

**MINISTRY OF FORESTS, LANDS, NATURAL RESOURCE OPERATIONS AND  
RURAL DEVELOPMENT  
INFORMATION NOTE**

Date: June 19, 2018

**CLIFF:** 240189

**PREPARED FOR:** Honourable Doug Donaldson, Minister of Forests, Lands, Natural  
Resource Operations and Rural Development

**ISSUE:** Vancouver Island Old Growth Forest Initiative Update

**BACKGROUND:**

The Vancouver Island Old Growth Forest Initiative (VIOGFI) is a West Coast Region-led project to coordinate and develop new and existing policy and strategies for old growth forest management on Vancouver Island. The initiative was developed in 2016 in response to an active media campaign and increasing public and municipal pressure to halt old growth logging on Vancouver Island.

Initiative components include an “Iconic (Big) Tree Policy”, new wildlife habitat areas and old growth management areas, additional Coastal Douglas-fir ecosystem protection, forest inventory improvements, impact assessments of an accelerated transition to second-growth management, a forest sector engagement strategy, and a public communication plan.

The recent harvest of a large Douglas-fir tree by the holder of a timber sale licence (TSL) auctioned by BC Timber Sales (BCTS) in the Nahmint valley (south-west of Port Alberni) generated renewed negative publicity that put increased public attention on old growth logging and big tree protection on Vancouver Island.

**DISCUSSION:**

The “Iconic (Big) Tree Policy” and the second-growth transition analysis are the two projects under this initiative of most interest and concern for industry stakeholders and environmentalists.

The current draft “Iconic (Big) Tree Policy” is designed to protect large legacy and iconic trees in BC that have social, ecological, cultural and tourism values. Recent increased attention and campaigns on old growth forests and large trees on Vancouver Island has prompted continued work on a draft policy to voluntarily identify and protect individual large trees. BCTS and Western Forest Products Inc. each have operational policies in place for big tree retention. A decision was made in May 2018 to initiate a pilot project on Vancouver Island and the South Coast Region with a focus on BCTS operating areas.

More recently, groves of large trees are being considered for inclusion in the “Iconic (Big) Tree Policy”. While the economic impacts of single tree retention are small, groves may create a measurable impact.

The second-growth transition analysis component assesses the timber supply and socio-economic contributions of the old growth logging on the Coast and Vancouver Island. If a decision were made to implement a moratorium on old growth and immediately transition to second-growth harvest, timber supply would decline by 27 percent, corresponding to approximately 2,100 jobs lost on Vancouver Island and Lower Mainland where milling occurs. These reductions are projected to result in nine sawmill closures and one pulp mill closure due to a decreased chip supply.

It is important to note that these socio-economic projections likely underestimate actual impacts due to Statistics Canada methodology which does not recognize the higher employment required to log old growth and the higher value from old growth forest products relative to second growth forests. Additionally, consequences will extend to the secondary manufacturing sectors with loss of fibre (pulp, shake and shingle) and log exports are anticipated to increase during the period of reduced mill capacity during re-tooling to the second-growth profile.

Other VIOGFI projects such as new wildlife habitat areas and old growth management areas and additional Coastal Douglas-fir protection have important wildlife and ecological benefits and limited economic impacts. Habitat protection for Marbled Murrelet and Northern Goshawk is underway including 125 new wildlife habitat areas established this spring and more in the works. The Coastal Douglas-fir amendment should be completed this summer. Updated forest inventories will improve our assessments of current forest condition and value, particularly in tree farm licences and on private land. Ongoing engagement with the forest sector maintains communications with industry and communications strategies will improve our public messaging and response to environmental non-governmental organization (ENGO) campaigns. Staff review of ENGO public messaging for Vancouver Island indicates that ENGOs may be using a non-standard reporting methodology that tends to under-represent old growth representation.

#### **NEXT STEPS:**

- Staff are drafting a set of options to further address old growth management concerns, which should be ready for fall 2018 delivery. Options will range from transitioning out of old growth harvesting to using land use planning tools in a targeted approach (specific ‘hot spots’).
- Continue development of the “Iconic (Big) Tree Policy” and consider expansion to include big tree groves.

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- The Coastal Douglas-fir amendment should be completed this summer.
- Ongoing engagement with the forest sector is necessary to manage growing concerns among industry stakeholders around the “Iconic (Big) Tree Policy” and second growth transition.

