

2012/13 Estimates Debate

Ministry of Forests, Lands and Natural Resource Operations

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Issue: Protection for monumental trees

Key Facts Regarding Issue:

- Public and media attention on Avatar Grove has renewed calls for the protection of trees of exceptional size or form, age or historical significance ("monumental" trees).
- The Forest Practices Board investigated Avatar Grove, and reported on "Logging Old Growth Forest Near Port Renfrew" in February, 2011. The board encouraged government, forest professionals, and forest licensees to "seek additional creative means to conserve trees of exceptional size or form, age or historical significance when they encounter them in their forestry work."
- The Minister of FML, Pat Bell, was quoted in the Vancouver Sun (Feb 17/11): *Bell said in an interview Friday that he has asked the province's chief forester to review existing regulations and to develop new "tools" for protecting trees that, because of their age, have values that make them worth preserving. (emphasis added)*
- Existing legislation was reviewed, concluding there was no business case to develop any new legal tool, as existing legal authorities are sufficient to protect monumental trees.
- Recently, ENGOs have expressed their concern that the current legal tools for protecting monumental trees are limited to only those trees that have been previously identified.
- Where a monumental tree is encountered during harvesting operations there is no mechanism to require tenure holders to protect it, and no mechanism for government to intervene.

Advice and Recommended Response:

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Date Prepared/Revised: February 8, 2012

Ministry Executive Sponsor:

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2014/15 Estimates Debate

Ministry of Forests, Lands and Natural Resource Operations

Issue: Protection of Big or Unique Trees

Key Facts Regarding Issue:

- Public and media attention on Avatar Grove renewed calls for the protection of trees of exceptional size, form, age or similar significance (“big” trees) on crown land.
- The Forest Practices Board investigated Avatar Grove and issued the report “*Logging Old Growth Forest near Port Renfrew*” in February, 2011. The ~~board~~ Board encouraged government, forest professionals and forest licensees to “seek additional creative means to conserve trees of exceptional size or form, age or historical significance when they encounter them in their forestry work.”
- Minister Bell, in response to the Board’s recommendations, requested an examination of existing tools and development of new ones to protect big trees.
- ~~The Existing legislation was reviewed and it was initially review concluded that existing tools in legislation—such as recreation sites established under the Government Action Regulation of the *Forest and Range Practices Act* — are sufficient to protect big trees when they are identified in advance of harvesting activities and when they occur on sites that also have recreation value.~~
- ~~there was no business case to develop any new legal tool, since existing legal authorities—such as recreation sites established under the Government Action Regulation of the Forest and Range Practices Act (FRPA)—have been sufficient to protect big trees on a number of sites.~~
- However, when an exceptionally big, or otherwise unique, a big tree is encountered *during harvesting operations*, ~~currently there is currently~~ no mechanism that requires tenure holders to protect it and no mechanism for the government to intervene.
- ~~Recently, environmental non-governmental organizations, particularly t~~ The Ancient Forest Alliance (AFA) has led the active public campaign for the protection of big trees, and has expressed concern about this possible ‘gap’ in protection., ~~have expressed concern that current legal tools for protecting specific big trees are limited to only those trees that have been previously identified, on sites that have recreation value.~~
- ~~The AFA is being actively consulted as part of on-going policy analysis to identify new ways to protect big trees as a feature of value unto themselves regardless of when they are discovered.~~

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Advice and Recommended Response:

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2014/15 Estimates Debate

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2014/15 Estimates Debate

Ministry of Forests, Lands and Natural Resource Operations

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Date Revised: ~~XX~~ January 10, ~~YY~~, 2014

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2015/16 Estimates Debate

Ministry of Forests, Lands and Natural Resource Operations

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Issue: Protection of Big Trees (Specimens and Groves)

Key Facts:

- Public and media attention on Avatar Grove near Port Renfrew renewed calls for protection of trees of exceptional size, form, age or similar significance (“big trees”) on Crown land.
- The Forest Practices Board investigated, and issued a report in February 2011 that encouraged government, professionals and licensees to “seek additional creative means to conserve trees of exceptional size or form, age or historical significance when they encounter them in their forestry work.”
- In response to the Board, Minister Bell requested an examination of existing legal tools and the potential need for a new one, to protect big trees.
- The review concluded that existing legal tools—typically recreation sites established under the *Forest and Range Practices Act* — are sufficient to protect big trees when they are identified in advance of harvesting activities and on sites that also have recreation value.
- However, when big trees are encountered during harvesting operations, there is currently no mechanism to proactively require tenure holders to protect them.
- The Ancient Forest Alliance (AFA) has led an active public campaign for the protection of big trees and groves. In March 2014, the AFA participated in the unveiling of “Big Lonely Doug”(potentially Canada’s 2nd largest Douglas-fir, located near Port Renfrew), and in June 2014, led a broader public letter-writing campaign.
- In September 2014, the UBC Faculty of Forestry launched a redesigned online repository of information on big trees and groves in BC that enables the general public to nominate a tree. The ministry is now working with UBC to identify ways the new registry can support advancing a practical solution to protecting big trees.
- In 2014, the ministry collaborated with the AFA, responded to numerous letters from the public, and held discussions with internal FLNR policy staff in pricing, inventory, forest tenures, lands policy, legislation, district operations, and with ecological specialists.

Recommended Response:

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2015/16 Estimates Debate

Ministry of Forests, Lands and Natural Resource Operations

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Date Revised: February 3, 2015**Ministry Executive Sponsor:**

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