Fd 955,SI21 Poly119 – Fd944, SI19	Landscape level old- growth management (Sayward Plan), biodiversity management.
Ungulate Winter Range	Poly 936 – Fd944,SI17 Poly 160 – Fd944,SI17 Poly 294 – Fd442,SI27 Poly 170 – FdHw954,SI21	Winter cover for black-tail deer, forage management, biodiversity management.
Seymour Narrows Foreshore Reserve	Poly 223 – FdDr(MbHw)556, SI33 Poly 237 – Fd(Cw)943,SI19 Poly 236 – DrFd(Mb)338, SI25 Poly 98 – Fd(Hw)954,SI21 Poly 94 – Fd(HwMb)654, SI26 Poly 92 – FdPl654,SI28	Biodiversity management, visual landscape, ocean environment riparian values.
Experimental Plot Reserve	Poly326 – Fd457, SI38	Protection of long-term research plot.

2.7.1 Individual Wildlife Trees

A. Species and Characteristics

On Woodlot Licence W1940, trees of all species may be selected as Individual Wildlife Trees (IWT). Snags are retained wherever possible. These identified wildlife trees will be douglas fir, western hemlock, western red cedar, sitka spruce or lodgepole pine. Should any unique trees be observed such as western yew or white pine, those trees will be reserved from harvest where possible.

The physical characteristics of preferred IWT's include signs of interior decay, forks, large dead branches, loose or cracked bark, scars, and active wildlife use such as cavities, nests, or signs of perching.

b) Conditions Under Which Individual Wildlife Trees May be Removed

IWT's may be removed if they are considered a safety hazard, or if their removal is required to build or maintain roads.

c) Replacement of Individual Wildlife Trees

If IW'T's are removed, they will be replaced with trees of comparable wildlife tree value from a location nearby.

2.7.2 Wildlife Tree Retention Areas

A. Forest Cover Attributes

The reserves at Woodlot Licence W1940 generally include OGMA's, UWR, Riparian Reserve Areas, as well as the marine shoreline and the research plot. These reserves contain, or have a good likelihood of developing valuable wildlife attributes as described above. These areas also provide for biodiversity, protection of riparian values, soil stability, and visual landscape management. These reserves contain a representation of trees and biological functions typical of the entire woodlot.

The Wildlife Tree Retention areas are generally douglas fir, red cedar or hemlock leading and contain minor components of lodgepole pine.

The forest cover attributes of wildlife tree retention areas are dictated by the ecological characteristics of the RMA's.

b) Conditions Under Which Trees May be Removed from Wildlife Tree Retention Areas.

Trees may be removed only if they are considered a safety hazard, if they become infested with insects or disease which threatens the health of adjacent trees, or if there is a need to remove the trees to provide access to adjacent stands. If providing access to adjacent stands, the number of high quality wildlife trees removed will be kept to a minimum and the clearing width for a road will be kept to less than 10m providing the narrow clearing width is safe.

c) Replacement of Trees Removed from Wildlife Tree Areas

If trees are removed from wildlife tree retention areas, they will be replaced with trees of comparable wildlife tree value from an alternate location within the Woodlot Licence area.

2.8 Measures to Prevent the Introduction or Spread of Invasive Plants

The main invasive plant species at Woodlot Licence W1940 is Scotch Broom (*Cytisus scoparius*). This species is common throughout the area along roadsides and in open fields. The best method of control for this species is to cut the larger plants at ground level and to pull the smaller plants with roots attached. Once Scotch Broom is established, several control treatments are required to keep the species from spreading. Whenever Scotch Broom is encountered in Woodlot Licence W1940 the plants are removed.

Himalayan blackberry (*Rubus discolor*) is not indicated in the Invasive Plants Regulation but this is also an introduced species which can aggressively spread. For both Himalayan Blackberry and Scotch Broom, the most effective method of control is prompt and successful reforestation of cutblocks to preferred and acceptable species (thereby shading out the invasive species).

The other main group of invasive species include bull thistle (*Cirsium vulgare*), and Canada Thistle (*Cirsium arvense*) as well as a variety of grass species. These species are generally found along roadsides and are often spread via roadside seed mixtures applied for sedimentation control and slope stabilization.

