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Cooper Creek Cedar Ltd.
Forest License A56529 & Forest License A30171
has prepared the:

2018 - 2023 FOREST STEWARDSHIP PLAN

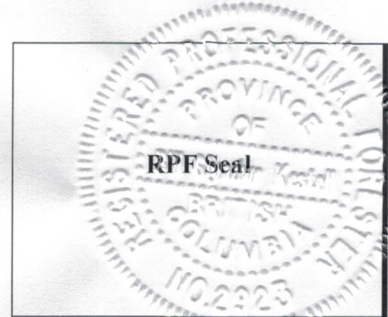
For operations within the Selkirk Forest District

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Date

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Authorized Approval:

Designated Decision Maker: _____

_____ Date

Cooper Creek Cedar 2017 – 2022 Forest Stewardship Plan

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1.0 Introduction

This Forest Stewardship Plan (FSP, Plan) has been prepared to fulfill the requirements of the *Forest and Range Practices Act (FRPA)* for Cooper Creek Cedar Ltd (CCC) – Forest Licenses (FL) A56529 & A30171. The FSP is a landscape level plan that specifies results and strategies that must be consistent with the objectives set by government. The results and strategies state management practices that will conserve and protect forest resources within the companies’ planned area of interest in which harvesting and road construction activities will occur. The results and strategies must be measurable or verifiable so they can be evaluated as to whether the specific objectives are being met.

Through FRPA the government has set the following objectives for which results and strategies must be consistent through CCC’s forest management and forest operations:

- Soils
- Water
- Wildlife
- Visual Quality
- Timber
- Fish
- Biodiversity
- Cultural Heritage Resources

1.1 Person Preparing the Plan

The Forest Stewardship Plan has been prepared to fulfill the requirements of the *Forest and Range Practices Act* for Cooper Creek Cedar Ltd. The professional preparing the Plan is the Woodlands Manager for Cooper Creek Cedar Ltd. CCC is the woodlands department for Porcupine Wood Products Ltd, a timber mill located approximately 35km south of Nelson, BC.

2.0 The Forest Stewardship Plan

The Forest Stewardship Plan, enacted under FRPA, is the main operational planning tool that CCC submits to government agencies, First Nations and the public for review and comment. The FSP will have a term of five years – 2017 to 2022; commencing from the date of approval by the Delegated Decision Maker for the Minister of Forests, Lands & Natural Resource Operations.

2.1 Referral Process

As per the *Forest Planning and Practices Regulation (FPPR) Sec 20 – Providing notice, Sec 21 – Review and comment and Sec 22 – Responding to review and comment*, Cooper Creek Cedar Ltd is required:

- to publish notice that the Plan is publicly available for review and comment for a period of 60-days
- make a copy of the Plan available to First Nations, affected stakeholders, the general public (non-affected stakeholders) and government agencies for review
- allow First Nations, affected stakeholders, the general public and government the opportunity to review the Plan & the opportunity to submit written comments in respect of the plan to CCC during the review period
- consider any written comments received that are relevant to the Plan and describe any changes that are made to the Plan as a result of the comments received
- to submit with the “*FSP Submitted For Approval*”
 - a copy of the published notice
 - a copy of each written comment received
 - a description of any changes made to the Plan as a result of the comments received
 - a description of the efforts made to meet with First Nations groups affected by the Plan

The 2017 Forest Stewardship Plan – Referral Summary – Appendix III has been prepared to meet the FPPR Sec 20 to Sec 22 requirements. At the FSP Referral phase, the Summary will only provide a summary of CCC’s summary process. When the FSP is submitted for approval, the Summary will include all correspondence between First Nations, Stakeholders, the general public and government agencies and CCC, and will discuss the changes to the original Plan to address the comments.

The FSP does not provide information regarding stand level development. Individuals or interest groups that may be affected by CCC’s forest development of a Cutting Permit &/or a Road Permit can request information specific to this development. CCC will respond to these specific requests by providing maps showing the proposed cutblock and road locations and shapes. The interest group(s) will be given an opportunity to make comment on the development prior to cutting permit application. The interested parties will be given a minimum of 30 days from the time they were given the maps, to submit written comments. CCC will respond to the request for information from the Stakeholder within 15 days of receiving their comments to discuss their concerns regarding the specific proposed forest development.

2.2 Forest Development Units

Forest Development Units (FDUs) are areas identified in the FSP where forest development may occur during the term of the plan. CCC’s Primary Forestry Activities (PFAs) – timber harvesting and road construction activities – must be entirely within approved FDUs. At the time of this FSP, CCC does not overlap into other any other Licensee’s FDU.

Cooper Creek Cedar’s FSP & FDU’s exclude all actively managed area-based tenures including Community Forests, Woodlots, Tree Farm Licenses and Pulpwood Areas.

The FDUs covered in this Plan are:

Forest Development Unit (FDU)	Gross Area (ha)
Argenta	7736
Coffee / Fletcher / Queens	16831
Duncan River	23521
Greyhorse Ridge	15137
Hamill Creek	2187
Healy Creek / Trout Lake	21308
Howser Creek	51279
Laird Creek / Redfish Creek	5104
Lake Creek	11302
Poplar Creek	5798
Upper Duncan	35617

CCC has five FDUs in which there are designated Caribou GAR areas. The following table lists the FDUs and the areas:

Forest Development Unit (FDU)	Caribou Restricted Harvest (ha)	Caribou No Harvest (ha)	Total Caribou GAR Area (ha)
Argenta	0	626	626
Duncan River	1657	16349	18,006
Healy Creek / Trout Lake	887	18908	19,795
Lake Creek	0	7378	7378
Upper Duncan	0	24380	24380

2.3 Objectives, Results, Strategies and Practice Requirements

The FSP is a landscape level plan that specifies results and strategies that must be consistent with the *Objectives set by Government*.

Objectives are descriptions how overall goals aimed at conserving and protecting timber and non-timber resources can be achieved. FRPA provides for three types of objectives:

Objectives Set in Regulation: These objectives are explicitly stated in the *Forest Planning and Practices Regulation*.

Objectives Enabled by Regulation: The *Government Actions Regulation (GAR)* provides authority to the Minister responsible for the *Forest Act*, the Minister responsible for the *Land Act* and the Minister responsible for the *Wildlife Act* to establish objectives for certain items described in the regulation. These objectives can apply at many different scales.

Land Use Objectives: These are objectives specific to a certain area that have been established through a Landscape Unit Plan or another Higher Level Plan such as the Kootenay Boundary Higher Level Plan Order (KBHLP). Where there is a conflict between FRPA Regulations and the KBHLP, KBHLP will prevail to the extent of the discrepancy.

The *Kootenay-Boundary Higher Level Plan Order (KBHLP)* establishes Resource Management Zones & Objectives that reflect the required balance of social, economic and environmental values to be considered in the process of forest management. The Higher-Level Plan provides legal objectives and strategies that must be applied when carrying out a primary forest activity. The Minister of Sustainable Resource Management set these objectives. The most recent version of KBHLP, effective October 2002 and the most current variances to October 2016 are an integral part of this document.

Results, Strategies and Practice Requirements state management practices that will conserve and protect forest resources within CCC's planned areas of interest in which Primary Forest Activities will occur. The results and strategies must be measurable or verifiable so they can be evaluated as to whether the specific objectives are being met.

Strategies are descriptions of:

- measurable or verifiable steps or practices that will be carried out in order to achieve consistency with a particular established objective and who will carry out the practices
- the situations or circumstances that determine where in a Forest Development Unit the steps or practices will be applied

Results are descriptions of:

- measurable or verifiable outcomes in respect of a particular established objective and who is responsible/accountable for achieving the outcomes
- the situations or circumstances that determine where in a Forest Development Unit the outcomes will be applied

Practice Requirements: Section 12.1 of the FPPR lists practice requirements that, if applied, are considered to meet the objectives set by government; therefore, a result or strategy is not required for those objectives for which a “default” practice requirement is applied. However, the Plan preparer may propose alternative strategies or results meant to achieve these objectives. When strategies or results are developed that vary from the practice requirements stated in FPPR Sec 12.1, those practice requirements will no longer apply to activities under the FSP. In addition to the “default” practice requirements stated in the FPPR Sec 12.1, the FPPR states other practice requirements that must be followed/applied when undertaking primary forest activities. Because these practices are in regulation and must be followed, they are not stated in the FSP.

3.0 Objectives, Results & Strategies

The following section describes the strategies or results Cooper Creek Cedar will follow to ensure that CCC’s PFAs carried out under the term of this FSP will be consistent with the applicable legislation and objectives set by government to manage each forest resource.

3.1 Soils.

Objective set by Government for Soils (FPPR Sec 5)

The objective set by government for Soils is, without unduly reducing the supply of timber from British Columbia’s forests, to conserve the productivity and the hydrologic function of soils.

