

Additional Public Input

TFL 44 MP #4

August 2002



Tree Farm License 44 Management Plan #4

Additional input received after the formal Management Plan Review.

1. E-mail from Neil Fatin, dated March 17, 2002
2. P.J. Kofoed response dated April 11, 2002
3. Letter from Lisa Gallic, Tseshah First Nation,
dated March 15, 2002
4. P.J. Kofoed response dated May 27, 2002
5. Letter from Larry Johnson/Paul Sieber
(Huu-ay-aht/Ditidaht First Nations), dated May 31, 2002
6. P.J. Kofoed response dated June 20, 2002

McDonald, Pauline

From: Neil Fatin [fatins@island.net]
Sent: Sunday, March 17, 2002 10:47 AM
To: McDonald, Pauline
Cc: Kofoed, P.J. (Peter); Davis, M.J. (Mike)
Subject: Re: Draft Management Plan #4 for TFL 44

Attention: Mr Peter Kofoed:

Thank you for your response to my email. I wrote to you , taking the opportunity to respond to an advertisement in the newspaper about your information session and request for input on planned logging. I realize that is was not related to the sections referred to. However, I am writing to enquire as to what logging plans are in place for Bald Mountain In Youbou on Lake Cowichan which in my understanding, is owned by Weyerhaeuser.

So far there are two large bald areas on the hillside. I would ask what happened to 'selective logging practices? If your properties are deemed to be recreational - why are the communities not given the opportunity to raise funds and buy the land as a parcel, BEFORE you clearcut and or why are some of

these properties not set aside for parks! One of the major thrusts of B.C.'s economy is Tourism, (Beautiful British Columbia) and one would ask what would encourage tourists to come to the Cowichan when they are faced with nothing but devastation. In addition, the size of the trees that are being clear-cut are so small and have not even reached any level of maturity....are these trees just being pulped.

When you say you are but only one company and own a minimal amount of land in the valley, is it 'gang rape' that is going on. I have seen numerous trucks with Weyhaeuser's name displaced.

My comments in my previous letter still apply to the logging practices of your company and the total lack of sensitivity to wildlife, environment and general public.

I would have thought that North Americans would have learned something having seen what Europe has done in the past with their appallling logging practices..

I would appreciate receiving a response to my questions as soon as possible.

I would also be grateful if you could provide me with the contact name for those representatives representing Timber West. Thank you.

"McDonald, Pauline" wrote:

> Attached is Peter Kofoed's response to your comments pertaining to draft
> Management Plan #4 for TFL 44.
> <<MFatin0202.doc>>
> Pauline McDonald
> Nanaimo Woodlands





65 Front Street
Nanaimo, BC V9R 5H9
Telephone: (250) 755-3500
Facsimile: (250) 755-3540

April 11, 2002

Maureen Fatin
e-mail address: fatins@island.net

Dear Ms. Fatin:

Thank you for your e-mail of March 17, 2002. The following is in response to your questions.

Weyerhaeuser owns approximately 90 ha (222 ac) of forest land on Bald Mountain. Harvest plans are to log again in approximately five years.

We use an approach to silvicultural systems and forest harvesting in which structural elements of the existing stand are retained throughout a harvested area for at least the next rotation in order to achieve specific management objectives. The approach utilizes a wide spectrum of retention with varying amounts, types and spatial patterns of living and dead trees.

We currently consider our holdings near Bald Mountain/Marble Bay as long-term forest land and will quickly establish a third growth of trees on the site. For your information, the unit just harvested was last logged in the 20s and was 80 years old. The logs were primarily processed into lumber and veneer. Chips for pulp production are only a by-product from the wood residues produced in sawmilling.

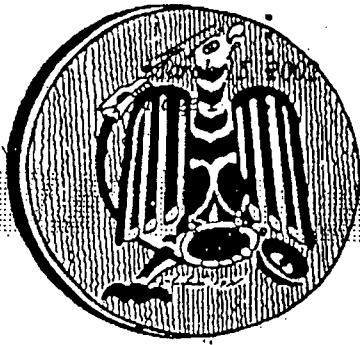
Our South Island Operation is responsible for management of Weyerhaeuser's forest lands in the Lake Cowichan area. I have copied our correspondence, including this note, to Bill Holmes of the South Island Operation. Bill is a good contact for information on planning and forest management in your area and can be reached at 250-245-6330.

I suggest you contact Steve Lorimer of TimberWest at their offices in Nanaimo for information about their plans around Lake Cowichan. He can be reached at 250-729-3727.

Yours truly,

P.J. (Peter) Kofoed
Planning Forester
Weyerhaeuser B.C. Coastal Group

cc: Bill Holmes, Superintendent of Forestry/Engineering, South Island Timberlands



TSESHAHT

PO BOX 1218, PORT ALBERNI, B.C. V9Y 7M1
PHONE 724-1225 FAX 724-4385

March 15, 2002

Peter Koefoed
Planning Forester
Weyerhaeuser BC Coastal Group
65 Front Street Nanaimo, BC
V9R 5H9

Dear Peter:

I would like to respond to your letter dated Feb 28, 2002. My comments regarding TUS information we will decide on rating any areas within our Traditional Territory, we will share on a block to block basis. If you cannot break down 20 year plan operations my request to Wayne was block by block basis.

I also am requesting tours are aerial photographs of before and after. Interfor has taken the time to bring me out to the sites that had been previously logged so I understand different variable retention and visual impacts if any and what they intend to do about it. Weyerhaeuser has not done so, although I have seen the blocks on my own in the Alberni Canal I was not very impressed with the visual aspect of it. In addition, Capacity building there is not much that has been offered as far as training goes? We employ 2 surveyors which work if they are lucky 2 or 5 days in month this is not capacity building. We cannot afford RICC course or the Arch course so we can conduct our own AIA's. We see it as a high priority for us.

We are never involved in the planning of the FDP when it first gets printed other then to review it without any professional personal to what tell you what we think? at what stage? Is it going to matter. I believe that if Weyerhaeuser was interested in working in a honest relationship they would find other avenues for which to ensure opportunity and way to build capacity with Tseshahht First Nation.

