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Forest Practices Board

File: 23060-11/SIR21
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AUG 13 2008

Dr. Bruce Fraser, Chair
Forest Practices Board
3rd Floor, 1675 Douglas Street
PO Box 9905, Stn Prov Govt
Victoria, British Columbia
V8W 9R1

Dear Dr. Fraser:

Re: Special Investigation Report 21 - Establishment of Conservation Areas for Old Growth and Wildlife Habitat in the Squamish and Chilliwack Forest Districts

On behalf of the Ministries of Environment (MOE) and Forests and Range (MFR), and the Integrated Land Management Bureau (ILMB), please accept this letter as government's response to the recommendations and conclusions in the Forest Practices Board's Special Investigation Report 21, *Establishment of Conservation Areas for Old Growth and Wildlife Habitat in the Squamish and Chilliwack Forest Districts (April 2008).*

Recommendation 1
The Ministry of Environment should promptly establish deer winter range areas in the Chilliwack Forest District or amend the Section 7 notice to include the appropriate non-contributing land base (NCLB) portion before harvesting removes further options.

Response by government
Work by the MOE to establish deer winter ranges, which began in 2000, is ongoing. Planning, identifying and establishing deer winter ranges has been difficult given the highly constrained landbase in the Chilliwack Forest District; and considerable effort has been expended to date.

MOE has recently established 35 655 hectares of ungulate winter range (UWR) for mountain goats in the Chilliwack Forest District; thus completing the establishment of goat UWR. The legal establishment of deer winter range is pending completion of a draft deer winter range plan and the review and comment period with other agencies and tenure holders. It is also contingent upon approval by government of the Spotted Owl Plan in order to maximize overlap of the two plans. Completion is anticipated for winter 2008/09. The completion of

mountain goat winter range together with the imminent establishment of deer winter range will negate the need to amend the Section 7 notice.

Recommendation 2

Given the observed harvest levels in the NCLB and the importance of some old growth management areas (OGMAs) in providing old forest areas of adequate size to contain interior forest habitat and support landscape connectivity, the Integrated Land Management Bureau (ILMB) should complete the legal establishment of the (currently) draft OGMAs in these two districts and reconsider its proposed provincial policy for ending spatial establishment of OGMAs in 2008.

Response by government

There is no provincial policy to end spatial establishment of OGMAs. Subject to available resources, the decision to proceed with spatially identifying and/or legally establishing OGMAs will require a sound business case. These decisions are made as part of the provincial government's annual business planning cycle.

At this time, no further work to spatially define or legally establish OGMAs in Chilliwack and Squamish Forest Districts is planned in 2008/09. However, ILMB will continue to work on draft and legally established OGMAs, with ongoing monitoring and maintenance.

With regards to future OGMA planning efforts, it may be possible to make a strong business case to complete the establishment of OGMAs in the Chilliwack Forest District, after the completion of higher priority deer winter range, grizzly bear, UWR and spotted owl habitat designations; thus allowing maximum overlap of the newly created wildlife areas and the OGMAs.

Conclusions

Industry's proposal, and MFR's approval, of harvesting in MOE's proposed ungulate winter ranges appears to have contributed to the current situation by reducing habitat options and not showing unified government support for the planning process.

Response by Government

Although the MFR's decision makers selected different approaches, (specifically the "made known" provision and the "adequately manage and conserve" test), each approach had merit given the differing circumstances, tenures and stakeholders. Decisions based on recognized risk assessment procedures are routinely made prior to legal establishment of land use designations in order to allow timber harvesting to continue.

Our government representatives would appreciate an opportunity to discuss the reasons for these decisions with the Forest Practices Board and/or board staff. Discussions could also address the following topics:

- identifying errors found in reports,
- improving ways to address these errors, and any other inconsistencies,
- mutually agreeing to a process for correcting deficiencies; and
- identifying how to provide the public with current and accurate information.

Dr. Bruce Fraser, Chair

If the Board has any questions regarding government's response, please contact Paul Rehsler, Forest Practices Board Liaison, Ministry of Forests and Range, at 250-387-8908.

