



Sunshine Coast
Conservation
Association

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Cascadia Forest Products Ltd. Forest Stewardship Plan

Attention: Stephen Chapman,

We wish to register our objection to the short time frame made available to the public for consideration of this very complicated document which potentially has far ranging implications for all stakeholders including our association. Our members did attend the open house and were not satisfied that relevant issues were adequately presented in the open house or in the literature that was available at that time. We reserve the right amend this document. We are hopeful that Cascadia Forest Products will be open to reconsideration of this FSP and we remain willing to work with Cascadia toward that end.

The Sunshine Coast Conservation Association is an umbrella organization of environmental and conservation advocacy groups working within the SC Forest District. As I'm sure you are aware, we have monitored Cascadia's Forest Development Plans in this area for quite some time. Our concerns with the lack of adequate management and conservation of old growth values and wildlife habitats in the SC Forest District are well known and have been reflected in the findings of the Forest Practices Board, certification bodies and in the BC Supreme Court.

Please accept this letter as the SCCA's response to the public review of Cascadia's draft One Plan FSP.

Listed below are the areas of interest to us as advocates for the protection of biological diversity. Please notify us of any planned activity in any of the "Forest Development Units" in the SCFD that involve;

- harvesting of old growth in biogeoclimatic sub-zones known to be in deficit condition (less old growth inventory than is required to meet assigned targets for Landscape Unit planning),
- changes to established Old Growth Management Areas or Wildlife Habitat Areas that are intended to accommodate harvesting or road building,
- draft Ungulate Winter Ranges (including any proposed for Deer) in either the contributing or noncontributing timber harvesting land base,
- old growth harvesting in age class 8 and 9 stands that have or may have attributes of Marbled Murrelet nesting habitat in either the contributing or noncontributing timber harvesting land base,
- harvesting in any low elevation settings that have or may have significance for Grizzly Bear survival,
- harvesting in Community Watersheds or watersheds designated (under *Section 16 of the Land Act*) as *Watershed Reserve*.

Discussion

General Comments.

The Cascadia One Plan FSP is one of the most indecipherable and obtuse documents we've ever encountered in the course of conservation advocacy. It is very doubtful that any lay person could understand what actual commitments are contained in the plan or what the implications might be for non-forest product values. However it is readily apparent to this writer that, in reality, the plan is not much more than a list of obligations that the licensee is already legally required to comply with. In essence, this FSP is not a "plan" and has nothing to do with "stewardship". It is ironic that the key element of this new regulatory regime that is intended to "maintain public confidence", and "create regulatory simplicity", the Forest Stewardship Plan, is, in Cascade's hands, massively overburdened with legalese and impenetrable language.

We note that both the provincial government and CFP have gone to considerable lengths to create a public expectation that environmental standards would be maintained while reducing regulatory complexity and enhancing stewardship innovation. We also note that CFP will receive substantial benefits on approval of this FSP; the right to operate almost entirely free of government agency oversight and relief from the liability provisions of the former Forest Practices Code Act.

Specific Concerns.

1. *Stillwater Pilot Project*. This FSP details a substantial roll back in environmental protections that were legally established in the Stillwater Pilot Project (SPP). Many of these protections were environmentally significant as well as critically important for

the economy of the Powell River area. In regard to the SPP, the One Plan FSP does not "maintain environmental protection" or "maintain public confidence". In essence, CFP is receiving a benefit in exchange for a document that reduces environmental protection and eliminates "balance".