CCC will follow the practice requirements stated in Sections 35 and 36 of the FPPR. The objective set by government for soils is considered to be achieved when CCC applies these practice requirements when carrying out primary forest activities:

Element	Strategy	Location
Soil Disturbance Limits	CCC will undertake to comply with the practice requirements stated in Sec 35 of the FPPR.	All FDU's
Permanent Access Structures Limits	CCC will undertake to comply with the practice requirements stated in Sec 36 of the FPPR.	All FDU's

3.2 Timber

Objective set by Government for Timber (FPPR Sec 6)

The objectives set by government for Timber are:

- a) maintain or enhance an economically valuable supply of commercial timber from British Columbia’s forests*
- b) ensure that delivered wood costs, generally after taking into account the effect on them of the relevant provisions of this regulation and of the Act, are competitive in relation to equivalent costs in relation to regulated primary forest activities in other jurisdictions*
- c) ensure that the provisions of this regulation and of the Act that pertain to primary forest activities do not unduly constrain the ability of a holder of an agreement under the Forest Act to exercise the holder’s rights under the agreement*

As per Sec 12(8) of the FPPR, results or strategies are not required for an objective set by government for timber

3.2.1 KBHLP Objectives and Strategies that relate to the Objective set by Government for Timber:

Objective 7: Enhanced Resource Development Zones – Timber

At the time the FSP was developed, *Enhanced Resource Development Zones – Timber* had not been established in the FDUs within this FSP; therefore the requirement to create a Result/Strategy for this objective does not apply.

Objective 10: Social & Economic Stability

This objective states that the Government will coordinate the analysis to determine the effect of KBLUP Objectives 1 through 9 on the forest economy; therefore CCC will not conduct the social and economic stability analysis of the impacts Objectives 1 through 9 may have on the communities located within the area of the higher level plan.

3.3 Wildlife

Objectives set by Government for Wildlife (FPPR Sec 7(1))

The objective set by government for wildlife is, without unduly reducing the supply of timber from British Columbia's forests, to conserve sufficient wildlife habitat in terms of amount of area, distribution of areas and attributes of those areas, for

- a) the survival of species at risk*
- b) the survival of regionally important wildlife, and*
- c) the winter survival of specified ungulate species.*

Specific objectives for wildlife are set by government through *Objectives Set by Government* and by *Government Actions Regulations*:

- a) **Objectives Set by Government:** a result or strategy for wildlife is only required if the Minister responsible for the *Wildlife Act* gives notice of the species for which the objective is being set and the indicators of the amount, distribution and attributes of wildlife habitat to be managed to conserve the particular species' habitat requirements.
Per *FPPR Sec 7(3)*, a person required to prepare a FSP is exempt from the obligation of specifying a result or strategy in relation to the *Objective set by Government for Wildlife* in *FPPR Sec 7(1)* if the objective is addressed by objectives established in relation to a *Wildlife Habitat Area (WHA)*, *Ungulate Winter Range (UWR)*, *General Wildlife Measure (GWM)* or a *Wildlife Habitat Feature*, or if an order given under *GAR Sec 9 to 13* specifically includes an exemption.
- b) **Government Actions Regulation (GAR):** the Minister responsible for the *Wildlife Act* may by order establish:
 - (i) a *General Wildlife Measure* to be applied to a specified area for a category of species at risk, regionally important wildlife or specified ungulate species if believed the measure is necessary to protect or conserve the species, or a *General Wildlife Measure* for a wildlife habitat area or an ungulate winter range if believed the measure is necessary to protect or conserve the wildlife habitat area or ungulate winter range
 - (ii) a *Wildlife Habitat Area* if believed that the area is necessary to meet the habitat requirements of a category of species at risk or regionally important wildlife, and an objective for the wildlife habitat area if the wildlife habitat area requires special management
 - (iii) a *Wildlife Habitat Feature* for specific wildlife habitat features if believed the wildlife habitat feature requires special management
 - (iv) an area as an *Ungulate Winter Range* if believed the area contains habitat that is necessary to meet the winter habitat requirements for a category of specified ungulate species.

3.3.1 Species at Risk (SAR)

Pursuant to FPPR Sec 7(3), the Licensee is exempt from the obligation to prepare results or strategies in relation to the objective set out in Sec 7(1) given the established WHA which address the amount of area required to meet habitat requirements and specifies the GWM to maintain the identified wildlife within those areas. The Coeur d' Alene Salamander and Flammulated Owl are the exception, where the required amount and distribution of WHAs have not been satisfied.

FPPR Sec 7 Notices authorize the establishment of WHAs and GWMs for a category of species at risk and regionally important wildlife. The Notices include indicators of the amount, distribution and attributes for the winter survival of species at risk. Sec 7 Notices are tracked through the following website:

<http://www.env.gov.bc.ca/wld/frpa/notices/sar.html#ab>

Species at Risk for which the Licensee will provide special management are, for the most part, limited to vertebrate species designated as Red or Blue by the Ministry of Environment, or as endangered, threatened or of special concern (listed on *Species at Risk Public Registry, Schedule 1*) by the committee on the Status of Endangered Wildlife in Canada. Schedule 1 can be found at the following website:

http://www.registrelep-sararegistry.gc.ca/species/schedules_e.cfm?id=1

Practice Requirements: Strategy & Results

1. With regards to SAR, including FPPR Sec 7(2) species, UWRs and WHAs:

- a) CCC will ensure that their forest development staff and contractors conduct SAR awareness training annually in the spring season prior to the start of the forest development season. The training will be documented in a training record.

The training will include referencing the *Identified Wildlife Management Strategy (IWMS) – Accounts and Measures for Managing Identified Wildlife – Southern Interior Forest Region*. The document will ensure CCC's forest planners are current in knowing the wildlife identified as species at risk, and are up to date with the direction, policy, procedures and guidelines for managing Identified Wildlife. The IWMS is found at:

<http://www.env.gov.bc.ca/wld/frpa/iwms/documents/Accounts and Measures South.pdf>

Where new information regarding SAR becomes available, the forest development staff and contractors will be informed/trained of the new information within one year, or prior to the next forest development field season.

The *British Columbia Species and Ecosystem Explorer Tool* will be incorporated into the training and will be utilized to generate information on species and ecological communities including conservation or legal status, and spatial distribution:

<http://www.env.gov.bc.ca/atrisk/toolintro.htm/>

- b) during the planning stage of Cutting Permit (CP) and Road Permit (RP) development:
 - (i) a SAR overview assessment will be conducted by a Qualified Registered Professional (QRP) to identify & summarize, in a document, the Notices related to SAR and the Orders related to UWRs and WHAs that are relevant to the proposed forest development;
 - (ii) where SAR are identified to be in the area of Cutting Permits, Site Plans (SPs) &/or supporting documents will be prepared by a QRP for each cutblock &/or road of the CP that describes how the planned harvesting and/or road construction will be consistent with the Notices and Orders identified above
- c) where a SAR is identified in relation to a planned CP, the forest development planner may:
 - (i) include the area identified as having existing natural SAR habitat values in a timber

- (ii) reserve (WTRA, WTR)
- (ii) contract a QRP to assess the area and make recommendations of how to preserve the existing habitat features. The QRP’s recommendations will be noted in the SP and implemented in the subsequent PFA
- (iii) the QRP may recommend access control to manage, protect &/or conserve wildlife habitat values. CCC would make a request to the Designated Decision Maker to install access control in the form of:
 - d) gating the main access road, road deactivation &/or rehabilitation, depending on the future requirement of the specific road, to minimize public access
 - e) install signage to inform & educate the public of the existing SAR habitat values that require protecting
 - f) where a SAR is identified in relation to a planned CP, prior to undertaking the Primary Forest Activities the contractors will be provided with the SPs or supporting documents (as above) regarding the identification and notification requirements for SAR. Through pre-work meeting, SPs and/or supporting documents, the contractors will be advised of:
 - (i) the results of any stand level assessment for SAR
 - (ii) the measures or requirements for any applicable SAR, UWRs and WHAs
 - (iii) inform the contractor of how some specific harvesting/road construction activities are required to be consistent with the requirements stated in the Wildlife Habitat Area Order
 - (iv) if SAR are encountered during PFAs, operations will immediately stop and a QRP will assess the situation and will provide recommendations on how to proceed. Subsequent operations will be consistent with the QRP’s recommendations
- d) If any of the species at risk are identified outside the known occurrence sites, the Licensee will notify the Conservation Data Center and inform them about the sighting within six months from the time at which the species was observed. The Licensee will use the *British Columbia data Centre: Data Submissions* website to submit the observations of species at risk. This website is: <http://www.env.gov.bc.ca/cdc/contribute.html>

3.3.2 Ungulate Winter Range

Location	Wildlife Habitat Area Ungulate Winter Range Order #4-001	Species Affected
All FDUs	CCC will undertake to comply with Ungulate Winter Range Order U-4-001 (amended February 2007). CCC will track changes to the designated Ungulate Winter Ranges through the following website: http://www.env.gov.bc.ca/wld/frpa/uwr/approved_uwr.html	Mule deer, White-tailed deer, Rocky Mountain Elk and Moose

Established Wildlife Habitat Areas Within FSP FDUs:

FDU	WHA Order	Area – Conditional Harvest (ha)
Coffee/Fletcher	4-026	1.9
Howser	4-019	2.7
Howser	4-020	1.7
Howser	4-021	1.8

The *Ungulate Winter Ranges* and *Wildlife Habitat Areas* that have been established by Order of the Deputy Minister of Environment, through GAR, at the time of the FSP development, and are within the area in the FDUs under this FSP, are shown on the maps contained in Appendix II – Forest Development Unit Maps.