It is a general policy at Woodlot Licence W1940 that native plants are allowed to vegetate skid trails and roadsides where experience has shown that natural vegetation is effective. Where roadside application of grass-seed mixture is required, seed mixtures free of invasive plant seed will be used. When roads are built at Woodlot Licence W1940, road surfacing is generally created onsite either by developing gravel quarries or drilling and blasting rock quarries. As the surface vegetation and humus layer of the soil is removed in the development of these rock sources, the surface material is 'clean' gravel or rock and will minimize the spread of invasive plants. The licensee commits to continue to use 'clean' surfacing material for road construction at Woodlot Licence W1940.

To minimize the introduction of spread of invasive plants within the Woodlot Licence area, the following Results and Strategies apply to all activities at Woodlot Licence W1940:

- Minimize soil disturbance
- As necessary, seed disturbed areas with an appropriate mix of fast growing species of grasses and legumes, guaranteed to be free of weed seeds
- Minimize the transport of invasive plant seed by removing it from equipment and checking the underside of vehicles.
- Recognize the early stages of invasive plant development
- Establish well-stocked stands of trees that will suppress invasive plants
- Use only clean gravel and rock crush from local sources for road building activities.

Table 4 – Invasive Plants

	Weed Species	Scientific name
1	Japanese Knotweed	<i>Polygonum cuspidatum</i>
2	Giant Knotweed	<i>Polygonum sachalinense</i>
3	Bull Thistle	<i>Cirsium vulgare</i>
4	Canada Thistle	<i>Cirsium arvense</i>
5	Common Burdock	<i>Arctium minus</i>
6	Gorse	<i>Ulex europaeus</i>
7	Scotch Broom	<i>Cytisus scoparius</i>
8	Common Tansy	<i>Tanacetum vulgare</i>
9	Marsh Thistle	<i>Cirsium palustre</i>
10	Orange Hawkweed	<i>Hieraceum aurantiacum</i>
11	Oxeye Daisy	<i>Chrysanthemum leucanthemum</i>
12	Spotted Knapweed	<i>Centaurea maculosa</i>
13	St. John's Wort	<i>Hypericum perforatum</i>
14	Yellow Iris	<i>Iris pseudacorus</i>

2.9 Measures to Mitigate the Effect of Removing Natural Range Barriers

As there is no range tenure over Woodlot Licence W1940, there are no measures proposed. There are no known natural range barriers within Woodlot Licence W1940.

2.10 Stocking Standards for Specified Areas

Areas subject to removal of individual trees, harvest of special forest products, or other types of intermediate cutting are considered 'Specified Areas' for the purpose of this Woodlot Licence Plan. Examples of this type of situation would be minor blowdown salvage, small market opportunities in special forest products, or salvage of diseased or damaged timber. At these 'Specified Areas' stands will be generally be maintained fully stocked post harvest. Where opening are > 0.1 ha in size, these areas will be reforested and basic silviculture (even-aged) will apply. These activities are permitted anywhere in the Woodlot Licence Area other than areas where 'Timber Harvesting Will be Avoided'.

For these areas, the 'Uneven-Aged Stocking Standards' as found in the MOF Publication "Reference Guide for FDP Stocking Standards" are adopted.

2.11 Performance Requirements

2.11.1 Soil Disturbance Limits

Accept Default Performance Requirement – Section 24(1), Woodlot Licence Planning and Practices Regulation.

- 8% of Net Area to be Reforested

2.11.2 Permanent Access Structures

Accept Default Performance Requirement – Section 25, Woodlot Licence Planning and Practices Regulation.

- The maximum area occupied by permanent access structures is as follows:
 - Cutblocks $\geq 5\text{ha}$ = 7% of cutblock area
 - Cutblocks $< 5\text{ha}$ = 10% of cutblock area
 - Total Woodlot Area = 7% of Woodlot Licence area

2.11.3 Use of Seed

Accept Default Performance Requirement – Section 32, Woodlot Licence Planning and Practices Regulation.

- The Chief Forester's Standards for seed use are adopted for this WLP.

2.11.4 Stocking Standards

Accept Default Performance Requirement – Section 35, Woodlot Licence Planning and Practices Regulation.