There must be alternative measures taken if we are to have good relationship I trust you understand our position. We would also like the information of out of the 8,000 ha within the TFL how much of this was Tseshahht's participation could you break this down for us and send it to me.

Sincerely,

Lisa Gallic

Lands & Resource Officer



65 Front Street
Nanaimo, BC V9R 5H9
Telephone: (250) 755-3500
Facsimile: (250) 755-3540

May 27, 2002

Lisa Gallic
Lands & Resource Officer
Tseshaht First Nation
Post Office Box 1218
Port Alberni, B.C. V9Y 7M1

Dear Lisa:

Re: Comments on Draft Tree Farm Licence (TFL) 44 Management Plan (MP) #4

Thank you for your letter of March 15, 2002. I apologize for the time it has taken to respond to you. It appears that most of the concerns expressed in your letter relate to the Forest Development Plan (FDP) and other operational issues.

Franklin and Sproat operations are responsible for the preparation of the FDP and dealing with all operational issues. The Management Plan is a broader level plan that is strategic in nature. The Twenty-Year Plan shows whether proposed harvest levels can be distributed spatially across the TFL while meeting constraints such as adjacency and visual landscape requirements. The Twenty-Year Plan is not an operational plan; it does not show specifically where we plan to harvest — that is the function of the FDP.

Thank you for your comments regarding the TUS information and its use for rating areas within the Tseshaht Traditional Territory. My understanding is that this information is used during the FDP review and that the Tseshaht recently hosted a session with Franklin and Sproat operational planners on the Tseshaht referral process.

If you are interested in discussing and looking at examples of different management practices, including variable retention, please contact Wayne French at the West Island Timberlands Planning Office (phone [250] 731-2002).

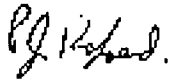
We are interested in improving the review process of the various operational and strategic plans in which we are involved; and in this regard, I encourage you to contact Wayne French to discuss opportunities for improving the process for reviewing FDPs. Copies of our correspondence have been forwarded to Wayne.

Lisa Gallic
May 27, 2002
Page 2

I understand that the locations of areas sampled for CMTs in the Tseshaht Traditional Territory have been provided to you. They are included on a set of overlays with the latest FDP.

If you have any questions, please call me at (250) 755-3450.

Yours truly,



P.J. (Peter) Kofoed
Planning Forester
Weyerhaeuser
B.C. Coastal Group

cc: Wayne French, Forest Development Planner, West Island Timberlands
Mike Davis, Forest Development Plan Team Leader, West Island Timberlands

**Huu-ay-aht First Nation**

Box 70, Bamfield,
BC, V0R 1B0
Phone: 250.728.3414
Facsimile: 250.728.1222
Toll Free: 1.888.644.4445

Ditidaht First Nation

Box 340
Port Alberni, BC
V9Y 7M8
Phone: 250.745-3310
Facsimile: 250.745-3320

May 31, 2002

Via Fax (250) 755-3540

Weyerhaeuser Company Ltd.
BC Coastal Group
65 Front Street
Nanaimo, BC
V9R 5H9

Attention: Peter Kofoed

Re: Comments Regarding Draft Management Plan #4 for TFL #44
2003 to 2007 (September 2001)

Dear Peter Kofoed,

Thank you for the electronic copy of the Weyerhaeuser Company Ltd. Draft Management Plan (MP) #4 for Tree Farm License (TFL) #44, dated September 2001. We understand Draft MP#4 defines Weyerhaeuser's objectives and management strategies for TFL #44 for the period of 2003-2007.

We recognise a significant amount of time and energy has been invested by Weyerhaeuser to develop Draft MP #4 as it consists of well over 600 pages of information including a series of associated maps. Although it is not specifically expressed in the Draft MP#4, Weyerhaeuser has requested our formal comments to be submitted by May 31, 2002.

Please be advised that we have been requested by our respective Chiefs and Councillors to provide you with our joint, yet non-exhaustive, comments regarding Draft MP #4.

We are aware TFL 44 covers a reported 320,000ha of which 152,682ha are reported to be in the Alberni East Working Circle. HUU-ay-aht First Nation (HFN) Traditional Territory extends over 79,505ha while Ditidaht First Nation (DFN) Traditional Territory extends over 67,591ha of the TFL. Collectively these areas account for as much as 46% of the total TFL landbase, excluding territorial overlap(s), or more than 96% of the Alberni East

Working Circle. Based on these figures it is clear that we remain significant stakeholders in the Alberni East Working Circle. As such, we expect that our management concerns and interests will be reviewed, considered and accommodated during all stages of Weyerhaeuser's management planning processes and associated activities within TFL 44, and specifically within Alberni East and our respective Traditional Territories.

On December 15, 2001 we provided you with a letter outlining our preliminary comments regarding MP#4. In our letter we requested, among other things, that Weyerhaeuser provide us with the following information for review:

1. A complete management plan;
2. A copy of the Timber Supply Analysis (TSA) and all related base option results and respective AAC recommendation(s);
3. A copy of the operability and Twenty Year Plan (TYP) harvest blocks; and,
4. A response to our December 15, 2002 submission.

We further requested that once these aforementioned documents are received that we be extended an additional 60-day period to meaningfully review and comment on these reports on a fully informed basis.

As of May 31, 2002 we have only received a letter from Weyerhaeuser (dated March 5, 2002) that primarily summarizes your understanding of the consultations that have occurred to March 5, 2002 regarding Draft MP#4. We thank you for this letter, however we note that items 1 through 3 listed above remain outstanding.

Discussions with Peter Kofoed on May 30, 2002 revealed the TSA, including base case results, may be available at end of June, 2002 while the TYP may be available by the third week of June, 2002. Until such time as we receive this information we cannot review and comment on MP#4 in a meaningful and fully informed manner. Therefore, we must again request that until such information is received and we are provided with an appropriate review and comment period, the MOF must not consider MP#4 for approval nor should any AAC determination be made with respect to TFL 44. Specifically, we request that Weyerhaeuser and the MOF provide us 60 additional days to review these documents commencing the date the last document is received by our respective First Nations.