3.4 Fish, Water, Wildlife & Biodiversity

3.4.1 Riparian Areas

Objectives set by Government for Water, Fish, Wildlife and Biodiversity within Riparian Areas (FPPR Sec 8)

The objectives set by government for water, fish, wildlife and biodiversity within riparian area is, without unduly reducing the supply of timber from British Columbia forests, to conserve, at the landscape level, the water quality, fish habitat, wildlife habitat and biodiversity associated with those riparian areas.

CCC will follow the practice requirements stated in Sections 47 to 51 inclusive, 52(2) and 53 of the FPPR. The objective set by government for fish, water, wildlife and biodiversity within riparian areas is considered to be achieved when CCC applies these practice requirements when carrying out primary forest activities:

Element	Result/Strategy	Location
Stream Riparian Class	CCC will undertake to comply with the practice requirements stated in Sec 47 of the FPPR.	All FDU's
Wetland Riparian Class	CCC will undertake to comply with the practice requirements stated in Sec 48 of the FPPR.	All FDU's
Lake Riparian Classes	CCC will undertake to comply with the practice requirements stated in Sec 49 of the FPPR.	All FDU's
Restrictions in a Riparian Management Area	CCC will undertake to comply with the practice requirements stated in Sec 50 of the FPPR.	All FDU's
Restrictions in a Riparian Reserve Zone	CCC will undertake to comply with the practice requirements stated in Sec 51 of the FPPR.	All FDU's
Restrictions in a Riparian Management Zone	CCC will undertake to comply with the practice requirements stated in Sec 52(1)(2) of the FPPR.	All FDU's
Temperature Sensitive Streams	At the time this FSP was developed, there were no designated "Temperature Sensitive Streams" in the FDU's within this Plan, therefore the practice requirements of Sec 53 do not apply.	All FDU's

FPPR Sec 52(1) – Retention of Trees in a Riparian Management Zone: When falling trees in a cutblock within a Riparian Management Zone (RMZ), CCC will ensure the percentage of total basal area within the RMZ will be retained as specified in the following table. The standing trees will be reasonably representative of the physical structure of the RMZ, as it was before harvesting.

Retention of Trees in a Riparian Management Zone:

Retention of trees in a riparian management zone (RMZ).	All FDU's	Minimum Retention Levels within Riparian Areas	
		Riparian Class	Minimal BA Retention in RMZ (%)
		S1A, S1B, S2, S3	≥20
		S4, S5	≥10
		S6	≥0 **
		All Classes of Wetlands or Lakes	≥10

CCC, when falling trees in a cutblock within a Riparian Management Zone (RMZ) of a class stated in “*Column – Riparian Class*” CCC will ensure the percentage of the total basal area within the respective RMZ is left as standing trees, and the standing trees are reasonably representative of the physical structure of the RMZ, as it was before harvesting.

The Basal Area retention targets described in the above table are the *minimum* basal area to be retained.

** S6 Creeks:

- i. where S6 creek are ≤ 1-m in width, the target tree retention in the 20-m Riparian Management Area will be ≥0% basal area retention – to be determined by a QRP at the forest development phase
- ii. where S6 creeks are > 1-m in width, the target tree retention in the 20-m Riparian Management Area will be ≥ 0% basal area retention of dominant/co-dominant trees (to be determined by a QRP at the forest development phase), plus all understory stems (Layer 3 & 4 stems & all deciduous stems & shrubs) will be retained to a maximum of 100 stems/ha. In situations where there are <100 understory stems/ha in the RMA, understory stems that are damaged in the harvesting operation are acceptable as those stems continue to provide structure and streambank stability.
- iii. the QRP determining the level of retention will consider the number of dominant/co-dominant stems that are required to provide shade and to contribute large woody debris over time. The QRP’s objective is to retain the level of Layer 1,2,3 &/or 4 trees, deciduous trees & shrubs to maintain the integrity of the S6 creeks – to maintain structure & streambank stability.

Practices: Retention of Trees in a Riparian Management Zone: (trees are retained within the designated RMZ adjacent to the stream/creek)

1. During cutting permit development, a QRP or a Registered Forest Technician (RFT) will conduct riparian assessments on all classified streams within the cutblock boundaries to determine the required level of tree retention to meet the *Objectives*, as per the table above. The QRP’s recommendations will be implemented into the planned forest development. The QRP’s/RFT’s recommended tree retention levels within each cutblock will be specified in the specific block Site Plan.
2. *FPPR – Schedule 1.2 - Factors relating to Objective set by Government for Water, Fish, Wildlife and Biodiversity in riparian areas*, state factors that need to be considered when planning a PFA in a riparian area. At the time of planned forest development, CCC’s forest development staff and contractors will consider/implement the “*Factors*” regarding the planned management regime, the type, timing or intensity of the forest activity and/or the role of forest shading affecting stream temperature when operating in riparian areas.
3. Stems within each RMZ may be retained in clumps, patches and/or single tree. However, the goal of tree retention is to retain the sufficient number of stems required to prevent the temperature of the stream from increasing to an extent that would have a material adverse impact on fish and other aquatic life, and to maintain and protect the stream channel integrity.

Practices: Retention of Trees in a Riparian Management Zone (cont'd)

4. To maintain stream bank integrity & channel integrity, five-meter (5-m) machine free zones will be established on both sides of each creek, with the exemption of designated crossings, prior to harvesting. Deep rooted shrubs and brush will be retained within the 5-m zone to assist with stream stability & shading. Logging slash accumulations which potentially could impact the natural stream flow will be removed within one year of logging completion. Large woody debris already in the channel will not be removed. Designated crossings will be constructed so that waste & overburden are deposited outside the 5-m zone. Trees to be harvested within the RMZ will be felled & yarded away from the stream where practicable.
5. On a site specific criteria a QRP or RFT will determine the level of retention in the RMZ after assessing the stems within the RMZ for wind firmness, contribution to wildlife & fish habitat/values, insect infestation, visuals, streambank stability (including soil stability & erosion potential), potential coarse woody debris contribution to the stream and operational & safety constraints/concerns. The QRP will also consider maintaining water quality, whether the stream is a designated/licensed consumptive use stream and, if the stream is licensed for consumptive use, the location(s) of Points of Diversions (intake locations) when considering the level of retention in the RMZ.
6. In situations where 100% of the stems are retained in all or part of the RMZ, and the QRP considers the area to contain similar stand level attributes as the original stand, the area of the RMZ may contribute to stand level wildlife tree retention targets and/or also contribute to Old & Mature-Plus-Old retention requirements for biodiversity at the landscape level, where the trees retained have qualities that are suitable to be retained as Wildlife Trees or contribute to the Old & Mature-Plus-Old requirements. These decisions will be documented in the SP.
7. If situations arise where the tree retention specified in the above table cannot be retained (ie forest health, blowdown potential, safety concerns), a QRP will provide a rationale for not meeting the target tree retention and will provide optional management recommendations at the forest development phase prior to harvesting. The rationale will be documented in the block specific Site Plan.

3.4.2 Fisheries Sensitive Watersheds

Objectives set by Government for Fish Habitat in Fisheries Sensitive Watersheds (FPPR 8.1)

The objective set by government for fish habitat in fisheries sensitive watersheds is, without unduly reducing the supply of timber in British Columbia's forests, to prevent the cumulative hydrological effects of primary forest activities in the fisheries sensitive watershed from resulting in a material adverse impact on the habitat of the fish species for which the fisheries sensitive watershed was established.

At the time this FSP was developed, there were no designated "Fisheries Sensitive Watersheds" in CCC's FDU's, therefore the requirement to create a Result/Strategy for this objective does not apply.

3.4.3 Community Watersheds

Objectives set by Government for Water in Community Watersheds (FPPR 8.2)

- 8.2 (2) *The objective set by government for water being diverted for human consumption through a licensed waterworks in a community watershed is to prevent to the extent described in subsection (3) the cumulative hydrological effects of primary forest activities within the community watershed from resulting in*
- a) *a material adverse impact on the quantity of water or the timing of the flow of the water to the waterworks, or*
 - b) *the water from the waterworks having a material adverse impact on human health that cannot be addressed by water treatment required under*
 - (i) *an enactment, or*
 - (ii) *the licence pertaining to the waterworks*
- 8.2 (3) *The objective set by government under subsection (2) applies only to the extent that it does not unduly reduce the supply of timber from the British Columbia's forests.*

CCC will follow the practice requirements stated in Sections 59 to 63 inclusive of the FPPR. The objective set by government for water in Community Watersheds is considered to be achieved when CCC applies these practice requirements when carrying out primary forest activities:

Element	Result/Strategy	Location
Protecting Water Quality	CCC will undertake to comply with the practice requirements stated in Sec 59 of the FPPR.	FDUs in community watersheds
Licensed Waterworks	CCC will undertake to comply with the practice requirements stated in Sec 60 of the FPPR.	FDUs in community watersheds
Excavated or Bladed Trails	CCC will undertake to comply with the practice requirements stated in Sec 61 of the FPPR.	FDUs in community watersheds
Roads in a Community Watershed	CCC will undertake to comply with the practice requirements stated in Sec 62 of the FPPR.	FDUs in community watersheds
Use of Fertilizers	CCC will undertake to comply with the practice requirements stated in Sec 63 of the FPPR.	FDUs in community watersheds

Protecting Water Quality/Quantity in a Community Watershed:

Practice: The following Practices will apply to FDUs that are developed in Community Watersheds

1. CCC will have a Qualified Registered Professional conduct a Hydrological Assessment/Watershed Assessment of the hydrologic conditions of the watershed basin at the initial stages of planned forest development of a Cutting Permit. The Assessment will include:
 - i. a Hydrological Assessment of the watershed will be completed by a QRP. The assessment will include an evaluation of the cumulative effects of past and proposed activities, not limited to forestry activities, in the watershed.

