



Yukon Wood Products Association

WORKING TOGETHER FOR YUKON'S FORESTRY FUTURE

PO Box 31130 Whitehorse, Yukon Y1A 5P7

yukonwoodproducts.org

July 5, 2021

YESAB Executive Committee
Suite 200-309 Strickland Street
Whitehorse YT
Y1A 2J9

Dear Executive Committee Members; Bryony McIntyre, Dennis Nicloux, Laura Cabott and Lawrence Joe,

Re: Draft Screening Report and Recommendation, Quill Creek Timber Harvesting Plan Project, Project Number 2020-0051:

This letter and supporting documents are the Yukon Wood Products Association's (YWPA) response to the draft screening report for Quill Creek timber harvesting plan.

Yukon Wood Products Association Vision

The Yukon Wood Products Association (YWPA) is a non-profit society formed in 2007 to represent forest industry businesses that manage, harvest, manufacture, or sell wood products. Our membership includes upstream loggers & wood cutters; mid-stream sawmilling, firewood processing & distribution, biomass boiler installation & hydronic heat companies; downstream engineering & forest management consultants; First Nations development corporations; and chambers of commerce.

We are unique because we are a local grassroots association with strong commitments to the communities we live and work in. Our membership is committed to an economically viable forest industry that promotes healthy forests and sound forest management regimes that are socially and economically acceptable to our industry, communities and Yukon.

Yukon's forest industry is in the energy business virtually all of the timber harvested from Yukon's forests are harvested as biomass heating fuel. Biomass heating fuel includes manufactured cordwood and wood chips for use in home, commercial and institutional building heating. Based upon the need to curb the use of fossil fuels to manage climate change, there is value in our forests that should be included in the uses of Yukon's land base.

The Mission of the Association is to:

- Be the voice of the forest industry in Yukon. The association works with all levels of Government, stakeholders, fellow members and the public to advance a strong and viable forest industry,
- The YWPA will represent its members in policy development with all levels of Government,
- The YWPA will be the forest industry representative at public forums such as land use planning commissions, forest resource management planning and any other forum that affects the association and its members, and
- The association will promote effective communications throughout its membership, stakeholders, and Governments.

Quill Creek THP Background

Forest Management Branch (FMB) has been experiencing considerable resistance from various agencies, governments and the public when developing timber harvesting plans (THP). The difficulty arises from what can only be described as community blindness to what the current forest industry represents and a complete lack of understanding of who we are. When our members in communities across Yukon approach local leadership in all levels of government or discuss our industry at open forums we receive wide support for our efforts.

The problem for our industry arises when we apply for authorization to harvest firewood. FMB is obligated by law to develop a THP, which requires that they conduct a number of consultations with stakeholders, the public and First Nations governments. When consultees see the staff from Yukon's Forest Management Branch, they go blind to the fact that the THP process has been initiated members of the community. Most parties with whom the consultation occurs only see the government as an agency that is trying to give away the resource to someone who may not be desirable. They do not realize it is their own community members that are behind FMB conducting due diligence consultations. Therefore, any project must be resisted.

One could speculate regarding why this fear is present; however, this is not the place for that. Suffice it to say this seems to be a real problem that is rooted in past performance of the forest industry and perceptions that southern jurisdictions squander their resources to the benefit of large international companies. In Yukon this is clearly not the case, because there are only two loggers of any significance (who are local residents) and in terms of the Canadian forest industry they are small operators.

Please refer to the attached power point speaking notes from a meeting that the YWPA had with Yukon’s Minister of Energy Mines and Resources, the Leader of the Official Opposition and the Third Party on June 11, 2021. This presentation was initiated to address the issue of there being **no wood** available for the winter of 2021/22. The power point provides the reasons for the project and the chronological timelines for the development of the THP under review (Quill Creek).

The process to develop this THP started in late 2017 and it appears that timber will not be available until summer 2022. This is approximately five years from initiating the development of the plan to an anticipated approval date. This is a completely unworkable timeline for an industry that requires consistent access to timber on an annual basis. This is especially concerning for a project that is directed at providing heat to Yukoners, will reduce the wildfire hazard to the community of Haines Junction, and will result in renewal of a beetle killed forest.

Purpose of the THP

The purpose of the Quill THP is outlined on page 6 of the Draft in five paragraphs. The key paragraph is the fifth one where it is stated:

“Throughout Yukon, including the Haines Junction area, there is a strong demand for dry dead wood that can be harvested as fuel wood, typically used for home heating.”

This is a critical statement in the context of the fact that there is **no wood** available for heating homes in Haines Junction and Whitehorse this coming winter.

It appears that this fact has not been considered by YESAB as a significant negative outcome of this assessment process for Yukon and its people.

The YWPA therefore, respectfully requests that the Executive Committee include the consequences of no firewood being available for Yukon this coming winter as part of the socio-economic evaluation of the project, and, should the plan not be approved, no firewood will be available for an indeterminate time into the future. Please consider some of the following factors in your deliberations;

- That firewood consumers and harvesters are legitimate land users and deserve equitable weighting with other land users in the use of forest resources
 - consumers in this context are home owners & tenants, commercial building owners and institutional building owners.
- That biomass heat is the lowest cost heating fuel in Yukon,

- Biomass costs consumers about \$0.05/kWh; heating oil about \$0.12/kWh and electricity about \$0.20/kWh.
- That elderly and low-income Yukoners will be negatively impacted by the lack of firewood, because they are least able to afford conversion to fossil fuel or electric heat let alone the increase in monthly heating bills
- That biomass heating fuel is renewable and offsets consumption of imported fossil fuels for heating homes and buildings; see Yukon Government’s “Our Clean Future: a strategy for climate change, energy and a green economy”,
 - Biomass is a key component of Yukon efforts to reduce consumption of GHG emitting fuels.
 - YWPA members and the wood products industry across Yukon are part of the green economy.
 - See attachment 2 the carbon cycle diagram.
- The wood products industry is facing a significant negative economic disruption in supplying firewood and wood chips to local consumers. This will lead to a failure of the industry as a whole; including upstream, mid-stream and downstream Yukon companies that have invested time and capital into developing the industry to this point.
- The disruption will take years to recover from and the hopes and aspirations of citizens and governments to reduce GHG emissions are under significant threat.

