



File: 18045-02

May 10, 2021

BY EMAIL

To All FSP Holders

Dear Sir or Madam:

The Chief Forester's provincial guidance letter (March 2016) and the District Manager's (DM) expectations letter (June 27, 2016) were released in 2016 to provide guidance for all replacement Forest Stewardship Plans (FSP). These were sent as follow up to the Minister's letter (March 8, 2016) and the Forest Practices Board's report and follow-up on FSPs¹. We are now beginning another round of FSP replacements and this letter is an update regarding my expectations on FSP replacements.

The district manager's FSP expectations are not legally binding and constitute policy guidance under FRPA's non-legal realm. As such, the information contained in this letter is intended to provide practitioners further clarity around the principles and process that will be used to decide whether a proposed FSP meets the legal tests in the *Forest and Range Practices Act* (FRPA) and the *Forest Planning and Practices Regulation* (FPPR) (e.g. consistent with government objectives). As stated in the previous DM expectation letter, there have been substantive changes to the following considerations since FPPR was introduced: land base, operating environment, best available information, First Nations interests, stakeholder interests and public expectations regarding forest stewardship and planning. Since changes are continuing to occur, FSPs warrant full replacements rather than extensions of the previous plans.

By submitting a replacement FSP, the legal requirement for First Nation and public consultation is triggered which enables communities, stakeholders, the general public and other affected parties to have a formal opportunity to review and present their perspectives

¹ FPB/SIR/44, "Forest Stewardship Plans: Are They Meeting Expectations?", August 2015: <https://www.bcfpb.ca/sites/default/files/reports/SIR44-FSP-Are-They-Meeting-Expectations.pdf>; SR 57, Follow-up Report on Forest Stewardship Plans: Are They Meeting Expectations? May 2019: <https://www.bcfpb.ca/wp-content/uploads/2019/05/SR57-FSPs-Follow-Up.pdf>

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and input on the plan. In special circumstances, however, it may be necessary to request a short-term extension without public review if supported by a rationale.

As you are aware, the Province is legally obligated to consult and accommodate First Nations, where required, on land and resource decisions that could impact their Indigenous Interests, including FSP's. Furthermore, the Province is committed to furthering reconciliation with First Nation communities as outlined in the United Nations Declaration on the Rights of Indigenous People and the Declaration of the Rights of Indigenous Peoples Act. While the Province is responsible for ensuring adequate and appropriate consultation and accommodation, it may involve Licensees in the procedural aspects of consultation through information sharing. The District encourages Licensees to share information with First Nations following engagement process set out in any agreements that are in place between the First Nation and the Provincial government.

The Association of British Columbia Forest Professionals' (ABC FP) guidance recommends that professionally prepared documentation in support of proposed FSPs include rationales stating how relevant information (e.g. district manager expectations, best available information, and non-legal guidance) has been considered in the preparation of FSPs. In reviewing proposed FSPs, there may be a need to request information from an FSP holder, such as approaches, strategies, metrics, or rationales to support my review of the FSP content against legal approval tests.

Within the context of the above comments, my expectations are categorized into three subheadings: "Opportunities for Improvement"; "Information Considerations"; and "Next Steps" in the process leading up to FSP submissions.

Opportunities for Improvement:

Although there are many examples of licensees and BCTS demonstrating diligence and being proactive in engaging and addressing public, stakeholder, and First Nation concerns and interests, there remains room for improvement to build from these efforts and learn from the past, given the changing environment across the land base.

Some of the changing interests include but are not limited to, people's desire for greater input on proposed forest development; increased environmental concerns; cumulative effects of increasing natural resource activity; water quality or increasing requirements for species at risk.

Given the above, FSP holders need to factor in the following:

- *Results, strategies, and measures, and general refinements*- ensure the FSP commitments are consistent with Government objectives; results and strategies are measurable and verifiable; and commitments are clearly written.
- *Stocking standards* - climate change, drought conditions, forest health issues, fire management concerns, and significant wildlife impacts may trigger the need for revised or new stocking standards.

- *Collaborative planning* – forest licence holders should explore a more collaborated and coordinated forest stewardship planning approach to address cumulative hydrological effects, manage strategic cultural values (e.g. cultural landscape feature, sanctuary, etc.), invasive plant management, wildlife habitat management, and enhance stocking standards.
- *Social licence* – there are options to improve engagement with interested or affected parties during the review and throughout the lifetime of FSPs to minimize and address specific and landscape level concerns. There are new options with technology to share and capture development planning to help the public and or stakeholders understand proposed activities and solicit timely feedback, especially at the early engagement and or post-harvest stage. Development planning should consider how harvesting is integrated into recreation values and various other stakeholder’s rights on the landbase. Early engagement is one tool to help achieve this.
- *Public safety* – public use of roads and recreation activities are increasing in the district. FSP holders should consider the impact of their operations on access and public safety both during and after harvest activities as well as any longer term resource management risks (e.g. terrain stability).

Information Considerations:

There is a significant amount of existing and new information available since the last round of FSP approvals. Although not an exhaustive list, key information and guidance at a provincial, regional, and local level is cited below for your consideration in preparing FSPs.

