



**Forest
Practices
Board**

Forestry Activities in the Skidegate Landscape Unit on Haida Gwaii

Complaint Investigation #18023

FPB/IRC/219

January 2019

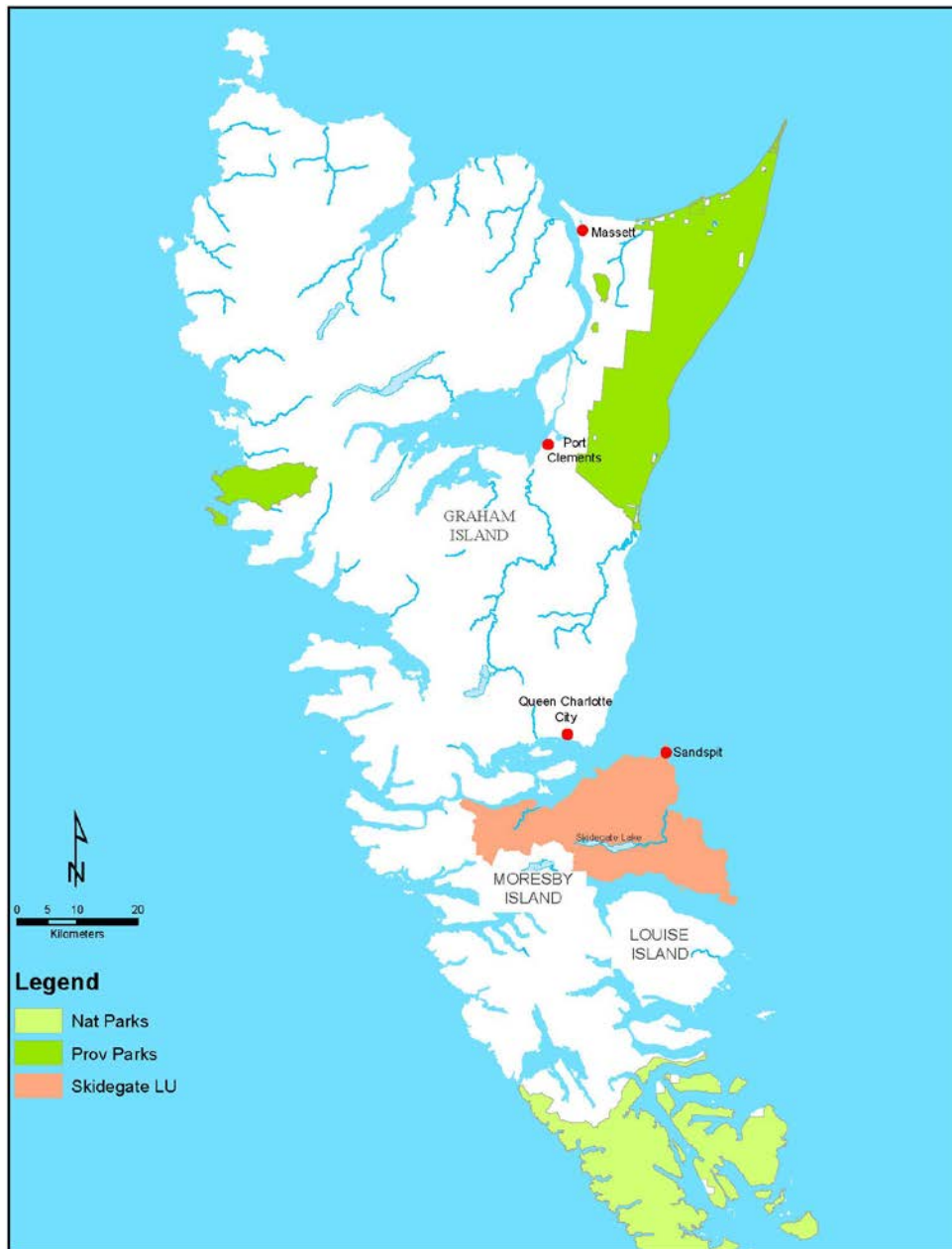
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Introduction

Complaint

On February 1, 2018, the Forest Practices Board (the Board) received a complaint from a resident of Masset, BC. The complainant is concerned that forestry activities by A&A Trading,¹ Taan Forest, and BC Timber Sales in the Skidegate Landscape Unit (LU) resulted in landslides, road failures and siltation of fish-bearing streams. In addition, the complainant believes that ecological representation targets for old forest in the Skidegate LU are not being met.



Map 1. Haida Gwaii and Skidegate Landscape Unit

¹ A&A Trading took over operations from Teal Cedar Products Ltd. in 2016. A&A had not harvested in the Skidegate LU prior to the complaint.

Background

The Skidegate LU (Map 1) is located around Skidegate Lake on Moresby Island in Haida Gwaii. The landscape unit has been extensively harvested in the past and now licensees are primarily harvesting second-growth timber. Licensees must meet the legal obligations of the *Forest and Range Practices Act* (FRPA) and the *Haida Gwaii Land Use Objectives Order*² (HGLUOO).

For more information on the HGLUOO and the implementation of ecosystem-based management on Haida Gwaii, see the Board report titled, “Harvest Planning for Ecosystem Based Management on Haida Gwaii.”