YESAB Screening report and recommendations

The following comments and recommendations are directed to specific conceptualizations and mitigation recommendations found in the YESAB screening report executive summary and recommended mitigations. YWPA comments are broken into two categories – general observations and specific mitigations.

The screening report refers to land users. YWPA suggests that the current definition of a land user is too narrow and excludes a significant segment of society who are legitimate land users. Therefore, *YWPA requests* that the definition be expanded to include legitimate land users such as producers and consumers of firewood. Consumers either cut their own wood or rely on commercial operators to cut it and deliver it to them. The actual harvesters of timber for use as firewood or lumber are also legitimate land users. Keep in mind that these products are harvested for consumption in Yukon. The Yukon wood products industry is not cutting timber to sell it in the international commodity market. We are focused on supplying firewood to our neighbors and communities, including First Nations.

Recommended Mitigations Section

YWPA is concerned that the language used in the mitigation recommendations does not reflect the true nature of the assessment boards mandate. The word, “shall” has been used throughout the draft screening report. This misrepresents the authority of the board. Use of the word ‘shall’ gives the impression that the recommendations are binding orders of the Executive Committee. This raises expectations among various stakeholders and other governments that the proponent must implement the mitigation as stated in the YESAB screening. If the decision body exercises its legal authority to accept, reject or vary a recommendation in this context it will give the appearance of defiance, belligerence and disrespect to the assessment process. This unnecessarily sets up the wood products industry proponent for a tough time if they should ever come back to the assessment authority for a THP in the future. Furthermore, this may be a factor in the reasons for the difficulties YWPA members face in gaining ongoing access to timber.

Use of the word ‘shall’ is a strategy that is not at all helpful in the implementation of the THP through harvesting authorizations. Some of the mitigations are simply not possible to implement if the wood cutters and loggers are going to supply dead and dry timber to consumers (see specifics below).

YWPA requests that the language in this section be changed to language that correctly reflects the authority of assessment board. The word ‘shall’ must be removed and words such as ‘may’, ‘should’, ‘suggest’, or ‘recommend’ be used in its place.

Forests and Forest Fires

Page iv first paragraph – Winter Only Harvest Period November 16 to March 31

The Executive Committee defines ‘winter’ as the period of November 16 to March 31, based on a list of eight criteria, and then incorporates the winter period into their recommendations. The November 16 date is apparently based entirely on the fall hunting season for bears ending on November 15; no other criterion is relevant. Given that all forestry roads are subject to access controls (gates, signs) by Forest Management Branch (FMB), and therefore the roads cannot be used by hunters on motorized vehicles, the November 16 date is clearly an arbitrary date not based on a meaningful criterion. Hunters can of course use public roads for hunting, but that will not be affected by restricting forest operations.

Another three of the eight criteria pertain to hunting seasons, and therefore are similarly irrelevant to deciding on seasons when forest operations should be restricted, because

forestry roads are not available for motorized use by hunters. That only leaves four potentially relevant criteria:

- Fire Season: April 1 to September 30
- Calving season for moose: May to June
- Denning season for bears (Black and Grizzly species) in Yukon: October to May
- General nesting season for birds: May to August

The fire season period is a generalization. Within that period there are often low fire risk periods due to wet weather, and higher risk periods when there is less rain. Some years there may be a significant fire risk before or after the fire season. Fire risk also depends on the type of forest activity that is being conducted. The fire *risk* (as determined on a continuous basis by Yukon government) should be used to determine when it is safe to conduct forest operations, not a broad range of dates. See the next page for additional discussion of this.

The calving season for moose is during May and June when soils are almost always too wet for forest operations; in any case, the period is not relevant to defining ‘winter’.

The denning season for bears of October to May overlaps almost entirely with snowy winter conditions and with most forest operations; hence, it cannot be used to limit forest operations.

The general nesting season for birds is May to October. The Migratory Birds Convention Act, 1994 makes it illegal to harm nesting birds; hence, it is redundant to base restrictions on forest operations on that criterion. If harvesting occurs when nesting birds are present, the destruction of nests will be addressed under legislation.

The definition of ‘winter’ should be removed because it is arbitrary and not based on any meaningful criteria.

The recommendation to restrict harvesting to specific dates does not reflect reality in the northern Canada and in particular Yukon. In the late fall it is not unusual for soils to be sufficiently dry to support the use of timber harvesting equipment prior to freeze-up. This is typically any time after the middle of August. Foresters prescribe ‘dry soil’ restrictions in order to allow harvesting in a manner that protects soils. Should a rain storm soak soils foresters will shut down logging and do soil moisture sampling prior to restarting logging. This is often two to three days after the last rain on clay-based soils such as are common in Yukon.

Thus, the use of the words ‘dry ground and frozen ground’ in the THP is intentional, because it reflects the very real necessity to protect the soil resource from damage due to

harvesting operations. All soils are susceptible to compaction damage when they are moist or wet. In forest ecology soils are recognized as the least renewable element of the ecosystem (Kimmins J.P. Forest Ecology, 1987). If the soil is damaged the productive capacity of the forest to produce crops of trees into perpetuity is a serious negative outcome.

Once moist or wet soils are frozen the risk of damage to soils is greatly reduced. In the THP “freeze-up”, rather than a date, is used to reflect the fact that soils in Yukon can freeze within a range of dates depending on the year. Some years soils will freeze as early as mid-October, and in other years as late as mid-December. By ordering the winter season to commence November 16 the board has curtailed potential harvesting in the early season and created a situation where logging can commence prior to freeze-up and may lead to damaging soils.

The definition of ‘winter’ should be removed and recommendations based on ‘winter’ should include the specific reason for choosing a date, if one is required.

The prescribed language used by the registered professional foresters and biologists that developed the plan should be left as ‘dry or frozen condition’.

Page iv paragraph 3

A list of blocks exempted from winter only harvest has been provided – but it is not stated why these blocks are different from other blocks. However, an additional restriction has been applied that activities within the blocks including processing must occur outside the fire season.