Protecting Water Quality/Quantity in a Community Watershed: (cont'd)

The Hydrological Assessment, completed by a QRP, is a professional level analyses of existing and potential forestry and other resource development related effects on water and water related resources conducted at the site or watershed level which will include one of more of the following:

- i. a risk analysis of the potential impacts of the planned development on the water quality, water quantity & timing of the water flow
 - ii. the final assessment will include the planned development (cutblocks & roads)
 - iii. evaluate the cumulative effects caused by past and the proposed development within the watershed basin
 - iv. hydrologic risks of proposed development
 - v. specific recommendations or established thresholds for hazard mitigation
 - vi. drainage plans for roads
 - vii. climate change is now considered in hydrologic assessments to the extent of impact on extreme weather events affecting peak & low flows (ie bridge/culvert sizing)
2. CCC will have a QRP evaluate the risk of activities that may result in:
- i. material that is known to be harmful to human health to be deposited in, or transported to water diverted for human consumption by a licensed waterworks
 - ii. an increase in sediment delivery causing sediment that is harmful to human health to enter a stream, lake or wetland, and subsequently into an intake from which the water is being diverted for human consumption..
3. CCC will accept the QRP's recommendations derived from the hydrological assessment and will ensure the QRP's recommendations are incorporated into the design of the cutblocks & roads. The objective of the QRP's assessment is to meet the *Government Objective* for protecting water quality in a Community Watershed.
4. CCC will encourage the residents within the Community Watershed affected by the planned forest development to form a local community planning group &/or a formal information sharing framework (ie website, email communication) to liaise with CCC during all phases of the forest development. CCC will encourage the formation of the working group or information sharing forum prior to CCC beginning Cutting Permit &/or Road Permit development. (Note: CCC will encourage the community to engage with CCC, but cannot force the community to become engaged or form an information framework). CCC will:
- i. use the information sharing structure as the forum to inform the local community of the results of the hydrologic/watershed assessment, the assessment's recommendations and how the recommendations will be implemented in the proposed development
 - ii. once CCC has determined realistic preliminary road & cutblock design/locations, CCC will provide the local community with detailed CP maps showing the proposed road and cutblock design & other pertinent information. CCC's intent is to share detailed information about the proposed forest development with the local community and to engage the community in discussions and sharing of information about specific forest development proposals the community feels may impact the quality/quantity of their local water supply. The concerned stakeholders will be given a minimum of 30 days to respond to CCC's submission of the planned cutting permit development.
 - iii. within 15 days of receiving comments, CCC will discuss the comments received with the concerned stakeholders & water users and discuss how their concerns/issues can be incorporated into the final development, or why the concerns are not feasible to be incorporated into the final development.
 - iv. at least 84 hours before CCC begins road construction &/or road deactivation, CCC will notify the licensed water users in the affected Community Watershed and the affected water purveyors.

The following are the designated community watersheds covered by this FSP at the time of the FSP submission:

FDU	Community Watershed Name	Water Source	Total Area (ha)	Trim Map	Date Designated
Coffee / Fletcher / Queens	Fletcher Creek	Fletcher Creek	824	82F085 / 82F086	1995-06-15
Coffee / Fletcher / Queens	Hansen Brook	Hansen Brook (Munn Creek)	24	82F076	1995-06-15

3.4.4 Consumptive Use Streams

KBHLP – Objective 6 provides streamside management provisions to S5 and S6 streams that, when applied, reduce the impacts of forest development on streams licensed for human consumption.

Objective 6. Consumptive Use Streams: To reduce the impacts of forest development on streams licensed for human consumption, CCC will apply the stream side management provisions listed in KBHLP – Objective 6 to S5 & S6 streams that meet the stated conditions.

CCC will apply the following forest practices when carrying out a primary forest activity in the management zone of a S5 or S6 stream that is determined to be a consumptive use stream:

Element	Result/Strategy	Location
Protecting Water Quality/Quantity in Consumptive Use Streams	<ol style="list-style-type: none"> 1. The streamside management zone will be as stated in KBHLP – Objective 6(1)(a)(i). 2. CCC will undertake to comply with the practice requirements stated in <i>Sec 50 – Restrictions in a Riparian Mgmt Zone of the FPPR</i>. 3. For each S5 and S6 stream where the streamside management zone applies, CCC will plan and implement primary forest activities only if, in the opinion of a QRP, implementing the plan: <ol style="list-style-type: none"> a. will not cause material that is harmful to human health to be deposited in, or transported to, water that is diverted for human consumption by a licensed waterworks, and b. will not damage a licensed waterworks c. will not result in locating stream crossing within 50-m (slope distance) upslope of known intakes, unless there is no practicable option d. will result in re-vegetating of cut banks and fill slopes within one growing season following disturbance (as soil and weather conditions allow). See the grass seeding measure described in Section 4.1 – Invasive Plants, in this document, for details. 4. When falling or modifying trees around a consumptive use S5 or S6 stream, a sufficient number of trees will be retained adjacent to the stream to maintain stream and stream bank integrity. The required level of tree retention will be determined by a QRP when planning and designing a PFA. The <i>minimum</i> basal area retention around a S5 stream will be 10%, as determined by a QRP while assessing the stems within the RMZ for wind firmness, contribution to wildlife & fish habitat/values, insect infestation, visuals, streambank stability (including soil stability & erosion potential), potential coarse woody debris contribution to the stream and operational & safety 	

	<p>constraints/concerns.</p> <p>5. The operational/planning practices stated in the Results/Strategies in section 3.4.1 Riparian Areas: “<i>FPPR Sec 52(1) - Retention of Trees in a RMZ</i>”, contained in this FSP, will be applied to determine the level of tree retention when carrying out PFAs around S5 and S6 consumptive use streams.</p> <p>6. When falling trees in a cutblock within a Riparian Management Zone, CCC will ensure the percentage of the total basal area within the RMZ is retained, as per FSP Section 3.4.1 Riparian Areas: “<i>FPPR Sec 52(1) – Retention of Trees in a RMZ</i>”, and the standing trees are reasonably representative of the physical structure of the Riparian Management Zone, as it was before harvesting. The minimum Basal Area retention levels described in the above table is the <i>minimum</i> basal area to be retained.</p>	
	<p>7. <i>FPPR – Schedule 1(2) – Factors relating to objective set by government for water, fish, wildlife and biodiversity in riparian areas</i> discusses management factors that will be considered and will affect CCC’s development of planned PFAs when planning around consumptive use streams.</p> <p>8. CCC downloads the Points of Diversion (POD) at the initial stages of each CP development from the government Data Distribution Service/Warehouse. This coverage identifies the locations of the POD licenses & the licensees that are “Active” or “Retired”. The active PODs are put on the specific planning maps. At the initial stages of planned CP development, the PODs are located in the field. CCC will notify the Licensees in writing of CCC’s planned development a minimum of 45 days prior to any PFA and will state the Licensees have 30 days to respond in writing of any concerns they may have with CCC’s planned development. CCC will discuss any concerns with the concerned Licensee and try to resolve any concerns by making changes to the planned development where practicable.</p> <p>9. The subsequent forest development recognizes the identified PODs and plans around the points, as per KBHLP – Objective 6.</p>	

3.5 Wildlife & Biodiversity

3.5.1 Landscape Level

Objectives set by Government for Wildlife and Biodiversity – Landscape Level (FPPR Sec 9)

The objectives set by government for wildlife and biodiversity at the landscape level is, without unduly reducing the supply of timber from British Columbia’s forests and to the extent practicable, to design areas on which timber harvesting is to be carried out that resemble, both spatially and temporally, the patterns of natural disturbance that occur within the landscape.

CCC will follow the practice requirements stated in Sections 64 and 65 of the FPPR and Objective 4 of KBHLP. The objective set by government for wildlife and biodiversity at the landscape level is considered to be achieved when CCC applies these practice requirements when carrying out primary forest activities:

Element	Result/Strategy	Location
Maximum Cutblock Size	CCC will undertake to comply with the practice requirements stated in Sec 64 of the FPPR	All FDU's
Harvesting Adjacent to Another Cutblock	CCC will undertake to comply with the practice requirements stated in KBHLP Objective 4.	All FDU's

Element	Result/Strategy	Location
Harvesting Adjacent to Another Cutblock in Visually Sensitive Areas and Community Watersheds	CCC will undertake to comply with the practice requirements stated in Sec 65 of the FPPR	The strategy will apply to FDU's that are developed in visually sensitive areas and community watersheds.

