

Submission on the *Forest and Range Practices Act Improvement Initiative* discussion paper and recommendations for amendments to BC's *Forest and Range Practices Act*

Prepared by Ancient Forest Alliance

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The Ancient Forest Alliance is a registered non-profit organization representing tens of thousands of BC residents who support science-based protection of BC's endangered old-growth forests and an expedited shift to a sustainable, value-added second-growth forest industry in the province.

Rationale

British Columbia's approach to forest management and the regulatory framework that guides forest practices in the province has, for decades, given precedence to the supply of timber at the expense of all other forest values. While significant progress has been made in the Great Bear Rainforest (GBR) toward achieving an ecosystem-based approach to forest management, outside the GBR, forest planning and practices continue to be guided by outdated legal mechanisms that fail to sufficiently recognize, incorporate, or address Indigenous rights, the current global climate and biodiversity crises, modern Western science and Indigenous knowledge systems, and BC's changing social and economic landscapes.

Current legislated targets for old-growth protection are set too low and are not based on the best-available science, meaning BC is losing the species, ecosystem services, tourism and recreation opportunities, First Nations cultural values, and valuable carbon stores that old-growth forests provide. A paradigm shift that places the long-term ecological integrity and resilience of BC's forests ahead of timber supply is urgently needed to ensure species and ecosystems can thrive while adapting to our rapidly changing climate and British Columbians can continue to reap the benefits that fully functioning forest ecosystems provide for generations to come. This starts with sweeping changes that strengthen the Forest and Range Practices Act (FRPA) and accompanying regulations and policies.

Climate Change and Resilient Landscapes

The old-growth temperate rainforests of North America's west coast, including those of BC, store more carbon per hectare than any other forest on Earth. Recent studies also show that mature and old-growth forests are more resilient and can better protect communities from climate impacts like droughts and flooding better than younger forests.¹ Forest practices in BC have led to widespread forest degradation and fragmentation as productive old-growth forests are converted to second-growth; have exacerbated climate change impacts such as flooding, forest fires, and drought; and have led BC's forest industry to become the greatest greenhouse gas emitter in the province.

We therefore recommend FRPA be amended to:

¹ Lesmeister et al., *Mixed-severity wildfire and habitat of an old-forest obligate*, Ecological Society of America, 2019, <https://esajournals.onlinelibrary.wiley.com/doi/full/10.1002/ecs2.2696>

- Prioritize forest ecosystem health, connectivity, and resilience over timber supply to ensure forest ecosystems and the species that depend on them can cope with the impacts of climate change.
- Require a ‘climate impact test’ for all landscape- and operational-level plans including information on how plans avoid the exacerbation of climate impacts like drought, flooding, and fire from logging operations.
- Strengthen protection of valuable forest carbon sinks (i.e. old-growth forests) to maintain carbon storage, clean water, clean air, and species habitat under pressure from climate change.
- Recognize the BC forest sector’s contribution to provincial greenhouse gas emissions and prioritize management approaches that significantly reduce forestry emissions (for example, by ending slash burning).
- Change silvicultural practices to reduce wildfire risks near communities. This can be done, for example, by planting climate appropriate tree species, creating shaded fuel breaks in landscapes, and actively reducing fuel build-up in second-growth forests via thinning and controlled burns.

Landscape Level Planning

Landscape level planning must be undertaken at the landscape unit level, must take an ecosystem-based approach, and must be based on modern conservation biology and landscape ecology principles and traditional ecological knowledge to ensure forests are managed for the long-term persistence of species, systems, communities, age-classes, and relationships.

We recommend FPRA amendments:

- Mandate the establishment of higher, legally-binding targets for old and mature forest retention at each productivity gradient at the BEC variant level, and, where necessary, require the recruitment of younger forest to meet retention targets.
- Through FRPA, the BC government must establish an independent science panel to:
 - a) Evaluate the conservation status of all forest ecosystems,
 - b) Establish evidence-based old-growth and other biodiversity targets to be applied through landscape level planning with associated, legally-binding timelines.
- These targets must take ecosystem types, forest productivity, and elevation distinctions into account and must not be based on representation alone, but also on landscape ecology and conservation biology principles to ensure long-term ecological integrity.
- Ensure landscape planning is multi-interest (including communities, environmental non-governmental organizations, among others) and co-managed by provincial and Indigenous governments.

