

First Nation Woodland Licence Management Plan Handbook



**Ministry of Forests, Lands
and Natural Resource Operations**

Forest Tenures Branch
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This handbook provides First Nation Woodland Licence (FNWL) holders and Ministry of Forests, Lands and Natural Resource Operations (FLNR) staff assistance on preparing and reviewing FNWL management plans.

Section 8(7)(b) of the *Forest Act* requires the Minister (or delegate) to determine an AAC for a FNWL consistent with the FNWL. Section 43.55 (f) requires the holder to submit a Management Plan for the approval of the Minister prior to the issuance of the FNWL. These two sections of the *Forest Act* are currently delegated to the Regional Executive Director.

The primary purpose of the FNWL management plans (MP) is to provide an annual allowable cut (AAC) for the FNWL area. The MP must be prepared and the content consistent with the requirements as outlined in the licence document which can be found here:

<https://www.for.gov.bc.ca/hth/timber-tenures/templates-files.htm>

Proposing an Allowable Annual Cut

All management plans must propose an AAC for timber to be harvested from the Crown land (Schedule “B”) portion of the FNWL area and for any private land (Schedule “A”) included in the FNWL. The agreement holder should provide a supporting rationale for the proposed AAC which reflects current and intended practices plus any commitments in the Management Plan.

In proposing an allowable annual cut the FNWL holder should consider:

- a) inventories and other information regarding the development, management and use of the FNWL that the delegated decision maker (DDM) requires to determine the AAC
- b) any existing inventories and information regarding the development, management and use of the FNWL area to determine the rate of harvest of botanical forest products as listed in the FNWL licence document
- c) timber specifications proposed for the timber resource
- d) reductions that are necessary to facilitate the management and conservation of non-timber resources in the FNWL including:
 - i. visual quality
 - ii. biological diversity
 - iii. soils
 - iv. recreation resources
 - v. cultural heritage resources
 - vi. range land
 - vii. wildlife
 - viii. water and fish habitats
- e) silviculture practices and forest health factors that may impact timber production
- f) anticipated impact of reductions due to permanent roads, landings and trails
- g) Any other factors that may impact on the AAC.
- h) Provide a rationale for the AAC based on the above factors and any directions from the District Manager

It is suggested that licensees should review the timber supply review (TSR) that is relevant for the timber supply area (TSA) specific to their FNWL: www.for.gov.bc.ca/hth/aactsa . The Data Package for each TSR outlines the assumptions that FLNR used to complete the analysis for the larger management unit. This is a peer reviewed document which indicates current practice of how

the TSA is managed and may provide valuable information regarding the potential management regimes for the FNWL. It will include netdowns to the land base, silviculture assumptions, genetic gain and resource management emphasis assumptions for the constraints. If you are not familiar within which TSA a FNWL is located please contact district staff. Forest Analysis and Inventory Branch staff may be available for specific queries.

A licensee may submit a Management Plan amendment to propose a new AAC based on new or additional inventory or other information which was not considered in the initial AAC determination for the licence at any time. For example, if there is a mountain pine beetle infestation, serious blowdown event or wildfire on the FNWL the licensee can propose an increased AAC to salvage the dead, damaged or dying timber. It is recommended that FNWL holders seek advice from forest professionals who have expertise in timber supply modeling before requesting a new AAC in changed circumstances.

Management Plan Content Requirements

The Management Plan must also include management objectives regarding the harvest and management of botanical forest products if they are described in the FNWL agreement document. Botanical forest products are currently unregulated and even if included in the Management Plan this does not provide the First Nation the rights to exclusive use.

The Management Plan will also need to include information regarding the measures that will be taken to consult with persons using the FNWL area for purposes other than timber production and harvesting of prescribed products, including; trappers, guide outfitters, range tenure holders and any other Agreement resource users, the local government and community groups.

It is recommended that the licensee meet with Natural Resource District staff early in the planning process to determine the level of engagement that may be required based on specific circumstances. FLNR will conduct an assessment of First Nations interests and undertake First Nations consultation before the approval of FNWL management plans.

Other

In most cases, the management plan will not have an expiry date and will remain in effect until the licensee submits an amendment to the management plan or the RED requires the submission of a new management plan to revise the allowable annual cut (AAC). Existing management plans may have an expiry date, for example, where the licensee committed to completing an inventory by a specified time which will result in the submission of a new management plan and the determination of new AAC for the FNWL.

In accordance with the requirements of the *Forester's Act* planning documents such as the Management Plan must be signed and sealed by a Registered Professional Forester (RPF). The Management Plan must also be signed by a person authorised by the licensee to sign the plan on their behalf.