3.5.2 Stand Level

Objectives set by Government for Wildlife and Biodiversity – Stand Level (FPPR Sec 9.1)

The objectives set by government for wildlife and biodiversity at the stand level is, without unduly reducing the supply of timber from British Columbia's forests, to retain wildlife trees.

CCC will follow the practice requirements stated in Sections 66 and 67 of the FPPR. The objective set by government for wildlife and biodiversity at the stand level is considered to be achieved when CCC applies these practice requirements when carrying out primary forest activities:

Element	Result/Strategy	Location
Wildlife Tree Retention	CCC will undertake to comply with the practice requirements stated in Sec 66 of the FPPR.	All FDU's
Restriction on Harvesting	CCC will undertake to comply with the practice requirements stated in Sec 67 of the FPPR.	All FDU's

3.5.3 KBHLP

Objectives and Strategies that affect the Objectives set by Government for Biodiversity:

There are six KBHLP Objectives that contribute to managing for biodiversity that are applicable to the Objectives set by Government for Biodiversity covered in this FSP.

Objective 1. Biodiversity Emphasis: To contribute to the conservation of biodiversity. Kootenay Lake Forest District legally established Landscape Unit boundaries throughout the TSA and assigned Biodiversity Emphasis Options (BEO) within each landscape unit. CCC will undertake to comply with the Biodiversity Emphasis objective by managing to KLFDD's assigned BEO's within each LU.

Objective 2. Old & Mature Forests: To contribute to the conservation of biodiversity, CCC will undertake to manage the forests within the FDU's under this FSP to ensure the Old & Mature Forest inventory targets stated in KBHLP - Objective 2 are met.

Old Forest Requirement Strategy: For all FDU's of this FSP, the requirement for Old Forest, as per KBHLP – Objective 2, are considered to be met through spatially, non-legal Old Growth Management

Areas (OGMA's). OGMA's were established to provide representative examples of old forest values, and to support the conservation of other important values (ie wildlife habitat, connectivity, recreation, rare ecosystems).

For KBLHP - Objective 2 – Old & Mature Forests, CCC will comply with Objective 2 and the following additional strategies are specified:

1. With respect to old forest requirements within identified OGMA, to achieve the percentage retention requirements of Objective 2 for old forests, CCC will not infringe into an established OGMA except:
 - a. for establishment of tail holds or guy line tiebacks
 - b. to address danger trees identified within an OGMA which are a hazard to adjacent primary forest activities. “*Danger trees*” are considered a hazard to people due to:
 - i. its location or lean
 - ii. its physical damage
 - iii. overhead conditions
 - iv. deterioration of limbs, stem or root system
 - c. to remove damaged timber where an OGMA is rendered ineffective by natural damaging agents including wind, fire or forest health factors. “*Rendered ineffective*” means, in the opinion of a QRP, timber is damaged to a degree that the OGMA no longer has the biological value of mature or old forest considering the factors identified in the footnote “k” of *KBHLP Objective 2(5)*
 - d. where there is no other practicable location to construct a road, or where another location would result in greater risk to one or more FRPA Values
 - e. where a QRP can identify one or more replacement OGMA's that provide equal or greater biological value.

Where timber is harvested from an OGMA (for reasons as per above), a Registered Professional Forester (RPF) will provide a written rationale that will be documented in a Site Plan or Supporting Document. The rationale will indicate the reasons for harvesting timber from an OGMA and will spatially identify one or more replacement OGMA areas. The recruitment strategy will ensure the replacement of the area in the OGMA that has been harvested will be replaced with an area of at least the same size and the replacement area will provide equal or greater biological value of the area removed and will be consistent with the requirements of *Objective 2(5) of KBHLP*, including the factors identified in footnote “k”. Changes to the boundary or locations of OGMA will be mapped and the OGMA boundaries will be updated and tracked in CCC's GIS department and, upon request, the digital information will be provided to other Forest Licensees if the change is within a shared Landscape Unit.

2. With respect to the old and mature-plus-old forest cover requirements, where required targets are not met, as determined by spatial or aspatial analyses, CCC will construct a road or enter into an agreement that authorizes timber harvesting or road construction only where a RPF prepares a rationale that identifies a recruitment strategy to achieve the targets consistent with the requirements of *KBHLP – Objective 2(5)*, including the factors identified in footnote “k”. The recruitment strategy for replacing old and mature-plus-old forest cover requirements will include a rationale that states the rationale for harvesting timber in an area that does not meet the old and mature-plus-old forest cover requirements, and will spatially identify one or more replacement areas of at least the same size that provide equal or greater biological values to meet the removed old and mature-plus-old forest cover attributes.

Footnote “k”: Where a registered professional forester determines that a forest stand has sufficient biological value to be a mature or old considering the stand age, successional status, presence of old growth attributes, size of stand (ha), the amount of human impact, dispersion/connectivity of the stand and rarity of the stand; that stand may be used in meeting the targets as opposed to solely using age.

Objective 3. Caribou: The objective for Caribou, as per KBLHP – Objective 3 was cancelled by the Ministerial (variance) Order 09, January 2009; therefore this objective is not in effect. Objective 3 has been replaced by *GAR Order #U-14-012 – Mountain Caribou – Southwest Kootenay Planning Unit*. CCC will undertake to comply with *GAR Order #U-14-012 – Mountain Caribou – Southwest Kootenay Planning Unit*.

Objective 4. Green-up: CCC will undertake to comply with the practice rules stated in KBHLP – Objective 4.

Objective 5. Grizzly Bear Habitat & Connectivity Corridors: CCC will undertake to comply with the measures stated in KBHLP – Objective 5 to manage for Grizzly Bear Habitat and to maintain Connectivity Corridors.

Objective 8. Fire-maintained Ecosystems: There are no NDT4 Ecosystems in the FDU's under this FSP; therefore the Fire-maintained Ecosystem objective (KBHLP – Objective 8) is not applicable.

3.6 Objectives set by Government for Visual Quality (FPPR 9.2)

The objective set by government in relation to the revised scenic areas and VQO's (Visual Quality Objectives) for the Kootenay Lake TSA that were established March 7, 2014

3.6.1 VQO's Established On March 7, 2014

Visual Quality Objectives (VQO's) and the scenic areas for the Kootenay Lake TSA were revised and established in the District Manager – Selkirk Forest District March 7, 2014 letter (and are subsequently continued under FRPA-Sec 180 & 181 & GAR-Sec 17) that provide VQO guidelines designed to meet the designated Scenic Area objectives for altered landscapes through:

- the March 7, 2014 District Manager - Selkirk Forest District letter identified *known Scenic Areas*, in the Kootenay Lake TSA
- **KBHLP – Objective 9 – Visuals:** to conserve the quality of views from communities, water waterways and major highways by establishing identified areas as *known scenic areas*
- the Kootenay Lake Forest District VQO's are consistent with the scenic areas identified in the KBHLP

Visual Quality Objectives: Result/Strategy – to be applied in all FDU's with VQOs:

Result: The holder of the FSP will meet the visual quality objectives (VQOs) after harvesting and road construction has occurred in the Kootenay Lake FDU's. The VQOs are established by GAR Section 7 notices March 7, 2014 for the Kootenay Lake FDU's

Practice: the following practices will be undertaken by CCC when developing a CP &/or RP (and prior to submitting a CP or RP for approval) to achieve the VQO established for that area:

A Visual Impact Assessment (VIA) will be carried out by CCC at the planning stage of forest development (Cutting Permit/Road Permit) in an area designated as a *Known Scenic Area*. The VIA will:

- i. review the visual landscape from significant public viewpoints
- ii. determine the percent alteration on a perspective view
- iii. describe how the visual design is consistent with the strategies and guidelines described in the *Visual Impact Assessment Guidebook (2nd Ed., January 2001)* for those areas designated to be in a VQO of Preservation (P), Retention (R), Partial Retention (PR), or Modification (M). *FPPR 1.1* states the definition of "altered forest landscape" for each of the VQO categories, according to the extent of alteration resulting from the size, shape and location of cutblocks and roads

- iv. evaluate the visual alteration of the planned forest development on the affected landscape to ensure the planned development meets the designated VQO of the specific landform.
- v. the resultant VIA will be formally reviewed by CCC and the QRP completing the VIA prior to finalizing the visual design and prior to Cutting Permit submission.

CCC will use the following design techniques to mitigate the visual impact on the landscape:

- i. use the existing major terrain features to design boundaries
- ii. design the shape of the block to resemble the natural character of the landscape
- iii. incorporate edge treatments into the design of the cutblocks (ie feathered edges, irregular cutblock design)
- iv. retain stand structure within the block boundaries (ie islands, patches of trees) to mitigate the visual impact
- v. plant the blocks as soon as possible following completion of harvesting operations
- vi. harvesting/road construction activities will be viewed from designated viewpoints during the operations to monitor the PFA activities to ensure the resultant landscape, from the harvesting/road construction disturbance, is consistent with the prescribed/designated VQO.
- vii. to mitigate visual impacts from PFAs, CCC will reseed exposed mineral soil, resulting from a PFA, in the first available fall or spring within 12 months following the soil disturbance, plan planting of cutblocks as soon after harvesting as possible, rehab/re-contour temporary roads when the temp roads are no longer required and dispose of slash piles as soon after harvesting as weather allows.

