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As a conservation organization with on the ground experience working with managed forest landowners to mitigate impacts we bring a unique perspective to the discussion regarding the managed forest program. Through our experience, we've seen that large scale managed forest landowners are capable of good forestry when there is protective standards, adequate oversight, pressure, and long term planning. After nearly four years of attempting to collaborate with large scale private managed forest landowners in the East Kootenay we came to the realization that the program was in need of significant reform.

Since the creation of the Managed Forest Program and the Private Managed Forest Land Act in 2003, large scale private landowners across BC have been subjected to weak regulations which has resulted in poor forest management on large private managed forests across the province. While current regulations may make sense for small landowners who own less than 500 hectares and do not industrially harvest large volumes; they do not make sense for large landowners who own thousands of hectares of land and harvest hundreds of thousands of cubic metres a year. Large scale private land logging can have major impacts on public values like water, wildlife, biodiversity, and culturally significant areas.

In areas like the Elk Valley, the Sunshine Coast, and Southern Vancouver Island much of the landscape is classified as Managed Forest and both people and wildlife are dependent on the health and function of private Managed Forest. Both the scale of harvesting and the amount of land in these areas indicate that the land should be subjected to, at a minimum, the same regulations as crown land harvesting if land is registered as Managed Forest and the area is greater than 500 hectares.

Sustainable Harvest

While Managed Forest harvest makes up a relatively small percentage of the provincial total harvest (7 percent), in areas like the Elk Valley, Vancouver Island and South Coast, private managed forest harvests accounts for a significant portion of the total harvest. More than one third of the total logging this year (January-June) in the Rocky Mountain Forest District has been from private land, of which the vast majority is from Managed Forests (Harvest Billing System 2019). On the BC coast, more than one fifth of the total logging is from Managed Forest land (MFC 2016). With minimal requirements to manage sustainably, short term forest liquidation is what we've experienced on private managed forests in the Kootenay region.

On the southern coast and Vancouver Island, more than one-fifth of total logging is on private Managed Forest land and over half of that wood is being exported as raw logs instead of being processed in BC mills (Harvest Billing System 2019).

Under the current framework, large scale managed forests are managed for short term timber supply which provides little benefit to both wildlife and communities. A provincially set Annually Allowable Cut (AAC) or a clear legally set objective for sustainable harvest on large private managed forests would ensure long term timber supply for communities. This would benefit the public interest while balancing environmental protections.

Retention of Managed Forests

Reinstating the Forests Land Reserve Act (FLRA) could ensure privately managed forests remain forests rather than being sold for urban or non forest development. Maintaining privately managed forests ensures the retention of forestry based jobs in a community as well as forested habitats.

Independent Review

The Managed Forest Council operates independently from government. With two of five of the Private Managed Forest Council members from the industry and the third member jointly appointed by government and industry, the Council is dominated by industry interests. The Council is supposed to be an independent public regulatory and enforcement agency, but the over representation of industry allows for a major conflict of interest and makes the Council an ineffective regulator.

An independent body such as FLNRORD or the BC Forest Practices Board should be responsible for overseeing compliance and enforcement on large-scale managed forest operations.

Local and First Nations Government Authority Processes

The regulatory gaps in the PMFLA impact the territories, economies, and social and cultural rights of Indigenous Nations. Despite these impacts, Indigenous Nations have been excluded from decision making activities under the PMFLA. A renewed framework for private managed forest lands requires collaboration with impacted Indigenous Nations, including direct participation in decision making about forestry activities and the development, monitoring and enforcement of environmental and cultural heritage protection on managed forest lands.

Indigenous Nations and Local and Regional Governments must have the authority to introduce and enforce bylaws to protect riparian areas, sensitive habitats, culturally significant areas and community watersheds. Governments should have the authority to introduce and enforce bylaws to protect riparian areas, sensitive habitats and community watersheds from sub-standard logging practices on private land. There is no provision for this current FRPA or PMFLA legislation.

