

Chief Forester Order
Respecting the AAC Determination
for the Cassiar Timber Supply Area

Section 8 (3.1) of the *Forest Act* stipulates in part that:

If... the chief forester considers that the allowable annual cut...is not likely to be changed significantly with a new determination, then...the chief forester by written order may postpone the next determination...to a date that is up to 15 years after the date of the relevant last determination and must give written reasons for the postponement.

For the purposes of this Order, in accordance with Section 23(3) of the *Interpretation Act*, the deputy chief forester is expressly authorized to carry out the functions of the chief forester (including those required under Section 8 of the *Forest Act*).

In considering whether to postpone the next AAC determination for the Cassiar timber supply area (TSA), I note that the last determination, made on March 5, 2015, set the AAC at 196 000 cubic metres including an AAC partition of 80 000 cubic metres attributable to the Iskut “A” operable block. This AAC was reduced to 119 791 cubic metres on February 1, 2020, to account for the land base exclusion resulting from the issuance of the Tahltan Nation First Nations Woodland Licence (FNWL) N3E.

In considering all of the factors required under Section 8 of the *Forest Act*, I have reviewed the sources of information listed in Appendix 1.

The Cassiar TSA is in the northwestern corner of British Columbia (BC) and is the largest TSA in the province, covering approximately 13.1 million hectares or one-sixth of the total provincial area. First Nations people comprise approximately 55 to 65 percent of the population living within the TSA. Communities within the TSA include Dease Lake, Atlin, Telegraph Creek, Iskut, Good Hope Lake, and Lower Post.

There are four major operable blocks within the TSA: Iskut, Dease-Liard, Swan-Teslin, and Atlin. These areas are separate and disconnected parcels of land that contain timber harvesting land base (THLB) ranging in size from 4090 hectares to 83 872 hectares. The Iskut block was subdivided into “A” (South) and “B” (North, East, and West) blocks.

Since the last AAC determination in 2015, there was a 38 percent (80 621 hectares) THLB reduction to account for the issuance of Tahltan First Nations Woodland Licence N3E. The remaining THLB is 130 061 hectares. Further to this, the establishment of a Kaska Dena First Nations Woodland Licence N3F and the Kaska Indigenous Protected and Conserved Areas (IPCA), which are yet to be finalized, represent a further 39 percent (79 319 hectares) THLB reduction which is projected to reduce the remaining THLB to 50 742 hectares.

The 2015 base case harvest projection for the Cassiar TSA showed 196 000 cubic metres per year could be maintained for 10 years before decreasing to a long-term harvest level of 164 000 cubic metres per year. The long-term, even-flow harvest level is representative of the timber supply that would remain after accounting for land base removals for FNWL N3E.

Harvest Performance

Average annual harvest performance in the Cassiar TSA for the period 2015 to 2022 was 62 701 cubic metres (37 percent of the AAC), due to the lack of mills in the area, limited access, and low demand for forest products. Although a significant unused volume (1 418 000 cubic metres) has accumulated in the Cassiar TSA, Ministry of Forests (the ‘Ministry’) regional tenures and district staff have indicated the sustainability risk, due to increased harvesting pressure from this volume, is low to due a lack of disposition plans and economic feasibility.

The current apportionment for the Cassiar TSA no longer includes any volume attributed to non-replaceable forest licences or BC Timber Sales. Beyond the 95 percent committed to the FNWLs, five percent is apportioned as Forest Service Reserve volume.

Land Use Plans

Land use plans provide guidance to government on the values balance desired by local communities, First Nations, and stakeholders.

The 2015 timber supply review (TSR) considered the legal requirements established in the Cassiar-Iskut-Stikine Land and Resource Management Plan, the Dease-Liard Sustainable Resource Management Plan, and the Atlin Taku Land Use Plan. There have been no changes to these three land use plans (LUP) since the last AAC determination.

However, I am aware that there are several new land use planning initiatives that are in progress within the Cassiar TSA. The Tahltan, Dene K’eh Kusān, and Taku River Tlingit First Nations are all in the process of completing LUPs within the TSA. I recognize the importance of these plans, as they will have a significant role in setting the strategic direction of sustainable resource stewardship within the TSA.

While I cannot speculate on land use decisions that have yet to be made by government, I acknowledge that land use planning within the TSA is in a time of transition. Postponing the AAC decision would ensure capacity and resourcing are focused on getting these plans well established.