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# Central Group - Southern Mountain Caribou **Caribou Recovery Strategies**

Green Caucus – CASA Discussion

June 12, 2018



## Outline

- Issue
- Overview - Provincial Caribou Recovery Program
- Context:
  - Caribou Populations & their habitat
  - Treaty Rights
  - Economic and Community Interests
  - Bilateral Conservation Agreement

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- Implementation
- CASA Policy Initiative Linkages



## Issue:

- Request for direction to ELUC in June around mandate to support expanded collaboration on Southern Mountain Caribou conservation across province to minimize risk of federal Order; and
- Securing more habitat for protection, on an interim basis, to support caribou recovery.



# Update - Provincial Caribou Recovery Program:

- \$27M committed over three years to support caribou recovery (Feb 2017)
- Mandate provided in Jan 2018 to develop a program plan
- Formed a provincial caribou recovery program and team
- A strategic plan is in play, with some of its forward-looking details out in public for comment over the spring – summer
- Objectives of the program are to support caribou recovery, and articulate a balance between caribou and communities

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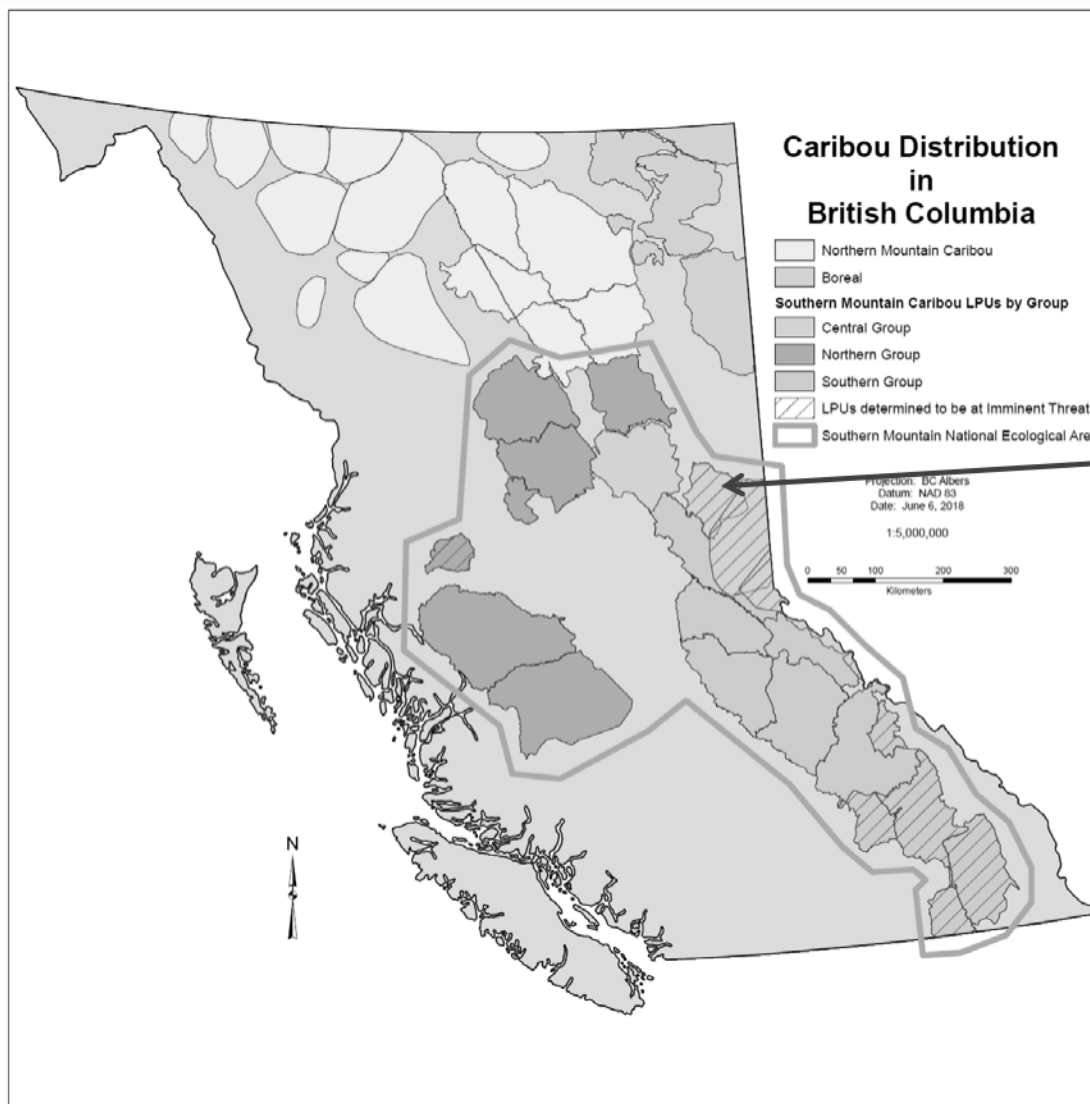




