

GOVERNMENT RESPONSE

Review of the South Panuke Forest Harvest

by the Mersey Woodlands Advisory Committee

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Introduction

The Honourable Zach Churchill, Minister of Natural Resources, is appreciative of the personal commitment of Dr. Gordon Beanlands and Mr. David Dagley who were the principal authors of the Review of the South Panuke Forest Harvest on behalf of the Mersey Woodland Advisory Committee.

Dr. Beanlands and Mr. Dagley have provided a detailed and thoughtful report which was received by the Department of Natural Resources on January 16, 2015. Over the past month, the Department of Natural Resources has carefully considered this report and developed responses to the recommendations.

The report is divided into two sections. The first addresses the harvest at Panuke Lake that occurred last summer and was the subject of the audit. The second addresses the broader considerations around the Western Crown land conceptual plan and how operations will take place in the forest itself.

With respect to the Panuke Lake harvest, the Department of Natural Resources was pleased to note that both the authors of the report and the independent forest auditor whom they engaged have concluded that:

- all existing rules and procedures were adhered to and that the a clear cut prescription was the correct technical and scientific response to the existing site and forest conditions;
- the trees that were harvested were not old growth but rather the average age of the stand was 74 years;
- with respect to identified biodiversity concerns, both the department and the harvesting contractor took additional measures to go beyond existing requirements to accommodate the identified concerns.

In the course of their work, the committee concluded that much of the controversy associated with Panuke was driven by broader concerns which are to some degree independent of the specific action on the Panuke Lake site.

In particular, the Mersey Woodlands Advisory Committee concluded that there exists uncertainty as to the meaning of the designation of six planning zones within the Western Crown land conceptual plan. These specific blocks are designated as being “environmentally sensitive”. The Panuke Lake site is located within one such zone.

Accordingly, the committee has provided 10 recommendations to address these larger issues. The committee’s recommendations and the department’s response to those recommendations are outlined below.

Recommendation #1: *Temporarily stop harvesting in Blocks with the planning unit designation “Environmentally Sensitive area” as shown in the planning document Crown Land Management: A Conceptual Plan for Western Nova Scotia.*

Response: DNR will immediately postpone harvesting on environmentally sensitive harvesting allocations on Western Crown land designated as, with the exception of the limited amount of land that is currently approved for harvest during spring road closure. The delayed harvest will be in place until the nature of the sensitivities that lead to the designation have been fully identified and defined; probably within two to six months. Harvesting will proceed once any additional required special management practices and/or considerations are in place to ensure these sensitivities are addressed at the operational level. Sites that have been already approved for harvest during the spring road closure will proceed in the short term following the “Interim Guidelines for Environmentally Sensitive Areas under the Western Crown Lands Conceptual Plan” which has been posted on the DNR website.

Recommendation #2: *Establish priorities for future harvest allocations.*

Response: The Department will endeavour to prioritize harvests based on a zone’s designation. However, under the long term management plan, the scheduling of the harvest is of utmost importance and it is unrealistic to say that all Resource Management zones would be harvested before turning to Multiple Use zones and so on. Under such a scheme, one would be forced to harvest only Environmentally Sensitive zones until the Resource Management and Multiple Values zones had renewed. The Western Crown Conceptual Plan allows harvesting in planning zones designated as Environmentally Sensitive. As per response #1, the planning and implementation of the harvest will account for environmental and/or biodiversity concerns and will follow the “Interim Guidelines for Environmentally Sensitive Areas under the Western Crown Lands Conceptual Plan”.

Recommendation #3: *Initiate a concerted effort to identify and allocate an increasing percentage of non-clear cut harvest areas.*

Response: The Natural Resources strategy, “The Path We Share”, outlines a goal to reduce clearcutting to 50% of the harvesting effort on Crown lands by 2016. The Department remains committed to this goal. A review of current harvest allocations on Western Crown lands that have been posted online since October 2014 shows the current balance to be 41% prescribed for partial harvest and 59% prescribed for clear cut. These proportions may change slightly as pre-treatment assessments are completed but this demonstrates significant progress towards our goal.

The Department will continue to use science-based decision making to match harvest type to the site conditions as we work towards a balance between partial harvesting and clearcutting.

It is important to note that “The Path We Share” was the result of broad consultation with over 2,000 separate submissions from Nova Scotians including stakeholders in the environmental and forestry sector. As noted above, the strategy clearly identifies clearcutting as one of the two main forms of harvesting to be used as part of the Province’s forest management activity. Clearcutting will continue to be used where it is the appropriate technical response to existing stand and site conditions.

The strategy also outlines a commitment to move to landscape level ecosystem based management. Under this approach, the distribution of forest cover and/or fragmentation will be a major focus of the planning efforts. Decisions on the degree of disturbance through clearcutting and/or partial harvest will be developed and tailored in accordance with prevailing science, to respond to the required landscape level patterns.

Recommendation #4: *Establish a working group to develop criteria to define and describe stand-level conservation measures for the sustainable management of biodiversity and wildlife habitat to the extent that current knowledge, data and information permit.*

Response: DNR will establish such a working group to develop Guidelines for Environmentally Sensitive Areas under the “Western Crown Lands Conceptual Plan” as soon as possible.

This group will be comprised of appropriate expertise, including stakeholder and academic representation. The make-up and operation of the committee will be consistent with existing relationships, processes and responsibilities with respect to the Mi’kmaq and other government departments.

