

Chief Forester Order Respecting an AAC Determination For Tree Farm Licence No. 23

Section 8 (3.1) of the *Forest Act* stipulates in part that

If ... the chief forester considers that the allowable annual cut ... is not likely to be changed significantly with a new determination ... the chief forester ... by written order may postpone the next [allowable annual cut] determination ... to a date that is up to 10 years after the date of the relevant last determination, and ... must give written reasons for the postponement”.

In accordance with Section 23(3) of the *Interpretation Act*, the deputy chief forester is expressly authorised to carry out the functions of the chief forester, which include those required under Section 8 of the *Forest Act*. I, the deputy chief forester, order the postponement of the allowable annual cut (AAC) determination for Tree Farm Licence (TFL) No. 23 to September 1, 2009 for the reasons noted in this document.

In considering whether to postpone the next AAC determination for TFL 23 held by Pope and Talbot Ltd. (the “Licensee”):

- I have reviewed each of the factors considered in the most recent relevant AAC determination made on August 31, 1999 (the rationale for this AAC determination was signed on May 2, 2000). That determination set the AAC at 680 000 cubic metres, effective August 31, 1999, and attributed 56 000 cubic metres per year to the ‘aerial’ operability class.
- I have also reviewed the timber supply analysis submitted in 1999 in support of that determination, including sensitivity analyses. I am aware that in the base case of the analysis the initial harvest level of 680 000 cubic metres per year could be maintained for the first 40 years of the forecast period.
- Further, I have reviewed the deputy chief forester’s October 16, 2002, order postponing the AAC determination for TFL 23 to September 1, 2007.
- I have investigated whether any significant new information exists concerning each factor specified in Section 8 of the *Forest Act*. I am aware that:
 - The licensee has harvested 47 percent of the portion of the AAC attributable to the ‘aerial’ operability class over the cut control period 2000-2004. I note that harvesting on the conventional land base over the same period has not significantly exceeded the balance of the AAC (102.8 percent).
 - In 2007, 64.752 hectares of private land was deleted from the TFL. This change does not significantly affect the timber supply.
 - The 1999 timber supply analysis reflected the land-use recommendations of the Kootenay-Boundary Land Use Plan (KBLUP) and the Revelstoke and Area Land Use Planning Minister’s Advisory Committee (MAC). Since 1999, the government has promulgated and then replaced the KBLUP Higher Level Plan Order and has endorsed the MAC recommendations. I am aware that government staff and licensees are continuing to assess timber supply impacts of the Order and the MAC recommendations and that known impacts will be modeled in the timber supply analysis for the next determination.
 - The area identified as caribou habitat, and the management strategy for this area, have changed slightly since 1999. This change would not significantly affect the timber supply for the TFL. I note that new research into caribou habitat is emerging that may result in

increased habitat requirements. However, it is not appropriate to base my present decision on unsupported speculation with respect to factors that might affect the timber supply in the future.

- Ungulate winter range has been legally established since the last determination and a four hectare wildlife habitat area (WHA) has been established to protect Coeur d'Alene salamanders. Other small WHAs may be established. None of these changes would significantly affect the short term timber supply for the TFL as a whole and the total reduction for WHAs will be within the maximum one percent impact considered in the 1999 AAC determination.
- I am aware of the Province's legal obligation stemming from court decisions to consult First Nations on proposed decisions concerning various forest management matters. I have reviewed the information obtained through the First Nations consultation process undertaken by the Ministry of Forests and Range with the First Nations whose asserted traditional territories overlap with TFL 23. Through the First Nations consultation process, and after considering all the information that is available to me, I am not aware of aboriginal interests that may be affected by the postponement of the AAC determination. However, if any new information does arise, then I will consider it in the next AAC determination.


After reviewing the factors considered in the last AAC determination and the currently available information, I have determined that the AAC for TFL 23 is not likely to be changed significantly with a new determination.

I note that the timber supply review process usually takes twenty months to complete. The Licensee should initiate this process in February, 2008 with the objective of submitting the information package in early May, 2008.

During the term of the postponement I request that the licensee complete follow-up actions regarding the chief forester's recommendations specified in the May, 2000 TFL 23 Rational for Allowable Annual Cut Determination such as (i) refine the ESA classification of difficult-to-regenerate areas on TFL 23, (ii) monitor the timber volumes harvested from the 'aerial' operability class, and (iii) further refine the modeling and assumptions of adjacency and green-up in time for the next determination.

I further request that the licensee implement as much as possible its vegetation resources inventory strategic plan for TFL 23 before the next timber supply analysis. I note that implementation of the strategic plan is contingent on funding being available but also note that uncertainty would be reduced for the next AAC determination by having the best information available.

I am authorized to rescind this order under Section 8(3.2) of the *Forest Act* and set an earlier date for the next AAC determination if I conclude that circumstances on the TFL that influence timber supply have changed significantly during the interim.


Craig Sutherland, R.P.F.
Deputy Chief Forester



Oct. 1 / 07
Date