Public Consultation

Large landowners should also be subject to a stakeholder referral and public consultation process. The effects of overharvesting can spill over onto adjacent lands and result in undue hardships to other stakeholders or members of the public. Adjacent interest should be considered prior to the approval of harvesting activities that can negatively impact other interest groups.

Protection of Wildlife Habitat And Biodiversity

Under current regulations there is no objective to protect general wildlife habitat which remains a major regulatory gap for Managed Forest in areas like the Elk Valley and Vancouver Island, where much of the region is owned and managed by landowners. Wildlife populations in these areas are dependent on the health and function of private managed forest land.

While there are measures to declare Critical Wildlife habitat on managed forest land, to the best of our knowledge critical wildlife habitat has never been declared in the history of the program. Critical wildlife habitat can only be declared if there is insufficient habitat on crown land and it can only be declared on less than 1 percent of the private land. This measure is woefully inadequate in protecting and conserving wildlife habitat.

Wildlife and Biodiversity requirements at the stand or landscape level should be implemented in the same way they are under the Forest and Range Practices Act. Large landowners should be required to maintain wildlife habitat areas, old growth management areas, wildlife tree retention requirements, and ungulate winter range protections.

Improving Forest Management Practices

In our experience silviculture practices on private managed forest land tend to encourage planting riparian, deciduous leading, and wet areas which can result in significant losses in deciduous forest components. Often these valley bottom transition or upland riparian areas should not be harvested and certainly should not be replanted with conifers. Significantly opening up the canopy in these areas can result in seeps, streams and wetlands drying out as a result of shade removal. Stronger guidance and regulation is needed to protect and encourage deciduous stand health on private lands. Stronger riparian guidelines should establish no harvest or at minimum machine free zones on transitional and upland riparian areas where cottonwood and other wet indicating species are present. If there is any harvest in these areas, silviculture practices must promote deciduous health.

Loss of stand structural elements (e.g., veteran trees, wildlife trees, hollow logs) has significant effect on private land. Coarse woody debris targets and wildlife tree retention targets should be implemented at a minimum meeting FRPA targets.

It should also be noted in the Elk Valley, Canwel has harvested in Whitebark Pine (Pa) stands where Pa makes up more than 15-20 percent of the stand. Whitebark Pine is federally listed as endangered under the Species At Risk Act. In 2018, we looked at proposed blocks by Canwel that included Whitebark Pine Stands. We communicated with Canwel on the need to patch out areas with Whitebark leading stands. In some cases the Whitebark was cut and remained in block as decked wood that still remains in the cutblock. Since 2018, Canwel has scaled 1437 cubic metres or 35 truckloads of endangered Whitebark Pine (Harvest Billing System). In addition, while the Whitebark was sometimes left standing, opening up the stand resulted in significant PA blowdown and the blocks were not replanted with Whitebark seedlings - resulting in a former Whitebark dominated stand that will be outcompeted by spruce and subalpine fir. Until provincial best management practices are in place for Whitebark Pine, harvesting within Whitebark Pine stands should not be occurring.

Water Protection

Under current regulations there are insufficient protections for riparian areas. Harvesting in the riparian zone may reduce bank stability through direct disturbance and loss of root strength as a result of forest removal. Riparian harvest can also remove coarse-woody debris that may be necessary for channel stability. In some stream reaches, increased water temperature can also result from the removal of riparian vegetation and loss of shade.

In mountain ecosystems small streams can often account for most of the length of stream networks in a watershed. For this reason the downstream health and function of larger streams or rivers is directly dependent on the health and function of small streams. These streams are often non-fish bearing headwater streams that are less than 1.5 meters in width. These streams are often among the most sensitive to erosion because of terrain and soil types. Although the influence of water on land occurs over a relatively short distance, small streams do influence surrounding environmental conditions and vegetation. A study in western Washington found microclimatic gradients around small (2 – 4m) streams extending between 31 – 62m from the stream (Brosofke et al. 1997). In addition these streams are travel and connectivity corridors for wildlife.