#	Direction, guidance, information	Examples
1	Government objectives	<ul style="list-style-type: none"> • Land Act and FRPA orders and notices
2	Chief Forester standards	<ul style="list-style-type: none"> • Chief Forester’s Standards for Seed Use • Climate-based seed transfer interim policy measures
3	Non-legal guidance - Provincial	<ul style="list-style-type: none"> • Landscape fire management planning • Climate change stocking standards • Fire management stocking standards • Forest health and species selection • Provincial Timber Mgmt Goals and Objectives • Watershed Assessment and Management of Hydrologic and Geomorphic Risk in the Forest sector
4	Non-legal guidance – Regional and local	<ul style="list-style-type: none"> • Integrated silviculture strategies • Timber supply analyses and AAC determinations • TSA forest health strategies • Regional climate action plans • Strategic First Nation Cultural Information (Stó:lō Connect) • Invasive Plant Information for FSP Preparers & Reviewers within the Coast Forest Region

#	Direction, guidance, information	Examples
		<ul style="list-style-type: none"> • Appendix A - FRPA Regulation Species Recommended for FSP Inclusion by Former Coastal Forest District & BEC Zone
5	Monitoring trends and guidance	<ul style="list-style-type: none"> • Forest and Range Evaluation Program (FREP) • Multi resource value assessments (MRVAs)
6	Best available information	<ul style="list-style-type: none"> • Regional extension notes: adapting to climate change • Research (e.g., hydrology, wildlife, riparian, timber, forest health, natural disturbance, invasive species) • Federal Critical Habitat for Species at Risk Recovery Planning documents² • Provincial³ Recovery Planning documents • Species at Risk, CDC iMap • BC Species and Ecosystems Explorer • Drought risk assessment tool • Cumulative Effects Framework • Water Sustainability Act

In relation to the above items, take into consideration the following:

Item 4 – non legal guidance – regional and local

- *Fraser Timber Supply Area (TSA) Rationale for Allowable Annual Cut (AAC), February 2016* - consideration of latest Chief Forester’s recommendations especially with young forest stand harvesting and low harvest performance in older hemlock balsam stands.
- *Forest health* – annual reports continue to show impacts from several pests or forest health issues. These factors and others should be given consideration for FSP preparation.
- *First Nations* – consideration for site and landscape level First Nation cultural information is important as early as possible in the planning process.

Item 5 – Monitoring trends and guidance

- *FREP/MRVA* – consider the importance of retention around small streams which may be critical for water quality impacts from logging practices of the past few years. Specifically, minimize soil disturbance near streams; retain understory vegetation and non-merchantable trees for cut bank stability wherever operationally feasible; and avoid leaving introduced woody debris on small streams that could create stream blockages post harvesting.

² <http://www.sararegistry.gc.ca/default.asp?lang=En&n=24F7211B-1>

³ [Recovery Planning Documents Table - Ecosystems Branch](#)

Item 6 – Best available information

- *Wildlife* – results and strategies are not required for wildlife species that have Orders which fulfill the FPPR Section 7 or *Woodlot Licence Planning and Practices Regulation* (WLPPR) Section 9 Wildlife Notices (grizzly bear, coastal giant salamander, tall bugbane, pacific tailed frog, spotted owl, pacific water shrew, mountain goat, black-tailed and mule deer). Results or strategies will likely be required for the proposed Marbled Murrelet FPPR Section 7 and WLPPR Section 9 notices and order when they are established. Similar requirements may be necessary for Northern Goshawk *laingi* subspecies or other species at risk should notices or orders be established in future.
- *Other species and recovery plans* - available on the Federal Species at Risk Public Registry and Provincial web sites as noted above (e.g. Northern Red Legged Frog, Oregon Spotted Frog, etc.). It is important for professionals to consider all aspects of the FSP and associated forest development planning that may influence habitat for other species not listed in FPPR Section 7 or WLPPR Section 9 Wildlife Notices.
- *Forest Planning and Practices Regulations* (FPPR) *Sections 21 and 22* - public comments must be considered, and the actions taken to address them must be included as part of the FSP submission to the District Manager. To expedite the FSP review process, the review and comment summary package should be submitted in a consistent format. The district has a communication summary template that is available, upon request.
- *Stakeholders/persons with rights who may be affected by the proposed FSP* – these groups must have an opportunity to review and comment on the plan. The district has updated information about stakeholder contacts which is available upon request. Stakeholders to consider include other forest licensees, BC Timber Sales Manager, land and water rights holders, guide outfitters, commercial recreation groups, trappers, adjacent private land holders, recreation groups and community/rate payer groups. Where a specific forest stewardship related concern does not fit within a result or strategy framework, the response to the above referenced stakeholder’s concern or interest will be important in assessing the effectiveness and completeness of stakeholder engagement.

This information may not form part of the legal commitments of the FSP but may accompany the FSP submission as supporting information or be available upon request at the FSP review process.

Next steps:

Along with this expectation letter, the planning process should include an opportunity to have information sharing meetings with licensee(s) to further discuss the district manager’s expectations. A licensee or forest professional initiated meeting to develop a common understanding of areas of focus for a replacement FSP will be beneficial in supporting a streamlined and informed process. Additional topics can include the FSP holder’s perspective

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on these expectations, their plans and timelines, and the district's process for reviewing FSPs. The district will make available any district review checklists or stakeholders lists that may be helpful to those preparing FSPs.

I trust that a high degree of effort and communication will continue to occur when FSP replacements are developed. If you have any questions on the above, please contact Sally Asu: phone 778-704-7196 , email Sally.Asu@gov.bc.ca or Lucy Stad: phone 778-704-0034, email Lucy.Stad@gov.bc.ca.

Sincerely,

Mike Peters
District Manager
Chilliwack Natural Resource District