# Central Group of Southern Mountain Caribou:

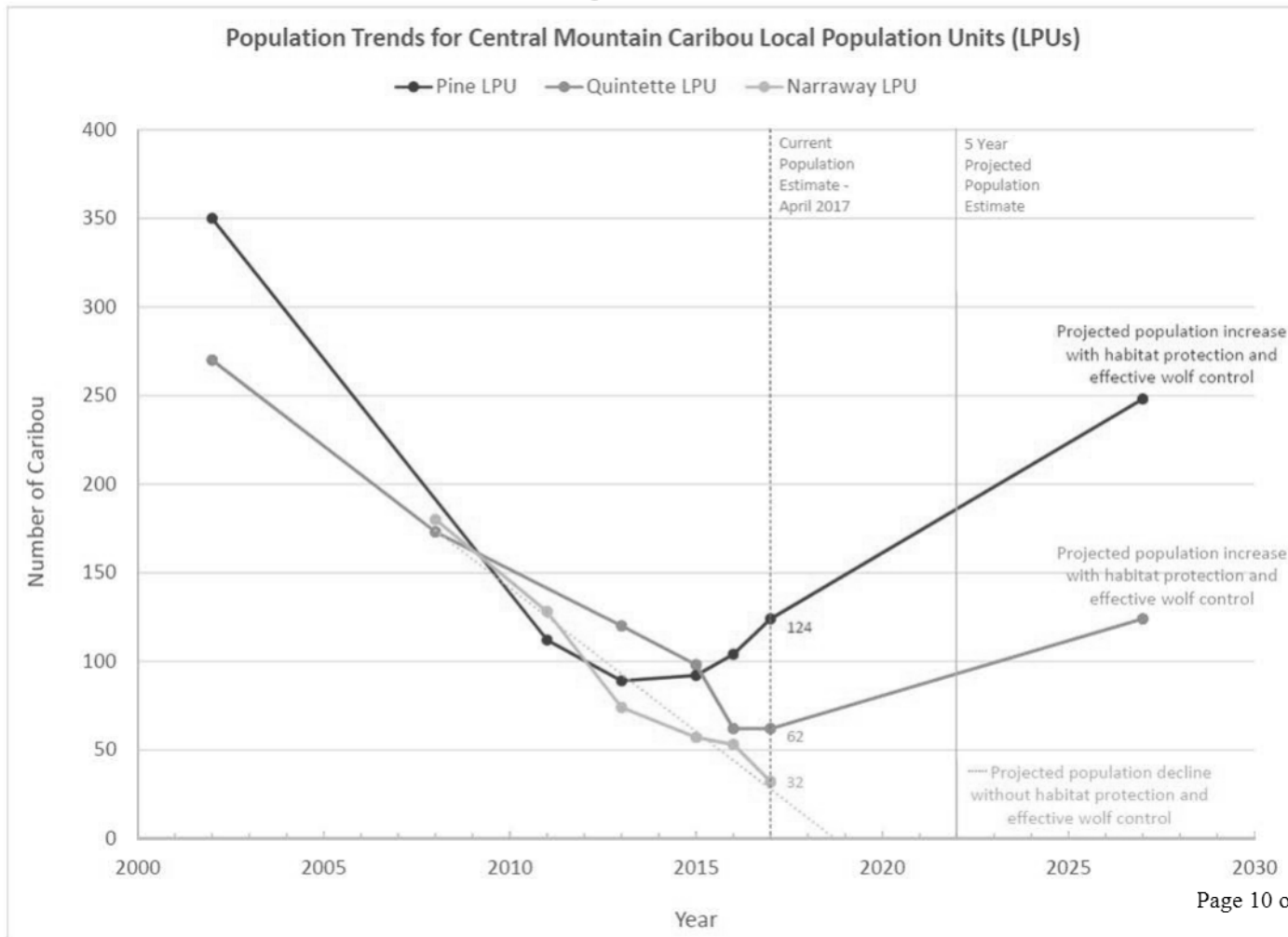
- Caribou populations are in decline
- SARA requires populations to be recovered to self-sustaining levels
- Canada's focus, by their legislation, to support population recovery is primarily through habitat protection
- Science indicates habitat protection is important, but it's not the sole response

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# Context: Caribou Populations & Habitat





## Context: Treaty rights

- West Moberly has a court affirmed right to hunt caribou as part of their seasonal round
- Current caribou populations do not support this right
- Early engagement with Treaty 8 First Nations led to partnership talks on more recovery measures than the current maternal pen
- The population status, combined with a proven Treaty right, means new authorizations that disturb caribou habitat require the deepest of consultation.



