

I am grateful that the government is reviewing the Privately Managed Forest Lands Act (PMFLA) and providing opportunity for public input.?? On Vancouver Island, privately managed forest lands comprise around 20% of the land base, impacting drinking water supplies of communities from the south Island up to Comox and Port Alberni, as well as many Class A salmon bearing rivers.?? As a biologist, I am extremely concerned about the forestry activities I observe on these lands.

Over the past 15 years I have witnessed a dramatic increase in the rate of logging the hillsides of south-eastern Vancouver Island. The devastating and wide-spread impact of logging on private lands in south-eastern Vancouver Island is visible from satellite images, and stands in stark contrast to images of crown forests north of Campbell River.???? The rate of liquidation of the mature second growth forests has been alarming.?? Massive clear-cuts adjoin each other with little or no "green up" in between, and the majority of raw logs have been exported - along with the potential for BC jobs.

In the spring of 2016 I witnessed logging right up to the banks on the Englishman River, a class A salmon river in Errington BC. I was shocked to read the Privately Managed Forest Lands Act and learn that there is no required set back to protect the riparian zone of salmon rivers.?? The legislation affords PMFL owners the flexibility to maximize short term economic gain by extracting timber right up to the river???'s edge, as long as a minimum standard is maintained of one single row of trees spaced at 30 trees per 100m along a Class A salmon river.?? That's one tree every 3m!

Another area of great concern is that representatives from the industry serve on the body which oversees complaints regarding compliance.?? This is a conflict of interest and complaints and enforcement should be the responsibility of a government agency.

I have attached a report about the logging of Privately Managed Forest Lands on the Englishman River which summarized community concerns and makes recommendations for changes to the PMFLA.

Please confirm that this email and report will be taken as a submission to the review of the Privately Managed Forest Lands Act.

Thank you
Jessica Snider, BSC

REPORT – TimberWest Harvesting on Block 579 November 27, 2016

Report prepared by Jessica Snider

During the spring of 2016, Regional District of Nanaimo (RDN) residents contacted their government representatives with concerns over clear-cut logging that was occurring directly across the Englishman River from their Errington residences and beside several valued community swimming holes. The logging was occurring on Block 579 of TimberWest's privately owned and managed forest lands, which border the south-east bank of the Englishman river in Area F of the RDN. The drainage basin of the Englishman River watershed includes RDN Electoral Areas C, F and G, and City of Parksville.

On September 15, 2016 a small group of local residents, with representatives from the Arrowsmith Parks and Land Use Council, Arrowsmith Naturalists, Arrowsmith Watersheds Coalition Society, Mid-Vancouver Island Habitat Enhancement Society (MVIHES), RDN water purveyors and MLA Scott Fraser toured this cut-block hosted by TimberWest staff.

OBSERVATIONS:

1. Community Impacts and Concerns

- a. Residents along Englishman River Rd area were impacted by the noise of logging activities, which awoke some earlier than 7am daily, and continued over a period of several months, including some weekends in the late spring of 2016.
- b. Community members expressed anger and distress at the proximity of clear-cuts to the Englishman River adjacent to at least four popular community swimming locations, impacting the visual landscape and the recreational values.
- c. Residents also expressed concern about the impact of this cut-block, and cumulative logging activity in the watershed, on drinking water quality and supply, fisheries values, wildlife habitat, and other ecosystem services that rely on healthy forests.
- d. Local residents had not been informed or consulted by TimberWest about the logging. RDN Area F representative Julian Fell was not aware of any correspondence from TimberWest or RDN staff about this logging in his regional district jurisdiction. City of Parksville Councillor Leanne Salter had received information, but apparently only after logging had begun and citizens had expressed concerns in the media.
- e. MVIHES hosts a twice annual info sharing session for stakeholders in the Englishman River with regards to aquatic habitat restoration (primarily fish), but it was noted that this forum is not adequate for involving the broader community and addressing their concerns about the logging in the watershed.
- f. Subsequent to this tour, on November 4, 2016, TimberWest set fire to wood piles on block 579. The ventilation index was poor and local residents were clouded in thick smoke for three days, causing respiratory distress for several residents with asthma.