This is a confusing statement as it is uncertain what ‘including processing’ means, please clarify how it is different from “all activities”. The first statement with regard to all activities presumably includes this activity.

In any case, restricting activities on a harvest block to outside the fire season is unreasonable. The logging industry along with all other industrial activities in the forest are regulated by the forest fire protection legislation. This legislation restricts operations in the forest by shutting the work down when the fire danger rating is high or extreme. It begs the question – is the timber harvesting industry being singled out for special restrictions when working in the woods? Do the same mitigation orders apply to fire smarting, mining, agriculture, Highways and Public Works and municipal subdivision clearing operations? If there is an issue or concern that is not related to the activity of harvesting then that issue or concern should be of sufficient value that it can be clearly

articulated. Once articulated there may be an alternative mitigation that would better suited to address the issue.

This order / recommendation should be removed because existing legislation, regulations, and standards are adequate measures for reducing the risk of forest fire ignition.

Forests and Forest Fire Mitigations

1. Access Management Plan (AMP)

It is not clear what is meant by an Access Management Plan, please clarify. If the intent is for the access management plan to be more detailed than a schedule of approximate main road locations, construction, use and decommissioning this is a request that will be impossible to complete. If it is more than this, please keep in mind that the normal planning cycle for forest operations is five years, with annual revisions. The assessors appear to be assuming that this plan will be in affect for up to thirty years. A commitment to a thirty-year planning cycle is unattainable.

Given that the THP has been in development and review for four years, and that all stakeholders including the CAFN have had extensive opportunity to comment on the THP Access Plan, it is completely unreasonable to ask for an additional stakeholder access management planning exercise. Such a process typically takes 2-4 years to complete, during which time Yukon residents, including CAFN citizens, will have no access to firewood.

The order / recommendation should be changed to acknowledge that Section 6.5 of the THP constitutes sufficient access planning for the THP.

Subpoint comments and observations

a. The description of the proposed access provided in the THP is as detailed as is reasonable. The additional information requested will have no value in forest management or in addressing undefined stakeholder concerns. The only ‘value’ stated by the Executive Committee is that it “will ensure an avenue for participation by CAFN, the Alsek Renewable Resource Council (ARRC), and input from local stakeholders” – which has already been provided by the four years of the THP process.

b. Notifications are generally normal practice, and this is a reasonable expectation. However, a new system does not need to be created through an AMP. It already exists.

c. Community stakeholder input, this is an interesting order / recommendation in so far as the ExCom assessment process is legally the point of input to the process. It would appear that the intent of this order / recommendation is to place the proponent in the untenable situation of never-ending negotiations with regard to accessing forest resources.

- *Please remove this order / recommendation as there has to be a point where the proponent can conduct the business of issuing harvesting authorizations, completing compliance inspections and monitoring outcomes post harvesting*

d. Access controls are part of the THP plan and part of the regulatory regime established under the Forest Resources Act.

- *This order / recommendation is redundant and should be removed.*

e. Access development and density thresholds, access density controls are found on pages 46 and 47 of the THP document. The THP was specifically designed to meet the density thresholds recommended in higher level forest resource management plans and the Integrated Landscape Plan for the Champagne and Aishihik Traditional Territory.

- *This order / recommendation is redundant and should be removed, because it is not required as the proponent has already committed to meet or exceed these standards of operation in the THP.*

f. Road decommissioning and rehabilitation, the assessor recognizes the THP commits to a time frame for decommissioning roads. The timeframes within the THP are sufficient to meet the requirement for decommissioning.

- *This order / recommendation is redundant and should be removed, because it is not required as the proponent has already committed to meet these standards in the THP.*

g. Wildlife, habitat maps and descriptions already exist in the Integrated Landscape Plan and Wildlife Connectivity Corridor Plan.

- *This order / recommendation is redundant and should be removed, because it is not required as the THP was specifically designed to meet or exceed the prescribed requirements found in the Integrated Landscape Plan and Wildlife Connectivity Corridor Plan*

h. Monitoring, monitoring of harvesting operations is a requirement of the approved higher-level Forest Resource Management Plan.

- *This order / recommendation is redundant and should be removed, because it is not required as the THP is consistent with the Forest Resource Management Plan which has a chapter on monitoring of forest operations.*

YWPA is concerned that the commitments made in the THP are apparently not part of the assessment. What is achieved by ignoring sections of a Plan that is being assessed by the Executive Committee? If it is a policy directive of the Board to ignore commitments and mitigations made in the THP by professional foresters and biologists it is imperative that this policy direction be reviewed and removed.

2. Community Fire Break

Creation of a community fire break is not part of the purpose or scope of the THP. It is true that an indirect benefit of harvesting operations will be to reduce fuel loads within the harvest areas and the main roads will provide access for firefighting and will provide the basis for fire breaks during firefighting. But the purpose of this THP is to meet the significant demand for firewood in domestic markets within Yukon; it is not to manage wildfire risk.

It is clear that timber harvesting operations should be part of any landscape level forest fire fuel reduction planning process, should government decide to do such planning. However, planning for firewood harvesting areas is not the venue for planning for fuel reduction or fire guard construction. The agreed upon Integrated Landscape Plan provides the principles of wildfire risk reduction, and the THP is consistent with those principles.

The Auriol blocks were included in the THP in an area of predominately green timber that could be made available to a timber harvesting operator that may be interested in setting up a sawmilling operation at some point in the future. It may also be possible to harvest some dead wood for firewood. Green timber cannot be used for firewood without curing for one to two years, which creates significant cash flow issues for wood cutters. The logging industry in Yukon simply cannot incur the cost one year and then wait two years to recover the cash investment in the logs while also carrying the risk of losing the timber to fire and theft.

This order / recommendation should be removed and directed at the appropriate department of Yukon government for planning and development. Our members will be happy to participate in the planning and implementation of that plan when developed by wildland fire professionals.