## Context: Economic and community interests

- **Forestry:** Core habitats support over 300,000 m<sup>3</sup> of allowable annual cut. Most valuable resources long term at low elevation
- **Natural Gas:** There is some older (conventional) development. However, much of the high elevation has little development or potential
- **Wind:** There is very good potential for wind power, but low demand.
- **Mining:** There is significant coal resources in much of the area, with a focus on the Quintette herd



# Context: Bilateral Conservation Agreement

- S.80 of SARA empowers Federal Cabinet to make emergency order on any land in Canada, if imminent threat to survival or recovery exists
- Federal Minister concluded on May 4<sup>th</sup> there was an imminent threat to Southern Mountain Caribou recovery
- Expect Federal Minister to recommend a Protection Order
- Federal Cabinet can consider S.11 Bilateral Conservation Agreement in decision to implement or reduce scope of order
- Agreement must include new habitat protection measures

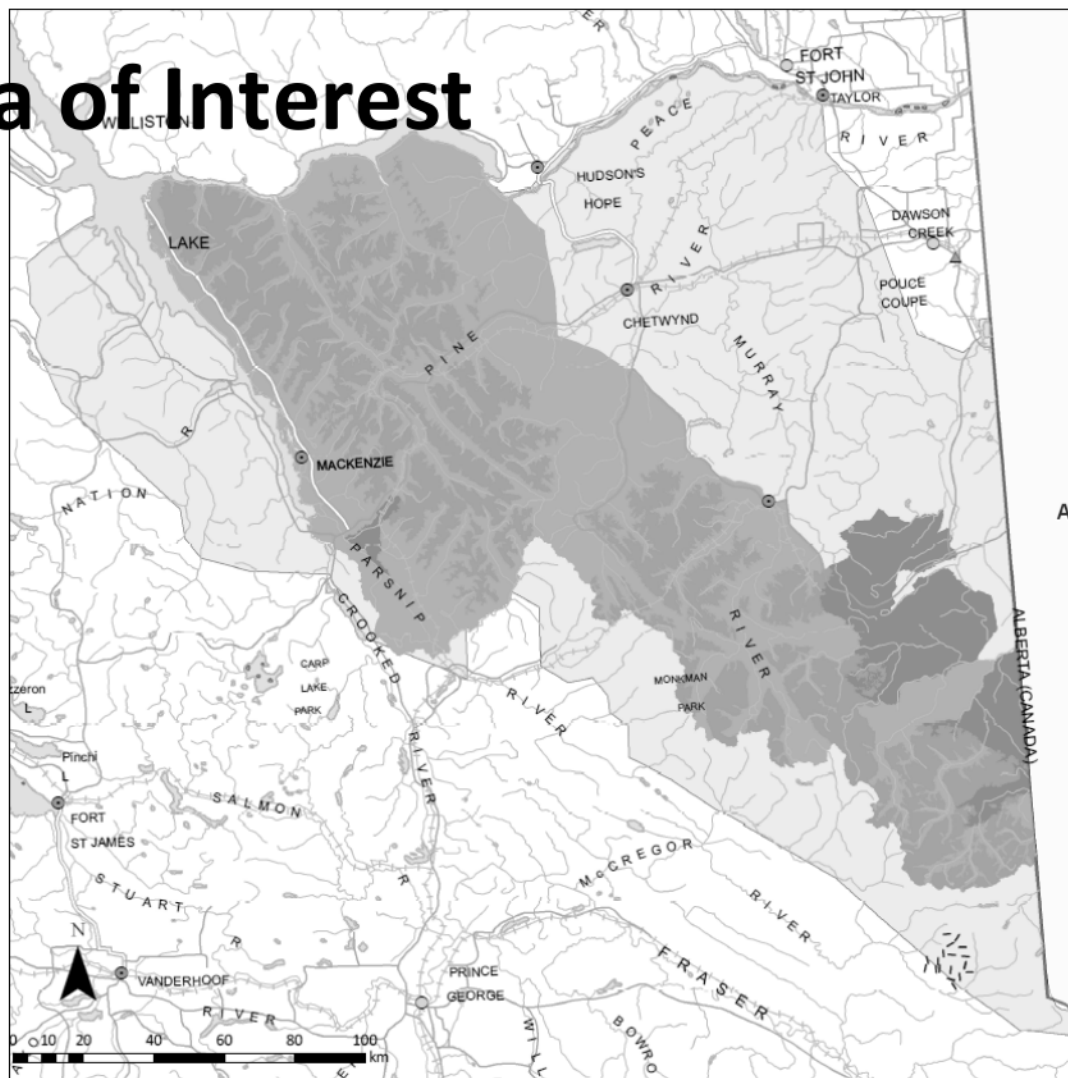
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# Area of Interest