Forest Inventory

The forest inventory data used in the timber supply analysis for the Cassiar TSA, originated as a Forest Cover 1 (FC1) inventory from the 1970s, using 1950 aerial photography, that was later converted to vegetation resources inventory (VRI) standards.

To further update the inventory information, a Landscape Vegetation Inventory (LVI) was initiated in 2013 and completed in 2019 covering approximately 12.4 million hectares. Results from the *Landscape Vegetation Inventory 2018 Summary Report* indicated the resulting inventory ages were inaccurate, representing a timber supply uncertainty which would require additional independent validation. Light Detection and Ranging (LiDAR) data collection is currently taking place within the TSA to support the development of a new inventory. As discussed under ‘**Implementation**’, in order to improve the certainty associated with the current inventory, I expect Ministry Inventory staff from the Forest Analysis and Inventory Branch (FAIB) to work with First Nations, licensees, and the district to implement a ground sampling plan to validate the timber inventory volumes used in the analysis.

Natural Disturbances

For the Cassiar TSA the dominant disturbance agent historically has been wildfire. The 2018 Lutz Creek and 2023 Little Blue River wildfires in the northeastern portion of the TSA had the largest impact. For the period 2017 to 2023, approximately 1.7 million cubic metres or 22 percent of the volume within the THLB was impacted by wildfire, however, these areas are largely within the recently excluded FNWL N3E and FNWL N3F that is yet to be finalized.

The Liard First Nation asked if climate change was being reviewed as part of the postponement determination. In support of the postponement decision, I was presented with estimates of historic timber losses from wildfires, flooding, windthrow, and various forest health factors such as insects and disease. Given the uncertainty about the rate and specific characteristics of climate change, and the uncertainty around the impact to the forest and how forest managers will respond, it is not possible to quantify climate change impacts on timber supply with confidence. Forest management practices will need to be adapted to changes and can contribute to climate change mitigation by promoting carbon uptake and storage.

There is substantial scientific agreement that climate is changing and that the changes will affect forest ecosystems, as witnessed with the recent wildfire activity in the TSA. As described under ‘**Implementation**’, in the next Cassiar TSR, I expect FAIB to assess a range of climate change-related natural disturbance impacts and subsequent impacts to timber supply assumptions.

Old Growth Technical Advisory Panel

On April 30, 2020, an independent panel appointed by the BC Government submitted their report *A New Future for Old Forests: A Strategic Review of How British Columbia Manages for Old Forests Within its Ancient Ecosystems*. The BC Government engaged with First Nations across the province about how recommendations from the report will be implemented within the context of a Provincial Old Growth Strategy. Recommendation six in the report recommends to “defer development in old forests where ecosystems are at a very high risk of irreversible biodiversity loss”. To help identify these priority at-risk old forests the BC Government consulted an independent Old Growth Technical Advisory Panel (TAP) to recommend priority at-risk old growth development deferral areas. These areas were put forward to First Nations for deferral consideration. Some of the TAP recommended deferral areas were supported to varying degrees across the province and in some cases, other old growth areas were also recommended by First Nations for deferral.

Of the 194 000 hectares of forest in the Cassiar TSA that is either old growth or priority older mature forest, only 5000 hectares (or two percent) falls within the THLB. Only one Nation has expressed support for the deferral areas.

Any changes to the protected status of old growth areas will be accounted for outside of the postponement decision process in subsequent timber supply reviews for the Cassiar TSA, or the AAC may be adjusted in the interim by *Chief Forester's Order*.

First Nations Consultation

The province has created a framework for advancing reconciliation with Indigenous Peoples, in keeping with the Calls to Action of the Truth and Reconciliation Commission. The provincial government passed legislation in November of 2019 to implement the United Nations Declaration on the Rights of Indigenous People (UNDRIP). BC's *Declaration on the Rights of Indigenous Peoples Act (Declaration Act)* aims to create a clear process by which Indigenous Peoples are a part of the decisions that affect them, their communities, and their territories. As such, First Nations Interests are an important consideration in making decisions related to timber supply.

The Cassiar TSA overlaps with the following First Nations territories: The Carcross-Tagish First Nation, Champagne and Aishihik First Nations, Fort Nelson First Nation, Kaska Dena Council and Liard First Nation, Kwadacha Nation, Tahltan Central Government, Takla Nation, Taku River Tlingit First Nation, Teslin Tlingit First Nation, Tsetsaut Skii Km Lax Ha Nation, and West Moberly First Nations.