To examine the complainant’s concerns, Board investigators interviewed A&A Trading, Taan Forest and staff in the Haida Gwaii district office of the Ministry of Forests, Lands, Natural Resource Operations, and Rural Development.

On September 17 and 18, 2018, Board investigators—a professional forester and a professional engineer—travelled to Haida Gwaii and met with the complainant. The complainant identified the areas of concern on a map. The investigators conducted field reviews of the areas of concern and looked at forestry activities in the vicinity. The complainant was not able to attend the field visit with Board staff.

Legal Requirements

Licensees working in Haida Gwaii must comply with the legal requirements in the *Forest Planning and Practices Regulation* (FPPR) under FRPA, as well as requirements in the HGLUOO.

FPPR

The following sections of the FPPR are relevant to this complaint:

- **Section 37** requires licensees to ensure that primary forest activities³ do not cause a landslide that has a material adverse effect on a number of resource values, including water.
- **Sections 39 and 79** requires licensees to maintain natural drainage patterns; and to maintain a road by ensuring the structural integrity of the road prism and clearing width are protected, the drainage systems of the road are functional and, when the road is being used by industrial users, it can be used safely.

HGLUOO

The HGLUOO provides the legal obligations for ecological representation targets, by landscape unit. For each common site series and each rare site series in a landscape unit, licensees are required to retain an amount of old forest equal to or greater than the landscape unit targets.

If there is insufficient old forest available to meet the targets, licensees are required to identify, retain and recruit younger forest stands that will meet representation requirements in the shortest possible timeframe. Licensees must plan their forestry developments to ensure old forest is not over harvested and must define recruitment forest stands over time.

² https://www.for.gov.bc.ca/tasb/slrp/pdf/lrmp/haidaGwaii/168520_HG_LUOO_Signed.pdf

³ The FPPR defines **primary forest activity** to be one or more of timber harvesting, silviculture treatments, road construction, road maintenance or road deactivation.

Findings

Evidence of Sedimentation and Landslides

The complainant identified locations where sedimentation and road failures were concerns. These locations included streams, mainline roads, new road construction, and culverts and bridges. Board investigators field reviewed the areas of concern identified by the complainant, which consisted of 3 bridges, 5 culverts, 3 in-block road sections, 1 pond and 42 kilometres of forest road, for evidence of sedimentation or landslides.

Board investigators did not find any instances or evidence that primary forest activities caused a landslide that had a material adverse effect, or that harvesting and roads had contributed excessive sediment to fish-bearing streams. In addition, Board investigators determined that the mainline and in-block roads reviewed were well maintained, in-block roads were well constructed and natural drainage patterns were maintained. No road failures were found and no issues were identified on the one in-block road where deactivation had been completed.

Ecological Representation Targets

The ecological representation targets in the HGLUOO are legally binding, and are what the licensees must meet. Board investigators assessed forestry activities for compliance with the ecological representation requirements specified in section 16 and schedule 10 of the HGLUOO.

On Haida Gwaii, an integrated planning committee monitors ecosystem representation targets and identifies site series in deficit of old forest, which require a recruitment strategy. Currently, Taan Forest coordinates the analysis and runs the depletions on proposed development annually. This information is provided to all licensees for use when planning forestry activities to ensure old forests are not over harvested and recruitment strategies are developed where needed.

The HGLUOO specifies that 7406 hectares of old forest is required in the Skidegate LU. Currently, the Skidegate LU is in deficit of old forest targets by 616 hectares, due to past harvesting. Licensees are recruiting younger stands to address the deficit, using a strategy that is consistent with the HGLUOO. About 20 percent of the recruitment areas have been spatially defined. The remaining recruitment areas are first being field verified to confirm they meet ecological requirements. Consequently, the recruitment areas are being spatially defined over time. Priority is given to stands already constrained, such as riparian reserves.

The complainant's concern about the ecological representation targets was based on information contained in the Forest Stewardship Council 2016 Annual Monitoring Report⁴ (FSC Report), which is not legally binding on the licensees. The FSC Report does not recognize the recruitment areas that have been identified, but not yet spatially defined, and this gap led to the complainant's concerns that the targets were not being met. Once the draft recruitment areas have been field verified and spatially defined, they will be reported to FSC. It is anticipated that the result will be that and the ecological representation targets will be met both under the HGLUOO and the FSC.

⁴ The FSC 2016 Monitoring Report use the term ecosystem representation while the HGLUOO uses the tem ecological representation. Since the HGLUOO is a legal document, the term ecological representation is used in this report.

Conclusions

The complainant was concerned about sediment impacting fish-bearing creeks and that old forest was not adequately represented in the landscape. Board investigators did not find any evidence that primary forest activities caused a landslide that had a material adverse effect, or that cutblocks and roads contributed sediment to fish-bearing streams. In addition, roads were well constructed and maintained, and natural drainage was maintained. All legal requirements were met.

The complainant's concern about ecological representation of old forest was based on information in a document that is not legally binding on the licensees, and did not recognize the recruitment areas that have been identified but have not yet been spatially defined. The ecological representation targets for old forest are in a deficit, due to past harvesting, but the licensees' recruitment strategy is consistent with the legally binding HGLUOO. The Board considers the recruitment strategy reasonable, and encourages the licensees and government to finalize the spatial identification of all recruitment polygons as soon as possible.



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