3. Auriol operating unit harvest schedule

The Auriol operating unit is comprised of healthy green trees with very little beetle killed timber. This operating unit was included in the plan to provide the opportunity for a sawmilling operator to access timber in a timely manner should such a business appear on the scene. It would be inappropriate for current biomass operators to target green standing timber for processing into biomass fuel. Furthermore, it is economically impossible to harvest predominantly green timber for firewood; the operator would go broke before he could sell the wood two or three years later.

In addition to the economic hardship to the operators, it is environmentally harmful to target green wood for fuel wood harvest. Reasons include the fact that green wood burned in wood stoves is inefficient (produces less heat) and is more polluting (increased smoke / smog) than burning dead and dry beetle killed timber. The potential for chimney fires is also greater when burning green wood, because of increased 'creosote' deposits, resulting in public and structure safety issues.

Also, the potential for wildfire ignitions is greater in dead standing timber than in green timber. Therefore, the likelihood of an ignition in the stands of predominately dead trees south in the rest of the THP area is much higher than in a stand of live trees, and the consequences of such an ignition are much higher due to the higher volatility of the dead standing trees.

Given that there is presently no market for green timber, that the THP has been developed to address biomass fuel production, that dead standing trees are a much more dangerous fuel type and that 11,000-hectare fires (hence, potentially including most of the THP area) are a common feature of the boreal forests of Yukon this order is unreasonable.

This order / recommendation be removed, because it will have harmful socio-economic and environmental effects.

4. Fire season restrictions

Fire season restrictions are covered in forest fire protection legislation and is not required as part of this THP. All industrial operators are subject to these regulations, and it is not reasonable to place a higher burden or expectation on the wood products industry than would be applied to all other industrial operations.

This order / recommendation should be removed because it is redundant.

5. Operator camps

There is no need for operator camps in the Quill Creek area due to proximity to Haines Junction. No operator camps will be proposed because they would be an unnecessary cost to the logger.

This order / recommendation should be removed because it addresses a non-existent issue.

6. Monitor slash burning piles

All burning is managed under a burning permit and monitoring of all slash pile burning is standard procedure during and before the fire season.

This order / recommendation should be removed because it is redundant.

7. Blowdown

Blowdown is a serious issue that may result in underutilization of forest resources. By targeting stands with a high proportion of dead beetle kill timber blowdown will be minimized. However, should blowdown occur post harvesting, it should not be automatically assumed that all blowdown is bad. It is well known that large coarse woody debris is a key ecological component of healthy forests. It is important for maintenance of biodiversity and to improve soil quality over time. Large coarse woody debris is an important habitat component for wildlife, especially furbearers and their prey e.g., mice, voles, weasels and pine marten. Sterilizing harvest areas of coarse woody debris is contrary to the Integrated Landscape Plan objective of maintaining a viable trapping industry in Yukon. The purpose of this order / recommendation appears to be part of wildfire risk reduction, but no rationale is given.

The duration of this blowdown inspection requirement is not specified – is it the same year as the harvesting? The next year? 5 years? 10 years? How long does the blowdown inspection liability last?

The direction as written applies equally to one tree or many trees, within an unspecified area. If it applies to one tree per hectare, then what issue is being addressed?

This order / recommendation should be removed, because if there is sufficient blowdown to be a fire hazard, then woodcutters will harvest it because it will be economically viable to do so. Smaller amounts of blowdown should be left to help maintain biodiversity and the trapping industry.

8. Auditor

There is an existing branch within the department of energy mines and resources called the compliance monitoring and inspections branch. This branch is independent from the forest management branch and has been established to fulfill this function.

This order / recommendation should be removed because it is redundant.

9. Central processing area

The risk of a fire occurring on a central processing area wood products is likely the same as for other industrial operations. This is due to the fact that the processing area in this THP will be stumped and stripped to mineral soil. Any slash or accumulations of combustible material will be sitting directly on mineral soil within a cleared and stumped area and at least thirty meters of mineral soil will be present between the flammable materials and the forest edge.

Furthermore, the central processing area will be subject to the same legislative requirements as all industrial operations. Therefore, it is inappropriate to single out a wood processing operation for restrictions not typically applied to other operations.

This order / recommendation should be removed because it is redundant.

10. Fire hazard in a central processing area

Again, this issue is managed under fire protection legislation. The requirement to locate near a body of water makes no sense at all. Placing a log and biomass processing yard near a water body brings with it increased risk of contamination to the water body, and access would have to be constructed to the water body to make the proximity meaningful. The consequences of an unanticipated event would be much higher within or adjacent to a wetland. In any case, the THP area has very few water bodies to which this direction could apply.

Stop work orders issued under the existing forest fire preventions legislation are sufficient to address the perceived risk. Plus, the normal conditions written into burning permits could require water sources be installed at the site if the fire danger rating is high. The need for fire fighting equipment is standard on all industrial operations. As previously mentioned, there are staff within EMR that conduct compliance inspections as part of their regular duties.

This order / recommendation should be removed because it is redundant.

11. Road decommissioning

This subject has been covered in previous sections above.

This order / recommendation should be removed because it is redundant.

12. Forest resource road use restrictions

This is a standard practice on all forest resources roads in the area.

This order / recommendation should be removed because it is redundant.

13. Signage

Are other industrial operations required to do this level of signage? The wood products industry should not be singled out for special conditions. The Yukon government has standard signs strategically placed along highways throughout Yukon, including the Haines Junction area, which are continuously updated with the fire danger rating class. General fire safety information, etc is irrelevant because the public is governed by Yukon government requirements and the loggers must have Forest Management Branch approval before burning. Access restrictions are established by the Forest Management Branch and include consideration of the fire risk. Contact information for wildfire observations is publicly advertised by the Yukon government.

If these signage recommendations are considered to be important for roads used by the forest industry, then Government should also apply them to all industries using roads in forested lands across Yukon, including agricultural, mining, tourism, and highways.

This order / recommendation should be removed because it is redundant and not supported by general Government policies.

14. Active roads

Standard operational procedure does not require an order from YESAB.

This order / recommendation should be removed because it is redundant.

15. Road decommissioning

See comment on 14 above.

This order / recommendation should be removed because it is redundant.

