Northern Confluence

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Re: FRPA submission reviewing the sustainable management of B.C.'s forest and range resources

July 15, 2019

Thank-you for the opportunity to comment on British Columbia's Discussion Paper: *Forest and Range Practices Act Improvement Initiative.* Given our rural location, we are aware and concerned about many issues and impacts from B.C.'s forest practices.

Northern Confluence Initiative is a project of Tides Canada's shared platform, based out of Smithers, that focuses on land-use decisions in northern British Columbia. We strive for the greater conservation and protection of wild salmon watersheds.

Climate change and resilient landscapes

Forests play a key role in efforts to combat climate change. Forest practices are currently a large source of greenhouse gas emissions in the province that are not being incorporated into climate goals and actions. The CleanBC climate strategy neglects to account for the carbon emissions from forests (and wildfires), and the carbon sink potentials for solutions[1].

Recent studies show that not only do we need to reduce emissions, but we also need to protect and restore forests[2]. Natural forests sequester carbon for many decades. There is an immediate benefit and importance to protecting B.C.'s old growth forests and halting deforestation of carbon rich forests, in particular coastal temperate rainforest, wet subalpine, and inland temperate rainforest.

While tree planting takes a while for carbon storage to be meaningful (and plantations are much poorer at storing carbon than natural forests), a recent study in Science magazine highlights the importance of restoration and points out that Canada could aim to plant 78 million trees[3]. B.C. should incorporate restoration of degraded lands (including old resource roads) into a strategy for forest carbon stewardship and ensure stock selection for adaptive reforestation given climate impacts.

A few forest ecologists, conservationists, community members and consultants met together a few times in northern BC and came up with the following recommendations to ensure that BC forests continue to store megatonnes of carbon for decades to come[4]:

- Develop and implement a strategy for forest carbon stewardship.

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[1] CleanBC Climate Plan. 2018. https://www2.gov.bc.ca/assets/gov/environment/climate-change/action/cleanbc/cleanbc_2018-bc-climate-strategy.pdf

[2] Regenerate natural forests to store carbon, by Simon L. Lewis and Charlotte E. Wheeler. Nature Magazine, Volume 568, page 25-28. April 4, 2019.

[3] Restoring forests as a means to many ends, by Robin Chazdon and Pedro Brancalion. *Science,* 05 Jul 2019: Vol. 365, Issue 6448, pp. 24-25.

[4] For a more in-depth review of these recommendations, see Dr. Jim Pojar's report for SkeenaWild and Skeena Watershed Conservation Coalition: *Forestry and Carbon in B.C.* , February 2019. http://skeenawild.org/images/uploads/docs/Pojar-7mythsfinal-2019_copy.pdf

- Broaden core protected areas into a climate conservation network.
- Reduce energy consumption and increase its efficiency, conserve existing natural forests, restore/rehabilitate disturbed or degraded forests.
- Reduce the allowable annual cut (AAC) to sustainable levels.
- Do more partial cutting and less clearcutting, especially in primary forests.
- Manage more commercial forests on extended rotations.
- Reduce the amount of slash burning.
- Continue planting trees to remove CO2 from the atmosphere in the future.
- Care for the forests that we still have and avoid converting them to alternative uses.

Carbon must be included as a valued component in Forestry and Planning Operations in order for B.C. to be more resilient to climate change via mitigation and adaptation.

Wildfire risks:
In terms of wildfire risk management, we need to keep and use more deciduous trees around communities and as buffer zones to act as fire breaks. In 2015, 16,000 hectares of B.C. forests were sprayed with glyphosate (a genotoxic substance and likely carcinogenic[5]) mostly to remove these non-commercial deciduous species.

Of critical importance is also ensuring that multiple values are being managed for when it comes to forestry practices and management. Wildfire risk is an important factor but needs to be one value of many considered for adaptive management strategies (including biodiversity, wildlife habitat, climate change, hydrology, recreation, conservation, cultural importance.).