## Proposed Caribou Habitat Protection Options

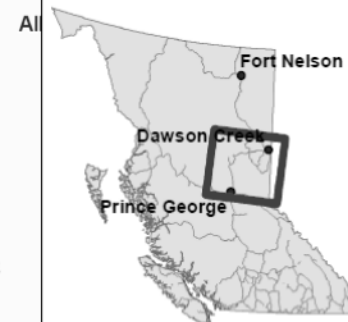
### LEGEND

#### Central Group Habitat

- High Elevation Habitat
- Low Elevation Habitat
- Matrix Habitat

#### Recommended Protection Options

- Seven Herd Boundary BC Version



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## CASA Policy Initiative Linkages

- + Comprehensive planning process => Putting people at the center of decision-making
- + Habitat protection and restoration => support climate action through carbon sequestration
- Less forestry opportunities => reinvigorate the forest sector to improve jobs for local communities
- Less resource sector activity => reduced jobs, making life less affordable for rural residents



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## Central Group - Southern Mountain Caribou **Caribou Recovery Strategies**

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- Overview - Provincial Caribou Recovery Program
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Two requests for direction are coming forward.

First, there is a request from the Ministry of Environment and Climate Change related a draft Bilateral Conservation Agreement.

Second, there is a request from the Ministry of Forests, Lands, Natural Resource Operations and Rural Development to consider additional habitat protections to support caribou recovery in the south Peace region.



## Issue:

- Request for direction to ELUC in June around mandate to support expanded collaboration on Southern Mountain Caribou conservation across province to minimize risk of federal Order; and
- Securing more habitat for protection, on an interim basis, to support caribou recovery.

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There are two issues we want to discuss today:

- 1) Expanding the geographic scope of a Bilateral Conservation Agreement under S.11 of SARA; and
- 2) Increasing the amount of habitat protected to support caribou recovery, in a specific area of the province.

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It's good to recap where we are with the Provincial Caribou Recovery Program first.



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## **Update - Provincial Caribou Recovery Program:**

- \$27M committed over three years to support caribou recovery (Feb 2017)
- Mandate provided in Jan 2018 to develop a program plan
- Formed a provincial caribou recovery program and team
- A strategic plan is in play, with some of its forward-looking details out in public for comment over the spring – summer
- Objectives of the program are to support caribou recovery, and articulate a balance between caribou and communities

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### **Update:**

This is a major species-at-risk initiative for the province.

Despite investment in caribou recovery in the past, most herd populations have continued to decline.

A number of change management considerations have been designed and deployed to change the way the province is addressing this situation, to support caribou as well as the interests highlighted intertwined with it.



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## Central Group of Southern Mountain Caribou:

- Caribou populations are in decline
- SARA requires populations to be recovered to self-sustaining levels
- Canada's focus, by their legislation, to support population recovery is primarily through habitat protection
- Science indicates habitat protection is important, but it's not the sole response