APPENDIX - FNWL Management Plan Checklist (for proponents and government reviewers)

| | | Yes | No | N/A | Comments |
|-------|---|-----|----|-----|----------|
| 43.55 | Forest Act Requirements | | | | |
| (f) | Meets license requirements | | | | |
| | Licence Document | | | | |
| 6.02 | A proposed Management Plan must: | | | | |
| (a) | be prepared in accordance with any direction of the RED/DM | | | | |
| (b) | be consistent with the licence, legislation and any higher level plans approved under FRPA | | | | |
| (b) | Consistent with commitments in the licences or Agreements to be surrendered under Forest Act 43.54 | | | | |
| (c) | Include timber inventories and inventories for botanical forest products listed in Schedule C of the licence | | | | |
| (d) | Include other information and inventories required by the DM in order to determine an AAC and rate of harvest for botanical forest products | | | | |
| (e) | propose an AAC for timber and NTFP rate of harvest considering: | | | | |
| (i) | timber inventory and other applicable information as outlined above | | | | |
| (ii) | timber harvest specifications | | | | |
| (iii) | Management and conservation of non-timber resource values: | | | | |
| | visual quality | | | | |
| | biological diversity | | | | |
| | soils | | | | |

| | | | | | |
|-------|---|--|--|--|--|
| | recreation resources | | | | |
| | Cultural heritage resources | | | | |
| | range land | | | | |
| | wildlife | | | | |
| | water | | | | |
| | fish habitats | | | | |
| (v) | silviculture practices and forest health factors that may impact on timber production | | | | |
| (vi) | future impact of reductions to the forest land base due to permanent roads, landings, pits and trails | | | | |
| (vii) | other factors that may impact on AAC for the license area | | | | |
| (f) | Contains a rationale for the proposed AAC | | | | |
| (g) | Management objectives for FNWL regarding harvesting and managing Botanical forest products and the charging of fees | | | | |
| (h) | Must contain measures to identify and consult with persons using the area of the FNWL as follows: | | | | |
| (i) | Trappers, guide outfitters and other users: | | | | |
| (ii) | Aboriginal groups who may be exercising or claiming aboriginal interests or treaty rights | | | | |
| (iii) | Community members. Local governments and government agencies. | | | | |
| | Other | | | | |
| | Signatures – RPF and Licensee | | | | |
| | Map | | | | |

Comments:

APPENDIX 2 – Timber Supply Review

* The following information is provided as general guidance when completing a TSR over the area within the FNWL:

Current Inventory and Silviculture Data

Current inventory and silviculture data are required to estimate the growth potential from your existing forest. The model requires timber inventory and some silviculture information for all forest polygons in the licence area. Most of this information is available from older, discontinued forest cover maps or the newer Vegetation Resource Inventory (VRI) maps. In some areas of the province, Terrestrial Ecosystem maps (TEM) may also be available. Information may also be available from the Reporting Silviculture Updates and Land Status Tracking Program (RESULTS) or from the holder's own records. Contact your local natural resource district office to determine the process to obtain the best information available.

Future Management and Silviculture Assumptions

Future management assumptions are required to determine how your forest will be managed, grow and be harvested over time. These include:

- * Regeneration delay (clearcut stands only).
- * Utilization level (inventory utilization for trees at dbh).
- * Silviculture system (clearcut vs. partial cut).

Resource Management Constraints

Resource management constraints may apply to your FNWL, and can be accounted for either by netting areas out first, or by applying factors to allow for some timber removal over time, including:

- * height and/or age constraints to be applied against a portion of the FNWL, such as for visual quality or wildlife management;
- * equivalent area net downs where height and age constraints cannot be determined.

Net (Operable) Area

You need to identify the net area that will be available for harvest, referred to as the “net operable area”. To derive the net operable area, you will need to look at the entire community forest and then remove areas that will not be managed for timber production over time. This normally is done as follows.

1. Determine the total area of the FNWL (gross area).
2. Reduce the total area by identifying areas not managed for timber production:
 - * Non-productive areas.
 - * Roads, landings and gravel pits.
 - * Unstable terrain where harvesting will not occur.
 - * Riparian reserves.
 - * Land withdrawals and harvesting restrictions due to objectives set by government.
 - * Archaeological and Cultural Heritage Resources.
 - * Recreation reserve areas.

- * Range management and cultivated areas.
- * Reserves for biodiversity and wildlife (i.e. wildlife tree retention areas, wildlife habitat areas, wildlife habitat features).
- * Water resource needs.
- * Other land withdrawals or self-imposed harvesting restrictions.
- * Other management objectives on areas that will not permit production of commercial timber for future harvest (i.e. utility transmission rights of way).

