

July 15, 2019

Ministry of Forests, Lands, Natural resource Operations and Rural Development
VIA EMAIL

Re: Forest and Range Practices Act Improvement Initiative: Renewal and Resilience

The BC Council of Forest Industries (COFI) is pleased to submit comments in response to the discussion paper entitled “Forest and Range Practices Act Improvement Initiative: Renewal and Resilience”.

By way of background, COFI is a forest industry association that represents the majority of forest companies operating throughout B.C. The forest industry has long been the cornerstone of the provincial economy and one of the largest employers in the province.

Our sector supports 140,000 jobs and we are the primary employer in many communities and regions of the province. Our members take great pride in our commitment to be world leader in sustainable forest management and recognize that healthy forests are integral part of the ecology and heritage of province. COFI members are committed to sustainable forest management practices, support adaptive management and embrace change.

COFI supports efforts to improve forest legislation to ensure that the legislative and regulatory framework in British Columbia provides the foundation for a globally competitive forest industry and maintains the province’s leadership position in sustainably managed, certified forests.

British Columbia is recognized a leader in sustainable forest management and has achieved this by balancing economic development with robust and leading-edge environmental practices. Community based consultation and strategic planning have led to the established land use direction and government objectives which are reflected in the numerous provincial statutes and policies that govern forest use and activities in the province. The Forest and Range Practices Act (FRPA) is one of these statutes and its function is to govern timber harvesting activities.

COFI supports continuous improvement and welcomes the opportunity to provide feedback into this review of FRPA. Periodic review of legislation and regulatory frameworks is important to ensure that they work for the dynamic and changing

landscape upon which our industry is based, as well as the changing nature of industry and its operating context.

As the landscape is dynamic and changing, the legislative framework should contemplate the inclusion of flexibility within any amendments to FRPA. Flexibility for land managers and forest licensees is required to continue to innovate and adapt to changing conditions. Amendments must also recognize the vastly different terrain and conditions that exist throughout the province, and in doing so, facilitate the localization of objectives, values and priorities within regions providing for adaptive management and effectiveness monitoring. We also strongly support full and meaningful engagement with First Nations, communities and stakeholders in a collaborative process to guide the development of these amendments.

With these general comments, COFI provides the following response to the questions posed by government.

Questions:

1.) How should the Province identify opportunities and priorities for adapting forest management to a changing climate, such as mitigating the effects of beetle infestations, drought and fire?

B.C.'s existing system of forest management is static and not well suited to address the changes we have experienced in recent years and can expect in the future. Our historic way of preserving and setting aside areas has created conditions which have contributed to the catastrophic events (pest outbreaks and wildfire) of recent years. Further, static management does not reflect the dynamic nature of many of B.C.'s forest ecosystems that are based on regular disturbances such as wildfire.

The province should move from the existing static management approach that underscores much of B.C.'s current land use policy and legislation and adopt a dynamic management approach. This will provide forest and land managers with the necessary flexibility to enable the sector to adapt more quickly to changing conditions.

Specifically, COFI recommends:

- Undertaking a review of all existing land designations to determine their effectiveness. Where they are not meeting the intent for which they were established, the designation should be removed or moved;
- Putting in place an effectiveness monitoring system to ensure continuous improvement and ongoing adaptation;

- Including all of B.C.'s forest land into forest management plans to recognize their contributions towards meeting society's objectives from the forests;
- Replacing single issue management with multi-issue management. Single issue management has been the dominate approach in the past and has created a sense of exclusivity amongst some users. A multi-issue management approach better reflects B.C.'s land management approach that has granted rights to multiple users on the same piece of land.
- Eliminating age as one of the primary decision-making criteria for land use and moving to a system based on attributes reflective of priority values;
- Establishing a hierarchy of objectives at the landscape level to guide forest management priorities and plans;
- Balancing objectives across the landbase consistent with the broader public objectives. These will provide guidance and direction for management plans;
- Replacing exclusivity and single use with balanced use and collaborative decision making.

2.) *What factors should be considered in the planning of forest operations to reduce the risks of wildfire around your community?*

The protection of communities represents a fundamental objective that must be incorporated into all land use planning within B.C., especially considering the significant fires in recent years. This objective must take precedence over other objectives, especially in fire prone areas that have very short fire return intervals.

Specifically, COFI recommends:

- Communities must be fire proofed. This will likely require significant clearing around communities to reduce the risk of wildfires starting and spreading.
- Establish fire breaks in strategic locations across the landscape to reduce wildfire risk, even though they may conflict with existing land designations that may be in place.
- Manage forests based on attributes, not age. All policies must reflect the dynamic nature of the forests.

3.) *A vital step in landscape-level planning is understanding what is important to the public. Based on what is important to you or your community, what information on the condition of resource values (such as species-at-risk habitat do you think is necessary to support the planning process?*

During recent public forums held throughout the interior as part of the public consultation process for Southern Mountain Caribou, communities and residents delivered very clear, consistent messages to government about the importance of natural resource use for supporting jobs, recreation and lifestyle values, and community stability.

They stated that they want to be involved in the decision-making process and believe balanced solutions are possible. They stressed the need for collaborative processes and not protection at all costs. They also advocated for the inclusion of socio-economic analyses as part of all decision-making processes.