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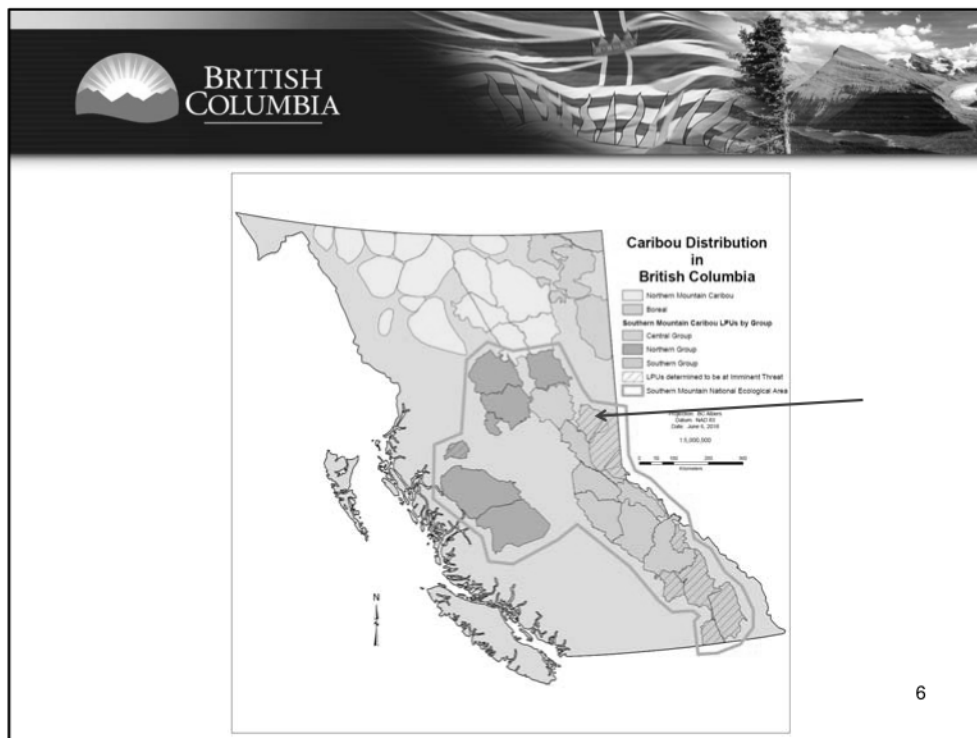
### Issue:

Caribou populations across BC are generally in decline. Some herds are in more trouble than others. Only in places with very low levels of habitat disturbance or significant investment in recovery measures (e.g. predator management, maternal penning) have some populations been able to stabilize or start to show modest growth.

The federal government has signaled that a bilateral agreement on caribou conservation likely will not make it to signatures without BC putting a habitat protection commitment on the table. There are many ways we can go on this. Canada is looking for something substantial that can be considered a reasonable alternative to a broad federal order.

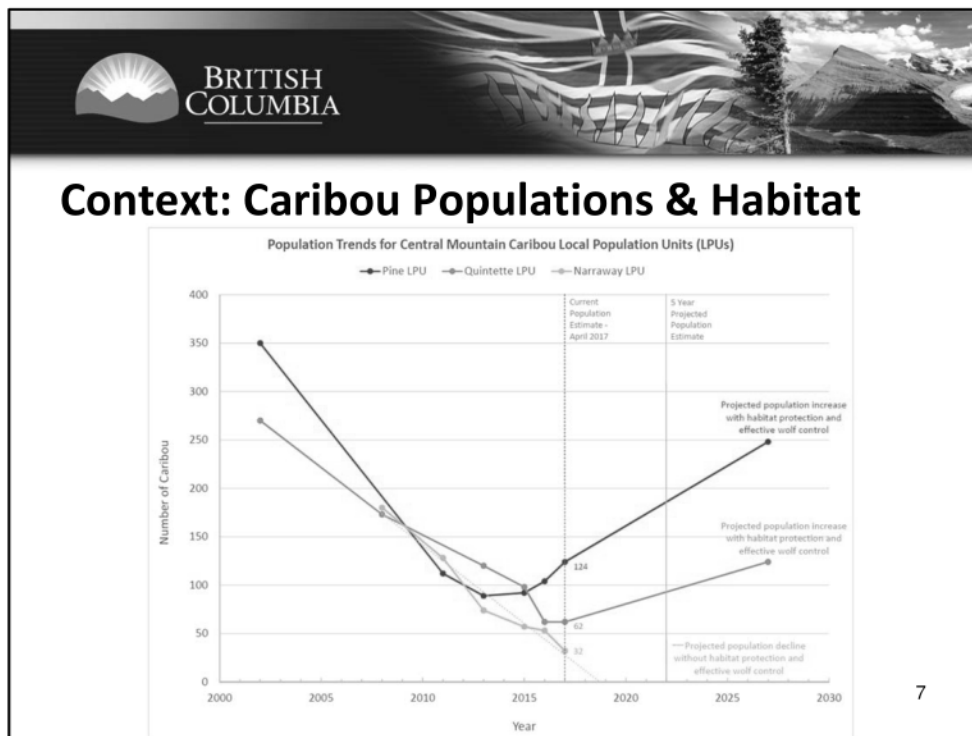
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To locate the area of interest, we are looking at the south Peace. Think north and east of the District of Mackenzie, and south and west of Dawson Creek. Communities found within this area include Chetwynd, Tumbler Ridge, Pouce Coupe, Mackenzie, Hudsons Hope.

