

July 11, 2019

The Honourable Doug Donaldson  
Minister of Forests, Lands, Natural Resource Operations and Rural Development  
Parliament Buildings  
Victoria, British Columbia  
V8V 1X4

Dear Minister Donaldson,

**Re: Comments on the Private Managed Forest Land Program Review**

Thank you for the opportunity to provide feedback on BC's Private Managed Forest Land (PMFL) Program. The Regional District of Nanaimo (RDN) is directly affected by practices on Private Managed Forest Land as 63% of the land in our region is designated as PMFL. This includes important headwaters and community drinking water source areas. Overall, the RDN's experience in working with private managed forest landowners TimberWest and Island Timberlands (now both Mosaic Forest Management) through the RDN Drinking Water and Watershed Protection (DWWP) program in recent years has been positive. This Provincial Review is an important opportunity to build on the established positive working relationships and further enhance the transparency and accountability surrounding forestry practices on private lands within our region's watersheds. This will help to ensure that sustainable practices are upheld, and collaborative relationships are formalized.

The RDN recognizes the importance of PMFL landowners in BC managing their lands for long term timber production, and how that can be very compatible with drinking water supply areas and healthy watersheds if sustainable practices are used to protect multiple public environmental values. Through discussion with Board members and DWWP Technical Advisory Committee members, several crucial ways by which the private forestry landowners and companies regulated under the PMFL Act can make improvements to continue to build public trust and earn social license to carry out forestry operations in areas that impact local communities, have been identified. The RDN is advocating that the PMFL Program manages its land base in a way that protects watershed values through:

- Open and regular communication with local governments and communities including sharing information, data and reports.
- Complete, comprehensive, transparent and enforceable management objectives to protect public environmental values.
- Formalized collaborative management agreements with local governments and water purveyors that include regular third-party environmental audits, hydrological assessments and mechanisms to ensure compatibility with regional growth strategies, zoning and community plans.
- Opportunities for reconciliation with and economic benefit for First Nations where their traditional territory overlaps with private forestry land.

- Management that reflects current and future climate reality and recognizes healthy forests' role as a buffer for climate change impacts such as drought, fire, floods.

Below is a summary of key issues we would like to raise. Each issues is accompanied by a suggested solution we are requesting to be included in the PMFL program requirements moving forward. These comments are organized under thematic headings for ease of reading.

#### Key Environmental Objectives

- *Issue:* While it is understood that Private Managed Forest Landowners are, through the Private Managed Forest Land Act and regulations, *encouraged* to manage for the five key public environmental values of soil conservation, critical wildlife habitat, fish habitat, water quality and reforestation, it is not clear how these objectives are managed for and what enforceability or accountability mechanisms exist. Public perception is that private forestry has fewer regulations than Crown forest land.  
*Solution:* PMFL language should be strengthened from 'encouraged' to 'required' in this context. Private landowners should also be required 1) to communicate in more detail what management mechanisms are used for each of these objectives, i.e. what are the riparian retention requirements, 2) undergo third party independent audits to ensure compliance and, 3) report out to the public on a regular basis.
- *Issue:* Key environmental values are missing from the PMFL management objectives. Primarily, water quantity and hydrological function.  
*Solution:* Include the following key objective:
  - Water quantity – Protect hydrological function of the forest at a landscape scale, both during and after harvesting, including the role of water interception and infiltration to maintain groundwater recharge, increase snowpack retention, and mitigate flooding.
  - Related to this key objective, hydrological assessments should be required of PMFL landowners and made available to the public in summary format of what the conditions are and how this value is going to be maintained, managed for and monitored.

#### Public Perception and Safety

- *Issue:* Proximity of burning, logging and chemical use near residential areas are perceived safety and environmental risk.  
*Solution:* Ensure buffers for burning, logging and chemical use next to residential areas are sufficient to preserve public perception, safety and minimize environmental risk. Communicate what these buffers are to the public. Alternative practices to burning such as wood chipping and firewood salvage have more public support and potential economic value.