We remind Weyerhaeuser and the MOP the approval of MP#4, or the establishment of an AAC determination by the MOF at this time, may contravene the existing MOU and IMEA of the DFN and HFN respectively.

For more than a decade our First Nations have, and continue to, express the significant importance of cultural heritage resources, archaeological sites and traditional use sites. On numerous occasions we have requested these features be recognised as an additional constraint on the timber harvesting landbase and these values be appropriately accounted for in the TSA and respective AAC determination.

Referring to the *Tree Farm Licence 44 Rational for Allowable Annual Cut (AAC) Determination, January 1, 1998*, we note Chief Forester Larry Pedersen's comments as follows:

Sites of archaeological or traditional use are located throughout TFL 44, and small areas within the TFL have been reserved, primarily around CMTs. Archaeological Impact Assessments (AIAs) are ongoing on many areas of the TFL to assist in operational planning. In addition, I am also aware that some First Nations are undertaking detailed Traditional Use Studies (TUS) within their traditional territories. However, no specific accounting for these areas was included in the licensee's timber supply analysis. (page 40)

We contend this accounting must be appropriately represented in the TSA and valued as a constraint on the THLB so as to be meaningfully accounted for in all management planning processes, and specifically AAC determinations.

Chief Forester Larry Pedersen continues as follows:

...The licensee's consulting archaeologist found that out of 87 blocks surveyed in 1996, 53 blocks (60 percent) had potential to contain CMTs or archaeological sites. Of these, it was determined that 38 percent did contain sites. The archaeologist suggested that on average, 15 percent of a block would need to be reserved to protect these resources. This information suggested that 3.4 percent of the old-growth area-or 1231 hectares - would be reserved for archaeological sites or CMTs in Alberni East. (page 41)

Based on the above information it is clear that culturally sensitive sites, traditional use sites and archaeological sites have not been adequately represented in the TSA. As such we are requesting that Weyerhaeuser establish a minimum of a 3.5% netdown for archaeological sites, an additional 3.5% netdown for traditional use sites and a final 3.5% netdown for all culturally sensitive sites throughout our Traditional Territories.

Referring to MP#4, Section 4.5 - Cultural Heritage Resources, we note your text to state:

The objective is to identify and manage known sites of historic and cultural significance and to account for these sites in strategic analysis.

Strategies include:

Reviewing available inventories and operational information, by December 31, 2004, to update and refine where possible the accounting for cultural heritage sites in the MP #5 analysis.

Where as Draft MP#4 section 8.10 – Cultural Heritage Resources, states:

Inventories of cultural heritage resources will be added to during MP#4.

Referring to the *Tree Farm Licence 44 Rational for Allowable Annual Cut (AAC) Determination, January 1, 1998*, we note Chief Forester Larry Pedersen's comments as follows:

Cultural heritage resources: The base case included no explicit accounting for CMTs or other archaeological sites. As I have noted, there are likely to be timber supply impacts from protecting areas around CMTs and other archaeological sites, which would reduce the timber supply projected in the base case for the short, medium and possibly long terms by up to an estimated 1.5 percent. In some instances these sites may overlap with wildlife tree patches and riparian management zones, reducing to some extent there associated impacts on timber supply. (As noted, as inventories are completed a better accounting of land base impacts will be available for consideration in future AAC determinations.)
(page 70)

In the period following this determination and leading to the subsequent determination I expect the licensee to perform the following:

- Complete inventory and develop management prescriptions for cultural heritage resources to assess impacts on the landbase and the degree to which these resources are located within other constrained areas (e.g. wildlife tree patches). (page 76)

In view of your MP#4 references to cultural heritage resources (quoted above) it is clear Weyerhaeuser has failed to adequately meet the expectations of the Chief Forester's implementation requirements set out on page 76 of his 1998, TFL 44 AAC determination. We note the appropriate accounting for cultural heritage resources, traditional use sites and archaeological sites has not been completed as of the date of Draft MP#4. Therefore, as it has not been presented in this Draft MP#4 it cannot be meaningfully accounted for in the strategic analysis at this time.

We understand this information was to be completed during the five-year term of MP#3 for inclusion into MP#4. We therefore consider your strategies set out in MP#4, sections 4.5 and 8.10 - Cultural Heritage Resources, to be inadequate as they defer completing the implementation requirements set out by the Chief Forester for an additional 5 year period.

We request that until this implementation requirement is completed and our respective First Nations have had an adequate opportunity to review and comment on the findings, that either MP#4 be deferred from consideration by the MOF in regards to any formal

approval(s) including AAC determinations, or the AAC determination not exceed the estimated long-term sustainable harvest level of 1,489,000m³ as reported in Draft MP#4.

Our review of Draft MP#4 page iii, recognises the following:

Timber resource management strategies are directed towards achieving a sustainable production of wood and fibre and maintaining or enhancing the productivity of the forest. This includes:

Bullet #3 – A continuation of the MP#3 harvest strategy for second growth...that includes more flexibility than in the past for harvesting stands at different ages. This contributes to meeting varied management objectives and assists in achieving a gradual transition to long-term harvest levels.

Bullet #4 – A strategy of gradually adjusting harvest levels towards the estimated long-term harvest level. An Information Package has been submitted to Timber Supply Branch and a Timber Supply Analysis is scheduled for submission by February 28, 2002.

As of May 31, 2002 the Timber Supply Analysis was not available for review and comment. As such there is no opportunity to ensure this supporting document is intended to effectively adjust harvest quotas towards the estimated long-term harvest level.

We note that Draft MP#4 (September 2001 version) suggests the sustainable long-term harvest level is 1,489,000m³/yr. We recognise the current harvest level is 1,790,000m³/yr. It is apparent Weyerhaeuser has and continues to harvest in excess of the sustainable long-term harvest level based on direction received from the Chief Forester. This is a serious concern to our respective First Nations as over harvesting has, and will continue to have, lasting detrimental impacts on our respective Traditional Territories and resources. Based on the limited and incomplete information provided to us as of May 31, 2002, we formally request Weyerhaeuser recommends to the Chief Forester an AAC of no more than 1,489,000m³.