Under current regulations both on crown and private land there is little protection for these streams. Under private managed forest regulations, landowners are only required to maintain understory vegetation and non-commercial trees. These practices can lead to degraded stream health and function, increased sedimentation, loss of stream shade, and subsequent increases in stream temperature degrading fish habitat and drinking water downstream. These practices also lead to significant windthrow in the riparian as the buffers are not large enough to be windfirm (MFC 2012). On private managed forest land in the Elk Valley small streams (S5's, S6's) and NCD's are being heavily impacted by poor regulations on private land. While Canwel is likely meeting provincial Managed Forest regulations, the regulations are not protective of water, riparian or stream health. These weak water protections are a threat to ecosystem health when applied to large areas like the Elk Valley or Southern Vancouver Island.

Buffers for all streams on private land are minimal. On a large S1 stream landowners are only required to leave 30 merchantable trees per 100 metres of stream length. There can still be harvesting within this buffer. Comparatively, FRPA guidelines offer more protective buffers for streams and riparian areas. Both the width of protective buffers and the quantity of preserved trees are larger under the FRPA. See below for a table that illustrates stream regulations for crown land and private managed forest.

Riparian Stream Classes under the PMFLA

Stream Class	Channel Width (m)	Fish bearing and/or diverted by licensed waterworks intake	Requirement to retain large riparian trees	Requirement to retain understory vegetation
A	≥ 10	Yes	30 trees per 100 m	30 m buffer
B	≥ 3 to < 10	Yes	25 trees per 100 m	30 m buffer
C	≥ 1.5 to < 3	Yes	15 trees per 100 m	10 m buffer
D	< 1.5	Yes	N/A	10 m buffer
E	≥ 1.5 and a direct tributary to a class A, B, C or D stream	No	N/A	10 m buffer
Other	All other	No	N/A	N/A

Riparian Stream Classes under the FRPA

Stream Class	Channel Width (m)	Fish bearing	Riparian Reserve Zone Width (m)	Riparian Management Zone Width (m)	Riparian Management Area Width (m)
S1a	>100	Yes	0	100	100
S1	20 – 100	Yes	50	20	70
S2	5 – 20	Yes	30	20	50
S3	1.5 – 5	Yes	20	20	40
S4	< 1.5	Yes	0	30	30
S5	> 1.5	No	0	30	30
S6	< 3	No	0	20	20

Under current Managed Forest regulations there are no legally required buffers on wetlands and lakes. There are no buffers for non-fish bearing wetlands or lakes. Wetlands are amongst the most biodiverse areas on the planet. Their riparian and transitional areas provide habitat and travel corridors for wildlife. They are often sensitive and contain rare plant communities.

Effective riparian buffers along lakes, rivers and streams can help protect migrating birds, water quality, fish habitat, biodiversity, and reduce flooding impacts. At minimum, Forest and Range Practices Act riparian standards should be implemented on Managed Forest lands to protect water quality, communities, and wildlife.

Watershed Assessments

Significant clearcut logging can result in higher peak flows in April and May and low flows in July and August which can severely impact stream function and fish reproduction. These peak flows will be further exacerbated by the impacts of climate change. On large scale managed forests all landowners should be required to undertake Watershed Assessments that evaluates the cumulative hydrological effects of all forestry related activities as part of their management plans. These documents should be publically available.

To the best of our knowledge there has not been a Watershed Assessment of Managed Forest Land in the Elk Valley in recent years. The interior Watershed Assessment Procedure suggests that if the private land exceeds 15 percent of a sub-basin it should be included in the Assessment. In areas like the Elk Valley and Vancouver island, private Managed Forest makes up the majority of some sub-basins and a large proportion of the watershed as a whole.

In order to adequately manage watersheds, large landowners should be required to undertake Watershed Assessments and manage for the cumulative hydrological effects of all watershed activities.

Protecting Public Resources

British Columbia's Private Managed Forest Land Act must be amended to adequately protect valuable public resources that are threatened by unsustainable logging practices on private managed forest land. The new law and management regime should at the very least hold large private forest land landowners to the same management standards as those that apply on crown land.