

File: 97250-20/ 090935

April 6, 2010

Dear Participants:

Re: Stopping the investigation - File 090935 / Kleanza Singlehurst

This letter is to advise you that the Board is stopping its investigation into Complaint 090935 for the reasons explained below.

As you are aware, the complainant submitted a complaint to the Forest Practices Board on December 23, 2009 regarding Coast Tsimshian Resources Limited Partnership (the licensee) planned logging above the Kleanza-Singlehurst Community Watershed (the watershed). The complainant's primary concern was that the licensee had not effectively consulted with local residents about the logging plans in the watershed. He was also concerned that the logging will damage forest values such as water, fish and visual quality.

Board staff visited the Terrace area on February 8th and 9th and interviewed the complainant, the licensee and a number of other residents of the watershed. The following are the Board's observations and findings.

The licensee advertised its forest stewardship plan (FSP) in the fall of 2006. That is the only legislated requirement for public review. No residents commented on the FSP at that time. The licensee sent letters to licensed water users in the community watershed in 2007. A few people responded at that time and the licensee started discussions with them. In the fall of 2009, more residents became aware of the plans and sent a petition letter with a number of concerns to the licensee. Many of those people think that the licensee should have done more to contact them earlier in the process.

The licensee explained to the Board that although it had said that it was going to log in the winter of 2009-2010 this was not certain. The licensee said this so that they would be in a position to log if the market was good. Otherwise, to be fair, the licensee would have to wait until a later date.

During the investigation, the residents organized into a larger group and the licensee responded to their concerns in a February 17, 2010 letter. The licensee explained that "Our goal is to submit a cutting permit application by November" and that "consultation is not yet complete." They extended an invitation to all named in the letter to visit their office and invited residents to go on field trips to the site of the proposed blocks.

Under section 123(2)(b) the Board may stop an investigation if there is an existing administrative procedure that provides a remedy. I consider that the licensee's offer to meet with residents and continue consultation meets the criteria for section 123 and therefore the Board is stopping the investigation.

The Board expects that all parties will engage in meaningful consultation and would like to thank you for your co-operation in the investigation.

I hope that the Board's involvement has been helpful. If you have any remaining questions or concerns, please contact me. In addition, we would appreciate any feedback you can provide to help us improve our investigation process. If you are willing to provide us with comments, please complete our questionnaire, which can be found on the Board's website at: <http://www.fpb.gov.bc.ca/forms.aspx?ekfrm=2896>.

Yours sincerely,

John Dunford
Acting Chair

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April 8, 2010

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Comments:

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