Consultation on the proposed AAC postponement was conducted by Skeena Stikine Natural Resource District staff. On July 4, 2023, engagement letters were sent to First Nations with currently operable blocks that overlap with their asserted traditional territories. Engagement letters were sent to the Daylu Dena Council, Dease River First Nation, Liard First Nation, Tahltan Central Government, Taku River Tlingit First Nation, Teslin Tlingit First Nation, and Tsetsaut Skii Km Lax Ha Nation requesting feedback on Aboriginal Interests that may be affected by the *Forest Act* Section 8 (3.1) postponement.

I would like to thank the Liard First Nation and Taku River Tlingit First Nation for submitting comments. Information received from the Liard First Nation is discussed in the '*Natural Disturbances*' section of this document. Taku River Tlingit First Nation responded that they see no issue in the postponement of the AAC decision.

No responses were received from the remaining First Nations. In reviewing the consultation processes and responses received from First Nations, I am satisfied that the appropriate measures were taken by the Ministry to consult with First Nations regarding this postponement decision.

Postponement Decision

In considering the decision to postpone the AAC for the Cassiar TSA, I am mindful of the legislated requirements of Section 8(3.1)(a) of the *Forest Act* which are to review and evaluate Section 8 factors of the *Forest Act*, the available supporting information, and results of the supporting timber supply analysis to determine whether there is a sustainability risk to the area. In line with the 2019 Declaration Act, I am also mindful of the Province's mandate to make reconciliation a priority, by ensuring the alignment of statutory decisions and actions that ensure Indigenous Peoples are meaningful partners in BC's forest sector.

I am encouraged by the tenure opportunities for First Nations in the Cassiar TSA, resulting from the creation of FNWLs N3E and N3F (yet to be finalized).

The last timber supply review considered the legal requirements of the Cassiar-Iskut Stikine Land and Resource Management Plan, the Dease-Liard Sustainable Resource Management Plan, and the Atlin Taku Land Use Plan, which provided further stewardship protection. I am aware that the Tahltan, Dene K'eh Kusān, and Taku River Tlingit First Nations are all in the process of completing LUPs within the TSA. I recognize the importance of these plans, as they will have a significant role in setting the strategic direction of sustainable resource stewardship within the TSA. Postponing the AAC decision would ensure capacity and resourcing are focused on getting these plans well established in support of an AAC decision that will consider the identified values and interests important to First Nations.

I have evaluated the significance of specific uncertainties and assessed the potential current and future social, economic, and environmental risks associated with them. In terms of harvest performance, I am aware that the sustainability risk of postponing the AAC is low, as there has been minimal timber harvesting since the 2015 AAC determination, 95 percent of the TSA's tenure has been allocated to FNWLs, and there is no plan to issue additional licences to harvest. I recognize the THLB is only eight percent of the forested land base supporting the TSA timber supply, with a robust growing stock that consists of an age class profile that is well distributed across all mature classes. This provides assurance that any remaining harvest obligations actioned during the postponement period will pose little risk to stewardship values such as hydrological, riparian, forest health, caribou, fisher, grizzly, and other wildlife. This implies that over time, the timber supply can be maintained or enhanced while conserving and managing all other forest values.

I recognize that the AAC has already significantly been reduced to 119 791 cubic metres by application of the Allowable Annual Cut Administration Regulation, to account for the issuance of FNWL N3E. This AAC is likely to be reduced further through the same mechanism to account for the issuance of FNWL N3F which is yet to be finalized. Postponing the determination would allow these tenure changes to align with the current apportionment, and the LiDAR inventory validation and analysis to be completed, improving the information for the next TSR.

From my review of the factors from Section 8 of the *Forest Act*, the available supporting information, and results of the previous timber supply analysis, I conclude that the harvest level equivalent to the current AAC of 119 791 cubic metres is consistent with and supports sustainable forest management, with no appreciable impact to long-term timber supply.

Therefore, under my authority as outlined in Section 8 (3.1) of the *Forest Act*, I hereby postpone the next AAC determination for the Cassiar TSA to a date on or before March 5, 2030, which is 15 years after the effective date of the last determination. If additional new information becomes available and/or significant changes in tenure allocation or forest management occur that may have a significant effect on timber supply, I am prepared to revisit the Cassiar TSA AAC determination at an earlier date.

