

OTHER DIRECTLY RELATED SIGNIFICANT ISSUES IDENTIFIED BY SCREENING RESPONDENTS BUT NOT REQUIRING R.A. DECISION

1) Blocks C13, C14, C15 and C16

These blocks are identified in the IFS Interim Wood Supply Plan, but are not part of this project.

It is unknown at this time as to whether these blocks might be part of a future project.

2) Defining Complex versus Simple Uplands

During the planning process and subsequent block design at the Cosh Creek area, use of the THPOG definitions of Natural Disturbance Zones (NDZ) was paramount for delineating the landscape into management zones. Whenever identifiable at the landscape level, most of the Complex Upland was designated as a Forest Ecosystem Network (FEN) because of the habitat characteristics attributed to it in the THPOG, Values Tables, and other reference documents. As stated in the IFS Plan, the remainder of the Complex Upland would be delineated at stand level, and either reserved from harvest or prescribed an appropriate harvesting and silviculture regime, according to its ecological attributes.

To ensure consistency between the landscape plan and the subsequent block layout at Cosh Creek, the THPOG definitions for NDZs were used to verify that the proposed blocks would be targeting Simple (homogenous) Upland ecosystems. Table 6 provides a summary of the key attributes that confirm the NDZ classification for Cosh Creek Blocks.

Table 1.0. Factors that Define the Ecosystem in the Cosh Creek Area.

THP & OG Definition of Simple (homogenous) Upland Ecosystem	THP & OG Definition of Complex (Heterogeneous) Upland Ecosystem	Key Block Attributes (Reconnaissance Notes, Site Plan Data, etc.)
Common Vegetation types include V17, V11 and V22	Common Vegetation types include V12, V18, V28, V33 and V14	All blocks in the Cosh Creek area are composed of V17, V11 and V22 with V16 at the higher elevations. This suggests that it is Simple (homogenous) Upland ecosystem that borders on the Sub alpine.
Flat to rolling terrain	Occurs on highly textured terrain conditions, such kettles, kames and glaciofluvial soils.	Notes indicate the terrain in the Cosh Creek area was found to be even to rolling. It is best characterized as elongated morainal blankets and veneers over bed-rock (i.e., not the highly textured glacial-fluvial terrain characteristic of complex uplands).
Large even-aged stands common.	Even-aged stands common.	Large even-aged stands were present in the Cosh Creek area. Individual forest inventory polygons exceed 100 hectares in size.
	Stand sizes are smaller than Simple (homogenous) Upland resulting in a distinct mosaic of forest types.	Timber cruise information indicates pine, spruce, and fir is present in virtually every forest type. Since only the proportion of each species varies in each stand, there is no mosaic of distinct forest types.
Large stand replacing events are more common. The mean disturbance return interval is likely 80-100 years. Crown closure is generally poor to moderate, ranging from 40-65%. As a result, ladder fuels are abundant and the terrain presents little physical impediment to fire spread.	Stand maintaining surface fires have a return interval of 4-50 years, while stand initiating events are less common and likely to have a return interval as long as 120-150 years. The stand maintaining surface fires result in wide spaced veteran trees with heightened live crowns, that may show as many as 3-4 fire scars.	Although the return interval is greater than 100 years, coarse woody debris levels, understory regeneration, low incidence of fire scars, high live crown percentages, and high stand densities provide evidence that frequent stand-maintaining surface fires have not contributed to stand history in the Cosh Creek area.
Aspen and spruce exist in discrete pockets.	Patches of hardwood species are relatively common. Aspen and spruce are more prevalent than in Simple (homogenous) Upland.	Patches of hardwood species are not common in the Cosh Creek area (with the exception of south aspects and Lowlands that have been included in the FEN). Spruce is mixed, relatively uniformly, throughout the pine/spruce/fir forest types. Overall, pine is the dominant species.
	Lichen is a common canopy component of these stands and may depend on the unique disturbance pattern in these stands.	At Cosh Creek, feather mosses dominate the proposed blocks with little to no cover of lichen.

This is an issue of definitions, not of potential environmental effects.

3) Defining Mature Stands and Rotation Age

This is not an environmental assessment issue. The appropriate place for this discussion is with respect to retention of old growth is in upcoming forest policy forums, regional forest management planning, timber supply analysis and AAC determination.

4) Ecosystem-Based Management

While it is not entirely clear whether this is the place to discuss what ecosystem-based management is or is not, much was said about this topic by one of the referral respondents. Because ecosystem-based management is the fundamental principle upon which this project plan was based, it is incumbent upon the RA to offer some observations on the matter.

Ecosystem-based forest management is the latest attempt to bring consensus to how forests should be managed. For this project, an inter-disciplinary team (acting as a sub-committee of the KFRSC) of biologists and foresters from the federal and territorial Departments of Environment, the FMB, and the KFRSC, was struck to provide guidance to the forestry consulting team (IFS) who produced the IWS Plan. It is almost certain that this team will be surprised to learn that this project plan is considered by some to not qualify as ecosystem-based forest management. With this team's guidance, a very important first step was taken towards ecosystem-based forest management for Yukon. That said, it cannot be denied that more steps will be taken in the coming years to further advance ecosystem-based forest management in the Yukon.

