



**Forest
Practices
Board**

Impacts of Mountain Pine Beetle Salvage Logging on a Trapline

FPB/IRC/169

June 2010

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Introduction

The Complaint

In January 2010, the Forest Practices Board received a complaint from a Colleymount resident who farms, logs, and holds a range and a trapping tenure. The trapping tenure covers 15,500 hectares of Crown land within the Nadina Forest District.

As a logger, the complainant understands and accepts that extensive salvage harvesting and road building has been necessary to address the mountain pine beetle infestation. As a trapper, he has tried to work with British Columbia Timber Sales (BCTS) since 2005 to mitigate the impact of these activities on wildlife. He feels that BCTS has not taken his concerns and recommendations about timber harvesting seriously; has made commitments that it has not kept; and, did not consult with him in a meaningful way.

The complainant believes that harvesting and road construction have reduced the available amount of wildlife habitat, disrupted the natural movement of animals and that his trapping tenure can no longer support a viable harvest of furbearers. Consequently, the earning potential of his trapline has been adversely affected.

As a remedy, the complainant requested compensation and mitigation for damage done to the earning potential, and value of his trapping tenure. He also requested genuine follow-up on his concerns, a review of planned harvesting in the tenure and an opportunity to have meaningful input on further activities.

Background

The current mountain pine beetle epidemic began in the early 1990s in the central interior of the province. Recent estimates suggest that three-quarters of the mature lodgepole pine in the Lakes Timber Supply Area (TSA) has been killed by the mountain pine beetle.¹ Government's response to the epidemic has been to dramatically increase harvesting levels, first in an attempt to control the outbreak and, when that proved impossible, to realize some value from the dead stands. In the past decade, the allowable annual cut has more than doubled to 3.162 million cubic metres of timber.

The complainant bought his farm in 1995 and took over registered trapline T049. In 2002, he purchased trapline T050 to the west, and the two tenures were amalgamated. A trapping tenure gives the holder the right to harvest furbearers in a certain area, but does not guarantee that any level of harvest can be achieved.

¹ <http://www.for.gov.bc.ca/hre/bcmpb/BCMPB.v6.BeetleProjection.Update.pdf>

Government records show regular use of the trapline between 1985 and 1996, but since then there has been very little furbearer harvest recorded. The complainant said that his past activity does not indicate what he plans to do in the future. As forest harvesting opportunities in the region decline in the wake of the mountain pine beetle infestation, he is looking to supplement his income by trapping.

The investigation considered the following questions:

1. Did BCTS comply with legislated requirements for biodiversity management and public consultation when it planned harvesting within the trapline?
2. Has harvesting and road building affected the population of furbearers?

Discussion

Did BCTS comply with legislated requirements when it planned harvesting within the trapline?

The investigation examined whether BCTS' planning and practices complied with legislated requirements for biodiversity management because it relates to the ability of the trapline to produce furbearing animals. The investigation also considered whether or not BCTS complied with legislated requirements for public consultation.

Biodiversity Management

In BC, biodiversity management is based on the assumption that native species and ecological processes are more likely to be maintained if managed forests are made to resemble those forests created by natural disturbances such as fire, wind, insects, and disease.² Biodiversity is managed at both the landscape and the stand level.

Landscape Level

Forest planning and practices must comply with the broad resource management objectives found in legally established higher level plans that are meant to implement the intent of land use planning exercises. In 2003, a higher level plan order legally established landscape units and objectives contained in the Lakes South Sustainable Resource Management Plan (SRMP). The order applies to the area of this complaint.

The SRMP addresses biodiversity at the landscape level and includes objectives for seral stage (age class) distribution, old growth, wildlife tree retention, connectivity, patch size and species composition. It is important to understand that the landscape level requirements of the higher level plan apply to entire landscape units which are much larger than individual traplines. Thus it is possible that a particular area or trapline could be heavily impacted by harvesting, but

² Biodiversity Guidebook found at <http://www.for.gov.bc.ca/tasb/legsregs/fpc/fpcguide/biodiv/biotoc.htm>

overall, at the landscape unit level, a requirement to retain, for example, old and mature forest or connectivity corridors may still be met.

As an example, in the Francois West landscape unit where most of the trapline is located, the SRMP requires that 23 percent or more of the forest in the sub-boreal spruce (SBS) zone must be mature or old. In this case, mature means stands with an average age greater than 100 years, and old means older than 140 years. The investigation confirmed that not only is the requirement met across the landscape unit, but also within the trapline. Approximately 48 percent of forested Crown land *within* the trapping tenure is covered with mature and old forest. BCTS has planned an additional 616 hectares of harvesting within the trapline in the coming years. If all of it is sold and harvested, 43 percent of the forested Crown land within the tenure will be old and mature forest.

Old growth management areas and connectivity corridors are also in place and a recent analysis done as part of the Morice and Lakes Innovative Forest Practices Agreement³ confirms that patch size and seral stage distribution at the landscape level is consistent with the SRMP.

In summary, BCTS' plans and practices have resulted in a condition that is consistent with higher level plan requirements for biodiversity at the landscape level.

