

**Chief Forester Order
Respecting an AAC Determination
For Tree Farm Licence No. 41**

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 considering whether to postpone the next AAC determination for Tree Farm Licence No. 41:

- I have reviewed each of the factors considered in the most relevant determination, made on December 22, 1999. That determination set the AAC at 400,000 cubic metres effective June 11, 1999. This AAC includes 220,000 cubic metres which are partitioned to the “offshore” portion of the TFL. The balance of the AAC (180,000 cubic metres) is attributable to the “onshore” portion of the TFL. In addition, 34,000 cubic metres are partitioned to areas identified as being accessible using “non-conventional” harvest methods, without specification to the onshore or offshore portions.
- I have also considered the significance of the requests that the deputy chief forester made of the licensee in her 1999 determination, and am satisfied with what has transpired in response to those requests.
- I have investigated whether any significant new information exists concerning each of the factors specified in Section 8 of the Act. I am aware that:
 - The August 1999 timber supply analysis projects two decades at the current AAC followed by a staged reduction to a medium-term harvest level of 291,058 cubic metres per year beginning in decade 5, and a long-term harvest level of 448,000 cubic metres per year beginning in decade 11.
 - In the three years since the 1999 determination, significantly reduced harvesting activity has occurred on the TFL largely as a result of the depressed economic conditions that currently prevail in the region. From 2000-2002, the licensee has harvested approximately 73 percent of its AAC.
 - Since the 1999 determination, the licensee has exceeded the proportion of harvest specified in both the “offshore” and “non-conventional” partitions. I also note that approximately 5,200 hectares identified as area accessible using “non-conventional” harvesting methods were not included in the base case projection. Continued performance in these areas will help to reduce the uncertainty associated with their contribution to timber supply.
 - A comparison of new terrain stability mapping with older ESA mapping suggests that although the area of sensitive terrain may be higher than was assumed in the analysis, the proportion of area unavailable to timber harvesting is likely lower. I am satisfied that this uncertainty presents minimal risk to timber supply over the next 5-year period.

- The Kalum Land and Resource Management Plan (LRMP) has been approved by government. However, to date, no part of the LRMP has been established as a Higher Level Plan.
- The licensee estimates that proposed protected areas covering approximately 2,300 hectares of timber harvesting land base on TFL 41 have been identified as part of the Kalum LRMP. However, these areas have not been formally established and I am unable to speculate on the outcome of government's strategic land use decisions. I acknowledge that if and when these proposed protected areas are formally established, timber supply may be negatively impacted.
- Visually sensitive areas that were modelled in the analysis have since been made known and now have established Visual Quality Objectives (VQOs). The assumptions used in the analysis to model these areas are still appropriate.
- As discussed in the 1999 timber supply analysis, medium-term timber supply is particularly sensitive to assumptions regarding minimum harvestable age (MHA). However, there is no new information available that would alter the MHAs assumed in the analysis. In any case, given the preponderance of older age classes on the TFL, the 1999 analysis indicated that the current AAC could still be maintained even if the assumed MHAs were increased by 10 years.
- Medium- and long-term timber supply is sensitive to uncertainty in the site index estimates of old-growth stands. However, short-term timber supply is not affected by this uncertainty.
- There is no change in the assumptions used to account for identified wildlife.
- District staff indicate that the 20-year plan remains achievable for at least the next five-year period.

I acknowledge the licensee's commitment to maintaining ongoing dialogue and cooperation with First Nations. I am aware of the licensee's commitment to give particular attention to fisheries values, especially eulachon habitat, during planning and operations. I am not aware of any specific First Nations issues that would impact short-term timber supply.

After reviewing the factors considered in the last AAC determination, as well as currently available information, I have determined that the AAC for the area covered by Tree Farm Licence No. 41 is not likely to be changed significantly with a new determination made according to the existing schedule.

Under authority of Section 8(3.1) of the *Forest Act*, I hereby postpone the next AAC determination for TFL 41 to June 11, 2009, being 10 years after the effective date of the last determination.

If I conclude that circumstances for the TFL area have changed significantly in the interim, I may rescind this order as authorized by Section 8(3.2) of the Act, and set a date for the next AAC determination that is earlier than June 11, 2009.

Ken Baker
Ken Baker
Deputy Chief Forester

Nov. 20, 2003
Date