Some fundamental points can be made with regard to the ecological basis of this project plan:

- 1) The plan is based on the principles of sustainable development. One of the six criteria by which sustainability is measured is "*Maintenance and enhancement of forest ecosystem condition and function*" (Canadian Council of Forest Ministers (CCFM)). As seral stages are a normal part of boreal forest ecosystems, the harvesting strategies, as proposed, should maintain ecosystem function.
- 2) The plan is based on identifiable units of land that function as ecosystems in the sense that are generally understood and applied by resource managers. Ecosystems are not fixed and static entities. A properly ecosystem-based management scheme will take into account time and the changing state of the system, in particular, the role of successional change.
- 3) All disturbances, whether natural or man-made, causes change in an ecosystem for a period of time. These changes accentuate some processes and suppress others, and in so doing, favor some species while hindering others. Unless the effects have been so severe as to be irreversible, the process of succession will return the system toward its former state as time proceeds. This is the ecological basis of sustainability, and it applies just as much to timber

supply as to wildlife and habitat. Were it not for this restorative tendency, sustainable development would be impossible.

- 4) Adaptive management principles will be used in forest management in the southeast Yukon (and elsewhere around the territory). This will involve monitoring, and planning as results become known. Where identified, strategies will be adapted revised, and adopted as new evidence, evolving science or new legislation and regulations indicate is appropriate.

The IWS Plan and the Project Plan, being based on the principle of sustainable development as endorsed by the CCFM, are both based on concepts that are virtually ubiquitous in resource management planning nowadays. To date, no issues have arisen that convince the RA that the IWS Plan and the Project Plan are not sustainable forest management. However, the RA is certain that there is room for considerably more discussion about this topic as Yukon moves forward to develop and refine forest management planning procedures, legislation, regulations and best practices.

This is not an environmental assessment issue, but rather an issue for further dialogue about definitions, application, and implementation, between all interested parties. It is also a matter for future legislation, regulations and best practices.

5) Interim Wood Supply Plan

Comment was made that the general public is not able to read through a voluminous, highly technical document like the IWS Plan. Public perceptions and expectations about forest management are what have caused forest management planning and reporting to become very complex. Further, the IWS Plan sets the stage for a number of timber harvesting projects that will occur over a three year period, and perhaps even longer. As several respondents noted, the IWS Plan is also a Total Chance Plan that covers a wide geographical area, much larger than just the Cosh Creek drainage. The IWS Plan was undertaken to address the growing concern that timber harvest planning can occur in an integrated manner at the landscape level, watershed level and site-specific level.

In the fall of 2003, public and other community meetings were held in Watson Lake to explain the IWS Plan. Additionally, when the EA screening package was released, there was a clear invitation in the cover letter to contact the FMB, if there were any questions. Small group meetings between the FMB and stakeholder groups would likely have greatly reduced the anxiety and misunderstandings that have occurred with respect to this project, as the opportunity for clarification and technical interpretation support could have been provided. Only limited

questions were asked of the FMB about the screening process, and no requests were made to discuss the EA screening package.

6) Pre- and Post-Logging Seral Stage Distribution

For the small volume/area (60,000 m³, 250.7 ha.) of timber harvesting proposed for this project, this is not a significant or potentially significant environmental issue at this point in time. However, this issue needs to be addressed at the landscape level. It is my expectation that the KFRSC will address this issue in the regional forest management plan. The KFRSC should consider using the BC MOF Bio-diversity Guidebook as a starting point, for examination and management of this issue.

7) Public Involvement in the Design of this Project

Several respondents raised a concern as to what involvement the public has had in planning this project, and in particular, the review of the draft screening report. It is noted above that the referral process included 57 different distinct public agencies, public interest groups and First Nations. Those entities are the same ones that have shown an interest in previous forest management planning processes for the southeast Yukon, and nearly all represent a segment of the public. All of these 57 entities were able to obtain a copy of the project description and those that wanted them were provided with copies of the draft screening report. Both the IWS Plan and the project description were posted to the web-sites of the FMB and the KFRSC in a timely manner.

Two public meetings were held in Watson Lake to solicit public opinion. Meetings were also held with Watson Lake Town Council and the Watson Lake Chamber of Commerce. The KFRSC chair and members had several meetings with the First Nation communities. The resounding question heard at all of these meetings was: “When will timber be available, and when can our people go back to work?”

