

Chief Forester Order
Respecting the AAC Determination
for the Soo 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.

In considering whether to postpone the next allowable annual cut (AAC) determination for the Soo Timber Supply Area (TSA), I note that the last determination, made on May 12, 2011, set the AAC at 480 000 cubic metres.

The AAC has been reduced three times since the 2011 determination, through the AAC Administration Regulation to account for the establishment of two Community Forest Agreement tenures and a First Nations Woodland Licence, resulting in an effective AAC of 368 276 cubic metres. The effective THLB is 71 468 hectares, or eight percent of the TSA.

In considering all the factors required under Section 8 of the *Forest Act*, I have reviewed the following:

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 Draft Technical Summary, Soo Timber Supply Area*, Ministry of Forests, January 2023;
- *Soo Timber Supply Area, Rationale for Allowable Annual Cut (AAC) Determination*, BC Ministry of Forests, Lands and Natural Resource Operations, May 12, 2011;
- *Soo TSA Timber Supply Analysis Public Discussion Paper*, Ministry of Forests and Range, October 2010;
- *Soo Timber Supply Area Timber Supply Review Data Package*, Forest Analysis and Inventory Branch, Ministry of Forests and Range, September 2008.

Land Use, Forest Practices and Other Documents

- *Sea-to-Sky Land and Resource Management Plan* (SSLRMP);
- Land Use Planning Agreement between The Lil'wat Nation and the Province of British Columbia (as represented by the Minister of Agriculture and Lands), April 11, 2008;

- Land Use Planning Agreement between the In-SHUCK-ch Nation (as represented by the In-SHUCK-ch Nation Interim Government) and the Province of British Columbia (as represented by the Minister of Agriculture and Lands), July 6, 2007;
- Land Use Planning Agreement between The Squamish Nation and the Province of British Columbia (as represented by the Minister of Agriculture and Lands), July 26, 2007.

First Nations

- *First Nations Consultation Report on the Soo TSA Forest Act Section 8(3.1) AAC postponement decision* compiled by Ministry of Forests staff;
- Land and Resource Partnership Agreement between the Tsleil-Waututh Nation and the Province of British Columbia to implement the Indian River Watershed Integrated Stewardship Plan, January 13, 2022.

The Soo TSA is located on the south coast of British Columbia, north of the City of Vancouver. It lies within the South Coast Natural Resource Region and is administered by the Sea to Sky Natural Resource District office located in Squamish. It is bounded on the west by Tree Farm Licence 38 and the Sunshine Coast TSA, on the north by the Lillooet TSA, and on the south and east by the Fraser TSA. The First Nations communities within the Soo TSA are in Squamish, Mount Currie, D'Arcy, Skatin, Baptiste Smith, and Tipella. Additionally, the communities of Lions Bay, Squamish, and Pemberton are located within the TSA. The total area of the TSA is 909 519 hectares, of which 266 646 hectares is considered the analysis forest land base. The timber harvesting land base (THLB) in the 2011 AAC determination was 93 152 hectares.

The base case timber supply analysis supporting the last determination projected that an initial harvest level of 503 000 cubic metres per year could be maintained for 60 years, before increasing to a mid-term harvest level of 555 000 cubic metres per year. At year 130 the harvest level increased to a long-term level of 612 000 cubic metres per year for a period of 170 years.

Changes to the Land Base and Forest Management Practices

Since the last AAC determination in 2011, changes to the land base and forest management practices are as follows:

- *Inventory and Growing Stock* – A new vegetation resources inventory (VRI) was completed in 2011 following the AAC determination. A review of the current growing stock information indicates volumes that are comparable with those used in the previous TSR, indicating a sustainable growing stock for the Soo TSA.
- *Unharvested, Uncommitted, and Unused Volume* – The Ministry of Forests Tenures Branch and BC Timber Sales indicated that there has been a total of 1 144 251 cubic metres of accumulated volume within the Soo TSA for the period of 2011 to December 31, 2021. Currently, there are currently no disposition plans for this volume.
- *Old Growth Management Areas (OGMAs)* – The timber supply analysis supporting the previous AAC determination used draft Old Growth Management Area (OGMA) mapping. All landscape units (LU) in the Soo TSA now have legally established spatial OGMAs with no additional impact to the AAC.
- *Pemberton Wetlands Wildlife Management Area* – In 2011 the Pemberton Wetlands Wildlife Management Area (WMA) was established to manage critical marsh habitat for

waterfowl, fish, and Ungulate Winter Range (UWR). The WMA is estimated to have a negligible impact to timber supply.

