



File: 97250-20/18031

August 15, 2019

VIA EMAIL

Dear Participants:

Re: Resolution of Complaint 18031 – Planning for Landscape-level Biodiversity and Approval of an Extension to a Forest Stewardship Plan

On April 25, 2018, the Forest Practices Board (the Board) received a complaint from the Lhtako Dene Nation alleging that Tolko did not follow through on commitments the company made as part of the resolution of a previous but similar complaint to the Board. The new complaint from the Lhtako Dene said that Tolko did not change its approach for managing landscape-level biodiversity when planning to harvest live timber and it did not improve its communication with the Lhtako Dene Nation.

The new complaint also said that the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) approved a third extension to Tolko's forest stewardship plan (FSP), even though it was not likely consistent with section 9 of the *Forest Planning and Practices Regulation*, and that FLNRORD did not consult with the Lhtako Dene prior to approving the extension to the FSP.

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Since the complaint was submitted to the Board, there have been developments that largely resolve the Lhtako Dene's concerns, although they remain concerned about the number of extensions FLNRORD approved to Tolko's FSP and the lack of meaningful consultation by Tolko in relation to those FSP extensions.

In December 2018, Tolko requested a fourth extension to their FSP, but it was not approved by FLNRORD. As a result, the FSP expired. Between January and April 2019, FLNRORD completed consultation with the Lhtako Dene and subsequently approved a six-month extension to the expired FSP.

The FSP extension includes multiple objectives and conditions for values including landscape-level biodiversity, wildlife and fisheries. The Lhtako Dene say they were consulted, in particular, on the development of the objectives and conditions. They believe the objectives and conditions will help to ensure more effective management of landscape-level biodiversity and wildlife in the landscape units (Lightning and Willow) that were the subject of their complaint to the Board, which resolves their concerns.

In April 2019, government introduced amendments to the *Forest and Range Practices Act* that will place conditions and limitations on extending the term of an FSP beyond its original expiry date. The amendments will help to provide greater transparency and increased frequency for licensees and government to consult with the Lhtako Dene in future.

This concludes the Board's involvement in this file. Thank you for your cooperation during the investigation. If you have any questions or concerns, please contact Doug Wahl at (250) 213-4723.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Kevin Kriese', followed by a horizontal line.

Kevin Kriese

Chair