Stand Level

To meet stand level biodiversity requirements, managers retain a certain portion of each cutblock in wildlife tree patches (WTP) and leave coarse woody debris on the ground. WTP requirements have varied over the time frame of this complaint. For example, BCTS' 2002-07 forest development plan required that seven percent of cutblocks be retained in wildlife tree patches.⁴ Later, the district manager required eight percent to be retained in WTPs. Today, the SRMP requires that at least 13 percent of a cutblock must be retained in wildlife tree patches in the Francois West landscape unit.

The investigation compared the WTP requirements with the planned retention and found that BCTS retained the required amount of forest in WTPs. Minor variations were noted, however, they are not significant.

The SRMP also requires that WTPs generally represent the same values as the harvested area. WTPs must contain mostly coniferous trees with a similar age as the harvested area, and the

³ Found at [http://www.moricelakes-ifpa.com/publications/documents/LakesSFMPlan-V%203.4%20\(031010\).pdf](http://www.moricelakes-ifpa.com/publications/documents/LakesSFMPlan-V%203.4%20(031010).pdf)

⁴ For the sub-boreal spruce forest type in the Francois West landscape unit.

crown closure⁵ must be 25 percent or greater. A review of the cutblocks harvested since 2006 confirmed that the SRMP requirements were met.

In summary, BCTS met legislated requirements for stand level biodiversity management.

Public Consultation

BCTS provided the complainant with all required opportunities to review and comment on its plans. However, the complainant's concern is not that he hasn't been given the opportunity to comment, but rather that when he does comment BCTS does not listen and does not keep its promises. He provided the following specific examples.

Amendment 26

When BCTS proposed four timber sales (TSL) within his trapline in March 2005, the complainant was concerned about the loss of core wildlife habitat, the viability of his trapline, and the creation of a large, 1,200 hectare opening. He met with BCTS staff to discuss his concerns and to suggest changes to cutblock boundaries and additional retention of spruce trees. BCTS followed up with a letter on June 9, 2005, describing the stand level strategies to maintain biodiversity for each TSL. The letter invited the complainant to contact BCTS if he had any other questions or concerns. The complainant did not provide any further comments as he felt that his comments and concerns were flatly dismissed. When it did not hear any further comments from the complainant, BCTS believed it had satisfactorily addressed his concerns.

In the fall of 2005, the complainant was upset to learn that the silviculture prescription for two of the timber sales said, "The complainant was not concerned with this TSL," when obviously he was concerned. A third silviculture prescription said the complainant was concerned and the fourth did not mention anything about public concerns.

The Board appreciates how the complainant felt when he read the comments in the two silviculture prescriptions. The statements were certainly incorrect. Although the strategies for maintaining stand-level biodiversity outlined in BCTS' June 9, 2005 letter were reflected in the silviculture prescriptions, the complainant maintains that BCTS did not satisfactorily address his concerns.

Amendment 35

In 2004, the complainant and BCTS discussed plans for timber sales within his trapline, east of Henkel Creek. BCTS planned to access the sales from the north. The complainant opposed the route because it would follow an old road he used as a main trapline trail and he thought it would be a barrier to natural movement of wildlife. A reconnoiter of the northern route indicated that it would require more road construction and be more expensive to build than the

⁵ Crown closure is the stand condition resulting in the crowns of trees touching and effectively blocking sunlight from reaching the forest floor.

southern route. BCTS decided to pursue access from the south instead. According to the complainant, a BCTS forester told him that the northern route was no longer being considered.

In the fall of 2005, the complainant was surprised to learn that BCTS was once again proposing access from the north. BCTS said it had difficulty negotiating an access agreement with a private landowner in the south. Although he still opposed the northern access, the complainant said that he finally relented when BCTS agreed to mitigate some of the impact to his trapline. BCTS agreed to:

- limit the road right-of-way to 15-metres wide;
- block access to a bridge between harvesting and planting; and
- remove the bridge once planting was complete.

A year later, the complainant discovered that the road had been built but the right-of-way was not kept to the promised 15-metre width—in places it was as wide as 25 metres. BCTS attributed this result to poor internal communication.

Tree planting was completed in fall 2009. Although the bridge was not removed afterwards, access has been effectively prevented by removing two deck panels.

BCTS' timber sales manager has since apologized to the complainant for the wide right-of-way and asked for his participation in a deactivation plan for the road. The complainant accepted the offer and suggested that debris be left on the edge of the road to provide some cover for animals when they cross it. BCTS accepted the complainant's suggestion and debris was left in place instead of being burned.

The complainant said that BCTS' commitment to a narrow right-of-way was a very important factor in convincing him to drop his opposition to access from the north. He feels that BCTS should have ensured that it kept its commitment. Now he feels extremely dissatisfied; his relationship with BCTS has been damaged, and he feels he has been betrayed.

New Timber Sales

BCTS is planning 10 more cutblocks totaling about 616 hectares within the trapline in the next few years. The investigation examined whether or not the complainant participated in a meaningful review and comment opportunity for those blocks.