We recognise further shortcomings of Draft MP#4 in Part IV – Paper Atlas of Overview Maps. Specifically this section states the following:

Operability and Twenty-year Plan Harvest Blocks (not yet available)

As previously noted the operability and TYP harvest blocks are not available for concurrent review with Draft MP#4. These documents are required for concurrent review to fully comprehend the nature and extent to which Draft MP#4 may affect our resource management interests in our respective Traditional Territories. Please forward these documents to us immediately upon completion for our review and comment. Once

these documents have been received we are committed to providing you with our comments within 60 days from the date the last submission is received by our First Nations.

We recognise Weyerhaeuser has stated:

"MP#4 defines our objectives and management strategies for the five year period January 01, 2003 to December 31, 2007. It provides a strategic framework for operational planning and a connection to higher level plans". (MP#4 page 2).

In regard to section 4.3 - Community and Stakeholder Involvement, it states:

The objective is to provide ready access for public input and stakeholder involvement in our management process.

Strategies include:

Public review of operational plans (Forest Development Plans) and Management Plans. Local and other involved public interest groups, local governments, First Nations and interested individuals are identified and advised of opportunities for input to the various planning processes.

Lastly, we note Weyerhaeuser also commits to the following:

"MP#4 builds on almost 50 years of management and demonstrates Weyerhaeuser's continuing commitment to manage the forests of TFL 44 in accordance with the current expectations of the people of British Columbia." (MP #4 page 3)

Based on these three statements it is recognized and understood that our concerns and interests regarding management objectives, strategies and operations will be recognised, considered and accommodated in MP#4 and all supporting planning processes, documentation and respective operations.

With regard to Draft MP#4, section 4.2 - Economic Sustainability, we quote the following:

Sustaining these benefits depends on:

Managing for a sustained flow of timber supply over time. This is addressed in the management plan process by:

- *The Timber Supply Analysis (refer to section 6.1.1 – Analysis and Allowable Cut and the Information Package – Appendix I) (page 12)*

Reviewing section 6.1.1 - Analysis and Allowable Cut, it is clear the TSA is currently incomplete. Therefore, the TSA cannot be reviewed in conjunction with this MP and we request that until such time as we have realized a meaningful opportunity to review the TSA, Draft MP#4 be deferred from MOF consideration.

MP#4 section 6.1.1.1 - Analysis Procedure, states the following:

The major portion of the TFL 44, the Alberni East and Alberni West Working Circles, will be analyzed and reported on as a single unit. (page 28)

We request the Alberni East and West Working Circles be reported as separate units so as to provide us with a clearer understanding of the harvest implications on our Traditional Territory. We believe this request is consistent with HFN's IMEA and DFN's MOU.

MP#4 section 6.1.1.1 - Analysis Procedure, further states:

The Base option is central to the analysis. It models current forest management guidelines and practices. This includes estimates of net-downs for sensitive sites (unstable soils and riparian areas), inoperable areas and areas reserved for non-timber values (e.g. wildlife and recreation). It also includes a portrayal of current management practices for landscape biodiversity, visual landscape and community watersheds as well as current inventory estimates and standard practices for forest management and for projecting future yields. The base option in this analysis includes the Forest Project, incorporating draft stewardship zones as a basis for assumptions on timber supply impacts of variable retention. (page 28)

The base case must account for culturally sensitive areas, traditional use sites, archaeological sites and cultural heritage resources. These are significant resources that are not currently accounted for in the base case and must be assigned appropriate THLB netdowns so as to be meaningfully recognized in the base case.

For that past decade DFN and HFN have informed Weyerhaeuser of the cultural sensitivity of specific landscape units within our Traditional Territories, which are equally important to resources that are accounted for in the base case (e.g. sensitive soils, wildlife etc.). Additional cultural constraints must play a significant role in determining the base case if they are to be truly and accurately reflected in the TSA.

We note Weyerhaeuser states the following:

In the TSA, the base option harvest schedule is a "base" against which the harvest schedules for all other options are compared. The base option assumptions also form the basis for the Twenty-year Plan. (page 28)

Failing to recognise cultural constraints/sensitivity in the base case creates a false planning scenario. Cultural constraints/sensitivities must be recognised as a primary planning consideration at all planning levels including FDPs, MPs, TSAs and TYPs. Again we request Weyerhaeuser establish a minimum of a 3.5% netdown for archaeological sites, an additional 3.5% netdown for traditional use sites and a final 3.5% netdown for all culturally sensitive sites throughout our Traditional Territories.

We note that a description of variance from the base option tests the exclusion of 3 First Nations interest areas. The findings of this particular analysis will provide us with a much clearer understanding as to the significance of First Nations interest areas on the TSA and respective AAC potential. First Nations interest areas constitute a significant component of the TFL and the variance associated with these areas will likely have profound implications on the AAC for the TFL. It is for this reason that we require the analysis results for review prior to a formal AAC determination by the Chief Forester.

MP#4 section 6.1.1.2 – Results, indicates:

The results will not be available until after completion of the analysis in March 2002.

Again, Peter Kofoed reported that this information is not expected to be complete until the end of June.

MP#4 section 6.1.1.3 - Allowable Annual Cut Recommendations, indicates:

AAC recommendations will be included in the analysis report, scheduled for submission by February 28, 2002.

We point out that there is an unusual discrepancy between the timing of the results and the timing of the AAC recommendations. Based on the dates quoted above we are uncertain as to how any AAC recommendations can be presented in February 2002, in advance of finalising the results which are scheduled for completion by March 2002. This raises our concerns as to how this can be logically rationalized and we request that you clarify this for us immediately.

Section 6.1.1.4 - Allocation of the AAC, has not been updated to reflect Weyerhaeuser's recommended AAC for Draft MP#4. We request a copy of this information for review and comment prior to submission to the Chief Forester for consideration.