2. Compliance and Regulations

- a. Forestry activities on private lands are governed by provincial Private Managed Forest Lands Act (PMFLA), and are overseen by the Managed Forest Council (MFC)
- b. The MFC is comprised of two members appointed by the provincial government, two members elected by Private Managed Forest Landowners and one chair who is jointly appointed by the other four council members. Community members are concerned about the perceived conflict of interest to have industry serve on this governing council.
- c. PMFLA has a complex formula for streamside protection that is difficult for laypeople to understand and watchdog.

- d. The legislation affords PMFL owners the flexibility to maximize short term economic gain by extracting timber right up to the river's edge, as long as a minimum standard is maintained of one single row of trees spaced at 30 trees per 100m along a Class A salmon river.
- e. TimberWest appears to be in compliance with, and for the most part exceeding, Private Managed Forest Land riparian regulations.
- f. The federal Fisheries Act does apply to PMFL, as do several other provincial Acts pertaining to water and wildlife.
- g. The provincial Forest Act that applies to crown lands, which includes visual quality standards and standards for environmental protections, does not apply to PMFL.
- h. The burning of slash wood waste piles is a common practice to reduce the risk of wildfire in compliance with the Wildfire Act. Provincial Open Burning Smoke Control regulation requires the consideration of local venting conditions.
- i. The complexity of the various Acts and regulations pertaining to the issue at hand, and the numerous related jurisdictions and governmental departments, caused a significant barrier to community members who were seeking to access the information needed to advocate for their needs and for environmental protection.
- j. The RDN and city of Parksville have no jurisdiction in any regards over PMFL.
- k. RDN staff could not provide information to residents about who owned the lands that were being logged, and residents had to make a land title request through a realtor.
- l. No community consultation is required by the PMFLA.
- m. On issues like those described above, the community questions the value of forest practices certification.

3. Environmental Stewardship

- a. The Englishman River serves as a source of drinking water for residents of the City of Parksville and feeds the aquifer for wells in Errington.
- b. The watershed also provides critical habitats for many important wildlife species, including the provincially blue-listed Roosevelt elk, bald eagles and all five species of pacific salmon.
- c. In 2002 the Englishman River was named one of BC's top ten most endangered rivers by the BC Rivers Council, and as a "sensitive stream" by the provincial government under the Fish Protection Act.
- d. Privately managed forest lands (PMFL) comprise over 88% of the Englishman River watershed. A network of PMFL extend from Timberwest's Block 579 south to Victoria, west to Port Alberni, and north to Comox, comprising 20% of lands on Vancouver Island and having a significant impact on numerous community watersheds.
- e. Citizens expressed concern over the proximity of the recent TimberWest 70 hectare cut-block to the Englishman river.
- f. At one location visited on the tour, a well worn large animal trail was evident within the 15m buffer of trees left adjacent to the river, highlighting the importance of riparian areas as wildlife corridors.
- g. TimberWest outlined their policy of leaving between 15-45 meters riparian along the river, as measured from highwater mark along the bank's slope (rather than horizontal axis). In many places along the Englishman River banks are very steep, some vertical, and this equation could result in TimberWest leaving no buffer from top of bank.
- h. Concerns were expressed about the cumulative effects of logging practices permitted under the PMFLA with respect to:

- decreased biodiversity and expansive destruction of wildlife and fish habitat,
 - depletion of soils, water quantity and quality, and other vital ecosystem services provided by forest lands,
 - decreased overall forest age and reduced diversity of tree species,
 - lack of standing snags, wildlife trees and coarse woody debris,
 - lack of seed trees for natural regeneration and maintenance of biological and genetic diversity,
 - decreased future forest productivity,
 - decreased production of high quality timber,
 - decreased long-term employment opportunities in the forest industry,
- i. Some of the practices contributing to those concerns are:
- the high rate of logging on PMFL,
 - the size of clear-cuts,
 - the lack of requirements for the forest to mature to a certain age before clear-cutting the adjacent forest (thus decreasing habitat diversity and opportunities for migration and survival of animals from the newly harvested areas),
 - the average age of tree plantations at harvest time is decreasing (cuts are now occurring when forests are as young as 40 years old),
 - the proximity of clear-cut logging to Class A salmon streams, with no minimum undisturbed riparian buffer zone required beyond a single row of trees,
 - slash and burn practices that contribute to air pollution rather than soil production,
 - a high percentage of timber harvested is sold to an export market, rather than to local value-added production, requiring an increased rate of cut for the same economic return