Wildlife mitigations

16. Access density

In chapter 6 of the THP road densities are described for the duration of the plan and the recommended thresholds established in approved higher-level plans has been met.

This order / recommendation should be removed because it is redundant.

17. Moose habitat

The likelihood of significant effects on moose in winter ranges is low, because in most winters there will only be about fifty hectares harvested or less than 2% of the land base within the landscape annually. There will only be, at most, one significant commercial operation active in the entire landscape unit at one time, plus possibly personal use harvesters and a few very small operators.

The THP provides an access plan and specifies that it is consistent with the Integrated Landscape Plan. An additional Access Management Plan is redundant and places an unnecessary burden on the forest industry.

This order / recommendation should be removed because it is redundant.

18. Movement of moose

The snow levels in this landscape, except in unusual winters, are relatively low. Therefore, movement of moose throughout the area will generally not be affected by forest operations. It is not the responsibility of the forest industry to plow snow from access roads to provide easy walking for moose. If a road is being actively used, it will be plowed. If the road is not being actively used, it will not be plowed. Of course, Government can decide to plow trails for moose to use. It should be noted that Yukon highways do not have breaks created in snowbanks to allow moose and other wildlife (and people) to more readily cross.

The wording in this order / recommended should be adjusted to address the only real issue – the operator can reasonably be asked to create breaks in roadside snowbanks that are high enough to impede moose crossing them, even though this is not part of Government policy for public highways.

19. Vehicle-wildlife

Speed is highly reduced on the class of road being built in the THP due to narrow running surfaces, limited sight distance and relatively low levels of grading.

This order / recommendation should be removed because it is redundant. However, this order will not affect operations so it is of little of concern.

20. Signage

Are other industrial operations required to do this level of signage? The wood products industry should not be singled out for special conditions. Forest industry roads are managed by the Forestry Branch and are not open to the general public without a permit. The permit holder is informed of all these issues when the permit is issued; hence, there is no need for additional signage.

If these signage recommendations are considered to be important for roads used by the forest industry, then Government should also apply them to all industries using roads in forested lands across Yukon, including agricultural, mining, tourism, and highways.

This order / recommendation should be removed as being redundant and not supported by general Government policies.

21. Bear aware

There are regulations administered by the department of environment that require industrial operations to manage and store materials that may attract bears.

This order / recommendation should be removed because it is redundant.

22. Bear dens

FMB has standards and operating procedures for wildlife features that regulate activities around bear dens.

This order / recommendation should be removed because it is redundant.

23. Bear den buffers

FMB has standards and operating procedures for wildlife features that regulate activities around bear dens.

This order / recommendation should be removed because it is redundant.

24. Winter seasonal restriction

See additional discussion near the start of these comments.

Winter occurs at any time between October 1st and December 15th in any given year. The picking of a specific date to define the winter season is not practical or

prudent, and as noted above the Executive Committee based the November 16 date on the end of the bear hunting season – a non-issue for forestry roads. At this time of year, the greatest risk to grizzly bears is not the activity of harvesting. It is, however, a reality that the hunting season overlaps with the harvesting season. It is not practical or reasonable to restrict the ability of a person making a living by harvesting trees because an animal may or may not be hunted. There are better regulatory mechanisms available to deal with potential harvesting of animals such as grizzly bears. Such as closing the hunting season in the area or increasing enforcement of hunting regulations and use of roads by unauthorized hunters.

Regardless, only one or two of the listed blocks will be actively harvested at any given time. The area subject to summer/fall disturbance will be too small to reasonably expect it to significantly affect bear use of the landscape.

This order / recommendation should be removed, because it limits operational flexibility without providing a benefit to bears or other wildlife.

25. Habitat mapping

The entire Quill Creek landscape unit is known grizzly bear habitat. It is accepted that grizzly bears are a species of concern. This particular order raises the question; what makes the habitat complex on blocks QC-26 & 27 unique or special in relation to the entire habitat complex within the landscape unit? This order / recommendation appears to be ‘fishing’ for issues that have not been identified. It can reasonably be assumed that the two blocks have areas that are suitable for grizzly bears (likely the entire area) and that there will be areas within the blocks that have higher grizzly bear values than other areas. That is true for every part of the landscape. What use will the habitat mapping be put to? Who will use it? Are there potential habitat values that will rule out harvesting in the two blocks?

This order / recommendation should be removed because it is beyond the mandate of the THP to create grizzly bear habitat maps that have no identified relevance to harvesting. That is the job of Yukon Environment.

26. Road NR-53

On page 31 of the THP wildlife key area mapping is described. For this area there is a seasonal concern in the spring, summer and fall; hence winter use of the area (denning) is not considered to be significant. In a given year, there will only be one or two blocks being actively harvested in the fall; bears can easily move to a less disturbed area if they need to. There would be adverse environmental and

socio-economic consequences of removing road NR-53 and extending road NR-55, for the reasons outlined below.

- Loaded logging trucks can only be safely operated on adverse grades of less than 8%. NR-55 cannot be extended due the slope angle within the block which would create an extended steep adverse grade, resulting in a safety issue for trucking (and likely the grade could not be climbed by the trucks anyway).
- There would be extensive and excessive side cutting within the block to accommodate extending NR-55. This would result in significant environmental harm due to lost soil productivity and increased risk of soil erosion and slumping.
- Adverse grades contribute to loss of economic viability due to increased fuel consumption, increased safety risks for truckers and increased turnaround times for trucks. These factors increase the delivered wood costs. Resulting socio-economic effects will include lower profitability to the logger and increased heating fuel costs for consumers.
- Road NR-53 will only be open during winter. Gates and seasonal deactivation techniques will be employed to create access barriers.

This order / recommendation should be removed, because it is operationally not feasible and will have adverse environmental and socio-economic effects without benefitting grizzly bears.

27. Periodization of road decommissioning

The intent of the THP is to close roads as soon as harvesting and any silviculture requirements are completed. Harvest areas accessed by NR-54 and NR-55 are anticipated to be harvested sooner rather than later. Thus, the direction provided by the order / recommendation will be followed – it is redundant.

This order should be changed to a recommendation. Whether or not it is retained is irrelevant, because it simply states what is planned to occur.