Yours truly

Doug Konkin
Deputy Minister
Ministry of Forests and Range

Joan Hesketh
Deputy Minister
Ministry of Environment

for Steve Carr
Associate Deputy Minister
Integrated Land Management Bureau

pc: The Honourable Stan Hagen, Minister of Agriculture and Lands
The Honourable Barry Penner, Minister of Environment
The Honourable Pat Bell, Minister of Forests and Range
Larry Pedersen, Deputy Minister, MAL
Jim Snetsinger, Chief Forester
Tim Sheldan, ADM, Operations Division, MFR
Nancy Wilkin, ADM, Environmental Stewardship Division, MOE
Lorne Bedford, A/Director Forest Practices Branch, MFR
Bruce Sieffert, Director Land Use Planning, ILMB
Paul Rehsler, Forest Practices Branch, MFR
Rodger Stewart, Regional Manager, Cariboo Region, MOE
Jennifer McGuire, Regional Manager, Lower Mainland Region, MOE
Kaaren Lewis, Director Ecosystems Branch, MOE
Andy Witt, A/Manager Habitat Management Section, MOE
Stewart Guy, Manager, Environmental and Economic Initiatives, MOE

Forest Practices Board

File: 97325-20/2005-04
Your File: 23060-11/SIR21

September 15, 2008

Doug Konkin
Deputy Minister
Ministry of Forests and Range
3rd Floor - 1520 Blanshard Street
Victoria, BC V8W 3K2

Steve Carr
Associate Deputy Minister
Integrated Land Management Bureau
3rd Floor - 780 Blanshard Street
Victoria, BC V8W 9M1

Joan Hesketh
Deputy Minister
Ministry of Environment
5th Floor - 2975 Jutland Road
Victoria, BC V8W 9M1

Dear Doug Konkin, Steve Carr and Joan Hesketh:

Re: Response to Forest Practices Board Special Investigation Report 21

Thank you for your letter of August 13, 2008 responding to the two recommendations in the Forest Practices Board report *Establishment of Conservation Areas for Old Growth and Wildlife Habitat in the Squamish and Chilliwack Forest Districts.*

I accept your responses to the two recommendations. I am encouraged that you anticipate a completion of the establishment of deer winter ranges in the Chilliwack Forest District sometime in the coming winter 2008/09. We will follow-up with you on progress with this objective in 2009.

With regards to your request for staff to meet to discuss the Board report, we have contacted Ministry of Forest and Range staff and they will be scheduling a meeting.

Thank you again for your letter.

Yours sincerely,

Bruce Fraser

Bruce Fraser, PhD
Chair

Mailing Address: P.O. Box 9905, Stn Prov Gov't, Victoria, British Columbia, Canada V8W 9R1 **Location:** 3rd Floor, 1675 Douglas St., Victoria
Toll Free: 1-800-994-5899 **Phone:** 250-387-7964 **Fax:** 250-387-7009 **E-mail:** fpb@gems9.gov.bc.ca **Internet:** http//www.fpb.gov.bc.ca

Forest Practices Board

File: 97325-20\2005-04

October 1, 2009

Doug Konkin
Deputy Minister, Ministry of Environment
5th Floor – 2975 Jutland Road
Victoria, BC V8T 5J9

Brian Taylor, Chair
Fraser TSA Co-op
211 Park Ave.
Hope, BC V0X 1L1

Dear Gentlemen:

Re: Completion of Ungulate Winter Range Planning for the Fraser TSA

The Board was pleased to receive the recent announcement that the deer winter ranges in the Fraser TSA have now been established. We can appreciate the extended effort needed to complete the process in a heavily committed region of the province.

We trust that the results will benefit the public interest, industry, and the deer population and would like to congratulate all the parties for their perseverance as they worked through the many complex issues.

Yours sincerely,

Bruce Fraser

Bruce Fraser, PhD
Chair

cc: Pat Bell, Minister of Forests
Barry Penner, Minister of Environment