Landscape-level planning

The Northern Confluence Initiative continues to support the Minster of Forests, Lands, Natural Resources and Rural Development's mandate to modernize land-use planning. This is essential for setting legal objectives and no-go zones on the land base. Missing from the previous land-use planning process was the integration of climate change adaptation and mitigation strategies, as well as the implementation of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP). This will hopefully be addressed. However, we do support this FRPA proposal for additional landscape-level planning that we hope would also address climate change, cumulative effects, respect for Indigenous land-use planning, and include meaningful public participation.

The Forest Practices Board recently released a report on what they call Tactical Forest Planning[6]. We support this concept and its principles to ensure that the plans are inclusive, integrative, place based and forward looking, embedded in the forest management system, and regularly updated and adapted. Overall, we need to plan and manage forests for resistance, resilience and transition.

Public engagement in planning process:
While government-to-government collaboration is key throughout the planning process, the

[5] World Health Organization. 2015. https://www.iarc.fr/featured-news/media-centre-iarc-news-glyphosate/
[6] Tactical Forest Planning: The missing link between strategic planning and operational planning in BC. Forest Practices Board. Special Report. June 2019 fpb/sr/58

B.C. government needs to engage communities that can share additional local perspectives and value priorities. Engaging early is important. Landscape level plans are a key place for inclusion and community engagement which will also help build public trust. There also need to be provisions that ensure these inputs are reflected back in the plans. There already exist a couple of models of public engagement for implementation in larger Land and Resource Management Plans that could be used for landscape-level planning. Namely, the Bulkley Valley Community Resources Board (in Smithers) and Kalum LRMP Plan Implementation Committee (PIC) (in Kitimat).

Resource Roads:
A common issue when it comes to land-use planning and impacts to riparian areas or grizzly bear habitat is resource roads. According to the Forest Practices Board, there are over 600,000 kms of resource roads in B.C. with 10,000 new roads being added annually. Over 75 per cent of these were built by the forest industry[7].

Under FRPA, resource roads must either be maintained or deactivated, however there is limited monitoring of road maintenance which means licensees have few incentives to deactivate roads. There is also limited data collected on deactivation of roads. Temporary roads should be deactivated but a lack of clarity in direction means many are not. Many resource roads are damaging to fish and fish habitat, in particular from sediment and unmaintained fish culverts. More direction to deactivate roads is needed (criteria is weak), particularly in areas where these have negative impacts on water quality, fish habitat and wildlife. Deactivation could also include planting of resource roads for future carbon sequestration and habitat restoration. Policies should also be developed to help minimize the development of new roads, give preference to using existing corridors, and set out road mitigation requirements.

Public Trust

Public engagement is important to building public trust. In order to be meaningful, plans and decisions must report back on how public input was taken into account. Communities should be informed about wild salmon values, drinking water and water quality impacts, wildlife habitat areas, species at risk, and recreation access in order to be able to effectively weigh in to the planning process. Of importance to include within FRPA, is an ability for the community to modify where forestry happens on the land base.

Resource Values and Objectives

FRPA sets out several management objectives, including to conserve, at the landscape level, the water quality, fish habitat, wildlife habitat and biodiversity within riparian areas. However, not without "*unduly reducing the supply of timber from British Columbia's forests*"[8]. This constraint must be removed from all FRPA legal objectives and from the Government Actions Regulation (GAR). This has been a prohibiting factor to using existing tools (such as Fisheries Sensitive Watersheds and Wildlife Management Areas) and actually managing for

[7] *Access Management and Resource Roads: 2015 Update, FPB/SR/49, April 2015*
[8] Government Action Regulation 2(1)(b). http://www.bclaws.ca/civix/document/id/complete/statreg/582_2004

these value components in a way that protects ecosystem values over timber.

The Federal Government developed, with agreement from multi-stakeholders, the Wild Salmon Policy[9] that the B.C. Government has agreed to help implement. This is an important tool to incorporate into forest management. Habitat pressure indicators and associated thresholds relating to fish-forestry interactions have been established by the federal Wild Salmon Policy Habitat Working Group as highlighted in Skeena Wild's submission[10]. Salmon habitat impact assessment analyses should be done for each Timber Supply Area and fed into the tenure review process every five years. The Timber Supply Review process evaluates a sustainable amount of harvest within a Timber Supply Area (TSA) that determines the Annual Allowable Cut. This review and determination must take into account habitat pressure indicators for each TSA. We endorse Skeena Wild's submission on how to incorporate the Wild Salmon Policy this way into Timber Supply Reviews. These analyses should also inform landscape-level plans and be a factor of decision-making in forest management.