- The stocking standards described in the MOF publication 'Reference Guide for Forest Development Plan Stocking Standards' as amended from time to time, which are in effect at the time of harvest for each cutting permit. See http://www.for.gov.bc.ca/hfp/forsite/stocking_std.htm

2.11.5 Width of Stream Riparian Areas

Accept Default Performance Requirement – Section 36(4), Woodlot Licence Planning and Practices Regulation.

2.11.6 Width of Wetland Riparian Areas

Accept Default Performance Requirement – Section 37(3), Woodlot Licence Planning and Practices Regulation.

2.11.7 Width of Lake Riparian Areas

Accept Default Performance Requirement – Section 38(2), Woodlot Licence Planning and Practices Regulation.

2.11.8 Restrictions in a Riparian Reserve Zone

Accept Default Performance Requirement – Section 39, Woodlot Licence Planning and Practices Regulation.

- Cutting, modifying, or removing trees in a riparian reserve zone is limited to the purposes described in section 39(1) of the Woodlot Licence Planning and Practices Regulation.
 - felling or modifying a tree that is a safety hazard, if there is no other practicable option to address the safety hazard
 - topping or pruning a tree that is not windfirm
 - constructing a stream crossing
 - creating a corridor for full suspension yarding
 - creating guyline tiebacks
 - carrying out a sanitation treatment
 - felling or modifying a tree that has been windthrown or has been damaged by fire, insects, disease, or other causes if the felling or modifying will not have a material adverse impact on the riparian reserve zone.
 - felling or modifying a tree for the purpose of establishing or maintaining an interpretive forest site, recreation site, recreation feature or recreation trail

2.11.9 Restrictions in a Riparian Management Zone

Accept Default Performance Requirement – Section 40, Woodlot Licence Planning and Practices Regulation.

- Construction of a road in a riparian management zone is limited to the conditions described in section 40(1) of the Woodlot Licence Planning and Practices Regulation
 - the construction of the road is provided for in the WLP
 - locating the road outside the riparian management zone would create a higher risk of sediment delivery to the stream, wetland, or lake to which the riparian management zone applies
 - there is no other practicable option for locating the road
 - the road is required as part of a stream crossing
- Restrictions and conditions on road construction, maintenance, and deactivation activities, and on cutting, modifying or removing trees in a riparian management zone are as described in section 40 of the Woodlot Licence Planning and Practices Regulation.

2.11.10 Wildlife Tree Retention

Accept Default Performance Requirement – Section 52(1), Woodlot Licence Planning and Practices Regulation.

- The proportion of the Woodlot Licence area that is occupied by wildlife tree retention areas is no less than 8%.

2.11.11 Coarse Woody Debris

Accept Default Performance Requirement – Section 54(1), Woodlot Licence Planning and Practices Regulation.

- Minimum retention of 4 logs per hectare $\geq 5.0\text{m}$ in length and $\geq 30\text{cm}$ diameter at one end.

2.11.12 Resource Features

Accept Default Performance Requirement – Section 56(1), Woodlot Licence Planning and Practices Regulation.

APPENDIX A1

1:20,000 Woodlot Licence Plan Map
1:20,000 Visual Quality Objective Map
1:20,000 Resource Planning Map

APPENDIX A2
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LEGAL NOTICES

WOODLOT LICENCE W1940 -
DRAFT WOODLOT LICENCE PLAN

A Draft Woodlot Licence Plan (WLP) for Woodlot Licence W1940 (Mills Holdings Limited dba Ripple Rock Timber) has been submitted to the Ministry of Forests for initial review and is also available to members of the public for 'Review and Comment'.

Woodlot Licence W1940 includes 800ha of crown land located north of Campbell River between Menzies Bay and Brown Bay. The WLP shows the location of 'Areas Reserved From Harvest', 'Areas Where Harvesting Will Be Modified', and 'General Forest Management Areas'. The WLP is available for review by resource agencies and the public before approval is considered by the Ministry of Forests.

This draft WLP can be viewed at the office of Storey Creek Trading in Campbell River (90C Westgate Road) and is available for review and comment for a 30 day period. Alternately, arrangements can be made to view the WLP outside of office hours.

