

**Cutblocks and Roads near
Furlong Creek**

Complaint 070780:



**FPB/IRC/128
October 2007**

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The Complaint

In July 2007, the Board received a complaint from a resident of Lakelse Lake near Terrace. The complainant was concerned about forest practices in a cutblock near Furlong Creek, a tributary to Lakelse Lake. After discussions and a meeting with the participants, the complaint issues were resolved. This is the Board's report on the matter.

Background

Lakelse Lake and its many values are important to the people of Terrace and Kitimat. The complainant, representing a larger group of people concerned about the Lakelse Lake watershed, had reviewed and commented on many timber harvesting proposals by local forest licensees. As a result, the complainant thought she was well informed about logging activities in the watershed.

In May 2007, the complainant was surprised to see logging underway in an area that she was not aware had been proposed for logging. When the complainant visited the cutblock later that month, the trees, logs and equipment had been removed. It looked like the logging was done. A road appeared to be poorly built where it crossed a stream. The road was covered with harvesting debris, some of which had entered the stream, and more trees had been cut to the stream edge than appeared necessary. The complainant, aware of a nearby landslide, was also concerned about the potential for land slippage and sedimentation. She considered the forest practices in the cutblock to be inadequate for a sensitive watershed.

The complainant called the consulting forest professional who had prepared the forest stewardship plan for the area and the site plan for the cutblock. The consultant had prepared the plans for a licensee, so the consultant referred the complainant to that licensee. The consultant said he expected to speak with the complainant again as soon as the licensee gave the go-ahead. However, the complainant had been frustrated by a similar experience in the past (with a different licensee) and felt she was being given the run around. Therefore, she did not contact the licensee but instead complained to the Board.

Resolution

The Board's investigation found that conditions changed on the cutblock sometime after the complainant's visit. As it turned out, forest operations were not complete when the complainant visited the cutblock in May. By mid-June, and in accordance with the licensee's site plan, the road (which was actually a temporary skid trail) had been rehabilitated. The stream crossing (which was a log bridge) had been removed and the stream cleared of debris.

The Board encourages participants to work together to resolve complaints and so suggested a meeting on-site. The participants agreed to meet on September 4, 2007.

The licensee, represented by its forestry consultant, described how it sought to protect the stream and downstream watershed values:

- Although no reserve zone was legally required, most of the gully on each side of the non-fish stream was reserved from harvesting by a wildlife tree patch about 20 metres wide.
- A temporary skid trail and bridge crossing was used to reduce the amount of permanent access in the cutblock.
- Sediment barriers were installed during construction of the skid trail and bridge.
- During harvesting, several felled trees were placed across the stream adjacent the bridge to protect the stream banks and trail edge from soil-disturbing impact as other trees were skidded across (accumulated debris in this area apparently obscured the complainant's view of the bridge).
- Following harvesting, the skid trail and bridge were removed and the site re-sloped, restored with woody debris, and grass-seeded.
- Harvest debris that had entered the stream was removed.
- The permanent road into the cutblock was cross-ditched for erosion control.

The licensee acknowledged that about ten trees were cut from an area near the stream edge that, as the complainant had correctly observed, did not need to be harvested. The licensee explained that the trees were felled to accommodate the skid trail crossing the stream. However, after the trees were felled, the licensee adjusted its originally planned location of the skid trail to further reduce disturbance to the stream's gully and to also reduce the potential for sediment to enter the stream. Removal of the trees did not result in damage to the stream or gully.

The participants discussed the complainant's concern about land slippage and sedimentation. The licensee confirmed that a major landslide had occurred in another nearby drainage, but that soils in the Furlong Creek cutblock were different, being well-drained and stable. There were no signs of instability in the gently-sloped cutblock and only an insignificant amount of sediment in the stream, just downstream of the removed crossing.

The participants agreed that forest practices in the cutblock were planned and implemented in a manner sensitive to the stream and downstream watershed values.

Identification of Cutblocks and Roads

The complainant's discovery of the cutblock illustrates a concern raised earlier by the Board about the lack of detail about proposed cutblocks and roads in forest stewardship plans. In this case, the complainant thought she was familiar with harvesting proposals in the area, yet she was still surprised by the cutblock near Furlong Creek. That is because she had never seen an operational plan proposing a cutblock in that area.