Currently FRPA does not require licensees to address the cumulative effects of forestry activities on hydrology, fish passage, sedimentation, stream channels and fish habitat. The Wild Salmon Policy can play a role but we also need legal objectives to manage the amount and rate of development at the watershed level. A watershed level assessment (potentially part of the landscape level assessments recommended) could also help minimize the risks of development on fish habitat values by assessing and mitigating for the cumulative effects.

There are also a few underutilized tools that could help improve protection of riparian areas and fish habitat. One of them is designating "temperature sensitive streams"[11]. The designation would require retention of riparian vegetation to provide shade and thermal buffering around streams. To date there were no temperature sensitive streams designated under FRPA (or MOE) despite both climate change impacting water levels and temperatures, and evidence that tree buffers prevent loss of stream functioning and fish habitat.

At the watershed scale, the GAR designation specific to fish habitat is the Fisheries Sensitive Watershed (FSW). Watersheds must meet the test of having significant fisheries values and watershed sensitivity[12]. The designation in turn requires strategies within Forest Stewardship Plans although these are not required to be science-based and effectively monitored. The definition of fish habitat also needs to include and be updated to reflect the new Federal *Fisheries Act*[13]. This designation is also underutilized, only having 14 designations since 2005, six of which were added in the past year[14], and a number of proposals awaiting approval. With the removal of the "unduly" clause referenced above, there should technically be more designations under these existing tools.

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[9] Department of Fisheries and Oceans. Wild Salmon Policy. https://www.pac.dfo-mpo.gc.ca/fm-gp/species-especes/salmon-saumon/wsp-pss/index-eng.html

[10] See FRPA review submission through Engage BC (https://engage.gov.bc.ca/forestandrangepractices) by SkeenaWild Conservation Trust.

[11] Ministry of Environment. Temperature Sensitive Streams. http://www.env.gov.bc.ca/wld/frpa/tss/index.html

[12] Ministry of Environment. Fisheries Sensitive Watersheds. http://www.env.gov.bc.ca/wld/frpa/fsw/index.html

[13] The new Federal Fisheries Act (C68) received Royal Assent is waiting to come into force imminently. https://www.dfo-mpo.gc.ca/campaign-campagne/fisheries-act-loi-sur-les-peches/index-eng.html

[14] BC Government. Approved Fisheries Sensitive Watersheds. http://www.env.gov.bc.ca/wld/frpa/fsw/approved.html

Climate and carbon are not yet included values under FRPA and there are no legal regulations pertaining to climate change. We recommend moving these legal objectives from the Forest Planning & Practices Regulation to the FRPA.

Oversight and accountability

There are gaps in monitoring FRPA effectiveness at the watershed level for fish/riparian values. There needs to be a robust monitoring system established so the government can assess how forest development activities are changing the condition of fish habitats and when the cumulative effects of development are putting fish habitats at risk.

We also recommend the BC Government fund Indigenous Guardian programs for First Nations to help with monitoring and oversight.

Northern Confluence Initiative also supports the Joint ENGO submission[15] for this section, including recommending:

1. Before approving operational forestry plans and before cutting or road permits are issued, 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.

2. Provide that statutory decision-makers may not approve an operational plan that proposes timber harvesting or road-building in an ecosystem that it is at high risk. High risk ecosystems must be defined to include:
    a. Ecosystems in which spatially explicit old growth retention targets are not being met with forests of representative productivity.
    b. Critical habitat of a species at risk or habitat necessary to meet provincial wildlife and habitat objectives.
    c. If proposed logging would involve clearcutting in a domestic use watershed.

3. Fully implement any other FRPA-related recommendations in the 2018 Professional Reliance Review.

Thank you for the opportunity to provide feedback on this important piece of B.C. forestry legislation.

Sincerely,
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[15] Submitted by Organizing for Change and should appear on https://engage.gov.bc.ca/forestandrangepractices/