



File: 97250-20/090884

September 22, 2009

Dear Participants:

**Re: Complaint 090884 – Shawnigan Lake Woodlots**

The Shawnigan Lake Watershed Watch submitted a complaint to the Forest Practices Board on March 27, 2009. The complaint was about forest planning and practices on two woodlots in the Shawnigan Lake community watershed.

About 75 percent of the 10,500 hectare watershed is private land. The complainant is concerned about the effect that recent and extensive private land development, including forest harvesting, may be having on the watershed's water quality and forested habitats. The complainant considers the scattered parcels of Crown land, including parts of the two woodlots, as providing the only possibility for retention of some of the scant mature forest that remains. The complainant is not opposed to logging on the woodlots, but would prefer selective logging over clearcut to compensate for the apparent risks of private land development elsewhere in the watershed and to help restore and retain old-forest habitat characteristics.

The Board has previously considered two other complaints that dealt with management of the water resource and appropriateness of forest practices on Crown land in the Shawnigan Lake community watershed. The issues raised in those complaints were similar to this complaint. In the first, the Board concluded that it was appropriate for decision-makers to be satisfied that the water resource would be adequately managed and conserved.<sup>1</sup> In the second, the Board found that logging prescriptions complied with the legislation, were consistent with the approved forest development plan, and were largely consistent with Forest Practices Code guidebooks.<sup>2</sup>

Both the woodlots in this complaint have an approved woodlot licence plan<sup>3</sup> under the *Forest and Range Practices Act* (FRPA). Forest planning and practices on each woodlot must be consistent with the respective woodlot licence plan and FRPA. For the portion

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<sup>1</sup> *Water Quality in the Shawnigan Lake Community Watershed*, Complaint 010320, May 2002,

<http://www.fpb.gov.bc.ca/assets/0/114/178/298/356/4113ae19-9a1d-407e-bb73-971cbdf9901b.pdf>

<sup>2</sup> *Proposed Logging in the Shawnigan Lake Watershed*, Complaint 040558, June 2005,

<http://www.fpb.gov.bc.ca/assets/0/114/178/298/356/df0d74ac-5c5e-4f1b-9e4c-dc58486d1954.pdf>

<sup>3</sup> Available at: [http://www.for.gov.bc.ca/dsi/woodlots/W0022/W0022\\_LP\\_2007\\_2017.pdf](http://www.for.gov.bc.ca/dsi/woodlots/W0022/W0022_LP_2007_2017.pdf) and [http://www.for.gov.bc.ca/dsi/woodlots/w0024/W0024\\_Blk\\_A\\_B\\_C\\_LP2007-2017.pdf](http://www.for.gov.bc.ca/dsi/woodlots/w0024/W0024_Blk_A_B_C_LP2007-2017.pdf)

of the woodlots within the Shawnigan Lake watershed, one woodlot (W0022) has developed a three-hectare cutblock, harvested earlier this year. The second woodlot (W0024) has identified, but not yet developed, three cutblocks that, when harvested, will total 3.8 hectares.

Such small openings are consistent with the former Code's *Biodiversity Guidebook*, which can still provide useful advice to forest managers.<sup>4</sup> The guidebook recommends clearcutting with wildlife tree patches and some small clearcuts to simulate the small-scale disturbances that naturally occurred in the ecosystem and natural disturbance type involved. The guidebook also suggests that selective cutting, including commercial thinning, could accomplish the same in some stands.

The complainant considers that clearcutting does not mimic natural disturbance because structural diversity is eliminated in the logged area and because logging occurs more frequently than would natural disturbances of a similar intensity. However, in addition to wildlife tree patches, the *Biodiversity Guidebook* also suggests that some snags, veteran trees and coarse woody debris (all forms of structural diversity) be retained in logged areas to help maintain old-forest habitat characteristics.

Neither woodlot licensee has yet identified wildlife tree patches (nor are they required to) but both have committed to retain such patches and coarse woody debris consistent with FRPA requirements. The forester for both licensees said that retention of scattered veteran trees and placement of wildlife tree patches over sensitive sites, such as remnants of older forest, are typical management practices. The forester noted that a few veteran trees were retained in the harvested cutblock on W0022 and a grove of older forest on W0024 is a possible wildlife tree patch. The forester also said that the threat of blowdown to such features is considered during road and cutblock planning. As an example, cutblock development on W0022 included tree pruning to reduce the risk of blowdown in the riparian reserve zone of a small stream.

Current forest planning and practices in the Shawnigan Lake portions of W0022 and W0024 are within the range of ecological advice considered appropriate for the ecosystem and natural disturbance type involved. However, the Board discovered a non-compliance with the *Woodlot Licence Planning and Practices Regulation* on W0022. Although planned appropriately, a portion of the cutblock road was moved from its planned location during construction. As a result, the road encroaches about 10 metres over a length of about 50 metres into the 20-metre wide riparian management zone of the small stream discussed above. Except under certain conditions, section 40(1) of the *Woodlot Licence Planning and Practices Regulation* requires that roads be located outside a riparian management zone. In the circumstances, the non-compliance is not significant because:

- this portion of the stream's riparian management zone was to be logged anyway (the stream's reserve zone remains intact);

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<sup>4</sup> Available at: <http://www.for.gov.bc.ca/TASB/LEGSREGS/FPC/FPCGUIDE/BIODIV/biotoc.htm>

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- the terrain in the logged area drains away from the stream;
- it appears there is no added risk of sediment reaching the stream as a result of the road location;
- roads may be built in a riparian management zone under prescribed circumstances; and
- the licensee self-reported its error to the Ministry of Forests and Range.

In regard to the complainant's preference for selective logging (with a high rate of retention), the licensee's forester responded that selective cutting or commercial thinning would be technically feasible but, to obtain the wood volume specified for each woodlot, three to four times as much area per "cutblock" would have to be harvested. That could result in more machine-trails and possibly greater soil disturbance than the current system of small clearcuts.

There will always be different viewpoints on how particular forest stands should be managed, and public concerns about how they might be managed. The complainant's view is that remaining Crown forest in the watershed should be managed to mitigate the surrounding and extensive private land development. The complainant has previously communicated its land-use concern to the local and provincial governments. In addition, the complainant has communicated with the Private Forest Land Management Council about forest practices on the private forest lands.<sup>5</sup> For the woodlots, the Board encourages the complaint participants to work toward developing an open and supportive relationship to share ideas and hopefully resolve concerns about forest planning and practices and other public values.

I hope that the Board's involvement has been helpful. Thank you for your cooperation.

Yours sincerely,



John Dunford, Acting Chair

<sup>5</sup> The object of the council is to encourage forest management practices on private managed forest land, taking into account the social, environmental and economic benefits of those practices. See: <http://www.pmflc.ca>

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