A review of Draft MP#4 section 6.1.2.4 - Second-Growth Harvest Strategy, reveals that:

The second-growth harvest strategy introduced in MP#3 will be continued in MP#4. (page 33)

When this statement is compared to the proposed minimum harvest age guidelines (MP#4, page 34) it is clear Weyerhaeuser is proposing extremely low second growth entry ages (40 to 70 years) while some harvest ages may be reduced 35 years. We contend it is unlikely the harvesting of these age classes will produce mature or quality timber. Furthermore, reducing the entry ages to these targets have profound implications on the projected AAC. Specifically, these reductions will significantly increase the potential AAC, as it will project a greater volume of harvestable second growth timber. Therefore, we reject these proposed minimum harvest age guidelines and request that they be increased by a minimum of 40 additional years for each site index range.

When compared to the Information Package section 10.5.4 - Harvest Rules, we note the following:

The transition to second growth harvest, approximately 20% of the TFL 44 harvest in 1999 and 2000, was second-growth. The current Forest Development Plan (FDPs) indicate approximately 15% of the harvest will come from second-growth. Second-growth harvest in the Base Case option will commence at between 10% and 20% of the harvest volume and will gradually increase over time until the transition to second-growth harvest is largely complete (small volumes of old-growth harvest may continue because of the scheduling impacts of cover class constraints). (page 46)

It is clear the intent of reducing the second growth harvest ages to the levels proposed in Draft MP#4 is intended to increase Weyerhaeuser's AAC so as to access an increased volume of old-growth in the short to mid-term. This approach indicates a reduced second-growth harvest from 20% in 1999 and 2000, down to the current FDP projection of 15%. We recognise this variance will be attributed to an increased harvesting of old-growth stands in the short and mid-term.

We request Weyerhaeuser immediately increase the volume of second-growth harvested annually to a minimum of 45% of the total AAC. Adopting this rate of second-growth harvest will alleviate some of the pressure on existing old-growth resources. This approach will further ensure Weyerhaeuser incorporates meaningful silviculture strategies and practices that are aimed at increasing the role of second growth in the overall harvest strategy. We note that more than 66% of the THLB within our combined Traditional Territories is currently second growth. As such, this disproportionate age class distribution (second growth versus old-growth) should offer ample opportunities to increase the second-growth harvest rate as a percent of the total AAC.

There is no formal commitment in this MP that specifies what volume of second-growth will be harvested. Rather, this MP defers the volume of harvest to be reported in the annual report. We request that Weyerhaeuser define what volume of second growth they will harvest over the term of this MP so as to ensure that an annual target is proposed and can be monitored for compliance.

We further note that the general silviculture strategy proposed by Weyerhaeuser lacks any meaningful investment in the landbase. This suggests Weyerhaeuser may lack a long-term commitment to managing the forest resources and is emphasized by our interpretation of the following statements:

Section 6.2.2 – General Silviculture Strategy, Wood Quality, specifically states:

We expect the premium for piece size to decrease over time as technical developments continue to reduce the cost advantage of size. Mechanized systems for processing and harvesting (on flatter ground) are increasingly designed for the size and other characteristics of the available resource. In addition, product developments are trending more towards re-engineered structural wood products and extending the use of quality features (e.g. application of thin veneers).

We recognise that technology certainly plays a significant role in the harvesting and processing of timber, however this is by no means any logical or environmentally appropriate approach to managing the resource base. We cannot support this approach and contend this management philosophy compromises the sustainability of all forest resources. This approach must be adjusted accordingly so as to ensure the forests harvested today are replaced with forests of similar characteristics through the careful fostering of old-growth attributes.

Weyerhaeuser's proposed management of second-growth undermines the intent of true 'forest stewardship'. We note their approach continues to shift their responsibility of managing 'forests' for the entire resource profile to managing for 'wood products' of questionable quality. It is clear that Weyerhaeuser's intentions of promoting the sustainability of all 'forest' resources is limited and is primarily focused on high grading old-growth resources in the short and mid-term at the expense of biological diversity and integrity.

We request Weyerhaeuser immediately re-evaluate their approach to second-growth management and meaningfully commit to increasing their investment in second-growth stands so as to promote quality second-growth forests that are rich in biological diversity. This can be accommodated by vigorously enhancing the old-growth attributes in second-growth stands by significantly extending the second-growth rotation period. We propose a minimum second-growth rotation period of 80+ years be implemented across the THLB.

Furthermore, the quoted statement above implies that Weyerhaeuser will not effectively manage for large, quality, knot free cedar logs suitable for First Nations traditional use. Specifically this management approach will ultimately compromise our ability to access quality timber for manufacturing traditional dugout canoes. This is a significant concern to us that cannot be underestimated and we must be adequately assured this right will not be infringed upon by proposed resource management objectives and/or development activities. Sound silviculture practices can assist with meeting our interests particularly when coupled with an increased rotation term of up to 250+ years within select portions of the THLB that we are willing to define in cooperation with Weyerhaeuser.

For the past 5 years our First Nations have lobbied Weyerhaeuser to increase the level of incremental silviculture activities to assist with facilitating quality second-growth forests that are rich in biological diversity while ensuring that our ability to access 'canoe logs' is not compromised in the short, mid or long-term. We note that on page 37 of MP#4 Weyerhaeuser states:

Age class distributions are not a major issue in the medium-term. Spacing and pruning should be directed more towards treatments that provide non-timber benefits (e.g. structural diversity and habitat) as well as timber benefits.

Where page 40 indicates:

Weyerhaeuser maintains an incremental/intensive silviculture program on specific areas harvested, with the goal of adding timber volume and value, other resource values and social benefits to the forest.

These appear to be reasonable approaches to resource stewardship until one examines the actual commitments of Weyerhaeuser in this regard. Notable shortcomings of Weyerhaeuser's incremental silviculture program include:

Pruning increases the volume of clear wood, can reduce the amount of juvenile wood and hence may increase log value. The economic return of pruning is uncertain considering the high costs of the activity, the long investment period and the reliance on a high premium. (page 41)

Vary the scale of and intensity of silviculture treatments considering:

- *Availability of funding. (page 36)*

These statements seriously concern us as there are no assurances that pruning, spacing or any other incremental stand tending activities will occur on crown forests as they are 'subject to available funding'. With the recent decline in silviculture funding available from the province Weyerhaeuser will not likely invest their own capital in the landbase to meet our current and future cedar requirements for cultural purposes. As such there is a

significant onus on the province to ensure that our interests and concerns be accommodated through either:

1. Increasing funding for incremental silviculture activities throughout our Traditional Territories;
2. Ensuring that all of the management concerns and interests we have expressed within this submission be meaningfully accommodated and implemented within the TFL at stages of planning, analysis and subsequent operations;
3. Formally establish adequate old-growth reserves exclusively for First Nations to harvest cedar for cultural purposes;
4. Significantly reducing the AAC; and,
5. Partition the AAC to significantly increase the proportion of second-growth required to be harvested annually;

MP#4 section 6.2.1 - Silviculture Objectives, fails to recognise our social silviculture objectives. First Nations contend that silviculture strategies must be vigorously implemented to ensure that new forests are managed so as not to compromise the biological diversity/integrity of the TFL while ensuring First Nations will have perpetual access to quality cedar, and other resources, for cultural purposes.

