



# Forest Practices Board

File: 97250-20/21015

July 6, 2021

## VIA EMAIL

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3rd Floor, 441 Columbia Street  
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Dear Participants:

**Re: Complaint 21015 - Consistency of BCTS FSPs with the *Order to Establish a Sensitive Area and Objectives for Rose Swanson Mountain.***

This is the Forest Practices Board's investigation report for a complaint filed by an Armstrong resident about the Rose Swanson Mountain sensitive area.

### **The Complaint**

On March 9, 2021, the Board received a complaint that BC Timber Sales' (BCTS) 2012-2018 and 2018-2023 Okanagan-Columbia Forest Stewardship Plans (FSP) are not consistent with the 1996 *Order to Establish a Sensitive Area and Objectives* (Order) for Rose Swanson Mountain.

### **Background**

The Order applies to the Rose Swanson Sensitive Area (RSSA), a 712-hectare area located west of Armstrong popular with outdoor recreationists. The Order was approved under section 5 of the *Forest Practices Code of British Columbia Act* (Code) in 1996, and it established four objectives: (1) Maintain and enhance trail network for use by

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recreationists; (2) Protect visual quality of area; (3) Maintain recreation values by limiting timber harvesting to low impact silvicultural systems; and (4) Protect area against vandalism and timber theft. These are objectives set by government.

When the Code was replaced by the *Forest and Range Practices Act* (FRPA) in 2002, the Order continued to apply to FRPA through section 93.8 of the *Land Act*. The Order remains in effect today.

BCTS planned to auction four cutblocks within the RSSA. When the public became aware of the plans in Fall 2020, there was significant opposition. To date, BCTS has not conducted any road construction or harvesting activities in the RSSA.

### **Discussion**

FRPA requires forest licensees to prepare FSPs, and section 5(1.1) requires that an FSP specify results or strategies consistent with objectives set by government. This investigation considered whether the two BCTS FSPs relevant to this complaint specified results or strategies consistent with the objectives in the Order.

BCTS's 2012 – 2018 FSP specified results or strategies to address the objectives set out in the Order. However, its replacement, which covers the 2018 – 2023 period, does not. Therefore, the 2018 – 2023 FSP is not consistent with the objectives in the Order, and does not comply with section 5(1.1) of FRPA.

In response to public concerns, BCTS stopped the process of selling the timber sales in the RSSA and began a process to amend the FSP to make it consistent with the objectives in the Order. The amendment process includes: drafting results or strategies to address the objectives in the Order; consulting with stakeholder groups and First Nations; holding open house meetings; consolidating input; revising the draft results or strategies; advertising the FSP amendment; and submitting the amended FSP to the district manager for approval.

Consultation does not mean that BCTS has to do everything that stakeholders request. However, there is an expectation that BCTS will address concerns and balance the interests of these groups as they relate to recreation values and the harvesting rights of BCTS, while being consistent with the Order.

### **Conclusion**

When BCTS became aware of the significant public concern about its proposed development in the RSSA, and that its most recent FSP is not consistent with the Order, it stopped the planned timber sales and began an amendment process that involves extensive consultation. The Board supports BCTS's actions and encourages the complainant to participate in the public consultation process.

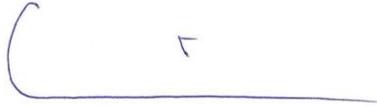
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This concludes the Board's involvement in this file. If you have any questions or concerns, please contact Cam Leitch, RPF at (250) 213-4728.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kevin Kriese".

Kevin Kriese,  
Chair

A handwritten signature in blue ink, appearing to read "Cam Leitch".