Where any of the above items can or will be managed by partial cutting over the rotation, consider using a resource constraint, or using the partial cut feature to account for the contribution to timber supplies. While excluded from the Net Area, it is important to model this information as stand attributes may help in meeting other constraint thresholds (i.e. green-up or wildlife habitat characteristics).

The following section describes areas that may exclude part of the licence area, or portions of stands, from harvest:

Non-Productive Areas

Mapable (greater than 0.25 hectare) non-productive areas such as wetlands, lakes or rock outcrops should be removed from the total FNWL area to determine the net operable area.

Roads, Landings and Gravel Pits

An allowance must be deducted from the total area of the FNWL for permanent roads (existing or planned) and any area occupied by permanent landings, gravel pits or trails. The total area of roads (in hectares) can be calculated or another methodology acceptable is a % net down of the operable land base for future and existing roads. This may be useful in situations where the FNWL is not very developed and/or the road system is not fully planned. Consult with District staff to determine an accepted methodology for your area.

Unstable Terrain

Remove areas where harvesting is unlikely to occur due to a high likelihood of landslides. If sensitive soils or coastal gullies are present, the FNWL holder should indicate if the area is not available for harvesting or will be modeled through partial cutting. If sensitive soils or coastal gullies are present, then assumptions on how these will be managed should be stated in the rationale for the proposed AAC.

Riparian Reserves and Riparian Management Zones

Riparian reserve zones are normally excluded from harvesting unless limited harvesting is carried out in a manner that doesn't have a material adverse effect on the riparian reserve zone, harvesting is possible in riparian management. This can be applied as a polygon by polygon net area reduction or by placing a representative % of the land base (non-spatially defined) into Wildlife Tree Retention.

The riparian class of each stream should be based on the best information available. The determination of the riparian class of streams should be based on the definition of "fish stream" in the Forest Planning and Practices Regulation (except in community watersheds where the presence

of fish is not a consideration in determining the riparian class). Where there are no fish inventories to verify the absence of fish, the definition of “fish stream” would conclude that a stream reach with a gradient less than 20 percent, without barriers to fish migration, contains fish. A stream reach above a barrier to fish migration would not be a fish stream if all reaches upstream of the barrier are simultaneously dry at any time during the year, or no perennial fish habitat exists upstream of the barrier. If the riparian class of all streams on forest cover or TRIM maps for the FNWL is not known at the time the management plan is being prepared, make the most logical assumptions about the presence of fish using the definition of “fish stream” without completing fish inventories.

The riparian reserve zones for wetlands should be based on the size of the wetland from field measurements or the forest cover or TRIM maps and the biogeoclimatic subzone.

The licensee may use a riparian reserve zone as a wildlife tree retention area or may create a wildlife tree retention area that includes a portion of a riparian management zone. Riparian reserve zones should be removed from the net operable area when proposing an AAC. In addition to the riparian reserve zones, assumptions need to be stated to account for timber that may be excluded from harvesting in riparian management zones. For example, a percentage of the volume within riparian management zones may be excluded from harvesting.

Objectives Set by Government and Land and Resource Management Plans

Section 1 of the *Forest and Range Practices Act* defines “objectives set by government” which may be established under section 93.4 of the *Land Act*. The *Land Act* also provides for the continuation of objectives for resource management zones, landscape units and sensitive areas that were established under the *Forest Practices Code of British Columbia Act*. Land and Resource Management Plans are plans that have not been formally approved as “objectives set by government” but provide guidance that licensees should consider when preparing a management plan and conducting their operations.

Objectives set by government may restrict harvesting for the protection of such things as:

- * visual quality objectives;
- * wildlife habitat; and
- * recreation sites or trails or interpretive forest sites.

Contact the district office to determine if “objectives set by government” or land resource management plans apply to your FNWL areas and how they may affect harvesting.

Archaeological and Cultural Heritage Resources

If an archaeological overview assessment has identified areas that require archaeological impact assessments or if archaeological impact assessments have been carried out, assumptions must be made on the effect, if any, that archaeological resources will have on the determination of the AAC. If reserve areas must be established or timber volumes must be excluded from harvesting to protect archaeological or cultural heritage resources, the effect on the AAC should be modeled. If the archaeological overview assessment did not identify any areas of significance then this should be stated.

Recreation Management

Identify if any recreation management initiatives will have an impact on the AAC. Also identify, and exclude from the net operable area, any areas within the FNWL that are being permanently excluded from harvesting due to the establishment of a recreation site or trail.