- *Black-Tailed Deer UWR* – Timber harvesting is not permitted within black-tailed deer UWR retention management units, but is allowed in rotation management units, as modified harvesting is authorized. In 2014, a small amount of UWR area was amended from retention to rotation management and vice-versa resulting in a net change with negligible impacts to timber supply.
- *Spotted Owl Wildlife Habitat Areas (WHAs)* – Since the 2011 AAC determination, spotted owl wildlife habitat areas (WHA) have been established, both for long-term owl habitat (no harvest) and managed future owl habitat (reduced harvest). Spotted owl was accounted for in the 2011 AAC determination, based on the special resource management zone areas which became the WHAs. The WHAs were established to meet the objective of “no net loss” (relative to the 1997 Spotted Owl Management Plan) for both THLB and spotted owl habitat. Given the no net loss policy, the impact to timber supply is negligible.
- *Northern Goshawk Wildlife Habitat Areas* – Five northern goshawk WHAs have been approved within the Soo TSA resulting in a 0.4 percent overestimate in timber supply.
- *Marbled Murrelet* – In 2018, the Province of BC released an *Implementation Plan for the Recovery of Marbled Murrelet* with proposed suitable habitat areas that are yet to be finalized as WHAs.
- *‘Q’em’sam (Cultural Place)* – In 2013, the Lil’wat Nation designated a new ‘Q’em’sam (Cultural Place) with a minor impact to timber supply.
- *Cheakamus Community Forest Agreement K3V* – The Cheakamus Community Forest was established on May 11, 2009 and was accounted for in the 2011 AAC determination. A small boundary amendment took place after the determination.
- *Clean Energy Projects* – Several clean energy projects have been completed or approved within the Soo TSA since the 2011 AAC determination with a minor impact to timber supply.
- *Eagle Mountain Woodfibre Gas Pipeline* – FortisBC has a 47-kilometre expansion approved for a portion of their existing natural gas pipeline system that serves Squamish, the Sunshine Coast, and Vancouver Island. It involves adding new 24-inch pipe, beginning north of the Coquitlam watershed, and ending at the proposed Woodfibre LNG site. This development represents an unknown negligible overestimate to the short-term timber supply.
- *Real Estate Development* – A real estate development at Porteau Cove includes private land that was Crown granted in 2001. Once the Porteau Cove subdivision is complete, it is anticipated that Crown timber that was previously considered to be available for aerial harvest is likely to become inaccessible, resulting in a minor overestimate to timber supply.
- *Meager Creek Landslide* – The Meager Creek landslide occurred in 2010 and was accounted for through a five-year logging deferral in the 2011 AAC determination. District staff have indicated that it is unlikely that the slide area will be reforested in the near future, and perhaps even longer. Access has been partially restored to the Meager

LU by following a new route. The next TSR will investigate the minor overestimate in timber supply due to the landslide.

- *Whistler Mountain and Blackcomb Controlled Recreation Areas* – There has been a small addition to the Whistler Mountain and Blackcomb Controlled Recreation Area since the 2011 AAC determination, resulting in a minor overestimate to timber supply.
- *Forest Health* – The estimated average annual unsalvaged volume loss due to catastrophic events such as insect epidemics, fires, wind damage, or other agents used in the 2011 timber supply analysis was 34 000 cubic metres per year. Non-recoverable volume losses within the Soo TSA from 1999 to 2019 averaged 14 164 cubic metres per year. The unsalvaged loss only reflects those areas in which the volume will not be recovered. While it is encouraging that losses have been lower than predicted, climate change casts uncertainty regarding future non-recoverable losses within the TSA.

I note that there have been several minor changes to the land base since the 2011 AAC determination, resulting in an impact of approximately 1371 hectares or 1.9 percent THLB in short-term timber supply.

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*. Currently, the BC Government is engaging 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). Support from First Nations for TAP proposed deferral areas is mixed. The supported old growth deferral areas are comprised of areas either within the TAP priority at-risk old forest or within First Nation proposed deferral areas. Any changes to the protected status of these areas resulting from the work of the TAP will be accounted for outside of the postponement decision process in subsequent timber supply reviews for the Soo TSA, or the AAC may be adjusted in the interim by *Chief Forester’s Order*.

Harvest performance over the period from 2011 to 2021, has averaged approximately 75 percent of the AAC. It is recognized that the harvest performance in the Soo TSA is significantly influenced by land base pressures resulting from First Nations community and cultural influences, recreation and tourism.

From 2017 to 2021, an average of 26 percent of the harvested cutblocks were within the 40- to 60-year-old age class. As the protection of at risk old growth forests remains a priority, harvesting will continue to shift to second-growth stands. The Young Stand Monitoring (YSM) program maintained by Forest Analysis and Inventory Branch (FAIB) is critical in monitoring the forest health and for assessing the volumes for these stands. As noted under ‘**Implementation**’, I expect FAIB to continue with monitoring and reporting on YSM to evaluate whether young stands will meet future timber supply expectations.