Traditional Land Use and Sense of Place

28. Blocks QC-28, 24 &27

It is unfortunate that this information was provided so late in the THP development process. Please refer to the attached power point chronology which shows that the process for developing the THP started in September 2018. During that time efforts were made to gather important information of this type. After YWPA was no longer involved an additional effort was made by the Forest

Management Branch to gather this information. The lack of information sharing has contributed to the amount of time that has passed from the point of commencement on the plan to the current situation. There are **no fuel wood** harvesting licenses or areas available for this winter's heating season.

Also, the costs associated with the planning and development of these blocks could have been invested elsewhere (or not at all) had the information been shared three and a half years ago.

This order should be changed to a recommendation to remove blocks QC-28 and modify QC-24 & 27.

There should be an additional recommendation that during the information gathering phase of THP development First Nation government staff should make every effort to share information with proponents at the beginning of the plan development rather than at the end.

29. Winter only restrictions

This order / recommendation does not provide any new direction that has not already been addressed in previous recommendations. See our previous comments regarding 'winter' dates. In addition, if the winter definition as the period of November 16 to April 1 coincidentally matches the requirements of "identified traditional harvest areas and/or known sites of importance to species of harvest and cultural value", this should be stated. Otherwise, the actual required dates should be specified.

This order / recommendation should be deleted because it is redundant, unless the actual dates required to address traditional values are provided.

30. HIRA sequencing

The sequencing of the HRIA must meet the needs of the forest industry operators. It cannot be determined by the CAFN, because they do not know those needs. The training is a FMB issue, not relevant to the wood products industry.

This order / recommendation should be changed to "The Proponent should ensure that the HRIA will prioritize Areas of Potential potentially affected by road construction and harvest areas in a sequence determined by the harvest needs of the forest industry. The decisions regarding site assessment and prioritizing Areas of Potential will include consultation with CAFN Elders, citizens, and representatives."

31. Sensory disturbance

This is an unusual concern and it is not clear if a sensory disturbance is related to visual quality, hearing, touch or smell/taste. There are modifications to the harvesting activities that can be applied to the design of blocks & roads; e.g. green up provisions; prescribed silvicultural activities; etc. (not a complete list of management options). Without any idea with regard to the nature of the concern it is almost impossible to implement the appropriate mitigation. Perhaps there are trails for which the locations have not been shared; in that case they are impossible to manage for.

This order should be amended to encourage open dialogue between the proponent and the individuals raising the concern. (Again, had this information been shared three and a half years ago it would not be a problem today.) There may be better techniques that can be applied that have not been suggested by the assessor.

32. Road NR-11

This road was proposed to increase efficiency of harvesting operations and to avoid the section of the existing Quill Creek Road (an existing public road, not an FMB road) that traverses a natural open meadow. Removing this road is not a significant concern, however, it will lead to the requirement to upgrade winter road ER-05.

The language in this order should be amended to make it clear that it is a recommendation.

Land Users

33. Signage

There will not be any unauthorized recreational users on forest resources roads as the use of these roads is regulated under the Forest Resources Act. For the existing public roads appropriate signage is not unreasonable.

Modify the order to a recommendation that, on public roads, the signage advise that active logging is occurring on the road and logging trucks are active on the road and the public should proceed with caution.

Recommended Monitoring

The Forest Resource Management Plan contains a chapter on monitoring forest management activities.

This order is repeating a commitment made in the higher-level plan and it is not necessary to add it into this assessment. Once committed to in an approved forest resource management plan it is subject to the Forest Resources Act.

This entire section of recommendations should be removed, because it is addressed by the legal requirements of the Forest Resources Act.

Conclusion

The outlook for the small and struggling wood products industry is bleak. At this point there will be **no wood** available for consumers of firewood or biomass wood chips this winter. The reasons for this are many and varied, and with perfect hindsight it would have been prudent to have avoided developing a greater than 20,000m³ Timber Harvest Plan. The YESAA Executive Committee process is simply not compatible with a viable forest industry in Yukon; instead, it is deliberately or accidentally designed to extinguish any possibility of a forest industry.

In the fall of 2017 when the YWPA agreed to manage the development of the Quill Creek THP it was inconceivable to the registered professional foresters and professional biologists involved that it would take five years to gain access to timber. Especially timber from a beetle killed and damaged forest. In the provinces where most of the professionals in Yukon earned the right to title and the right to practice professional forestry, a project of this nature and size would take about a year from the information gathering and development stage to completion of assessment and approval.

The lack of wood not only injures commercial wood cutters it has the greatest negative impact on community members who rely on firewood as their primary source of heat in the winter. The impact is greatest for low-income families, the elderly and those with only one source of heat - biomass. This is a significant negative socio-economic outcome to this whole process.

There are also important climate change implications that have not been given appropriate weight in this risk evaluation that are central to this environmental and socio-economic assessment process.

By the middle of this summer there will likely be a significant amount of negative media coverage of this seriously flawed process. This is not because the wood products industry will be on the campaign trail. Rather, it will be a natural outcome of the ethical responsibility of our firewood suppliers to advise their customers there will be no wood available for this coming winter season. The survival of a wood products industry in Yukon is in significant peril, not because the timber does not exist but because of the administrative hair ball of forest planning and assessment.