RECOMMENDATIONS:

1. Community Impacts and Concerns

- a. Enhanced communication and consultation with the local community would help TimberWest be aware of, and sensitive to, areas of recreational, cultural and environmental value.
- b. TimberWest could implement a process whereby municipal and regional governments would regularly be advised of their plans and the municipality and region could take responsibility for informing and involving the public.
- c. The RDN, through the Drinking Water and Watershed Protection program, could collect and compile information volunteered by local residents about significant places in our watersheds, and act as a conduit for that information to forestry partners and local municipalities for planning purposes.
- d. RDN's Team WaterSmart, through their outreach at community events and, (starting in 2017), through a new web-based map-interface in partnership with VIU, could record locations / activities / observations of significance in our watersheds such as recreation locations, wildlife sightings, pollution, enhancements etc.
- e. TimberWest could continue to notify the RDN DWWP program (which includes the City of Parksville) in advance of harvesting near urban forestry interfaces to review plans in an ongoing collaborative effort to proactively identify significant areas or potential issues when possible.

- f. All forestry practices in the Mount Arrowsmith Biosphere Region should become a matter of concern for its administrative round table.

2. Compliance and Regulations

- a. PMFLA needs to be greatly strengthened with regards to environmental protections.
- b. Environmental goals can be achieved while also ensuring profitability for business and increased employment opportunities by including requirements for longer rotations and other practices that enhanced long term forest productivity and the production of high quality timber.
- c. PMFL council should be comprised of government staff and/or independent individuals with extensive knowledge of forestry practices, with no representation from PMFL members or suppliers
- d. Regulations should be as stringent as provincial regulations on Crown lands.
- e. The right to self-governance at the community level on issues such as protecting drinking water quality and other essential ecosystem services should not be superceded by provincial legislation.

3. Environmental Stewardship

- a. Citizens need a streamlined process to deal with their questions and address concerns about logging on privately managed forest lands. This could be achieved by a “help line” and a comprehensive toolkit, available online and in print, to help community stewards be aware of all the pertinent regulations and jurisdictions.
- b. PMFLA regulations should adopt best practices from other countries with a goal of prioritizing environmental protection, while maximizing employment opportunities.
- c. Those best practices would include:
 - i. a 60m mandatory “no harvest” reserve zone along rivers and lakes (as per the Northwest Territories),
 - ii. policies for enhancing riparian buffer zones where other wildlife values are present (for example, blue-listed Roosevelt elk corridors would require a 2,000 metre management zone similar to those prescribed in Ontario where Caribou utilize streamside migration corridors.)
 - iii. a minimum harvest age of 100-200 year old stands, (forests of this age produce higher value wood, a greater economic return, and more employment opportunities than the harvest of a 50 year old forest, while providing enhanced ecosystem services and wildlife habitat),
 - iv. a maximum annual allowable cut that is below the annual growth rate of the forest,
 - v. a maximum cut-block size of 40 hectares, with requirement for the cut-block to regenerate to a minimum age of 100 years before an adjacent cut-block is permitted,
 - vi. leaving a maximum amount of woody debris on site to build future soils,
 - vii. a requirement to retain a percentage of forest with old growth characteristics,
 - viii. a movement towards single tree selection and ecoforestry practices as demonstrated by Merv Wilkinson at Wildwood Ecoforest south of Nanaimo
 - ix. public review and input to the PMFL timber harvesting plans, as per regulations for harvesting crown lands.
- d. In addition the provincial, regional and local governments should pursue initiatives that provide incentives to generate more value-added industry here in BC.

TimberWest clear-cut on Block 579 adjacent to a community swimming hole on the Englishman River, which is accessed from Steelhead Place in Errington BC. Forested riparian on the opposite side of the river is part of the Parksville-Qualicum Beach Wildlife Management Area.



Smoke from TimberWest burning of slash wood moving towards a residence on Englishman River rd. Nov. 4, 2016