Range Management and Cultivated Areas

If there are any range developments (structures, excavations or constructed livestock trails) which will prevent harvesting of a specific area, remove the area from the net operable licence area. Any areas within a polygon that are cultivated should be removed from the net operable area until such time as the area is sufficiently stocked with trees of a commercially valuable species.

Biodiversity and Wildlife Management

There will need to be netdowns applied for wildlife tree retention, areas with harvesting constraints (i.e. riparian areas), can be used as wildlife tree retention areas providing they support trees that are suitable for wildlife habitat. If wildlife habitat areas, general wildlife measures or ungulate winter range exist on the woodlot licence area, the effect on AAC should be modeled and discussed in the plan. This will also include any Species at Risk planning requirements or recovery plans.

Water Resources

Harvesting operations must be carried out in a manner that protects community and domestic water supply infrastructures. Identify any areas excluded from harvesting due to protection of water intakes and related water supply infrastructures. These restrictions should be reflected in the proposed AAC.

Licensee Management Objectives

Discuss whether the FNWL's management objectives will impact on the net operable area. For example, if areas are currently growing mixed deciduous/coniferous stands, and the deciduous will not be harvested, the timber yield from the areas should be reduced through the exclusion of the deciduous species from the AAC calculation or through the use of an appropriate volume adjustment factor. Pure deciduous stands that will not be utilized should be excluded from the net operable area. Identify where and how management decisions to employ partial cutting will have an impact on AAC and ensure that this management regime is addressed in the calculation of the proposed AAC.

Maps

The district manager may require information to be presented on a map with the management plan. Please contact the local district to determine the mapping requirements and the information to be presented on maps for the DM to review as they consider the management plan for approval.

APPENDIX 3 – A Community Vision

The First Nations Woodland Licence recognizes First Nations' asserted interests in the land and resources, including the protection of traditional use practices, the harvest and management of non-timber forest products, and other benefits. This long-term and area-based tenure will allow First Nations to have an increased role in forest stewardship, to protect traditional uses, to manage forest and land use in the area, and to improve their ability to secure investment and loans.

The following information is NOT a requirement and should not be included in the Management Plan being submitted for approval, however, the following may assist the First Nation community to plan and prepare for the long term management of forest resources.

Goals – Broad, general statements, usually not quantifiable, that express a desired state or process to be achieved.

The FNWL holder may wish to develop a set of specific goals for their unique situation.

Objectives – Concise, time specific statements of measurable planned results that are linked to goals in achieving the desired outcome.

Strategies further define management objectives. This information can effectively be developed as a matrix, to illustrate how the FNWL holder has considered, and summarized the objectives and standards. The matrix will also help avoid overlaps between objectives and strategies.

Strategies – A plan or approach developed to achieve a vision. Includes goals, objectives, indicators and activities.

Further information around the linkages of goals, objectives and strategies in a forest management context are available in the BCCFA Guidebook II located here:

<http://www.bccfa.ca/index.php/what-we-do/publications>

APPENDIX 4 – Sample Management Plan Template

1.0: Introduction

General Information and Location Map

2.0 Annual Allowable Cut

The proposed AAC for the FNWL is (m3/year).

1) The timber supply analysis was carried out by FLNR staff and is deemed to meet the requirements of these sections.

alternatively

2) The timber supply model used to complete the analysis was (software) and the timber supply report is attached.

3.0 Other Management Plan Content Requirements

This management plan has been prepared in accordance with all directions received from the regional manager and district manager and is consistent with the FNWL licence document, the forestry legislation, higher level plans under the *Forest and Range Practices Act*. There were no commitments agreed to by both parties of this agreement.

Botanical Forest Products

At this time there is no intent to harvest, manage or charge fees for prescribed products (botanicals). If, in the future, this changes, prior to any harvest of prescribed products taking place, the management plan will be amended to include inventories, management objectives and a prescribed rate of harvest for prescribed products.

4.0 Consultation and Information Sharing

The following measures will be taken to identify and consult with persons using the agreement area for purposes other than timber production and harvesting of prescribed products.

- (i) Trappers, guide outfitters, range tenure holders and other agreement resource users (water licence etc.)
- (ii) Aboriginal group who may be exercising or claiming to hold aboriginal interest or treaty rights.
- (iii) Community members, local governments and government agencies.

5.0 Plan Signatures

MP requires signature of an authorized officer of the license holder and a RPF sign and seal

Appendix 1

Timber Supply Review and Rationale for AAC

Maps