2. *Use of the phrase "...without unduly restricting the flow of timber..."*. Use of this phrase by CFP in the context of a result or strategy is unwarranted and has the effect of reducing a statement to absurdity. For example, a plain language version of FSP Objective #9 essentially states that harvesting in a Community Watershed will not have the effect of overwhelming a publicly owned water treatment plant, unless this measure unduly restricts the flow of timber. Does this strategy or result for drinking water reflect a balance with other values and stakeholders? Is it CFP's intention to be without liability for the deposit of deleterious substances in a drinking watershed as long as these do not adversely impact a water treatment plant? The standard established by this objective is inferior to that established for fish under the Fisheries Act!
3. *Authorities of Government*. The meaning of the phrase ".....without unduly reducing the supply of timber....." is not clearly defined in the Forest and Range Practices Act. However, it is clear that the determination that a proposed protection would "unduly restrict" is an authority of government and not a power of a licensee. Any other interpretation would reduce the regulatory system to anarchy. This FSP appears to assume the authority to circumvent law by using the "unduly restricting" phrase. In regard to the use of this phrase, the One Plan FSP reduces environmental protections, does not maintain a balance of interests and brings the plan into conflict with other legislation.
4. *Goals and Objectives Set by Government*. There are a wide range of "goals and objectives" set by government that are not referred to in this FSP. Goals and objectives are established by the provincial government for all ministries and agencies. For example, the service plan for the Ministry of Agriculture and Lands contains goals and objectives for the Integrated Land Management Bureau and the Species-at-Risk Coordination Office. The service plan notes that reviews of the Old Growth Management Area order and the Identified Wildlife Management Strategy are underway and may be amended to accommodate the needs of several species, including those of the Marbled Murrelet. This FSP does not commit CFP to cooperation with provincial government goals and objectives related to adequate management and conservation of species-at-risk.

It should be noted that all licensees have obligations under a variety of federal statutes. For example, the Marbled Murrelet is protected under the Migratory Birds Convention Act and is listed as a *Threatened* species under the Species-at-Risk Act. It is an offense to disturb the residence of this species. Compliance with federal statute is not addressed in this Plan.

5. *Habitat for Specified Species*. FSP Objective #4 is to conserve sufficient wildlife habitat for the survival of species at risk ..."as specified by the Minister...". In plain language, this statement means that CFP will only protect habitat specified by the Minister. The best currently available scientific information clearly shows that the Minister has not specified sufficient habitat to insure the survival of many species that are known to be at risk. For example; the plan commits to protecting 3.3 hectares for the Coastal Tailed Frog, as established by the Minister. Are the authors of the plan prepared to risk their professional credibility on the idea that protection of 3.3 hectares is sufficient to insure the survival of this species within the areas of its operations in Sunshine Coast Forest District?

In regard to the Marbled Murrelet, the federal Marbled Murrelet Recovery Team has assembled the best currently available scientific information. It has been known for some time now that this species needs more land base than has been or will be protected through Landscape Unit Planning. The FSP commits to not harvesting in "0" hectares for Marbled Murrelet protection. Obviously, this commitment will fail to achieve conservation adequate to "insure the survival of the species" in the area managed under this FSP.

6. *Professional Reliance*. Bylaws 14 and 17 of the Constitution of the Association of BC Forest Professionals outline ethical obligations and standards of professional practice that a member must comply with in order to hold the right to practice forestry in this province. Under the Foresters Act, these bylaws have status under law. Taken in total these obligations clearly require that all forest values be adequately managed and conserved. This includes critical habitat of species at risk. A literal interpretation of this FSP is that conservation is only practiced to the extent that the Minister will allow. As well, the wording creates a barrier to adequate management and conservation as it implies that lands not set aside by the Minister must be logged. This FSP does not achieve balance with other interests or maintain environmental standards as is required in the Forest Act and as is required by the ethical obligations and standards of professional practice detailed in Bylaws 14 and 17.

Conclusions

This FSP does not meet the minimum requirements established in the Forest and Range Practices Act. The stated purpose of achieving balance and maintaining environmental standards is not accomplished. Standards are proposed in the FSP that are less than those established in the Foresters Act, the Forests Act and a variety of federal acts including the Fisheries Act, the Migratory Birds Convention Act and the Species At Risk Act. As well, the FSP is virtually indecipherable and contains statements that render it legally meaningless.

Recommendations

- Redraft the FSP and resubmit it for public review,

- In the new draft, commit to legally binding results regarding the protection of public drinking water,
- In the new draft, commit to measurable results and strategies to insure the survival of ungulates and species at risk,
- In the new draft, strive genuinely to maintain and enhance environmental standards and achieve balance with public and community interests.

Thank you for your consideration.

Yours truly,

Daniel Bouman

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