3.7 Cultural Heritage Resources

Objective set by Government for Cultural Heritage (FPPR 10)

The objective set by government for cultural heritage resources is to conserve, or, if necessary, protect cultural heritage resources that are

- a) *the focus of a traditional use by an aboriginal people that is of continuing importance to that people, and*
- b) *not regulated under the Heritage Conservation Act.*

Cultural Heritage Resources: Strategy/Practice – to be applied in all FDUs:

When an area is identified as being suitable for potential Cutting Permit development (reconnaissance work has identified potential cutblocks and roads that will potentially comprise a Cutting Permit), CCC refers to the *Consultative Areas Database (CAD)*, a government database that identifies the First Nations Bands that have traditional areas over the potential area of development whose traditional cultural heritage resources may be impacted by the forest development. CAD provides contact information of the Bands with traditional interests in these areas.

CCC commits to contacting the Bands identified in CAD to establish a standardized process for referring proposed development to the Bands or Nations whose traditional cultural heritage resources may be impacted by the CCC's planned forest development.

When CCC has identified potential cutblocks & roads (shapes & locations) that will comprise the proposed cutting permit development, CCC will reference the Kootenay Lake Ministry Archaeological Overview Assessment (AOA) Coverage, dated 2006, to determine if any of the AOA polygons indicating the area has a moderate/high potential of having archaeological resources are in the area of planned development. If any AOA polygons are within 100-meters of planned development, an Archaeological Impact Assessment (AIA) will be completed on that polygon by a qualified professional, and the QRP's recommendations will be incorporated into the CP development.

Once the general locations/areas of proposed cutblocks and roads in a new planned forest development have been identified and mapped, CCC will refer the specific development to the affected First Nations to share information about the proposed forest development with First Nations and to engage the Bands in discussions and sharing of information regarding specific Aboriginal Interests that may be impacted by the proposed development.

CCC's referral package will include:

1. a formal referral letter describing the planned development: physical location of the planned development, proposed size of the CP (number/total area of the proposed cutblocks), proposed volume being developed and the location of the proposed roads
2. a Key Map showing the general location of the proposed development and a Cutting Permit Map showing the design & size of the proposed cutblocks & road locations
3. the date comments must be received by CCC to be considered will be stated in the referral letter. The referral/comment period will be a minimum of 30 days and the comments from First Nations must be written comments and must identify the aboriginal interests that may be impacted by the proposed development.
4. an offer to meet with First Nations to discuss their concerns/Aboriginal Interests. The meeting must be held within the stated referral/comment period.
5. the First Nations comments received for consideration will be reviewed by CCC and CCC will discuss with the affected First Nations how the comments/concerns can be practicably resolved and their Aboriginal Interests protected and, when feasible & practicable, incorporated into the planned development prior to completion of the forest development.
6. CCC will keep information received from First Nations regarding cultural heritage resources confidential unless the First Nations state this information can be released.

The purpose of a meeting with First Nations is to:

1. review available information from CCC and First Nations
2. determine areas of concern that may result from the forest development when compared with First Nation interests or activities
3. identify if an assessment (Preliminary Field Assessment, Archaeological Impact Assessment &/or Cultural Heritage Assessment) is warranted
4. identify management activities and measures that meet the needs of both CCC and First Nations
5. evaluate the potential for impact to Cultural Heritage Resources (CHR) considering the following factors (as per *FPPR Schedule 1, Sec.4*)
 - i. the relative value or importance of a particular CHR to a traditional use by an Aboriginal People
 - ii. the relative abundance or scarcity of a CHR that is the focus of a traditional use
 - iii. the historical extent of a traditional use of a CHR
 - iv. the impact on timber harvesting rights of conserving or protecting a CHR
 - v. options for mitigating the impact that a forest practice might have on a CHR

CCC will inform all staff and contractors, prior to the start of any new primary forest activity that archaeological remains located on private or public lands predating AD 1846, or sites containing rock art or human burials, are automatically protected within British Columbia from disturbance, intentional and inadvertent by the *Heritage Conservation Act*. Subsequently, contractors and staff will be informed that if archeological materials are discovered in the PFA:

- all ground disturbance in the immediate vicinity of the suspected find(s) must stop immediately
- a qualified professional will be contacted and the find(s) will be discussed
- all practicable measures will be taken to preserve the find(s), as per the professional's recommendations
- other relevant First Nations communities will be informed regarding the particulars of the unanticipated find(s)

CCC respects First Nation's Aboriginal Interests equally, and will work towards fostering productive long-term relationships.

4.0 Additional FSP Information

4.1 Invasive Plants

For the purpose of section 47 [invasive plants] of the Act, a person who prepares a forest stewardship plan must specify measures in the plan to prevent the introduction or spread of species of plants that are invasive plants under the Invasive Plants Regulation, if the introduction or spread is likely to be the result of the person's forest practices. (FPPR 17)

Invasive Plants: Strategy/Practice – to be applied to all FDUs:

CCC commits to implementing measures to prevent the introduction or spread of invasive plants that may result from CCC's forestry practices:

Practice:

At the Site Plan stage of a Cutting Permit &/or Road Permit development, CCC will refer to the MFLNRO *Invasive Alien Plant Program (IAPP)*: (www.for.gov.bc.ca/hra/plants/application/htm) database to identify the locations of known invasive plant infestations. The results of the IAPP survey will be documented in the Site Plan(s). Where invasive plant infestations are found to be located within or adjacent to the areas proposed for development, site specific measures to minimize the establishment &/or spread of invasive plants will be incorporated into the Site Plans. Site specific measures will include, but are not limited to, timing of grass seeding soil disturbance due to primary forest activities.

Additional practices to minimize the establishment &/or spread of invasive plants: based on the results of the IAPP survey, where there are known infestations in the area of planned development, staff and contractors (both development & PFA contractors) will be given the *BEST PRACTICES FOR PREVENTING THE SPREAD OF INVASIVE PLANTS DURING FOREST MANAGEMENT ACTIVITIES – A POCKET GUIDE FOR BRITISH COLUMBIA'S FOREST WORKERS* (<https://www.for.gov.bc.ca/hra/Plants/publications/Forestry-BP-09-11-2013-WEB.pdf>). CCC will ensure the following best management practices will be implemented when working in areas where the spread of invasive plants is likely:

- avoid infested sites where practicable. Otherwise, work in uninfested sites first, then move to the infested sites (determined by reviewing the IAPP)
- clean equipment before moving from a work site with existing infestations to a new work site (determined & monitored during CCC's final site inspection by CCC's logging/road building QRP supervisor)
- minimize soil disturbance during PFAs (soil disturbance limits are stated in the Site Plan(s))
- reseed exposed mineral soil, resulting from a PFA in the first available fall or spring within 12 months following the soil disturbance. Plan planting of cutblocks as soon after harvesting as possible
- during primary forest activities minimize soil disturbance by:
 - harvest on a snow pack, when feasible
 - random skid to designated skid trails to minimize skidder traffic on the ground
 - utilize benches for skid trails to minimize side cuts
 - utilize brush to construct skid trails to reduce contact with the ground
 - use overhead cable harvesting systems on steep ground

Grass Seeding:

- where grass seeding is undertaken, CCC will use certified grass seed (Canada common #1 or better grade) from reputable suppliers to ensure premium quality free of invasive plant seed, or a seed mix recommended by a MFLRNO range specialist
- germination success will be reviewed the season following the seeding to ensure that the grasses are growing in a minimum of 30% of the area seeded. The area will be reseeded that season, at the most practicable time for seeding, if grasses are not growing in 30% of the originally seeded area.
- in-block invasive plant infestations will be recorded in the Site Plan(s) and will be monitored and reported-on during post harvest and silviculture surveys. The personnel conducting post-harvest/silviculture surveys will be required to identify and report new invasive plant infestations identified during the surveys

Training:

- Annual invasive plant training will be provided to all staff responsible for cutting permit and road permit development, harvesting & road construction supervisors and contractors (especially forest development contractors). The training will include invasive plant identification, awareness of the location of known infestations currently in the IAPP database, reporting requirements and best management practices, as per the *BEST PRACTICES FOR PREVENTING THE SPREAD OF INVASIVE PLANTS DURING FOREST MANAGEMENT ACTIVITIES – A POCKET GUIDE FOR BRITISH COLUMBIA’S FOREST WORKERS* (<https://www.for.gov.bc.ca/hra/Plants/publications/Forestry-BP-09-11-2013-WEB.pdf>).

Reporting:

- all staff and contractors will report new invasive plant infestations they identify during the development work within 60 days of discovering the invasive plant. The occurrence will be reported via the *Report-A-Weed* app: www.gov.bc.ca/invasive-species .

4.2 Natural Range Barriers

A person who prepares a FSP must specify measures to mitigate the effect of removing or rendering ineffective natural range barriers (FPPR 18)

Measure
There is no range tenure located in the FDU's covered by this FSP; therefore there are no strategies/measures required to mitigate the effect of removing or rendering ineffective natural range barriers. If a range tenure is awarded in a FDU covered in this FSP, the FSP will be amended at that time to develop appropriate results, strategies and measures.