I am aware that helicopter logging harvest performance on average has been proportionately lower than the profile assumed to be available in the 2011 timber supply analysis. Similarly, the 2022 Soo TSA *Provincial Timber Management Goals, Objectives, and Targets Report* indicates that timber harvesting is being focused on a higher proportion of slopes between 0 to 50 percent and avoiding slopes 51 percent and greater compared with the slope profile within the TSA.

This may be hindering licensees' ability to consistently harvest the full AAC. Therefore, as noted under '**Implementation**', I expect Ministry staff to work with licence holders and BCTS to annually review their harvest performance and the *Provincial Timber Management Goals, Objectives, and Targets Report* for the Soo TSA. If concerns are raised, I will consider implementing an AAC partition in the next determination. I also recommend a review of the operability mapping for the next TSR.

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 Soo TSA overlaps with the asserted traditional territories of the following First Nations: Lil'wat Nation, N'Quatqua, Samahquam, Skatin Nation, Squamish Nation, Tsleil-Waututh Nation, and Xa'xtsa First Nation. Additional First Nations with periphery territory overlap with the Soo TSA include: Boston Bar First Nation, Kwantlen First Nation, Matsqui First Nation, Musqueam Indian Band, Nlaka'pamux Nation Tribal Council, Seabird Island Band, Shishalh First Nation, Stó:lō Nation Tribal Council, Sts'ailes First Nation, and T'it'q'et First Nation.

In September of 2019 letters announcing the initiation of the next TSR for the Soo TSA were sent to First Nations whose traditional territories overlap with the Soo TSA. After initiation letters were sent, a risk assessment was conducted which concluded that an AAC postponement could be pursued. Consultation with First Nations on the proposed postponement was carried out by the Sea to Sky Natural Resource District office in Squamish. On January 24, 2023, engagement letters were sent to all potentially affected First Nations requesting feedback on Aboriginal Interests that may be affected by the *Forest Act* Section 8 (3.1) postponement.

I would like to thank the People of the River Referral Office and the Tsleil-Waututh Nation for their participation in this process. In 2019 the People of the River Referral Office requested that the Fraser TSA cultural features inventory be incorporated into the Soo TSA TSR. District staff determined there was only one cultural feature that overlapped with the Soo TSA. The feature is in the subalpine where timber harvesting will not be conducted. In addition, the cultural features inventory will be reviewed for updates and included in the next Soo TSR process. In January of 2023 the People of the River Referral Office responded that they had no concerns and were deferring the postponement referral to local First Nations communities.

In 2019, the Tsleil-Waututh Nation requested that the objectives and policies from their Integrated Stewardship Plan for the Indian River Watershed be considered in the Soo TSR process. The long-standing cabinet mandate to complete an integrated stewardship plan in the Indian River Watershed was resolved in 2022, with the approval of the partnership agreement. I note that although approved, there is currently no associated ministerial order establishing new objectives for the watershed that would currently inform timber supply impacts. Reductions to

the THLB within the Indian River Watershed are anticipated in the future and will be accounted for in the next TSR.

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

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 368 276 cubic metres is consistent with and supports sustainable forest management, with no appreciable impact to long-term timber supply. While my review indicates changes in the land base that result in a small overestimate in timber supply, I conclude that the growing stock remains stable, and the current harvest performance can be sustainably maintained.

Therefore, under my authority as outlined in Section 8 (3.1) of the *Forest Act*, I hereby postpone the next AAC determination for the Soo TSA to a date on or before May 12, 2026, which is 15 years after the effective date of the last determination. If additional new information becomes available and/or significant changes in forest management occur that may have a significant effect on timber supply, I am prepared to revisit the Soo 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 and licensees to undertake the following tasks:

1. *Young Stand Monitoring* – I expect the Forest Analysis and Inventory Branch to utilize YSM plots within the Soo TSA to evaluate whether young stands are meeting future timber supply projections.
2. *Steep Slope Harvest Performance* – I expect licensees to manage and utilize the entire available timber profile in the Soo TSA in a manner that is consistent with the May 12, 2011, AAC determination and the established *Provincial Timber Management Goals, Objectives, and Targets Report* for the Soo TSA.

It is my expectation that instructions included in the *Soo Timber Supply Area Rationale for Allowable Annual Cut* (Effective May 12, 2011) will also continue to be implemented.



Albert Nussbaum, RPF
Deputy Chief Forester

April 20, 2023