We recognise that a number of meetings have recently transpired between our First Nations, Weyerhaeuser and the MOF to examine First Nations access to old-growth cedar issues. The intent of these meetings is to determine appropriate management strategies so as to ensure that First Nations access to these specific resources will not be infringed upon by resource development activities. Through this working group HFN, and to some extent DFN, have tabled a number of strategies that we believe are appropriate for inclusion in to MP#4. There has been mixed responses from both MOF and Weyerhaeuser regarding the integration of our requested strategies, however these strategies must be immediately recognised in MP#4 and include:

1. Providing forest tenures to Hun-ay-aht and Ditidaht;
2. Identifying canoe quality logs during CMT surveys and excluding them from proposed developments;
3. Identifying specific old-growth areas that are suitable for accessing canoe logs over an extended period of time;
4. Implement the recruitment of canoe logs in productive second growth stands so as to ensure First Nations access in the mid to long term (~100-300 years). This can be fostered in areas selected for 250+ year timber rotations;
5. Weyerhaeuser, in conjunction with First Nations, will identify management units of interest to First Nations and develop appropriate management strategies to ensure that second growth is effectively tended to the specific cedar access requirements of our First Nations;
6. Reducing the AAC to the long-term sustainable harvest level;
7. Significantly increase the proportion of second growth harvest levels as a percent of the AAC;

8. Vigorously increase incremental silviculture activities; and
9. Substantially increase the timber harvest rotation period across the THLB.

In regards to Draft MP#4 section 4.4 - First Nations (Economics), it states the following:

Weyerhaeuser will continue the development of long-term business relationships with Aboriginal partners that economically benefit both parties.

Strategies will include:

- *Including First Nations as partners in FRBC Agreements for TFL 44.*

This section of the MP needs to be updated, as FRBC is longer in existence. We request Weyerhaeuser revise this section and identify alternate funds from which they will maintain these economic and social benefits to First Nations in the absence of FRBC.

MP#4 offers little in terms of a solid commitment to maintain roads to a safe and drivable condition for all users. We contend the road maintenance on mainlines servicing our communities is often extremely poor, creating very unsafe driving conditions. We request Weyerhaeuser document in MP#4 a much stronger commitment to ensuring adequate road maintenance so as to provide safe driving conditions for all users.

Improving road maintenance may assist you to meet your commitment to:

...demonstrate Weyerhaeuser's continuing commitment to manage the forests of TFL 44 in accordance with the current expectations of the people of British Columbia." (MP #4 page 3)

We note that in section 5.1 - Water Resources and Habitat Protection you state the following:

Standard Operating Procedures (SOPs) have been developed and are maintained for road construction, maintenance and deactivation.

We note that you make reference to SOPs for road maintenance. If these SOPs are currently guiding your road maintenance operations then we request you revise them accordingly so as to ensure safe driving conditions for all users.

Furthermore, it is unclear how or where your recent statements at the May 27, 2002 Community Affairs Meeting in Bamfield will be documented in this MP. Specifically, Weyerhaeuser announced they will no longer be maintaining mainlines when they are not being used to haul logs.

This announcement has infuriated residents of Anacle and Bamfield and it is locally recognised that reduced road maintenance will undoubtedly compromise economic activity (i.e. tourism and recreation) within our rural communities. This will have a substantial impact on the growth and development of our communities and will significantly increase transportation costs for necessities while inflating our vehicle maintenance requirements. Furthermore, it will also substantially increase the hauling costs for products leaving our communities such as Lumber from Ditidaht Forest Products Ltd.

With this in mind I refer you to your commitments outlined in section 5.5 – Recreation, which states:

The objective is to integrate forest management activities with recreation values.

Weyerhaeuser's strategy is to:

Continue to work with MOF and local residents to develop appropriate prescriptions for public access to specific areas. Issues include road deactivation (environmental risk), road maintenance and safety.

Our rural communities are largely dependent on recreational and tourism activities to stimulate our local economies. Visitors regularly report poor, often severe road conditions, which has an exponential impact on the annual influx of visitors and respective revenues to our communities.

Section 5.3 - Biodiversity states:

The broad objective is to sustain healthy biologically diverse forests.

Strategies include:

Priority is given to establishing OGMAs in non-contributing areas – and the current FENs have been classified as non-contributing for this purpose.

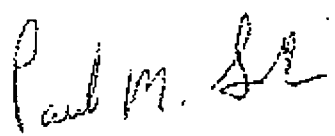
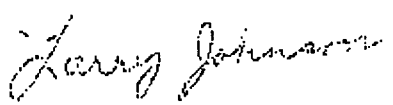
We request MP#4 confirm OGMAs will be established with the intent of preserving the best habitat available within the timber harvesting land base, not on the basis of minimising the constraints to the timber harvesting land base. We further request that the placement of OGMAs be subject to our review and comment before they are formally established.

In regards to fibre supply agreements there are currently no First Nations fibre supply agreements referenced in section 6.1.3 -Fibre Supply Agreements of MP#4. The Ditidaht First Nation seeks to enter into a fibre supply agreement with Weyerhaeuser to support

the operation of Ditidaht Forest Products Ltd. We request that Weyerhaeuser include a commitment in this MP stating that they intend to enter into a meaningful fibre supply agreement with Ditidaht Forest Products Ltd. so as to ensure a viable processing facility.