4.3 Recreation

Under FRPA grandparenting provisions in Sections 180 and 181, Interpretative Forest Sites, Recreation Sites, Recreation Trails and any objectives that were in effect immediately before the effective date, are continued under FRPA

Element	Strategy	Location
<p>Interpretive Forest Site, Recreation Site, or Recreation Trail</p>	<p>When planning forest development, CCC will perform a <i>Crown Land Status Check</i> to identify any recreation sites that may be impacted by the development.</p> <p>When development is planned around <i>Interpretative Forest Sites, Recreation Sites and Recreation Trails</i>, the following management strategies will be implemented to minimize negative impact to the designated sites:</p> <ul style="list-style-type: none"> • identify the specific established objectives of recreation sites &/or trails that may be impacted by the planned development and ensure the PFA meets the objectives. The objectives will be identified by reviewing the <i>Crown Land Status Check</i> or through discussion with the local Recreation Officer • signs & notices will be erected/published notifying users of the industrial use in the area • trails/sites will be identified in the Site Plan &/or Supporting Document specific to a cutblock &/or road construction activity that can potentially be impacted by the primary forest activity informing the contractors of the location(s) of the recreation sites • any direct impact (where a primary forest activity directly infringes into an access road, site or trail) to access roads, sites or trails will be fully deactivated to restore to the original state as much as possible • where practicable, PFAs will be scheduled to occur during low usage periods • to the extent practicable, CCC will attempt to maintain the visual experience of the recreation site/trail during & after the PFA • CCC will refer planned CP/RP development to the MFLNR – Kootenay Boundary Recreation Officer where the planned development is in an area identified to have an Interpretive Forest Site, Recreation Site, or Recreation Trail. CCC will refer the planned development to the Recreation Officer a minimum of 15 days prior to CP/RP submission for approval • as required under Section 16 of the FRPA Forest Recreation Regulation, CCC will obtain a Section 16 authorization prior to harvesting in or adjacent to these features 	<p>The strategy will apply to FDU’s developed in areas that contain an Interpretive Forest Site, a Recreation Site, or a Recreation Trail</p>

The following table lists the designated Recreation Areas, Recreation Sites and Recreation Trails that are covered by this FSP at the time of the FSP submission:

Recreation Areas within CCC FDU			
FDU	LU	Name	Project No.
Coffee / Fletcher / Queens	K12	Fletcher Creek Falls	2426
Coffee / Fletcher / Queens	K12	Cody Point	-
Duncan River	K22	Coot Lake	5770
Glacier Creek	K20	Glacier Creek	2120
Glacier Creek	K20	Twin Bays Site	5838
Hamill Creek	K17	Lavina Lookout	-
Howser Creek	K21	Howser Creek Canyon	2386
Laird Creek / Redfish	K10	Ross-White Lady Lake	2382
Laird Creek / Redfish	K10	Redfish Recreation Area	-
Laird Creek / Redfish	K10	Noakes-Hazeldean Lake	2383
Laird Creek / Redfish	K10	Redfish Cabin	-
Lake Creek	K18	Morgan Lake	2380
Lake Creek	K18	Logus Lake	2284

Recreation Sites within CCC FDU			
FDU	LU	Name	Project No.
Coffee / Fletcher / Queens	K12	FLETCHER CR FALLS	2426

Recreation Trails within CCC FDU			
FDU	LU	Name	Project No.
Coffee / Fletcher/ Queens	K12	Ross Lake Trail	REC206361
Coffee / Fletcher/ Queens	K12	Cedar Creek Trail	REC6712
Coffee / Fletcher/ Queens	K12	Fletcher Lake	REC204659
Greyhorse Ridge	K17	Cascade Creek Trail	REC2270
Healy Creek / Trout Lake	K18	Silver Cup Ridge Trail	REC6741
Howser Creek	K21	Dunn Creek Trail	REC5042
Howser Creek	K21	Cockle Creek Trail	REC5043
Upper Duncan	K24	Silent Pass Trail	REC5344
Hamill Creek	K16	Lavina Lookout Trail	REC201278
Howser Creek	K21	Bugaboo Pass Trail	REC231183
Argenta	K16	Salisbury Hiking Trail	REC240814

Recreation Trails & Areas with Objectives:		
Name	Type	Legal Objective
Cockle Creek	Trail	98/03/31 – to manage the Cockle Creek recreation trail for a forested, semi-private non-motorized recreation experience. The trail will be maintained and adjacent vegetation conserved. Opportunities for hiking, fishing and primitive camping are available. No mechanized use permitted.
Fletcher Lake	Trail	98/03/01 – to manage the Fletcher Lake recreation trail for a forested, semi-private non-motorized recreation experience. The trail will be maintained and adjacent vegetation conserved. Opportunities for hiking, fishing and primitive camping are available. No mechanized use permitted.
Glacier Creek	Rec Area	98/03/31 – to manage the Glacier Creek recreation site for a lakeside, roaded recreational experience. The Lake shoreline and natural vegetation will be conserved. Opportunities for primitive camping will be available at the site.
Twin Bays Site	Rec Area	98/03/31 – to manage the Twin Bays recreation site for a lakeside, roaded recreational experience. The campsite will be maintained; the lake shoreline and natural vegetation will be conserved. Opportunities for camping, picnicking, car top boat launching and swimming will be available at the site.
Ross-Whitelady Lake	Rec Area	98/03/31 - to manage the Ross-Whitelady Lake recreation site for a lakeside, semi-private non-motorized recreation experience. The campsite and trail will be maintained; the lake shoreline and natural vegetation will be conserved. Opportunities for camping, picnicking and swimming will be available at the site. Access is by non-motorized trail.
Noakes-Hazeldean Lake	Rec Area	98/03/31 – in the summer & winter, to manage the Noakes-Hazeldean Lake recreation site for a subalpine, lakeside, semi-primitive non-motorized recreation experience. The lake shoreline and natural vegetation will be conserved. In the summer, opportunities for primitive camping and hiking will be available at the site. In the winter, ski touring and snowmobiling will be available.

4.4 Stocking Standards

As per FRPA Sec 29(2), CCC will establish a free growing stand on those areas that have been harvested that are in the net area to be reforested that are under the FSP. To achieve free growing stands, CCC will utilize the *Kootenay Lake Forest District Stocking Standard Guidelines* approved August 2016, on all cutblocks requiring reforestation within this FSP. Additionally, the Chief Forester’s reference guide for FSP stocking standards for the South Central Columbia Mountains will be used and applied to the Arrow Resource District upon their completion. These standards may be amended from time to time by the Chief Forester or the Selkirk Resource District and any amended standards will immediately be incorporated into this FSP.

To meet the requirements of FPPR Sec 16(1) (whether free growing is assessed on a block basis or collectively across blocks), CCC specifies that FPPR Sec 44(1), free growing stands generally (assessed on a block basis), applies in all situations and circumstances under this FSP.

As per FPPR Sec 16(3), where CCC is required to establish a free growing stand:

- i. the applicable stocking standards and applicable regeneration date referred to in FPPF Sec 44(1)(a), and
- ii. the applicable stocking standards and free growing height referred to in FPPR Sec(44)(b)

the stocking standards that will be applied are in Appendix I. Where a Professional Forester deems it more practicable to use alternative stocking standards, an amendment to the FSP will be submitted requesting acceptance of this standard - District standards can be amended from time to time as required and determined by a QRP.

4.5 Cumulative Effect of Multiple FSP's

To ensure the biodiversity targets are continually being met: the FSP must address the cumulative effect of multiple FSP's within an area (FPPR Sec 19). CCC will notify other Licensees (this includes BCTS) where CCC has planned development in areas with overlapping FDU's and/or when CCC's planned development is in Landscape Units (LU) that also include area in other Licensees' FDU's. The intent of the communication is to proactively address and resolve landscape unit level issues prior to CP application. Landscape level issues include:

- meeting/maintaining biodiversity – Old & Mature plus Old targets. Where it is determined there is a deficit in the Old & Mature plus Old Targets in an LU where CCC is planning on forest development, CCC will develop a recruitment strategy for recruiting forest types that have old and mature-plus-old forest cover attributes. The recruitment strategy will be developed by a QRP and will spatially identify recruitment areas targeted to replace the existing forest cover requirement deficit. The recruitment areas will consist of forest cover that has biological values/attributes that meet the forest cover requirements for old and mature-plus-old forest targets.
- maintaining ungulate winter range targets
- managing watershed management – Community Watershed Equivalent Clearcut Area calculations and share Hydrological Assessment. Share QRP assessments & recommendations
- share development plans so that plans may augment each Licensees' plans (ie shared road access to minimize road densities)
- share VIA reports/issues
- meeting landscape level patchsize requirements/limits (maximum 40-ha for the Interior)
- maintain established connectivity corridors

Records of biodiversity, ungulate winter range, watershed management and visual reports will be kept on record on the CCC Woodlands Server.

A QRP will document the sharing of information with the other affected Licensee(s) which will be maintained in CCC's development record keeping forestry office. CCC will share their landscape unit level information upon request from other Licensees sharing CCC's Landscape Units.