To discuss these WLP's outside of the public viewing time frame, please contact John Marlow, R.P.F. at 250-285-2544 or Bryan Mills at 250-923-0025.

In order to receive consideration prior to WLP approval, comments must be received in writing by April 6, 2009.

CAREER OPPORTUNITIES

CAREER OPPORTUNITIES

BUSINESS OPPORTUNITIES

DIGITECH IS looking for a driven entrepreneur to become our Regional Partner on Vancouver Island. This license opportunity is a great prospect if you are seeking a sound, dynamic business in a fast growing market with solid returns. Our ideal candidate is able to make an equitable investment in the business, has strong interpersonal & problem solving skills, experience in sales/customer service and is willing to work hard and learn new things. Education and experience are valued, but we can and will train the right person. For more information, please email services@digitechlase.com with a brief personal bio.

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WOODLOT LICENCE W1940 - DRAFT WOODLOT LICENCE PLAN

A Draft Woodlot Licence Plan (WLP) for Woodlot Licence W1940 (Mills Holdings Limited dba Ripple Rock Timber) has been submitted to the Ministry of Forests for initial review and is also available to members of the public for 'Review and Comment'.

Woodlot Licence W1940 includes 800ha of crown land located north of Campbell River between Menzies Bay and Brown Bay. The WLP shows the location of 'Areas Reserved From Harvest', 'Areas Where Harvesting Will Be Modified', and 'General Forest Management Areas'. The WLP is available for review by resource agencies and the public before approval is considered by the Ministry of Forests.

This draft WLP can be viewed at the office of Storey Creek Trading in Campbell River (90C Westgate Road) and is available for review and comment for a 30 day period. Alternately, arrangements can be made to view the WLP outside of office hours.

To discuss these WLP's outside of the public viewing time frame, please contact John Marlow, R.P.F. at 250-285-2544 or Bryan Mills at 250-923-0025.

In order to receive consideration prior to WLP approval, comments must be received in writing by April 6, 2009.

HELP WANTED

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APPENDIX A3
Copies of Written Comments Received

APPENDIX A4
First Nation Consultation

Woodlot Licence W1940 – Summary of First Nations Consultation Woodlot Licence Plan

- March 6, 2009 – Initial referral letter sent to all first nation referrals including full copy of the WLP
 - Campbell River First Nation
 - Cape Mudge First Nation
 - K'omoks First Nation
 - Homalco First Nation
 - Laich Kwil Tach Treaty Society
 -

Cape Mudge First Nation

- March 6 – WLP provided to Cape Mudge First Nation
- March 16 – called band office, left message for ted Lewis, called Ted at home and left message
- March 17 – called ted at home and left message
- March 23 – discussed WLP with Ted. Ted has not seen WLP by that time but advised that Cape Mudge typically defers comments to Laich Kwil Tach treaty Society
 - Advised that WLP was also referred to Laich Kwil Tach
 - E-mailed copy of WLP directly to Ted
- April 24 – sent final referral letter to Cape Mudge advising that the final version of the WLP has been submitted for final determination.

Laich Kwil Tach Treaty Society

- March 6 – WLP provided to Laich Kwil Tach Treaty Society
- March 16 – spoke to Rod Naknakin – Rod advised to call back tomorrow and talk to Shirley Johnson
- March 17 – spoke to Shirley Johnson – Shirley has received the WLP but has not had a chance to look at the WLP.
 - Shirley advised to call on April 1
- March 17 – Shirley called Bryan Mills to discuss WLP. Letter sent from Laich Kwil Tach. Copy letter at end of this section.
- March 23 – sent response letter to Laich Kwil Tach letter. Copy of that letter also at end of this section
- April 2 – Spoke to Corby Lamb on behalf of Laich Kwil Tach.
- April 24 – sent final referral letter to Laich Kwil Tach advising that the final version of the WLP has been submitted for final determination.