There are overarching issues that need to be addressed on behalf of the wood products industry in Yukon, with some of these outlined below:

- The issue of a narrow environment centric approach to THP assessment in Yukon is a significant problem. The assessment approach does not properly account for the socio-economic impact of delays to or failure to procure a steady flow of timber to the public or industry. The significance of possible negative effects of local logging operations on wildlife and social issues exist across Yukon and are on the low to non-existent end of the spectrum. Yet, these criteria are applied as if harvesting is occurring at the scale of a large multi-national corporation that is harvesting over 50% of a landscape unit. In most provinces the thresholds for the beginning of an affect on wildlife within a landscape is at around 33%. Between 33% and 66% the affect is noticeable. Beyond 66% it is known that significant impacts are occurring and corrective action will be required to recover some populations of animals. In Quill Creek the whole harvesting regime will affect 21% of the landscape unit for the duration of the THP (estimated at about 30 years), and most of the effects will be mitigated through partial cutting. It is likely half of this, around 11%, if the regeneration of the cut blocks over time is accounted for. Within five years each harvest area will be greened up and by the fifteenth year after harvest the area will be completely regenerated to conifer and deciduous tree species. One will be hard pressed to visually recognize the area has been logged after the first five years.
- There are places where the YESAB Executive Committee assessment has reached beyond the purpose and scope of the THP. This THP is about providing firewood to consumers of firewood through personal use and commercial operations. While it is important to note that other benefits such as fire suppression and fuel management issues can be managed or mitigated using timber harvesting equipment to meet those goals, this plan never intended to meet manage wildfire fuel management issues. The proper place for wildfire fuel management planning is within the departments of government that have the professional knowledge and skills to design and implement fuel reduction, fuel breaks and conversion of conifer forests to deciduous species. Once a landscape wildfire fuel management

plan is in place the wood products industry will be pleased to harvest and utilize any timber that will come off those areas, where it is economically feasible to do so.

- The failure of the assessment system to realize that some of the issues raised are not being raised in the proper way or forum only adds to the delays experienced by this process. The Yukon Environmental and Socio-economic Assessment Act and the administration of it are functioning exactly as it was designed to do. It was designed to control and minimize the forest industry. It is not clear if the builders of the Act accomplished this by design or by mistake; either way it does not matter because the result is the same; there will be **no wood** available for home heating this winter.
- Just as this letter was being signed a member of the YWPA advised he is sourcing firewood from Fort Nelson BC. It defies logic that we are faced with importing firewood 900kms one way from BC to meet Yukon's fuel requirements. It begs the question is it reasonable to expect Yukoners to pay double for a product that can be produced locally with no significant environmental impacts. Higher trucking costs means higher prices for consumers at around \$650/cord.
- This brings us to the final point. There is a significant problem built into the process specific to professional accountability of the developers and assessors of timber harvesting plans. There are no other industries in Yukon where the work of a registered professional operating within their particular field of practice would be evaluated by non-professionals. For example, it would be totally unacceptable from an ethical and legal perspective for a lay person to review and assess the work of a registered professional structural engineer on a complex bridge or building design. This evaluation would only be conducted by another professional in the same field of practice. The development of the original document which is the basis of the plan under review was completed by a registered professional forester and a professional biologist. Both individuals as registered professionals have been practicing their respective professions for the past thirty plus years in AB, BC and Yukon. In addition to this, a number of the foresters who modified the original document into the THP subject to this assessment are registered professional foresters from jurisdictions across Canada. YESAB must commit to creating assessment protocols that address this issue. The Board should hire experienced registered professionals either full time or as contract experts to conduct assessments of this type.

With experienced and qualified people conducting assessments much time and money can be saved. The assessors must have the education, skills and

experience to recognize when a comment or request for more information is not relevant to the project or is of a nature that will only disrupt the timely completion of an assessment. Without that our industry can only expect that THP's will never be completed in a timely manner.

The issues raised in this letter are done so with a degree of trepidation as it may lead to more demands for complex studies of questionable value in terms of protecting forest-based values. The intent of the authors is to raise issues and concerns in a way that shows where the system is broken. The association and its members are not objecting to third party evaluation of the forest operations and practices. We are concerned that lack of certainty with regard to consistent and reliable flows of timber on a year-to-year basis will lead to business failures. Plus adding to the financial burden placed on those members of society already struggling to make ends meet. There are several key players in the biomass industry that have become so discouraged that they are contemplating or have already quit and moved onto more stable and secure opportunities. One of our members recently moved to BC because he saw no future for his firewood cutting business in Yukon.

Thank you for your consideration of the issues raise in this letter. Should you have any questions do not hesitate to contact Myles H Thorp at mhthorp@klondiker.com or call 867-335-1914.

Prepared by,



Myles H Thorp RPF
Executive Director
Yukon Wood Products Association &
President North Forest Consulting Ltd



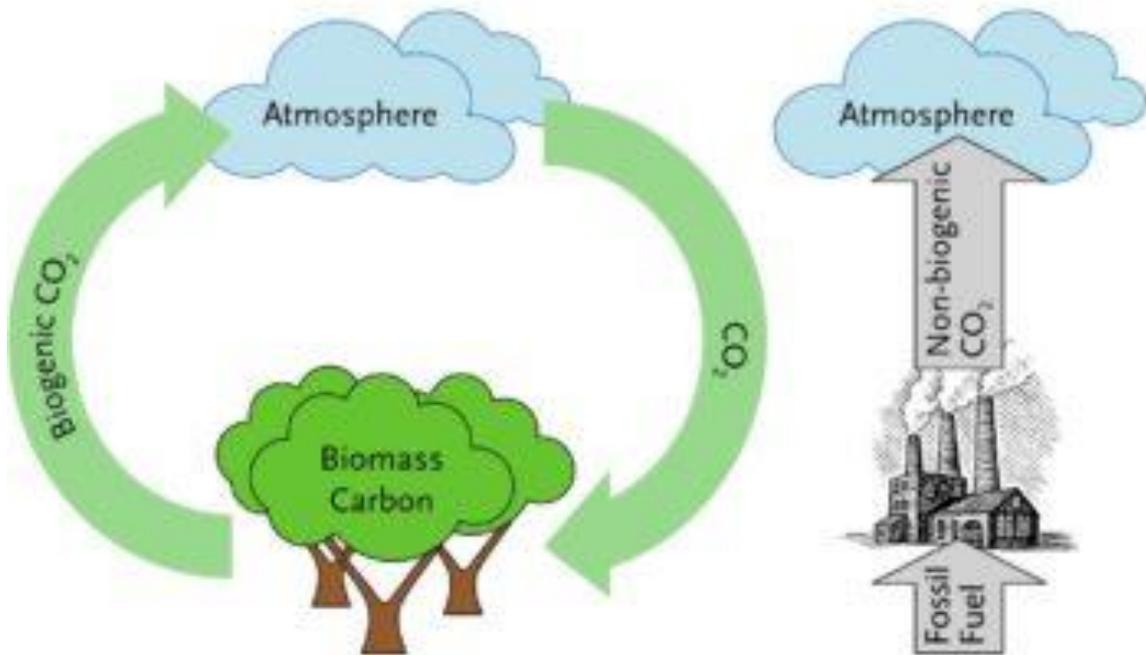
Crispin Guppy P.Biol.
Vice president
Ecofor Consulting Ltd