In closing, we respectfully request Weyerhaeuser and the MOF provide us with a formal written response to our itemized comments and requests specifically identifying how these requests and concerns will be accommodated. Thank you for your time and consideration. If you have any questions or concerns regarding this submission please contact either of the undersigned representatives. Larry Johnson can be reached at (250) 728-3080 and Paul Sieber can be reached at (250) 745-3310. Your timely response to our concerns and requests is appreciated. Thank you.

Sincerely,



Larry Johnson
Forestry Liaison
Huu-ay-aht First Nation

Paul Sieber
Lands and Resources Manager
Ditidaht First Nation

- Cc: Michael Hooper, Weyerhaeuser (fax 250-755-3540)
- Ted Kimoto, Weyerhaeuser (fax 250-755-3540)
- Jack Lavis, Weyerhaeuser (fax 250-720-4252)
- Wayne French, Weyerhaeuser (fax 250-731-2029)
- Larry Pedersen, Ministry of Forests (fax 250-387-1296)
- Ken Collingwood, Ministry of Forests (fax 250-751-7196)
- Cindy Stern, Ministry of Forests (fax 250-731-3010)
- Dan Powell, Ministry of Forests (fax 250-731-3010)
- Sharon Hadway, Ministry of Forests (fax 250-751-7101)
- Chief and Council, Ditidaht First Nation (fax 250-745-3320)
- Chief and Council, Huu-ay-aht First Nation (fax 250-728-3081)
- Heath Krevesky, Huu-ay-aht & Ditidaht Consultant (fax 250-728-3333)



65 Front Street
Nanaimo, BC V9R 5H9
Telephone: (250) 755-3500
Facsimile: (250) 755-3540

June 20, 2002

Larry Johnson
Forestry Liaison
Huu-ay-aht First Nation
Natural Resources Office
P.O. Box 70
Bamfield, BC V0R 1B0

Paul Sieber
Lands and Resources Manager
Ditidaht First Nation
P.O. Box 340
Port Alberni, BC V9Y 7M8

Dear Larry Johnson, Paul Sieber:

Thank you for your letter of May 31, 2002, and comments on the draft Management Plan (MP) #4 for Tree Farm Licence (TFL) 44.

The following discussion responds to many of the comments in your letter. I will be away for one month, starting June 21, 2002, and will respond to your remaining points on my return in late July.

Collectively, the two First Nations' Traditional Territories do extend over a large portion of the Alberni East Working Circle of TFL 44. Our estimates show that the Huu-ay-aht First Nation (HFN) and Ditidaht First Nation (DFN) Traditional Territories extend over 70,020 ha and 67,591 ha, respectively, of TFL 44. Approximately 25,000 ha is overlap between the two traditional territories. If this overlap is excluded, then the resulting 113,000 ha (70,000 plus 68,000 minus 25,000) is 74% of the area of Alberni East and 35% of the area of TFL 44.

Regarding the requests made in your letter of December 15, 2001; as you point out, our letter of March 5, 2002, summarized consultation initiatives that we had made on MP #4 to that date. It also stated that we would receive input on MP #4 for an extended period up until May 31, 2002. A result of this is your letter of May 31, 2002.

Management Plan Process and Schedule (page 2 of letter)

The current management plan process (described in the TFL 44 Licence Agreement) results in submission of the draft Management Plan before the analysis is completed and submitted. Hence, the draft Management Plan #4 was submitted in the Fall of 2001 prior to approval of the Information Package and completion and submission of the analysis.

The Timber Supply Analysis (TSA) and Twenty-Year Plan (TYP) reports were originally scheduled to be submitted earlier this year; however, significant changes occurring in government ministries and in the forest industry have resulted in some delays in the process. The Information Package has been approved and we are currently undertaking the analysis. We expect to submit the TSA and TYP reports by early July. We will provide you with a copy of both reports at that time.

The Management Plan provides for a three-month period for the Ministry of Forests to review the analyses. We understand that the Deputy Chief Forester's determination of the AAC for TFL 44, MP #4, is scheduled for later in 2002. This will provide you with time to review the analyses and provide input before the AAC is determined.

Cultural Heritage Sites (page 2 of letter)

West Island Timberlands has been working closely with First Nations to identify cultural heritage sites (these have mainly been Culturally Modified Trees [CMTs]) as part of the operational planning process.

The Forest Project was announced in 1998. This was after submission of the TFL 44, MP #3, analysis. Variable Retention (VR) has provided additional flexibility to manage for a variety of values, including habitat and cultural heritage sites. Nearly all retained CMTs now occur either in riparian areas or provide anchors for (are included in) Wildlife Tree Patches or retention areas for VR. A data set of recent Franklin operation harvest blocks has been reviewed and an additional net-down of 0.5% of mature timber will be made for CMTs. The following is the description that is included in the revised Information Package (this document will be available with the Timber Supply Analysis report).

Comment from operational foresters is that there is very little, if any, additional net-down because of CMTs. Generally there is flexibility to locate WTPs and retention patches (variable retention) to coincide with CMTs that are to be reserved.

Recent Franklin operation harvest blocks that have been digitally stored in Planner (operational planning software) were queried for blocks with CMTs. A review of the operational plans for these blocks showed that most of the CMTs identified did not result in further net-downs because they were:

- located in WTPs or VR retention patches (these net-downs are allowed for with other net-down factors);
- individual trees that were left and so had minimal impact;
- released for harvest;
- sampled and delivered to First Nations.

It was determined that CMTs in four harvest blocks may have resulted in further net-downs. Most of these were small areas (less than 0.4 ha). The total estimated net-down area of 3.7 ha is less than 0.3% of the estimated harvest area represented by the sample of harvest blocks.

This result has been rounded up to an incremental netdown of 0.5% that will be applied to the mature timber in the base option. The resulting additional net-down area will be approximately 296 ha.

Approach to Developing an AAC Recommendation (page 5 of letter)

I am not sure from where the "estimated long-term sustainable harvest level of 1,489,000 m³ as reported in Draft MP#4" (top of page 5 and elsewhere in your letter) comes. It is not in the draft TFL 44, MP #4. The MP #3 estimate of the Long-Term Harvest Level (LTHL) for TFL 44, excluding Clayoquot, is 1,571,000 m³/year. Also, the current AAC (MP #3) for TFL 44 is 1,766,200 rather than the 1,790,000 m³ reported on page 5 of your letter.