COFI echoes the importance of these values and believes they must be given weight in policy planning and development.

4.) How would you like to be involved in the planning process?

As implementers of forest legislation, it is fundamental that the forest industry be fully engaged in the development of any new forestry legislation. This will ensure that any new changes are realistic, practical, and affordable. If consulted in advance, industry will also be able to help identify potential unintended consequences thus helping to avoid downside impacts. This will result in durable policies that are better able to stand the test of time.

5.) Resource roads are a valuable asset in the province as they provide access for the forest industry, ranchers, other resource users, and the public for commercial and recreation purposes. Yet, these same networks are costly to maintain and have the potential negative impacts on wildlife, water quality and fish habitat. What values do you believe are important to consider when planning new roads, roads use and maintenance, and deactivation in your area?

Forest roads represent a valuable crown asset as they not only provide access for timber harvesting but also provide access for recreation, tourism, wildfire control and other resource use. When planning new roads, one must first determine the objective for the road, its frequency of use, and life span. Doing so, not only helps to determine the standard of road needed, but also helps to identify any potential conflicts that may arise both now and in the future.

Most road related conflicts arise either prior to construction or when deactivation is planned as they are typically related to ownership, maintenance and liability; Once a forest company has met its obligations within a particular area, its role should be to deactivate the road. This may lead to conflict with other users who

wish to maintain access for some other purpose but are not in a position to take on the ownership of the road and related costs to maintain.

Government should recognize that once built, some forest roads will become popular access corridors for the public. If there is a desire to keep and maintain that road as for public access, accountability and maintenance of the road should also be in public hands with government.

How can the Province improve transparency and timelines of information regarding proposed operational and landscape-level objectives, plans and results?

Public participation in the planning process is an essential component of B.C.'s sustainable forest management approach on public forest lands. It is most effective when it occurs early and often. Waiting until the cutting permit approval stage to engage is too late as significant resources will have been invested and decisions made by this stage. Of primary importance, is the need for engagement to occur at the initial planning stage -- when landscape level objectives are established that provide the foundation for future operational plans. Land and Resource Management Plans that were created for much of the province in the past should provide the foundation for these landscape level objectives.

Forest Stewardship Plans or Landscape Level Plans should be approved for a term of sufficient length (ideally 10 years). This timeframe is required to provide certainty for forest companies to support investment and market development. A mid-term review or equivalent, could provide an opportunity to review performance and to assess the effectiveness of the plan;

Once landscape level objectives have been set, ongoing public process are encouraged. It is important for the public to remain engaged and well informed on forest management plans to help avoid conflict or confusion.

Successful planning requires the collaboration of forest tenure holders, communities, stakeholders and the public, and a willingness to seek to balance solutions. Without collaboration or in the case of single interest approaches, the processes are usually unsuccessful and most often lead to conflict.

6.) What information will help inform your feedback on plans that may impact you, your community or your business (e.g. maps of cutblocks and roads planned in your area, hydrological assessments, wildlife habitat areas and recreation opportunities, etc.)?

Up to date inventories and LIDAR would add significant value to the planning process. As the owner of the resource, the Province should commit to maintaining updated inventory information throughout the province. Doing so would also provide a consistent, up-to-date platform upon which plans could be developed.

Regarding the communication of information, we encourage communities, the public and stakeholders to attend public meetings and to engage with forest licensees. The use of electronic platforms to share information is being piloted in some areas with encouraging results. Government should lead this process and establish and maintain a common platform to facilitate the sharing of forest information across the province.

7.) *What additional values should be considered in FRPA that will allow us to manage forest and range practices in a better way?*

In addition to the 11 FRPA objectives and the values identified in local plans, government may want to consider wildfire management and forest health as additional objectives. Government should also encourage the localization of provincial objectives for each region.

8.) *In what ways should the Province strengthen government oversight and industry accountability regarding forest and range activities to better address the challenges of climate change and the interests of all British Columbians?*

All forest activities in B.C. are highly regulated and must be approved by government before they can be initiated. The existing FRPA structure provides government with a tremendous amount of oversight and holds industry accountable to achieve the results and strategies within approved Forest Stewardship Plans. While there is always room for improvement, independent third-party certification covers 50 million hectares of forest land in our province and British Columbians should take pride in how their forests are being managed to world-leading standards to ensure sustainability.

Specifically with respect to oversight:

- All forest activities are subject to compliance and enforcement reviews and audits conducted by the Compliance and Enforcement Branch of the Ministry of Forests, Lands Natural Resources and Resource Development (FLNRORD) and/or performance assessments conducted through the Forest and Range Evaluation Program (FREP).

- Additional audits and reviews of industry and government practices may also be undertaken by the Forest Practices Board (FPB), an independent watchdog. The FPB also investigates public complaints of forest practices and assesses the appropriateness of government enforcement.
- Most forest licensees in B.C. also subscribe to sustainable forest management standards and employ independent third-party auditors to assess their performance in relation to provincial and federal legislation, policy and sustainable forest management principles.
- The FRPA regime was predicated on an increased reliance on accredited professionals along with a commensurate level of accountability. Earlier this year, the provincial government has already made changes to provide more oversight of professionals.
- Government has also provided decision makers with more powers to reject permit applications and has established more circumstances where government can compel amendments to Forest Stewardship Plans.