Homalco First Nation

- March 6 – WLP provided to Homalco First Nation
- March 16 – called Gord Atkinson and Richard Harry at Homalco office and at Bute Inlet Development Corporation (BIDC) office.
 - Gord and Richard were not in – left message
- March 17 - called Gord Atkinson and Richard Harry at Homalco office and at Bute Inlet Development Corporation (BIDC) office.
 - Gord and Richard busy at meetings – left message
- March 23 – called Gord at home – no one there – left message
 - Called band office and BIDC office – left message
- April 2 – Called band office and BIDC office – left message
- April 24 – sent final referral letter to Homalco advising that the final version of the WLP has been submitted for final determination.

Campbell River First Nation

- March 6 – WLP provided to Campbell River First Nation
- March 16 – called Dean Drake – left message
 - Called Corby Lamb - left message
- March 17 – discussed WLP with Corby Lamb – Corby advised that he typically does not deal with referrals for CRFN and advised to discuss WLP with Chief Bob Pollard
- March 23 – Discussed WLP with Chief Bob Pollard – Bob advised that referrals are typically handled by Laich Kwil Tach Treaty Society and that “if it is okay with Laich Kwil Tach, it is okay with CRFN”
 - Bob advised that he did not have time or budget available to deal with referrals and therefore relies on Laich Kwil Tach.
 - Advised that no further discussion required directly with CRFN
- April 24 – sent final referral letter to Campbell River First Nation advising that the final version of the WLP has been submitted for final determination.

K'omoks First Nation

- March 6 – WLP provided to K'omoks First Nation
 - March 16 – called Jenny Miller or Melinda Knox - left message
- March 17 – called Jenny Miller – left message
- March 23 – called Jenny Miller – left message
- March 30 - Discussed WLP with Jenny Miller – Jenny advised referrals are handled by Corby Lamb
- April 2 – discussed WLP with Corby Lamb – Corby advised that he was working on a referral for the WLP
- April 24 – sent final referral letter to K'omoks First Nation advising that the final version of the WLP has been submitted for final determination.

**FAX****Laich-Kwil-Tach Treaty Society**

1441 Old Island Hwy.

Campbell River, BC V9W 2E4

Toll free No: 1-888-900-5720

email: reception@hamatla.ca

Date March 18, 2009Number of pages including cover sheet 3**To: Bryan Mills****From: Rod Naknakim**

Phone

Phone

250 287-9480

Fax Phone

Fax Phone

250 287-9469250-923-5201

CC:

REMARKS:☐ Urgent☐ For your review☐ Reply ASAP☐ Please comment

Woodlot Licence W1940 Licence Plan Menzies/Brown Bay Area

**Laich-Kwil-Tach Treaty Society**

1441 Old Island Highway

Campbell River, B.C.

V9W 2E4

Tel: (250) 287-9460

FAX: (250) 287-9469

Toll free: 1-888-900-5720

e-mail: reception@lkts.ca

March 18, 2009

Bryan Mills
90C Westgate Road
Campbell River, BC V9W 1R1
Phone 250-923-0025
Fax 250-923-5201

Dear Mr. Mills;

Re: Woodlot Licence W1940 Licence Plan Menzies/Brown Bay Area

Regarding draft of 2009-2019 Woodlot Licence plan for W1940 located north of Campbell River in the Menzies Bay and Browns Bay area. The Laich-Kwil-Tach Treaty Society (formerly the Hamatla Treaty Society) represents its member Nations, the We Wai Kai (Cape Mudge Band), Wei Wai Kurn (Campbell River Band) and Kwiakah (Phillips Arm).

As the courts have confirmed on numerous occasions, both the Provincial and the Federal Governments owe a fiduciary duty of utmost good faith to First Nations. The Supreme Court of Canada made it clear in *Delgamuukw* that this duty can only be satisfied by the involvement of First Nations in decisions taken with respect to our Lands. The Court then went on to say "There is always the duty of consultation." (para. 168). This consultation must, at a minimum, be in good faith with the intention of substantially addressing the concerns of the First Nation whose lands are at issue." The BC Court of Appeal in its February 2002 decision in *Council of the Haida Nation* has further clarified this obligation by confirming that your government is obliged to make an initial assessment of our rights and must not only to engage in meaningful consultation, but also must seek an accommodation of our interests (including cultural and economic ones).

