



File: 97250-20/21099

June 3, 2022

VIA EMAIL

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Dear Participants:

Re: Complaint 21099 – Timber Sale TA0021 near Roberts Creek

On November 9, 2021, the Forest Practices Board (the Board) received a complaint from Elphinstone Logging Focus about Timber Sale TA0021, near Mt. Elphinstone and Roberts Creek. This is the Board's report on the matter.

The Complaint

The complaint is about the impact of clearcut logging on hydrology and the management of logging debris (slash). Specifically, the complainant is concerned that clearcut logging has led to increased surface runoff that is not being properly managed, the heavy amount of slash left behind will hinder restocking, and burning the debris piles will increase carbon emissions. For relief, the complainant would like clearcut logging to be phased out.

Background

Timber sale TA0021 is located within the traditional territories of the Squamish First Nation and the shíshálh (Sechelt) First Nation on the Sunshine Coast.

BC Timber Sales (BCTS) awarded the timber sale to Black Mount Logging Inc. (the licensee) in 2020. The timber sale is approximately 28 hectares in size and it required the construction of about 2 kilometres of access roads, including a 9-metre long bridge, and 24 culverts. The timber sale lies within the Gough Creek and Clack Creek sub-basins of the Roberts Creek watershed,

and there are 25 streams within or adjacent to the timber sale. None of the streams support fish at the timber sale, but Gough Creek is classified as fish-bearing below a downstream barrier. There are two domestic water intakes on Gough Creek, but neither Gough nor Clack creeks are designated community watersheds.

Logging began in November 2020 and was completed by February 2021. The licensee piled slash and deactivated roads by removing the bridge and culverts after logging was complete. The complainant visited the timber sale on October 29, 2021, and documented his concerns in two videos. The licensee assessed the fire hazard on December 2, 2021, and attempted to burn the slash piles later in the winter. The block was planted when it was free of snow in late April 2022, and Board investigators visited the site on April 29, 2022.

The Investigation

Government's choices about whether or not to permit clearcut logging or burn slash piles are not within the jurisdiction of the Board. However, the Board must deal with complaints about compliance with the *Forest and Range Practices Act* (FRPA) and the *Wildfire Act* (WA). The investigation considered what BCTS did to manage the risk of hydrologic impacts, and whether the licensee complied with legal requirements for water management, road deactivation, and fire hazard assessment and abatement.

Management of the risk of hydrologic impacts

As part of its operational planning in 2013, BCTS contracted a hydrologist to evaluate the current hydrologic condition of watersheds near Mt. Elphinstone, including Gough Creek and Clack Creek. The objective of the assessment was to identify elements that might experience hydrologic effects from harvesting and to recommend how to minimize or eliminate adverse effects. This assessment is not required by FRPA, and it is up to BCTS to accept and adopt its recommendations.

The assessment recommendation most relevant to this complaint is to cap the equivalent clearcut area (ECA) at 25 percent. The percent ECA is the part of a defined forest area – like a watershed or sub-basin – that is equivalent to a newly harvested cutblock. ECA is a concept used to understand the risk of a change in peak flows for an entire watershed.

When cutblocks are harvested, there is no longer a canopy to intercept snow or rain, and the root systems of the harvested trees stop absorbing available water in the soil. The hydrologic condition of a cutblock changes because more water is available in the soil in the harvested area. Over time, the regenerating trees grow root systems that increasingly use the available soil water content. As a regenerating forest grows, the hydrological function of the area recovers, and percent ECA decreases.

The hydrologic assessment also recommended maintaining machine-free buffers of at least 5 metres around streams, ensuring that riparian reserve zones are at least one tree-length wide,

following road design and maintenance recommendations to minimize sedimentation, and ensuring that all streams within cutblocks are assessed by a terrain stability professional.

BCTS calculated the percent ECA, taking into account the harvest of TA0021. The percent ECA is below the 25 percent recommendation in both the Gough and Clack sub-basins. As recommended in the hydrologic assessment, in September 2020 a terrain stability professional reviewed the condition of the streams and their potential to transport sediment that could adversely impact downstream resources or water users. The terrain stability professional made recommendations on assessing the timber edge for wind-firmness and deactivating the road after harvest.

The site plan included the recommended machine-free zones and a 20-metre wide riparian reserve zone on Gough Creek. The road construction plan included measures to reduce sedimentation, including grading, outsloping, insloping, and crowning the road, and avoiding maintenance during the wet season or before heavy precipitation.

In summary, BCTS accepted and addressed the hydrologic assessment's recommendations in its planning for the timber sale. Investigators also confirmed during the field review that practices on the ground reflected what was planned, including respecting the machine-free zones and the 20metre riparian reserve zone on Gough Creek, and implementing measures to reduce sedimentation from the road.

Compliance with legal requirements

Regarding the concern that surface runoff is not being managed properly, FRPA requires the licensee to maintain natural surface drainage patterns during and after construction of a road. It also requires a person who deactivates a road to remove bridges and culverts and stabilize the road prism if necessary to prevent impacts to forest resources. Investigators examined each site where drainage structures were prescribed, installed, and removed, and confirmed that the licensee maintained natural surface drainage patterns and stabilized the road prism.

The complainant was also concerned about the heavy amount of slash on site. The *Wildfire Act* requires the licensee to assess the fire hazard and to abate it if necessary within 30 months of the start of activities, which will end in May 2023. The licensee met these requirements, although not all slash piles burned completely. The licensee will have to assess the success of the abatement and decide whether more is required. If the licensee decides the hazard is abated, BCTS will confirm the assessment as part of its final inspection of the licence. The complainant's main concern was the slash is so heavy that it will be difficult to restock the site. However, during the site visit, investigators confirmed that the timber sale has been successfully planted.

Conclusions

The licensee complied with all legal requirements for maintaining natural surface drainage patterns, deactivation, and fire hazard assessment and abatement. Although not required by the

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legislation, BCTS voluntarily conducted a hydrological assessment, and implemented its recommendations.

Thank you for your cooperation in this investigation.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kevin Kriese", followed by a horizontal line extending to the right.

Kevin Kriese
Chair