

APPENDIX B: LANDSCAPE BIODIVERSITY AND PG TSA RESEARCH FORESTS GUIDANCE

(Reproduced for Reference from BC Integrated Land Management Bureau correspondence, October 2009)

Landscape Biodiversity and PG TSA Research Forests GUIDANCE

GUIDANCE regarding the relationship between Landscape Level Biodiversity (old forest) Land Use Objectives and Research Forests in the Prince George Timber Supply Area:

BACKGROUND:

Research Forests are unique forest tenure in British Columbia.

There are 5 Research Forests in BC and 4 of those are on provincial Crown land. Three are in the Prince George Timber Supply Area (TSA). They are:

- Aleza Lake Research Forest;
- John Prince Research Forest, and;
- College of New Caledonia Research Forest.

The Research Forests are issued a Special Use Permit (SUP) which is governed by Provincial Forest Use Regulation under the Forest Practices Code of BC Act.

The SUP mandates that Management Plans are prepared and approved for the research forests. These Plans are approved by the District Manager of Ministry of Forests and Range. Forest Act cutting authority is provided through Occupant Licenses to Cut authorized by the Ministry of Forests and Range; a specific condition of the License to Cut is that its implementation must be consistent with the approved Management Plan for each research forest.

The Forest and Range Practices Act does not require Occupant Licenses to Cut licensees to prepare or submit Forest Stewardship Plans for government approval.

When the *Order Establishing Landscape Biodiversity Objectives for the Prince George Timber Supply Area (October 20, 2004)* was prepared, the Research Forests were considered to be included in the Prince George TSA. However, the legal hierarchy in British Columbia is “legislation (Acts)” is higher than “regulations” and “regulations” are higher than “orders”. If there is a conflict between what is included in an order and what is included in a regulation, then the regulation provisions prevail. In this case, Ministry of Sustainable Resource Management wrote a section of order which that says it applies to all crown land, but it conflicts with the direction in regulation which says, land use objectives apply to Forest Stewardship Plan preparers; therefore, the latter prevails.

At the Prince George TSA Landscape Objectives Working Group (LOWG) Meeting on September 27, 2006, LOWG members expressed their support of a proposal from the Aleza Lake Research Forest and John Prince Research Forest for removing these Research Forests from the Order, but leaving the research forests in the TSA. This approach would further apply to CNC Research Forest (established in 2008) and it is noted that College of New Caledonia is agreeable to this.

Landscape Biodiversity and PG TSA Research Forests GUIDANCE

GUIDANCE:

Operational planning requirements for the Research Forests are dictated by the Special Use Permit (SUP), or the Management Plan enabled by the SUP, or both.

Objectives established through the *Land Use Objectives Regulation* are for the purposes of the *Forest and Range Practices Act*. The *Forest and Range Practices Act* states that forest stewardship plan must specify intended results or strategies, each in relation to objectives set by government.

Research Forests do not prepare or submit Forest Stewardship Plans.

The current understanding of this issue is that the Research Forests' within the Prince George Timber Supply Area are not legally required to demonstrate they are managing to the Old Forest retention requirements, Old Interior Forest requirements or Young Forest Patch Size Distribution outlined in the *Order Establishing Landscape Biodiversity Objectives for the Prince George Timber Supply Area (October 20, 2004)*.

The requirement to manage for old forest values in Research Forests is deemed to be guided by the principles of professional reliance as defined by the Association of BC Forest Professionals. Research Forests could demonstrate they are managing for old forest values, as required in their Management Plans, through one or more of the following management approaches:

- a) Working with the Licensees Landscape Objective Working Group and their Memorandum of Understanding to demonstrate management of old forest values; or,
- b) Agree to demonstrate meeting an old forest target specific to their Research Forest (e.g. non-spatial management of old forest within their specific Research Forest); or,
- c) Agree to identify and manage for Old Growth Management Areas with the Research Forest (e.g. spatially specific management of old forest within each Research Forest).

Landscape Biodiversity and PG TSA Research Forests GUIDANCE

For option b, some work has been conducted by Integrated Land Management Bureau to calculate a reasonable old forest target for each of the Research Forests.

Unit	Biogeoclimatic Units	Minimum age of old (yrs)	Minimum % of CFLB* to be retained as old forest
Aleza Lake Research Forest	SBSwkl	140	28
John Prince Research Forest	SBSdkl, SBSmcl, and SBSdw3	120	12
CNC Research Forest	SBSwkl, SBSmk, ICHvk, SBSdw	120	19

*CFLB = Crown Forest Land Base

Alternative targets with supporting rationales may be proposed by the Research Forests in their Management Plans.

In order for the Major Forest Licensees and BC Timber Sales to do their annual reporting regarding old forest and old interior forest status with merged Biogeoclimatic units, it is recommended that the Research Forests, within the Prince George Timber Supply Area have their land bases excluded from the area calculations for the annual reporting on the *Order Establishing Landscape Biodiversity Objectives for the Prince George Timber Supply Area (October 20, 2004)*.

This guidance document will be communicated to the Research Forests, Major Forest Licensees and BC Timber Sales that operate within the Prince George TSA. It will be posted on the Integrated Land Management Bureau web-site with the *Order Establishing Landscape Biodiversity Objectives for the Prince George Timber Supply Area (October 20, 2004)*.



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Date