Attachments

Attachment 1
Attachment 2

YESAA process and the Forest Industry in Yukon
Atmospheric Carbon Cycle

Attachment 2
Atmospheric Carbon Cycle



Attachment #1

YESAA Process and the Forest Industry in Yukon

Firewood not available for winter 2021/22

Quill Creek Timber Harvest Plan

Three Parts to the process

1. YWPA developed the THP with a forest consultant
2. FMB worked on consultation with CAFN and redrafted YWPA work
3. FMB and the YESAA Process

Overview

- ▶ This will be a salvage operation for beetle killed timber. Forest Renewal Key Factor
- ▶ THP is for greater than 20,000m³ so must go through Executive Committee screening
- ▶ YESAA is working perfectly
- ▶ it was designed to ensure the forest industry will never be a significant contributor to Yukon's Economy.
 - ▶ *Price Waterhouse Coopers senior forest analysts comment to Myles Thorp in 2006*
- ▶ We are approaching four years from concept to assessment and we still don't have a harvest plan that will allow harvesting in winter 2021/22
 - ▶ *Myles Thorp "in MOF Fort Nelson we approved THP equivalent plans for 1.5 million cubic meters annually in six months"*

1. YWPA phase

- ▶ Fall 2017 Forest Management Branch and Yukon Wood Products Association engaged concept discussions
 - ▶ Idea was to see if the flow would be easier for a THP developed by industry for industry
- ▶ In winter 2018, meetings to discuss logistics for funding; Economic Development agreed to assist with funding the project
- ▶ Myles developed proposal and submitted it to EcDev
- ▶ Developed the Bid criteria and process
- ▶ July 24/2018 Myles contacted 5 companies to solicit bids for the work

- ▶ August 28/2018 FMB and YWPA reviewed proposals and awarded the contract to EcoFor Consulting.
 - ▶ Cris Guppy PBio, former Ecosystem Specialist in the Quesnel Forest District for ten years before leaving government to become a consultant did the work
- ▶ September 2018 to March 2019 field work + consultations = drafting THP
 - ▶ A series of meetings were conducted with FMB and staff from Champagne Aishihik First Nations
 - ▶ Purpose was to gather information for the development of the THP so we addressed issues and concerns at the development stage
 - ▶ YWPA team was advised by CAFN not to make direct contact with CAFN trappers or citizens, CAFN staff would make these arrangements
 - ▶ YWPA made 8 formal requests to CAFN in writing, email or verbal to arrange the citizen meetings which never happened
 - ▶ On March 8, 2019 CAFN advised YWPA they would engage directly with FMB and did not want our assistance at meetings with citizens and would do that work themselves
- ▶ Final Draft of the THP from YWPA submitted March 31/2019
 - ▶ We located 245,000m³ net merchantable with 197,000m³ available for harvest
 - ▶ This equates to 21% of total land base in Quill.....rest of Canada uses 33% as threshold for beginning to have impact on wildlife abundance.

2. FMB consultation with CAFN phase

- ▶ YWPA and EcoFor did not have any further involvement in the process until October 17, 2019, Myles attended meeting where FMB explained process and changes made to the plan to address CAFN issues and concerns
 - ▶ One of them being they did not like the YWPA doing the THP and prefer to work directly with FMB
- ▶ Netted the available volume down to 163,000m³ resulting in a loss of about 34,000m³
 - ▶ Uncertain as to why this reduction was made

3. YESAA ExCom assessment phase

- ▶ February 18,2020 FMB submitted the revised plan to YESAB Executive Committee
- ▶ In mid-March 2020 FMB advised the adequacy review has been completed and the project would now enter into the assessment process,
- ▶ YESAB has been working on the assessment for 470 days
- ▶ Significant uncertainty with regard to more net downs as a result of YESAB recommendations
 - ▶ Keep in mind the annual harvest is less than 10,000m³ (closer to 5,000m³/yr
 - ▶ We are at 163,000m³ and ExCom will likely ask for more reductions

Conclusion

- ▶ Net downs do not appear to improve environmental protections over what was considered in the YWPA THP
- ▶ Result **NO WOOD** available for this winters heating season
- ▶ YWPA members are seriously considering the prospect of shuttering their businesses E.g. Caribou Crossing Wood provider has explored sourcing firewood from Fort Nelson
- ▶ Yukon is unique in so far as timber management is assessed through a federal environmental assessment process
 - ▶ BC specifically designed forest legislation to keep the Federal Government processes out of their jurisdiction
 - ▶ Others did the same. Newfoundland only one besides Yukon ?
- ▶ 400 to 600 days is not going to work for any industry of any scale for consistent flows of timber

- 
- ▶ The process is doing exactly what it was designed to do:
 - ▶ Making sure there is no significant investment in the wood products industry in Yukon
 - ▶ Unreliable timber flows

What to fix?

1. The length of time for the assessment process must be shortened and streamlined
2. A hypothetical operator who needs 20,000m³ + 1m³ must go through ExCom screening
 1. They will not survive the time frames outlined and cannot risk the investment
 2. Don't have bench strength to deal never ending analysis and reanalysis
3. Establish an end date for approval
 1. recommendation end date from the time a plan is submitted E.g. BC learned in the 1995 to 2003 period the process needed to cut off the new information submission requests from all stakeholders including First Nations Governments
 2. No new requests for information or study within the last three months of the assessment period

1. Not allow a non-professional review the work of professional foresters & biologists work
2. Remove the 20,000m³ thresholds and raise them to e.g. 500,000m³
3. The designated decision maker must be the branch director for FMB
4. conduct an administrative audit on the Quill Creek THP by senior foresters from outside jurisdictions