Wei Wai Kurn, We Wai Kai and Kwiakah First Nations are Lekwala speaking peoples and are identified as the Laich-Kwil-Tach Nation. The Laich-Kwil-Tach are the southernmost

03/17/2009 22:52 2502 7459

HAMATLA TREAT

PAGE 03/03

speakers of the northern Wakashan language. The traditional material culture, subsistence, social organization, religious and ceremonial practices of the Kwakwaka'wakw are extensively documented in the late 19th and early 20th century by Franz Boas (1887, 1888, 1891, 1897, 1909, 1921, 1925, 1934, 1966) in addition, Dawson (1888), Curtis (1915), Codere (1950) also provide detailed ethnographic information regarding Kwakwaka'wakw culture.

Historically, there were Village sites located throughout our territory. Our First Nations have utilized our land and its resources since time immemorial to gather berries, to make medicines, fish and hunt. The land and its resources are the most important part of our culture and traditions as Laich-Kwil-Tach people.

At this stage we have no concerns but when the cut blocks are being proposed we may have concerns. This area was well utilized by the Laich-Kwil-Tach Nation, we have many Traditional Use sites and a few Archaeological sites in the area.

Yours truly,



Rod Naknakim
a/Chief Negotiator

cc Member Nations

MILLS HOLDINGS LIMITED

March 23, 2009

Council of Chiefs
Laich Kwil Tach Treaty Society
1441 Old Island Highway
Campbell River, BC
V9W 2E3

Attention: Rod Naknakim, Chief Negotiator / Shirley Johnson

Re: Woodlot Licence W1940 Woodlot Licence Plan

I have received your letter dated March 18, 2009 in regards to the Woodlot Licence Plan (WLP) for Woodlot Licence W1940 located at Menzies and Brown Bay. As per my discussion with Shirley Johnson, it is understood that there are traditional sites exist along the shoreline at Woodlot Licence W1940, particularly in the vicinity of Menzies Bay. Although there are no cutblock boundaries indicated on the WLP maps, there is no harvesting planned in the vicinity of Menzies Bay or the ocean shoreline during the initial years of operations at Woodlot W1940.

As you have mentioned that 'at this stage you have no concerns but when cutblocks are proposed you may have concerns', once cutblocks boundaries are finalized I will forward copies of the specific harvest area maps to ensure that there are no conflicts with traditional uses of the area.

I appreciate your time in reviewing this WLP and encourage you to contact myself at any time should you have concerns with forest management activities at Woodlot Licence W1940.

Yours Truly;

Bryan Mills
Mills Holdings Ltd.

cc: Ministry of Forests, Campbell River Forest District

MILLS HOLDINGS LIMITED

April 24, 2009

Council of Chiefs
Laich Kwil Tach Treaty Society
1441 Old Island Highway
Campbell River, BC
V9W 2E3

Attention: Rod Naknakim, Chief Negotiator / Shirley Johnson

Re: Woodlot Licence W1940 Woodlot Licence Plan

Please be advised that the final submission of the 2009-2018 Woodlot Licence Plan (WLP) for Woodlot Licence W1940 has been submitted to the Ministry of Forests for determination. This WLP was originally submitted on March 10, 2009 and a copy of the WLP was sent (mail and e-mail) to the Laich Kwil Tach Treaty Society office at that time.

Your written comments dated March 18 are greatly appreciated and a copy of that letter is included in the final version of the WLP. Although WLP determination is anticipated in the near future, any additional comments are welcome and I am willing to meet at any time if requested. It is hoped that this WLP will be approved before June 1, 2009.

Please feel free to contact either myself or John Marlow, R.P.F. (250-285-2544) should you have any additional comments or questions regarding this WLP.

Yours Truly;

Bryan Mills
Mills Holdings Ltd.

cc: Ministry of Forests, Campbell River Forest District

MILLS HOLDINGS LTD.

April 24, 2009

Chief Ralph Dick and Council
Cape Mudge First Nation
P.O. Box 220
Quathiaski Cove, B.C.
V0P 1N0

Attn.: Brian Kelly / Ted Lewis

Re: Woodlot Licence W1940 Woodlot Licence Plan

Dear Chief Ralph Dick:

Please be advised that the final submission of the 2009-2018 Woodlot Licence Plan (WLP) for Woodlot Licence W1940 has been submitted to the Ministry of Forests for determination. This WLP was originally submitted on March 6, 2009 and a copy of the WLP was sent (mail and e-mail) to the Cape Mudge Band office at that time.