#### Climate Change and Long-Term Resilience

- *Issue:* Practices such as clearcutting in headwaters, logging of old growth forest, and inconsistent riparian retention can compromise the forests' ability to buffer the effects of climate change. These increased negative impacts include drought, decreasing snowpack, increasing fire risk, extreme rain events and floods.

*Solution:* In addition to reforestation practices, the PMFL program should enhance requirements to retain upper elevation forests, old growth forests and substantial riparian forests due to their critical role in storing water, sequestering carbon, mitigating high temperatures and intercepting heavy rains. PMFL program should also recognize federal regulations including that salmon habitat must be protected, under the *Fisheries Act*.

#### Removing Land from PMFL

- *Issue:* Resource lands play an important role in our region and should be maintained for resource purposes, consistent with community planning processes.

*Solution:* Communities would like to see private forest companies follow the same rules for land development that apply to the rest of the land in the region, consistent with regional growth strategies and community plans. Where land is proposed to be removed from PMFL holdings, consultation with local government should come early in the process to ensure there is adequate oversight. Fees for exiting PMFL should be set at a rate that is enough of a deterrent to ensure resource lands are maintained as much as possible (with the exception of land transfers for First Nations) and fees should still apply when withdrawing after 15 years in the program (currently land that has been assessed as PMFL for 16 years or more does not pay an exit fee). When exit fees are levied, the program can provide some of this revenue to local government to subsidize park acquisition or other community amenities in lieu of the resource land benefits.

#### Information Sharing and Collaboration

- *Issue:* Private forestry landowners provide limited data and information about their land base, citing confidentiality as the main barrier to transparency. Yet, the land they operate on is often in drinking water supply areas for downstream communities who are directly affected and have a right to understand the characteristics, status and health of the watershed. The lack of data sharing results in public knowledge deficit and comes at an additional public expense to acquire the data.

*Solution:* PMFL landowners should be required by way of formal data sharing agreement to share data and information with local governments particularly on environmental, terrain and spatial parameters. This includes LiDAR mapping data, water quality data, hydrological assessments, road building and hazard abatement. Information sharing should go beyond a verbal report and take the form of usable datasets and reports that are regularly shared under formal agreement that concurrently protects confidentiality.

- *Issue:* Positive working relationships of PMFL landowners with local governments and water purveyors are voluntary; collaborative relationships could be compromised if individuals representing the landowner who are voluntarily maintaining productive communications and positive relationships leave.

*Solution:* Formalize the collaborative relationship between Private Managed Forest Landowners and local government by supporting the development of mutually beneficial memorandums of understanding (MoUs) about sustainable forestry practices in watersheds upstream of communities.

#### Access and Infrastructure

- *Issue:* Community infrastructure such as dams located on or surrounded by private forest lands lacks certainty of access for communities. This is the same for recreational users. Landowners are often concerned with liability, vandalism and trespass by general public.  
*Solution:* The PMFL program should ensure access to public infrastructure is preserved in perpetuity. Recreational access should also be provided for by PMFL landowners, when safe, particularly for low impact non-vehicle-based recreation activities that are low risk.

As the PMFL land base and watershed boundaries do not conform to political boundaries, dialogue with neighbouring Regional Districts, Cowichan Valley and Comox Valley has taken place in preparation of these comments. They have expressed alignment with the comments we are sharing through this process and we understand they will also be providing their own submissions for this review.

The RDN hopes to participate in any follow-up engagement opportunities, including participation in an informal workshop discussion that may be arranged during the UBCM Conference in Vancouver this September 2019. The RDN looks forward to the innovations and updates that follow from this review.

Sincerely,

Ian Thorpe, Chair  
on behalf of the RDN Board of Directors

T: 250-390-6534 | Email: [ian.thorpe@nanaimo.ca](mailto:ian.thorpe@nanaimo.ca)

cc: Patrick Russell, Ministry of Forests Lands Natural Resource Operations and Rural Development, Manager of Timber Tenures