Public Trust

Forest management in BC requires substantive changes to regain public trust, which has been eroded due to the prioritization of timber supply over other forest values, mismanagement resulting in adverse impacts to ecosystems and communities, the failure to incorporate

Indigenous and non-Indigenous communities' perspectives and concerns in forest planning and management, and the professional reliance system. Changes must be made to FRPA to increase transparency and public knowledge of and participation in forest management in order to ensure public lands are being managed in the public's best interests.

FRPA must be amended to:

- Provide meaningful, timely opportunities for public engagement at all levels of forest planning.
- Require Forest Stewardship Plans to include more detail on specific cutblock plans and roads, and be made publicly available online, and require public consultation spanning at least 120 days (twice the current 60-day period) to allow ample time for public comment.
- Require licensees and provincial decision-makers to demonstrate how public comment substantially informed proposed plans, operations and approval decisions.
- Require the following information be made publicly available: maps of planned cutblocks and roads, forest reserve designations (e.g. OGMAs, WHAs), old-growth forest ecosystems (at the BEC zone and, where possible, site series level) and productivity classes, species-at-risk habitat, recreation opportunities, and information such as surveys, assessments, and studies relied on by licensees to demonstrate consistency with government objectives, approval tests, and statutory requirements.

Resource Values and Objectives

Amendments to FRPA should establish clear, measurable legal objectives that prioritize the protection of ecosystem values over timber and strengthen minimum practice standards for forest ecosystem values based on best available Western and Indigenous science. Amendments must also address existing loopholes that allow the logging of Canada's largest trees and most carbon-rich, biodiverse, and increasingly endangered forest ecosystems.

FRPA amendments must:

- Establish biodiversity and old-growth forest retention as high management priorities in all forest ecosystems through the addition of explicit FRPA objectives and legally-binding, spatially explicit old-growth retention targets which must be met in areas with representative productivity.
- Remove the constraint "without unduly reducing the supply of timber from British Columbia's forests" from all FRPA legal objectives and from the Government Actions Regulation and add the constraint "without unduly reducing the resilience of ecosystems" to timber and other 'use' objectives.
- Include a hierarchy of old-growth forest reserve establishment where old-growth forests take priority over second-growth and high productivity forests take priority over low.
- Restrict the movement of Old Growth Management Area (OGMA) boundaries except where necessary in cases where old-growth forest is converted to a younger age class due to a stand-replacing natural disturbance. In this instance, OGMAs should be relocated to the most similar site based on ecosystem, productivity, and age class (in that order of priority).

Oversight and Accountability

The current degree of reliance on professionals, particularly their role in certifying legal compliance under FRPA, is both socially unacceptable and environmentally risky. FRPA must be amended to restore the provincial government's oversight and strength its decision-making authority over all aspects of forest management to ensure forest management is done in such a way that protects the public interest and upholds the Crown's constitutional duties to Indigenous nations.

FRPA amendments must:

- Require licensees to provide sufficient information for provincial decision-makers to evaluate operational plans and proposed forest operations for consistency with legal objectives and require government approval of site-level plans.
- Require that decision-makers provide written reasons to the public demonstrating how proposed logging and road-building are consistent with statutory tests, legal objectives, Indigenous rights and public comment.
- Require provincial decision-makers to determine whether proposed forest operations are consistent with:
 - a) maintaining and where necessary restoring healthy, fully functioning forest ecosystems that support ecological, social and cultural resiliency, and
 - b) the United Nations Declaration on the Rights of Indigenous Peoples.
- Remove existing, lengthy bureaucratic steps required to set objectives and give government the authority to set objectives, informed by public input, for a particular area.

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