First Nations traditional territories are predominately that of Treaty 8 First Nations. They include West Moberly First Nations, Saulteau First Nations, Doig River First Nation, Halfway River First Nation, McLeod Lake Indian Band, Blueberry River First Nations and Horse Lake First Nation.



**Why are we in need of new habitat protections? It starts with the status of the caribou population.**

Two of three Local Population Units deemed at imminent threat (Narraway and Quintette) – see trends both known and predicted for the three Local Populations

- Narraway LPU has ~30 animals from 44 in 2016; steep population decline overall
- Quintette LPU seeing modest population growth over three years since predator management was initiated; 73 animals from 62 in 2016
- Pine LPU seeing reasonable growth from combination of predator management, penning and feeding program; 129 animals from 104 in 2016. This is in part as result of our support of West Moberly and Saulteau First Nations in establishing and operating the province's most successful maternity pen.

From the perspective of the Federal Government, First Nations and much of the science, habitat fragmentation and loss is the ultimate reason for decline. Resulting from habitat fragmentation, and changes in wildlife populations across the province, the local (or 'proximate') threat is the increase in predator populations and their access to places of refuge by caribou.

This area of the province has seen significant development from mining to forestry, renewable energy to natural gas and others.



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## Context: Treaty rights

- West Moberly has a court affirmed right to hunt caribou as part of their seasonal round
- Current caribou populations do not support this right
- Early engagement with Treaty 8 First Nations led to partnership talks on more recovery measures than the current maternal pen
- The population status, combined with a proven Treaty right, means new authorizations that disturb caribou habitat require the deepest of consultation.

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**Treaty right infringement is a real risk.**

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## Context: Economic and community interests

- **Forestry:** Core habitats support over 300,000 m<sup>3</sup> of allowable annual cut. Most valuable resources long term at low elevation
- **Natural Gas:** There is some older (conventional) development. However, much of the high elevation has little development or potential
- **Wind:** There is very good potential for wind power, but low demand.
- **Mining:** There is significant coal resources in much of the area, with a focus on the Quintette herd

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This is a very busy area of the province. There are active forestry, natural gas, clean energy, and mining projects. Forestry relies most heavily on the timber in the valley bottoms and there is little activity in the high elevation forests.

Natural gas interests longer term are at lower elevation.

Mining is the most significant economic activity in the region with existing and proposed coal mines. **There is significant coal resources in much of the area, with a focus on the Quintette herd**

- High elevation habitat is either fully issued in tenure or covered by Coal Land Reserves. Low elevation also has many tenures.

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## Context: Bilateral Conservation Agreement

- S.80 of SARA empowers Federal Cabinet to make emergency order on any land in Canada, if imminent threat to survival or recovery exists
- Federal Minister concluded on May 4<sup>th</sup> there was an imminent threat to Southern Mountain Caribou recovery
- Expect Federal Minister to recommend a Protection Order
- Federal Cabinet can consider S.11 Bilateral Conservation Agreement in decision to implement or reduce scope of order
- Agreement must include new habitat protection measures

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### Background

- In October 2017, ELUC directed the Ministry of Environment and Climate Change Strategy and the Ministry of Forests, Lands, Natural Resource Operations and Rural Development to negotiate a Section 11 Bilateral Conservation Agreement under the federal *Species at Risk Act* (SARA) for the Central Group of Southern Mountain Caribou with Environment and Climate Change Canada.
- A draft Bilateral Conservation Agreement was developed and Treaty 8 First Nations and public consultation occurred over fall 2017 and winter 2018.
- On May 4<sup>th</sup>, the Federal Minister concluded that there is an “imminent threat” to survival for ten Southern Mountain Caribou Local Population Units.
- A Section 80 of SARA empowers the federal cabinet to make an emergency order to protect species or their critical habitat on any land in Canada, in circumstances where the responsible federal minister is of the view that there is an imminent threat to the survival or recovery of the species.
- Since May 2017, five applications for Section 80 Imminent Threat Orders for Southern Mountain Caribou herds (three for the SE BC, one for SMNEA and boreal, and one for Central Group) have been filed with Environment and Climate Change Canada.
  - Environment and Climate Change Canada has signalled the draft Bilateral Conservation Agreement produced in late 2017 is insufficient for federal government support; producing an Bilateral Conservation Agreement for just the Central Group is no longer adequate.