The complainant holds both range and trapping tenures that span two forest districts and he receives a significant amount of correspondence from BCTS and the Ministry of Forests and Range concerning a variety of plans. The complainant admitted that he may have missed some notices and not participated fully in the review and comment for the new blocks. However, the complainant did comment about patch size and a lack of remaining mature habitat for two of the timber sales — A84682 blocks 1 and 2, and A84072.

During the consultation for the proposed cutblocks, the complainant continued to express his concerns about the unfulfilled commitments associated with the amendment 35 blocks. By September 2009, the complainant had given up attempts to influence the activities of BCTS and asked for compensation. He felt that none of his concerns were being taken seriously and that further discussions with BCTS would be pointless.

Because the complainant felt that participating in the public review and comment opportunities for the timber sales was pointless because he felt that BCTS would not listen to him, public consultation was not effective.

Has harvesting and road building affected the population of furbearers?

It is generally accepted that loss of habitat can lead to a decline in animal populations. Marten is the principal species that has been harvested on the complainant's trapline in the past. Marten prefer mature forest habitat and they do not thrive in recently harvested areas. In the short term, excessive timber harvesting could reduce marten populations through habitat reduction. Beetle-killed, but still standing, lodgepole pine can provide good marten habitat but it is not known for how long.⁶

The complainant contends that there has been a decrease in the populations of furbearing animals in his trapping areas because of forest harvesting and road building activities in recent years. There is no information available to demonstrate a decline in populations for the trapline. If there were, it would be difficult to attribute any decline in populations to forest harvesting versus the mountain pine beetle because both have contributed to a loss of habitat. Having said that, and recognizing the relatively small size of traplines, it is impossible to support the current level of timber harvest on the landscape while maintaining a commercially viable population of marten on every trapline. A MFR habitat biologist⁷ said that it is probably a good thing that many traplines are inactive because that means there can still be a harvest by the active trappers.

The complainant has no doubt that the number of furbearers has declined because of the habitat that has been removed, but he feels that BCTS could have worked with him to mitigate the impact.

Current Situation

The investigation confirmed that BCTS made two commitments that it did not keep. The investigation considered whether or not this could happen again.

⁶ Doug Steventon RPBio, personal communication.

⁷ Doug Steventon, RPBio, personal communication.

BCTS is certified under the ISO 14001 Environmental Management System and under the Canadian Standards Association (CSA) Z809-2 sustainable forest management standard. Over the past two years, BCTS has implemented elaborate systems that track commitments and the achievement of performance measures in accordance with these standards. There are numerous linkages in the systems and safety checks to make sure that commitments are tracked through all stages of forest development. Through these systems and a process called “resource checks,” where plans are assessed against legislated requirements, BCTS assured the Board that commitments made to stakeholders could not be forgotten. Although new systems are in place, BCTS and the complainant note that there is always room for human error.

To test BCTS’ systems, the investigation reviewed the new timber sales that were first proposed in 2008 to determine whether or not the planned wildlife tree retention for blocks in the Francois West landscape met SRMP requirements. The SRMP requires that 13 percent of cutblock be retained WTPs. Surprisingly, the site plans for the blocks do not reflect this requirement. The results appear in the table below.

| Proposed Blocks (November 2008) | | Required WTP % | Planned WTP % |
|--|----------|-----------------------|----------------------|
| Francois West Landscape Unit | A84681-1 | 13 | 8.5 |
| | A84681-2 | 13 | 11.7 |
| | A84682-1 | 13 | 8.5 |
| | A84682-2 | 13 | 9.5 |
| | A86447 | 13 | 10 |

BCTS explained that final resource checks had not been done for these timber sales because they are not part of the 2010 sale schedule. The final check would catch the deficiency and prompt BCTS to lay out more wildlife tree patch area.

Conclusions

Biodiversity

The investigation found that BCTS complied with applicable requirements for maintaining biodiversity at both the stand and landscape level. Despite that, the complainant believes that BCTS could have done more to mitigate the impact of harvesting and road building on his trapline.

Consultation

BCTS complied with applicable public consultation requirements.

The Board understands that this provides no comfort to the complainant. The complainant participated in good faith in the majority of consultation opportunities provided to him by

BCTS. However, BCTS made two commitments that it did not honour and this has left the complainant feeling betrayed and disappointed. BCTS has since apologized to the complainant and put systems in place to ensure that commitments will not be forgotten in the future. However, from the complainant's perspective, the damage to his relationship with BCTS has been done.

The fact that the complainant feels so frustrated and betrayed that he no longer wants to deal with BCTS suggests that public consultation was not effective.

Furbearer Populations

There is no information available to show whether or not furbearer numbers have been reduced within the complainant's trapping tenure. However, furbearer habitat has certainly declined as a result of harvesting and the epidemic mountain pine beetle infestation.

The mountain pine beetle infestation, government's corresponding increase in allowable annual cut and licensee operating areas mean that the impact of harvesting on wildlife habitat will vary by trapline. Unfortunately in the circumstances of this complaint, BCTS has focused harvesting activity in the area that includes the complainant's trapline.



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