We will be recommending an AAC for MP #4 based on the forthcoming analysis. A gradual transition in harvest levels towards the estimated LTHL is still a major consideration for us. It is, of course, the Deputy Chief Forester who determines the AAC.

Twenty-Year Plan (page 5 of letter)

As previously stated, a copy of the Twenty-Year Plan will be forwarded to you. It is stressed that the Twenty-Year Plan is a strategic plan designed to show whether harvest levels can be spatially achieved while meeting the requirements of the Forest Practices Code and other relevant legislation. It will be a spatial product that will be a series of computer-generated polygons and may not necessarily be the most practical depiction of proposed cutblocks. It is not an operational plan. The Forest Development Plan provides the best indication of future harvest areas.

Comments on Page 6 of Letter

The statements that you refer to on page 6 are Weyerhaeuser's commitment to an open public review process. We recognize the importance of talking to First Nations and the general public in the areas that we operate. Concerns raised in a public forum are considered; and where they cannot be incorporated in the plan, a response explaining why is generally provided.

Geographical Units for Analysis (page 7 of letter)

The analysis was well underway when we received your letter. As described in the Information Package, separate timber supply analyses and twenty-year plans are being prepared for the combined Alberni East and Alberni West Working Circles, the Ucluelet Working Circle and the Clayoquot Working Circle.

Second-Growth Harvest (pages 9/10 of letter)

We expect harvest ages for second-growth to vary considerably from nearly 40 years on some unconstrained high sites to 150 years plus on poor sites and heavily constrained areas. It is expected that most areas will be harvested at ages between 60 and 90 years.

The description of second-growth harvest volumes in section 10.5.4 — Harvest Rules in the Information Package — is confusing and will be changed in the revised version. The intent is not to reduce harvest from second-growth. Rather, the intent was to show that the analysis will model a reasonable transition from old-growth harvest to primarily second-growth harvest in the future. This will include starting with second-growth harvest rates similar to current levels and gradually increasing over time until the transition to second-growth is largely complete.

The spatial distribution and age class distribution of second-growth stands limits the harvest from second-growth in the short term. A large portion of second-growth stands are currently less than 40 years of age (refer to table 7.4 in the Information Package) and are not yet merchantable. If the harvest from second-growth were increased dramatically (as you suggest), then within a few years harvest rates would have to decrease significantly as few older merchantable stands would remain. The current age class structure for TFL 44 includes substantial "mature forest" areas (greater than 125 years of age), relatively little in older second-growth (age 61 to 125 years), and considerable areas less than 60 years of age. This forest structure supports a forest management strategy of a gradual transition from current second-growth harvest levels of 200,000 to 300,000 m³/year to predominately second-growth harvest in 30 years' time.

Cedar (page 12 of the letter)

We are committed to the process of jointly developing strategies to ensure a future supply of cedar for First Nations' traditional and cultural uses. Good progress has been made during the last six months. We have jointly composed a statement declaring Weyerhaeuser's commitment to the process for inclusion in MP #4. Inventory estimates of cedar volumes in reserved (net-down) areas and the timber harvesting landbase have been provided. The First Nations involved in the meetings have provided a description of traditional and cultural uses of cedar, and there has been some discussion of possible strategies for ensuring both short-term and long-term supply.

There needs to be further work to refine our joint estimates of how much cedar with the required characteristics (as compared to the total volume) is available in TFL 44. We need to determine how much of this volume in defined quality classes is in reserved areas and is available over the long-term, and how much is in the operable land-base and may be available over the next 50 years. We also need to better understand the volume of cedar that will likely be needed for traditional and cultural uses over time. With this information we will be better placed to develop appropriate strategies.

It is expected that this process of obtaining better information and developing appropriate strategies will take some time and will not be complete before the submission of the proposed MP #4. As discussed at the Joint Forest Council, the MP #4 strategy is an intermediate step and will be developed as new information is made available. We propose

that we continue with the process and that when we have developed agreed-upon strategies, we will submit them to the Ministry of Forests for approval and amend the Management Plan.

Bamfield Road (page 13 of letter)

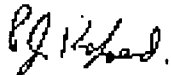
It is my understanding that the issue discussed at the Bamfield Community meeting was specific to the Bamfield Road and the Ministry of Highways (MoH) contract with Weyerhaeuser to provide limited maintenance. The issue of who is to provide road maintenance services to rural communities is a common issue throughout the province and is not unique to Bamfield. Weyerhaeuser understands the importance of good road access to Bamfield but believes it is more a responsibility of the province to provide sufficient funding or to undertake the responsibility directly. Currently, we spend much more than what is received from our contract with the MoH. The presentation in Bamfield was to provide the community with information on the issue and on some of the opportunities that are available. Information was provided on sources of funding that may be available to the community for a road upgrade and on opportunities for someone in the local community to take over all or part of the contract with the MoH for the road maintenance. This issue should not affect Ditidaht Forest Products Ltd. as they do not haul on the section of the road that is under consideration with regard to the road maintenance contract.

Old Growth Management Areas (page 14 of letter)

The Landscape Unit Planning Guide provides direction on the establishment of Old Growth Management Areas (OGMAs). This direction includes a priority for first establishing OGMAs on suitable sites in non-contributing areas. The ideal is to select appropriate sites and have no further impact on timber supply. Some clarification will be added to section 5.3 of Management Plan #4. The Ministry of Sustainable Resource Management is responsible for Landscape Unit Planning, including the establishment of OGMAs. It is suggested that you contact Ministry staff regarding the process and your involvement.

Thank you again for your input. I will complete this response on my return in late July.

Yours truly



P.J. (Peter) Kofoed
Planning Forester
Weyerhaeuser BC Coastal Group

cc: Ken Baker, Deputy Chief Forester, BC Ministry of Forests
Wayne French, Forest Development Planner, West Island Timberlands
Mike Davis, Forest Development Plan Team Leader, West Island Timberlands