There have been brief discussions about this WLP between John Marlow, R.P.F. and Ted Lewis, but no written comments have yet been received from the Cape Mudge First Nation. This WLP has also been referred to the Laich-Kwil-Tach Treaty Society and written comments have been received from that organization. Although WLP determination is anticipated in the near future, any comments you may have would be appreciated and I am willing to meet at any time if requested. It is hoped that this WLP will be approved before June 1, 2009.

Please feel free to contact either myself or John Marlow, R.P.F. (250-285-2544) should you have any comments or questions regarding this WLP.

Bryan Mills
Mills Holdings Ltd.

cc: Aaron Smeeth, Ministry of Forests, Campbell River Forest District

MILLS HOLDINGS LTD.

April 24, 2009

Chief Robert Pollard and Council
Campbell River First Nation
1400 Weiwaikum Road
Campbell River, BC
V9W 5W8

Attention: Dean Drake / Corby Lamb

Re: Woodlot Licence W1940 Woodlot Licence Plan

Dear Chief Robert Pollard:

Please be advised that the final submission of the 2009-2018 Woodlot Licence Plan (WLP) for Woodlot Licence W1940 has been submitted to the Ministry of Forests for determination. This WLP was originally submitted on March 10, 2009 and a copy of the WLP was sent (mail and e-mail) to the Campbell River First Nation office at that time.

There have been brief discussions about this WLP between John Marlow, R.P.F. and both Chief Robert Pollard as well as Corby Lamb, but no written comments have yet been received from the Campbell River First Nation. This WLP has also been referred to the Laich-Kwil-Tach Treaty Society and written comments have been received from that organization. Although WLP determination is anticipated in the near future, any additional comments you may have would be appreciated and I am willing to meet at any time if requested. It is hoped that this WLP will be approved before June 1, 2009.

Please feel free to contact either myself or John Marlow, R.P.F. (250-285-2544) should you have any comments or questions regarding this WLP.

Yours Truly;

Bryan Mills
Mills Holdings Ltd.

cc: Aaron Smeeth, Ministry of Forests, Campbell River Forest District

MILLS HOLDINGS LTD.

April 24, 2009

Chief Earnest Hardy and Council
K'omoks First Nation
3320 Comox Road
Courtenay, BC
V9N 3P8

Attention: Jenny Miller / Melinda Knox

Re: Woodlot Licence W1940 Woodlot Licence Plan

Dear Chief Earnest Hardy and Council;

Please be advised that the final submission of the 2009-2018 Woodlot Licence Plan (WLP) for Woodlot Licence W1940 has been submitted to the Ministry of Forests for determination. This WLP was originally submitted on March 6, 2009 and a copy of the WLP was sent (mail and e-mail) to the K'omoks Band office at that time.

There have been brief discussions about this WLP between John Marlow, R.P.F. and both Jenny Miller and Corby Lamb, but no written comments have yet been received from the K'omoks First Nation. This WLP has also been referred to the Laich-Kwil-Tach Treaty Society and written comments have been received from that organization. Although WLP determination is anticipated in the near future, any comments you may have will be appreciated and I am willing to meet at any time if requested. It is hoped that this WLP will be approved before June 1, 2009.

Please feel free to contact either myself or John Marlow, R.P.F. (250-285-2544) should you have any comments or questions regarding this WLP.

Yours Truly;

Bryan Mills
Mills Holdings Ltd.

cc: Aaron Smeeth, Ministry of Forests, Campbell River Forest District

MILLS HOLDINGS LTD.

April 24, 2009

Chief Richard Harry and Council
Homalco First Nation
1218 Bute Crescent
Campbell River, BC
V9H 1G5

Attention: Gord Atkinson

Re: Woodlot Licence W1940 Woodlot Licence Plan

Dear Chief Richard Harry and Council;

Please be advised that the final submission of the 2009-2018 Woodlot Licence Plan (WLP) for Woodlot Licence W1940 has been submitted to the Ministry of Forests for determination. This WLP was originally submitted on March 10, 2009 and a copy of the WLP was sent (mail and e-mail) to the Cape Mudge Band office at that time.