Members of the First Nation participated in the engineering work for the cut-block design and layout. Members of public interest ENGO groups were met with several times during the IWSC planning process, and were also provided a tour of the project area when the engineering work was underway (November 11, 2003). The final project report as recommended by the KFRSC on February 11, 2004, and the draft screening report was made available for review in the Watson Lake district office, and at the FMB office in Whitehorse. Due to the considerable scrutiny that this project received during the design and layouts stages, it was common local knowledge in the

Watson Lake area, the area most closely affected by this project, as to when both the project description and the draft screening report were available, and how to access them.

As previously noted, there is no legal or policy requirement to make a draft screening report available for public review, or to advertise it. Section 14.1(3) of the *Environmental Assessment Act* states: “Where the responsible authority is of the opinion that public participation in the screening of a project is appropriate in the circumstances, or required by regulation, the responsible authority shall give the public notice and an opportunity to examine and comment on the screening report and on any record that has been filed in the public registry in respect to the project pursuant to section 43 before taking a course of action under section 16.”

As the result of the Umbrella Final Agreement, Band Final Agreements, and other agreements with First Nations, Yukon has adopted the model of community-based forest management planning. Recommendations from regional resource councils, and their equivalents (e.g. KFRSC) will provide the Yukon basis for forest management planning and recommendations. Whenever and wherever possible, practicable and legal, the recommendations provided by these bodies will be adopted and implemented. When it is not possible to accept one of their recommendations, for whatever reason, the rationale for that decision will be discussed with the Council, and a resolution will be sought.

The key responsibility of the RA is to ensure that an environmental screening is conducted, that significant or potentially significant adverse effects of the project are mitigated where technically and economically feasible, and that the opportunity for public participation be provided, where appropriate.

The RA is satisfied that the opportunity for public, stakeholder and First Nation involvement and input into this project, both at the design stages, and during the review of the project application, has been as inclusive as any forest management operational planning process ever conducted in the Yukon. Given the foregoing, the RA is of the opinion that the opportunity for public participation in this project occurred in an appropriate manner.

8) Referral Recommendations Ignored

Some respondents felt that their referral comments had not been reviewed and considered because their view of the issues of concern have not been adopted in the final project plan and/or the draft screening report. Section 12.1 of the *Environmental Assessment Act* (above) instructs that the

environmental effects of the project be reviewed, and that those effects deemed to be significant or potentially significant effects be mitigated. Mitigations are to be both technically and economically feasible. In the cover letter that accompanied the referral release of the project description, the need for issues raised to relate to a “significant” and “potentially significant” adverse environmental effect was clearly articulated. To do other than the legislation directs would put RA outside of the legal duty to act, as the representative of the Responsible Authority.

9) Set Aside Area

The concept of a “set-aside area”, including the area recommended, was developed during the IWSC process, and was recommended to the KFRSC. The set-aside area chosen was the one recommended by the KFRSC, not the one recommended by IFS. Comments have been made that the area chosen is not representative of the area of the IWS Plan, and that it should be a permanent set-aside. It is the opinion of the RA that neither of these issues are environmental assessment issues that are directly related to significant or potentially significant adverse environmental affects of this project.

10) Timber Harvest Planning and Operating Guidelines (THPOG)

A re-occurring theme in several of the referral responses is that the THPOG **must or should** be followed. It was clearly articulated in the draft screening report, and in the introductory page of the THPOG (see item #1 in the Reasons for Decision), that the THPOG is to be used as a guide, and where deviations from it can be adequately rationalized, then deviations could take place. No deviations from the THPOG were made solely by the FMB or the consultant (IFS). In all places in this project where decisions were made to deviate from the THPOG, they were made as the result on review and recommendations of by the IWSC, and at the express endorsement of the KFRSC.

The THPOG formed a basic underpinning of and reference for the Plan, but they were appropriately used as guidelines, not as regulations.

11) Trails in the Cosh Creek Area

The KFRSC (Council) has recommended that the trails in the Cosh Creek and Irons Creek watershed not be impacted by timber harvesting. The Council has received information from the Kaska Land Steward whose traditional territory contains the five blocks in this project (and much of the remainder of the Interim Wood Supply). They request that the trail(s) along Cosh Creek, eastern height of land north into the Contact Creek watershed, be managed and protected. The interests of the Kaska Land Steward are being discussed by the KFRSC. By developing the set-

aside area, with no harvesting contemplated to the north of the IWS area, and no harvesting planned outside of the East Hyland Planning Unit or along the Contact Creek road, it appears that these concerns can be adequately addressed.

Concerns about Precedence and the Future

Though it is not clearly stated in any of the referral comments, it appears that there is an underlying concern of several of the referral respondents, that the decision results of this screening will be also be used as the decision for all future timber harvesting projects in Yukon. This is not the case. As an example, the size and configuration of cut-blocks contained in this project may not be found to be suitable in other traditional territories, or even in other specific locations within the Kaska Traditional Territory. Further, where there are legitimate ecological, environmental, social or cultural concerns identified in other areas that would suggest that a different approach should be used, they will be given due consideration on a site-specific basis. This screening report applies only to the five cut-blocks identified in the project description.