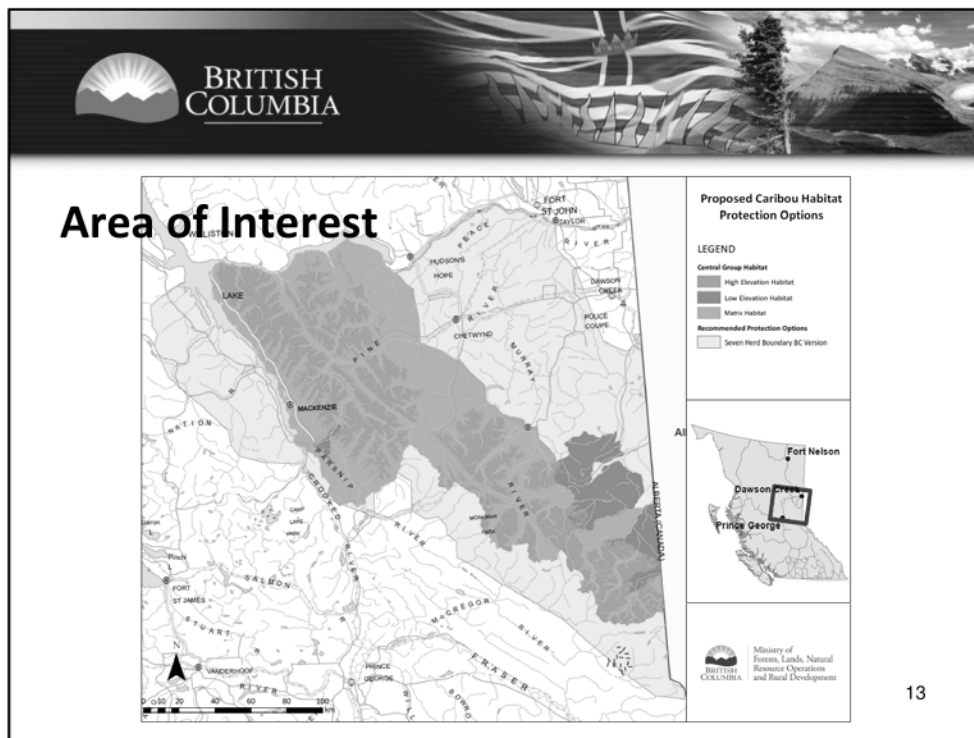
### SARA & the Role of a Section 11 Bilateral Conservation Agreement

- Under SARA, a Federal Minister must recommend a Protection Order to the federal cabinet if insufficient habitat is protected.
- Based on our collaborative efforts with Environment and Climate Change Canada, we know this will be the Federal Minister’s finding. We expect this recommendation to be made in the coming month.
- Federal Cabinet can consider a Bilateral Conservation Agreement in its decision to implement or reduce the scope of an Order.
- Federal Cabinet is meeting in late July to discuss the Federal Minister’s recommendation. A decision is expected to be made in early fall 2018.
- Economic and land base certainty, and a window for modest federal funding are potentially enhanced by pursuing a Bilateral Conservation Agreement.

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BC caribou experts believe the habitat necessary for long term recovery to self sustaining populations (and a First Nations' hunt of caribou) includes the area highlighted in purple and orange

ECCC is interested in protections in the areas advised by BC experts (purple and orange), but also extensive management and some protections across the grey colored area.

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Through partnership conversations with West Moberly and Saulteau First Nations, our scientists recommend that immediate protections should occur first within high elevation areas (purple) and then within low elevation areas (orange areas are focus points).

As a means to demonstrate progress to federal Cabinet, and minimize risks, BC proposes a moratorium on new authorizations within 90% of the purple area. Existing projects can continue along with other approved permits (to reduce compensation risk). For instance, a handful of major mines can continue to operate. A couple advanced mining projects in the decision pipeline will be brought forward for statutory decision. Forestry licensees will not have new cutting permits accepted. The same goes for new wind projects and natural gas projects.

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## **CASA Policy Initiative Linkages**

- + Comprehensive planning process => Putting people at the center of decision-making
- + Habitat protection and restoration => support climate action through carbon sequestration
- Less forestry opportunities => reinvigorate the forest sector to improve jobs for local communities
- Less resource sector activity => reduced jobs, making life less affordable for rural residents

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This proposal hits three of the four policy initiative areas under CASA:

- making democracy work for people
- jobs, climate and a sustainable economy that works for everyone
- making life more affordable

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More protections will impact local communities and local jobs in rural BC, where they are reliant on the resource sector. It also won't promote the revitalization initiative articulated in CASA for the forest sector where you want to reinvigorate opportunities.

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