Recommendation #5: *Give priority to applied research on landscape-level planning and management in order to address cumulative impacts, particularly related to biodiversity, wildlife habitat and species at risk.*

Response: Work aligned with this recommendation has been underway for several months. Prior to receiving the review of the South Panuke Forest Harvest, DNR had started the process of developing a biodiversity-based work plan that will bring together expertise from both our Wildlife and Forestry divisions. This work plan will support the implementation of landscape level planning. At the policy level, we will soon be interacting with stakeholders around a new forest policy, the cornerstone of

which we propose will be to mandate landscape level planning and management on Crown lands. A project to pilot this process on the lands licensed to Port Hawkesbury Paper has been in development since this past summer, and is due to launch in spring 2015.

Recommendation #6: *Modify pre-treatment assessment to reflect lessons from the South Panuke harvest.*

Response: The Department of Natural Resources has been working for the past two years to incorporate biodiversity considerations into harvest management prescriptions. This work will continue and the pre-treatment assessments will incorporate these considerations as they are developed.

As part of this work, DNR will undertake a review of buffer requirements on Crown Land as they pertain to thermal cover and travel corridors. Existing requirements for buffers on Crown Land will subsequently be updated to reflect the findings of this review.

The Department is committed to the Mainland Moose Recovery Plan and is continuing to examine special management practices that can contribute to the recovery process. We are currently conducting specific field research as to the thermal properties of various forms of cover patches and will modify our practices based on the outcomes of this research, with initial results expected later this year.

Recommendation #7: *Clarify and standardize the decision-making process for management of forest harvesting from policy to operations.*

Response: DNR agrees with the intent of this recommendation and will continue to work to achieve common understanding among the several hundred staff and stakeholders who are directly involved in the various stages of forest harvesting. To this end, the Department will update and strengthen existing tools such as policy statements and manuals. We have produced a process map to help interested individuals understand the hierarchy of steps from forest management planning through to implementation and how the various policies, standards guidelines etc., interact. This has been posted to our website.

In the fall of 2014, DNR began posting forest harvest maps to our website. The intent of these maps is to help all involved better understand what type of forest harvesting is proposed for what locations. To increase the information available to understand how the decisions were arrived at, it is our goal within the next year to have the pre-treatment assessments available on the department website. To increase transparency and accountability, we will be updating our pre-treatment assessment

forms to provide information as to responsibilities and input of all persons contributing to the pre-treatment assessment, as well as the dates associated with the various decisions.

Recommendation #8: Obtain FSC certification for all Provincial Crown lands in Mainland NS.

Response: The Department of Natural Resources is committed to sustainable forest management and endorses both the Sustainable Forestry Initiative Principles for Sustainable Forestry and the Forest Stewardship Council Principles and Criteria as well as its standards of the Maritime Forest Region. It is important to note that DNR has met in the past year with Forest Stewardship Council Canada and various auditors to ensure that this standard could be maintained within the Province.

Nova Scotia is the only Provincial government in Canada to actually hold an Forest Stewardship Council certificate for Crown lands in the name of the Province. Clearly this is an unparalleled commitment to certification which is unmatched by any other Canadian Jurisdiction.

Currently, 55% of all Crown land in Nova Scotia is certified under internationally recognized certification systems, either the Sustainable Forestry Initiative the Sustainable Forestry Initiative or the Forest Stewardship Council certification systems. Of the currently certified lands 79% is certified under the Forest Stewardship Certification system.

Obtaining and maintaining certification is a requirement for those who seek long term management rights on Crown Land through a Fibre Utilization and License Agreement. There are currently discussions being planned to establish a Fibre Utilization and License Agreement for Western Crown lands. When the Fibre Utilization and License Agreement is achieved, it will require the area to be certified.

Recommendation # 9: Place more emphasis on public engagement in terms of information, education and collaboration.

Response: Last fall, for the first time, DNR posted proposed harvest maps and accepted community feedback to those plans. That information sharing has been augmented by providing e-mail notification to citizens who request it, when proposed harvest maps are added or updated.

Before the end of 2015, DNR will ensure stakeholder interaction committees with respect to forest management on Crown lands are functioning in the three major regions of the Province, i.e. Western, Central and Eastern Nova Scotia. The mandate of these committees will be to provide a platform for dialogue, feedback and advice

on planning for all Crown Land in each of those regions. This will give a direct voice to affected stakeholders and provide a way to share information and build common understandings around the complexities of forest management.

In addition to these stakeholder committees, DNR is working towards establishing a Science Advisory Committee to be comprised of leading subject matter experts in areas such as Forest Science, Biodiversity, Ecological Planning and Spatial Modeling. The primary focus of the Science Committee will be to provide advice and recommendations to identify research gaps and opportunities to support the implementation of landscape level management.

DNR is currently engaged in a wide range of public resource education both through the direct efforts of staff and through support of various stakeholder groups. All of these efforts will be reviewed with the intent to identify further opportunities to inform the public of the range of factors that influence decision regarding forest harvesting in the province.

Recommendation #10: *Revisit these recommendations within six months to advise the Public on steps that have been taken, and at subsequent twelve month intervals to determine progress in implementation and to rectify any roadblocks that may stand in the way of achieving the stated objectives.*

Response: DNR will provide a public progress report relative to the commitments contained in our responses to the recommendations, at six and twelve months from the date of this release.