There has been a brief discussion about this WLP between John Marlow, R.P.F. and Gord Atkinson, but no written comments have yet been received from the Homalco First Nation. This WLP has also been referred to the Laich-Kwil-Tach Treaty Society and written comments have been received from that organization. Although WLP determination is anticipated in the near future, any comments you may have would be appreciated and I am willing to meet at any time if requested. It is hoped that this WLP will be approved before June 1, 2009.

Please feel free to contact either myself or John Marlow, R.P.F. (250-285-2544) should you have any comments or questions regarding this WLP.

Yours Truly;

Bryan Mills
Mills Holdings Ltd.

cc: Aaron Smeeth, Ministry of Forests, Campbell River Forest District

APPENDIX A5
Visual Quality Objectives Definitions

**Categories of visually altered forest landscape
(Forest Planning and Practices Regulation)**

1.1 For the purposes of paragraph (c) of the definition of "altered forest landscape" in section 1, the following categories are prescribed, each according to the extent of alteration resulting from the size, shape and location of cutblocks and roads:

- (a) *preservation*: consisting of an altered forest landscape in which the alteration, when assessed from a significant public viewpoint, is
 - (i) very small in scale, and
 - (ii) not easily distinguishable from the pre-harvest landscape;
- (b) *retention*: consisting of an altered forest landscape in which the alteration, when assessed from a significant public viewpoint, is
 - (i) difficult to see,
 - (ii) small in scale, and
 - (iii) natural in appearance;
- (c) *partial retention*: consisting of an altered forest landscape in which the alteration, when assessed from a significant viewpoint, is
 - (i) easy to see,
 - (ii) small to medium in scale, and
 - (iii) natural and not rectilinear or geometric in shape;
- (d) *modification*: consisting of an altered forest landscape in which the alteration, when assessed from a significant public viewpoint,
 - (i) is very easy to see, and
 - (ii) is
 - (A) large in scale and natural in its appearance, or
 - (B) small to medium in scale but with some angular characteristics;
- (e) *maximum modification*: consisting of an altered forest landscape in which the alteration, when assessed from a significant public viewpoint,
 - (i) is very easy to see, and
 - (ii) is
 - (A) very large in scale,
 - (B) rectilinear and geometric in shape, or
 - (C) both.

APPENDIX A6
MOF Correspondence Re. Experimental Plots



The Best Place on Earth

FEB 13 2009

File: 17100-20 / EP703_19

February 13, 2009

Bryan Mills
Storey Creek Trading
90C Westgate Road
Campbell River, BC
V9W 1R2

Dear Bryan Mills:

Thank you for your interest in future protection of Experimental Project (EP) 703 installation 19 near Menzies Bay (Browns Bay Road junction) just north of Campbell River that is within your Woodlot Licence WL1940.

As discussed during your field review with Dave Goldie on January 29, 2009, a suitable plan for the future of EP703_19 is to allow for two more re-measurements of the site. Initially it was said that the re-measurement years would be 2011 and 2017 but this site is on a seven year re-measurement schedule which would make the second re-measurement in 2018 (or up to the end of March 2019 before new growth begins).



This agreement would cover plots 1 to 4. Research Branch wishes to retain for the long term plot 5 (further to the south) as a control plot with a 100 metre buffer around it where available. You stated at the field review that you have no plans for the area around plot 5.

Should some catastrophic event occur, this agreement can be revisited.

We thank you for your proactive effort to protect this installation and the value it provides to the Provincial Growth and Yield Research Program.

Yours truly,

Louise de Montigny, Ph.D., RPF
Research Leader,
Silviculture Systems and Forest Dynamics

pc: Gerry Still, Director, Research Branch
Ryan Jordan, Research Planner, MoFR Library
Jim Simpson, Campbell River Forest District

Ministry of Forests
and Range

Research Branch

Location:
727 Fisgard, 4th Floor
Victoria BC

Mailing Address:
PO Box 9519 Stn Prov Govt
Victoria BC V8W 9C2

Tel: (250) 387-6721
Fax: (250) 387-0046