Under the former Forest Practices Code, the complainant had previously reviewed forest development plans that display proposed cutblocks and roads. However, under the *Forest and Range Practices Act* (FRPA), a forest stewardship plan does not have to include a map of proposed cutblocks and roads. Instead of responding to proposed forest development, the public is expected to identify all of its interests and concerns in a large area of potential development, and often for more than one licensee. In this case, there are five licensees with overlapping forest stewardship plans that could affect the Lakelse Lake area. Among those five licensees, there are eight more cutblocks currently planned within the Lakelse Lake watershed.

FRPA's interest-based approach to public consultation is intended to address public interests and concerns at a broad scale (such as a watershed) and, as this complaint illustrates, the approach can work. However, with no knowledge about where to expect logging to occur, and no idea of which licensee may be involved, the Board anticipates that the frequency of public "surprise" over logging will increase. Until the public is assured that its interests are being met, additional public enquiries to government and licensees, public concern, and further complaints to the Board may result.

During the investigation, Board staff learned that some licensees in the Lakelse Lake area do prepare a map of proposed cutblocks and roads to aid their operations and assessments. These maps are often referred to other licensees, First Nations, trappers, guide-outfitters and government agencies. However, the general public does not typically receive any information regarding the location of future cutblocks or roads.

To help improve communication and reduce the potential for public surprise, the Board explored ways that licensees could inexpensively make information about proposed cutblocks and roads available to the public outside of their forest stewardship plans. One idea was a map on a website. The licensee liked that idea, but wasn't prepared to do more for public information than FRPA required, unless competing licensees would do the same and incur the same cost. The licensee's forestry consultant said that rapidly changing plans may make it difficult to keep such an informational map up to date. The forest district thought it could easily create a map on its website that would depict a rollup of proposed cutblocks and roads for all licensees across the entire forest district; all it would need is the

digital information from the licensees. The forest district and licensees met in October to see if the idea could work. The response was generally positive, assuming technical details can be worked out. The forest district and licensees will meet again in November.

The complainant is satisfied with this approach as the public (assuming the idea is accepted) will have easy access to information that may affect their interests, and will be able to see how forest development is proceeding in their forest.

Concluding Remarks

The Board thanks the participants for their willingness to help resolve this complaint. The Board is also appreciative of the forest district's offer and attention to satisfying the apparent public need for the best available information about current and planned cutblocks and roads. The Board asks the forest district to report to the Board about the outcome of its informational map-related discussions with the licensees.



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NEWS RELEASE

For Immediate Release
October 30, 2007

Investigation into Furlong Creek logging complaint results in resolution

VICTORIA— A complaint investigation into logging practices at Furlong Creek near Terrace has resulted in resolution between the complainant and the licensee, according to a Forest Practices Board report issued today.

A complaint was filed with the board after a member of the public visited the logging site and saw conditions that caused concern. Further consultation between the board investigator, the licensee and the complainant revealed that, while the complainant assumed that work was complete at the time the complaint was filed, in fact it was not, and the licensee had subsequently returned and finished its work.

"It is commendable that the complainant and licensee were able to engage in informed consultation with our investigator and arrive at an understanding of the situation," said board chair Bruce Fraser. "When a complaint about forest or range practices is received by the Forest Practices Board, it is always our preference to work with the parties involved to see if we can help them resolve concerns through identifying additional information or developing potential solutions they can all agree to."

In this case, although generally familiar with forest planning in the area, the complainant was surprised by the cutblock because she had not seen it on a map. Under the Forest and Range Practices Act, licensees are not required to show cutblocks and roads in their forest stewardship plans.

As a means of improving communication and minimizing public "surprise" about cutblock locations without adding onerously to licensee requirements, board and forest district staff discussed whether a "roll-up" map of planned cutblocks and roads could somehow be provided to the public. The district is looking into putting such a map on its web site, using digital data supplied by licensees.

"If an information map is created, it will serve as a positive example addressing a key public involvement gap in the current forestry legislation," said Fraser.

The Forest Practices Board is B.C.'s independent watchdog for sound forest and range practices, reporting its findings and recommendations directly to the public and government. The board:

- audits forest and range practices on public lands;
- audits appropriateness of government enforcement;
- investigates public complaints;
- undertakes special investigations of current forestry issues;
- participates in administrative appeals; and
- makes recommendations for improvement to practices and legislation.

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A resident of Lakelse Lake, near Terrace, wrote to the Board with concerns about forest practices in a cutblock near Furlong Creek. After discussions and a meeting with the participants, the complaint issues were resolved.

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