

Fall/Winter 2015 Newsletter

November 6, 2015

Greetings;

The updates outlined in this newsletter confirm that our association is indeed playing a significant role in the development of the wood products industry in the Yukon.

Streamlining Process

Three years ago the YWPA formed a subcommittee with Forest Management Branch to look at the Forest Resources Act and regulations and deal with unintended barriers to our industries growth potential. A number of minor amends were identified that will provide FMB with greater flexibility in administering various plans and implementation of the legislation.

A key issue for the YWPA members on the committee is the lack of parity between the timber tenures available. The two forest tenures available to the forest industry inhibit growth and innovation in business development. The fact that a reforestation fee was applied to one license and not the other discouraged the industry from obtaining a timber resource license. This also contributed to the unfortunate situation where green timber cut in conjunction with firewood harvesting could not be utilized. This has long term implications for the future of biomass which will eventually require the harvest of green timber for fuel wood and manufactured biomass products. Further it created a situation where a logger could not make the best use of the available forest products found in a stand.

The committee recommended an amendment to the regulations that removed the fee as mandatory charge on the timber resource license. There is a recommendation that stumpage and fees be applied equally to both licenses regardless of the wood products produced from the forest. This recommendation is working its way through the government legislative review process and will be dealt with by the Government shortly.

Whitehorse Southern Lakes Forest Resources Management Plan

The joint planning team for the Whitehorse Southern Lakes (WSL) Forest Resource Management Plan (FRMP) is comprised of representatives of the Kwanlin Dun, Ta'an Kwäch'än, Carcross Tagish and Forest Management Branch. The joint planning team has been working hard to develop the resource emphasis zones for the plan.

As the industry representative I have been updated on the progress regarding the work and zoning. It is encouraging to note that the areas that make sense for timber harvesting activities in the region have been identified. Opportunities for our industry at this stage have been taken seriously and there will be working forests zones in the plan. We will be calling a meeting of the membership in December where the planning team will meet with us to provide an update and receive comments from us. I will be providing details shortly (time, place etc.)

Timber Supply Analysis Haines Junction, Dawson and WSL

With the completion of the FRMP for Dawson and updated forest cover inventory in Haines Junction forest management branch has undertaken a timber supply analysis in these regions. Whitehorse southern lakes will have a timber supply analysis completed once the FRMP is complete and approve by the parties.

Timber supply analysis must be done prior to determining an appropriate annual allowable cut in a region. Our association will be watching and participating in these processes as they develop. Because the TSA process is just getting started there have not been many opportunities to provide comment when invited we will participate.

Independent Power Producers policy and Biomass Strategies

The Government of Yukon has released the independent power producer policy and a link is attached.

<http://www.energy.gov.yk.ca/pdf/independent-power-production-policy-201510.pdf>

The policy provides the basic rules for a company or individual who may be interested in developing an electrical generation business to sell power to the Yukon grid. There will be two ways to enter into the program; calls for proposals by power producers and unsolicited proposals. Biomass power production has been identified as a qualified source of energy.

There are limits on the size of projects depending on what part of the system a proposal is targeting. For the integrated Yukon power grid the limit is 10,000 MWh/year. In Watson Lake the limit is set at 2,100 MWh/year.

If you are interested in this policy it is important that you take the time to read it and understand the type of business model required to benefit from it.

Land Use Planning

There has been considerable interest in the Peel land use planning process and the subsequent court cases. I have read through the Court of Appeal of Yukon's decision and have concluded that the court case is actually a victory for land use planning in the Yukon. There is now clarity for all parties involved in this case with regard to the land use planning process as described in the First Nations Final Agreements. This will be of real significance as land use planning is initiated in areas of the territory where there are timber values.

For the Government of Yukon there are two things of importance: one the government has been told in clear language that they must follow the process as it is set out in chapter 11 of the settlement agreements. Secondly, upon proper utilization of the process the government has the right to accept, reject or modify a land use plan on the Crown Land portion of the region. This includes appropriate consultations with First Nations and by implication the public. The government must provide reasons that provide a clear rationale for the acceptance, rejection or modification of a plan.

For the First Nations the Court made it clear that affected First Nations have the same right to accept, reject or modify a plan as it affects settlement lands within the planning area. They must follow a similar process as outlined in chapter 11 of the settlement agreements.

For the planning commission the Justices of the appeal court have made a couple of interesting observations with regard to the commission's conduct. The Justices observe that the planning commission had an opportunity to request clarification with regard to the government's lack of detail regarding access and request for modifications to the draft plan. They go on to observe that the commission suggested they would have to go "back to the drawing board" with regard to the government's concerns. The Justices state they do not understand this complaint and that in fact they did go "back to the drawing board" after it received the responses to the initial Draft Plan of April 2009. This could be taken as a suggestion that the commission did not attempt to come to a positive outcome and may have contributed to the break down in the planning process.

The Appeals Court have sent all parties back to the stage where the original plan was submitted to the parties (YTG and First Nations). This will allow the process to proceed as it should have in the first place.

In other words, the commission should review the plan and address specific concerns or ask for clarification when government feedback is vague. The government can then provide the clarity and if not satisfied with the commission's treatment their feedback. They can open consultations with affected First Nations with regard to specific

modifications to the plan. Once the consultations are completed they can proceed with accept, reject or modify and provide reasons for the action chosen. The First Nations have these same procedural processes to follow with regard to settlement land in the planning region.

If you are interested in reading the judgement let me know and I will forward a copy to you.

FPI workshop HJ

On October 21 and 22 a workshop was held in Haines Junction. We learned that there are a number of techniques available to small wood cutting operations that can improve efficiency.

The field trip was informative and the group present had a good discussion with regard to the silviculture treatments available to foresters. In fire driven ecosystems with fire adapted species (white spruce) there may be problems ahead due to wind throw, reduced growth from shade and cold soils.

There will be third workshop coming up in the New Year and the focus will be on biomass. The intent is to look at how to produce quality biomass in a full range of production methods. It will include a segment on densification of wood into pucks and pellets. More information will be shared as details are made available.

Bill Bowie memorial bursary fund

The Bill Bowie memorial bursary fund has been established by the Bowie family to support a worthy individual who is pursuing educational advancement at a post-secondary facility in Forestry. The YWPA is pleased to announce that we will be contributing \$500.00 annually to this bursary. If you have a family member or a friend that is considering a career in forestry let them know this bursary is available and encourage them to apply for it.

General meeting December

We are planning to have an all members meeting in December. This meeting will provide you with an update on legislative streamling, various planning processes, timber supply analysis, the biomass strategy and other topics of interest.

Once the time and place are determined there will be notifications sent out.

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