Implementation

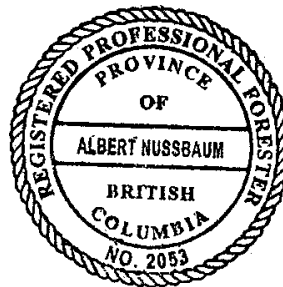
In the period following this decision and during the postponement period, I expect Ministry staff to work with First Nations to undertake the following tasks:

1. *Forest Inventory* – I ask Ministry Inventory staff from FAIB to work with First Nations, licensees, and the district to implement a ground sampling plan to validate the timber inventory volumes.
2. *Natural Disturbances* – I expect FAIB to continue developing modelling techniques that can be applied in the next Cassiar TSR to assess a range of climate change-related natural disturbance impacts to timber supply assumptions and harvest projections.



Albert Nussbaum, RPF
Deputy Chief Forester

January 24, 2024



Appendix 1: Information Sources Considered in the Allowable Annual Cut Postponement for the Cassiar TSA

Legislation

- *Forest Act* Section 8 (3.1);
- *Ministry of Forests and Range Act*;
- *Land Act*;
- *Resort Timber Administration Act*;
- *Wildlife Act*;
- Forest Act Cut Control Regulation (BC Reg 258/2019);
- AAC Administration Regulation Section 11 and 12.

Timber Supply Documents

- Postponement of Allowable Annual Cut Technical Summary, Cassiar Timber Supply Area, Ministry of Forests, and the Forest Analysis and Inventory Branch, October 2023;
- Cassiar Timber Supply Area, Rationale for Allowable Annual Cut (AAC) Determination, March 5, 2015;
- Cassiar TSA Timber Supply Analysis Public Discussion Paper, Ministry of Forests, Lands and Natural Resource Operations, and the Forest Analysis and Inventory Branch, September 2013;
- Cassiar Timber Supply Area Timber Supply Review Data Package, Ministry of Forests Lands and Natural Resource Operations, and the Forest Analysis and Inventory Branch, September 2013.

Land Use, Forest Practices, and Other Documents

- Atlin Taku Land Use Plan / Wóoshtin wudidáa, July 2011;
- Cassiar Iskut Stikine Land Resource Management Plan (LRMP), September 2000;
- Dease-Liard Sustainable Resource Management Plan (SRMP), 2004 and 2012;
- Forest Analysis and Inventory Branch, Impacts of 2018 Fires on Forests and Timber Supply in British Columbia, April 2019;
- Forest Analysis and Inventory Branch, Impacts of 2021 Fires on Forests and Timber Supply in British Columbia, April 2022;
- Klappan Plan, Tahltan Central Government and the Province of British Columbia, February 2017;
- Protecting the Sacred Headwaters of the Klappan Valley, Province of BC News Release, August 2019;
- Province of BC. Provincial Timber Management Goals, Objectives, and Targets, Cassiar TSA Management Unit, September 2022;
- Specified Area GAR #SA-6-292 Thinhorn Sheep Disease Prevention – Skeena Region, http://www.env.gov.bc.ca/wld/documents/uwr/OVDA-6-292_ord_SA.pdf;
- Summary Report, Landscape Vegetation Inventory 2018, Cassiar TSA, Forest Analysis and Inventory Branch, Ministry of Forests, January 25, 2019;
- Tahltan Nation, Tahltan Land Stewardship Plan Project, [Tahltan Land Stewardship Plan Project - Tahltan Stewardship Initiative](#);

- Taku River Tlingit First Nation, Taku River Tlingit Indigenous Protected and Conserved Area, [Indigenous Protected and Conserved Area – Taku River Tlingit First Nation \(trtfn.com\)](http://trtfn.com);
- The Dena Kayeh Institute, Dene K'eh Kusān Land Use Plan, [Homepage - Dene K'eh Kusān \(denakayeh.com\)](http://denakayeh.com);
- Wildlife Habitat Area # 6-288 Skeena-Stikine Natural Resource District South-Central Cassiar– Cassiar Timber Supply Area Grizzly Bear (*Ursus arctos*), http://www.env.gov.bc.ca/wld/documents/wha/URAR_6-288_ord.pdf.

First Nations

- First Nations Consultation Report on the Cassiar TSA *Forest Act* Section 8 (3.1) AAC postponement decision compiled by Ministry of Forests staff.