If the Licensees in a shared FDU or LU cannot reach an agreement for sharing the responsibility to obtain results consistent with objectives set by government, then CCC will request the Minister to act under Section 9 of the Forest and Range Practices Act.

4.6 Public Information Sharing

Cooper Creek Cedar Ltd will post the company's forest development plans for the year on CCC's website each spring (between February and May). The annual update will describe CCC's development plans for the upcoming year. This will include maps of Cutting Permits and/or Road Permits that have been developed and a summary of the areas CCC plans on developing that season.

CCC will advertise the annual website posting in the local newspapers. The advertisement will provide a contact site on which concerned stakeholders can provide comments. CCC encourages public comments to the information of the company's proposed annual forest development; however CCC may not respond to all comments – CCC will respond to those comments that may affect a material change on a proposed Cutting Permit. CCC will update the website with the ongoing forest development throughout the year, but these updates will not be advertised.

CCC will encourage the residents of watersheds in which CCC has planned forest development to form a local community planning group &/or a formal information sharing framework (ie website, email communication) to liaise with CCC during all phases of the forest development. CCC will encourage the formation of the working group or information sharing network prior to CCC beginning CP &/or RP development. However; CCC cannot force the community to become engaged. The objective of the information sharing process is to interact with the residents throughout the development process so all parties are concurrently updated on the forest development.

Appendix II

Forest Development Unit Maps

Argenta	Coffee / Fletcher/ Queens
Duncan River	Glacier Creek
Greyhorse Ridge	Hamill Creek
Healy Creek / Trout Lake	Howser Creek
Laird Creek / Redfish Creek	Lake Creek
Poplar Creek	Upper Duncan
Key Map	

FDU Maps are posted at:

[http://timberland2001.ca/cooper-creek-cedar-ltd./](http://timberland2001.ca/cooper-creek-cedar-ltd/)

Appendix III

Referral Summary

Cooper Creek Cedar Ltd referred the 2017 – 2022 FSP to the following First Nations Bands on March 13, 2017. The intent of the referral letters is to notify First Nations of CCC’s FSP content, to engage in discussion and information sharing about Aboriginal Interests that may be impacted in the areas under the Plan and to inform First Nations of how CCC intends to communicate with the Bands over the term of the FSP when CCC is planning specific forest development.

Tribal Councils/Band Councils	Referral Contact
Ktunaxa Lands & Resource Agency	referrals@ktunaxa.org / info@ktunaxa.org
Shuswap Nation Tribal Council	swap@secwepemc.ca
Lower Kootenay Band	cwullum@lowerkootenay.com / info@lowerkootenay.com
Adams Lake Indian Band	referrals@alib.ca
Lower Similkameen Indian Band	referrals.coordinator@lsib.net
Okanagan Indian Band	Colleen.marchand@okanagan.org
Penticton Indian Band	referrals@pib.ca
Upper Nicola Indian Band	nrtech1@uppernicola.com / cultural.heritage@uppernicola.com
Okanagan Nation Alliance	director@syilx.org
Osoyoos Indian Band	okibreferrals@okanagan.org
Shuswap Indian Band	info@kinbasket.net
Neskonlith Indian Band	referrals@neskonlith.net
Akisqnuq First Nations	abergles@akisqnuq.org
St. Mary’s Indian Band	smbadmin@cyberlink.bc.ca
Tobacco Plains Indian Band	administration@tobaccoplains.org

Referral letters & the FSP Document were emailed to the following list of affected/interested stakeholders on March 13, 2017. Additionally, CCC advertised the FSP submission for referral to the general public via the Nelson Star and the local Pennywise. The referral package and the advertisement provide information stating how interested parties may contact the Licensee to review the plan. A copy of the referral letter and the advertisement are attached.

Government Agencies & Tenure Holders	Referral Contact
Ministry of Forests, Lands & Natural Resource Operations Selkirk Forest District	George Edney, District Manager George.Edney@gov.bc.ca
Ministry of Forests, Lands & Natural Resource Operations – Habitat Mgmt	Mike Knapik, RPBio – Section Head, Habitat Mgmt Mike.Knapik@gov.bc.ca
Ministry of Forests, Lands & Natural Resource Operations – Recreation	Justin Dexter – Recreation Officer, Kootenay Boundary Justin.Dexter@gov.bc.ca
Ministry of Forests, Lands & Natural Resource Operations – Invasive Plants	Catherine MacRae – Invasive Plant Specialist, Range Branch, Nelson Catherine.MacRae@gov.bc.ca
Ministry of Forests, Lands & Natural Resource Operations – Water	Sarah Crookshanks – Research Geomorphologist (water) Sarah.Crookshanks@gov.bc.ca
BC Parks & Conservation Officer Service Division	Keith J. Baric MSc – Keith.Baric@gov.bc.ca
Forest Tenure Holders – Licensees sharing common Landscape Unit	Atco Lumber Ltd. – Craig Stemmler Kalesnikoff Lumber Company – Tyler Hodgkinson BCTS, Kootenay Lake Operating Area – Russ Laroche Zellstoff Celgar Ltd – Stan Hadikin Kaslo & District Community Forest Society – Bill Kestell Federation of BC Woodlot Association – Tom Bradley – tom@sifco.ca BC Community Forest Association – Jennifer Gunter - jgunter@bccfa.ca

Affected Stakeholders	<p>Regional District of Central Kootenay - mdurand@rdck.bc.ca , ssudan@rdck.bc.ca</p> <p>Argenta – Marlene Johnson - macmar@lardeauvalley.com</p> <p>Queens Bay Residents Association – John Beerbower - jb229cd@shaw.ca</p> <p>Fletcher Ck Improvement District – Jeff Mattes - jeff@sunshinelogging.ca</p> <p>Steller Heli Skiing Ltd. Canadian Mountain Holidays – info@cmhinc.com Dave Butler [dbutler@cmhinc.com]</p> <p>Laird Creek Waterusers – Dianne Luchtan - dluchtan@netidea.com Jean-Paul Gareau - jeanpaulgareau@gmail.com Al Walters - aewalters4@yahoo.ca</p> <p>Lardeau River Adventures, Oliver Hopgood lardeauriveradventures@gmail.com</p> <p>Friends of the Lardeau River, Rhonda Batchelor friendsofthelardeau@lardeauvalley.com</p> <p>Argenta-Johnsons Landing Working Group Marlene Johnston macmar@lardeauvalley.com</p> <p>Nelson & Kootenay Lake Tourism dianna@nelsonkootenaylake.com</p>
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The FSP was advertised in various newspapers starting the week of March 20, 2017 and ran for four weeks. A copy of the advertisement is attached. (FPPR Sec 20)

Item	Referral Contact
FSP Advertisement	Nelson Daily News Pennywise – Nelson & Kaslo Valley Voice

Review & Comment

As per FRPA Sec 22, the Licensees must submit a copy of each written comment received from affected stakeholders, affected Forest Tenure Holders, Government agencies &/or First Nations as a result of the advertisement notice published in the local newspapers &/or the referral letter. The Licensee must also submit with the FSP a description of any changes made to the Plan as a result of the comments received.

The comments received are attached. The following section includes all correspondence received from the referral process, CCC's responses and describes any changes made to the FSP due to the comments received.

Comments Received and Changes to the Plan resulting from the Comments:

The *COOPER CREEK CEDAR LTD – REFERRAL DOCUMENT - 2017-2022 STAKEHOLDER COMMENTS* and the *Stakeholder Comments* are found attached:



Box 850 Salmo, B.C. V0G 1Z0

Phone: 250/357-9479
Fax: 250/357-9412

March 13, 2017

Re: FL A30171 & FL A56529 – FSP Referral

Cooper Creek Cedar Ltd (CCC), the Woodlands Department for Porcupine Wood Products Ltd has completed its Forest Stewardship Plan (FSP) for the company's two Forest Licenses: FL A30171 & FL A56529. CCC is presenting its FSP for review and comment to resource agencies, First Nations and the general public prior to formal submission of the FSP to the Ministry of Forests, Lands & Natural Resource Operations.

CCC's FSP discusses management practices that will be implemented to achieve Results &/or Strategies that will meet the government stated *Objectives* that will conserve and protect the forest resource within CCC's tenure in which primary forest activities will occur. CCC's *Results* and *Strategies* discussed in the FSP must be measurable or verifiable so they can be evaluated as to whether the specific forest resource objectives are being met. CCC's operating area that is covered in the FSP is located in the Selkirk Forest District and includes, generally, the drainages from Laird Creek to Fletcher Creek, the Duncan River area from Argenta to the Upper Duncan including Howser Creek, and parts of the Lardeau River/Trout Lake areas. The referral package includes CCC's 2017 – 2020 *Forest Stewardship Plan-Referral Document*. The *Forest Development Unit Maps* can be found on the "Dropbox" that you will be invited to join.

The FSP is being referred to affected First Nations and Stakeholders for your consideration for a period of 60-days from the date of publication. Comments must be in writing and received by CCC by May 22, 2017 for consideration. CCC will respond to all communication by June 19, 2017 and will document how the comments did/did not change the FSP. CCC will submit the FSP for approval to the Ministry of Forests, Lands & Natural Resource Operations once all of the comments/concerns that have been submitted are addressed.

Comments will only be accepted by email. Please send comments to: bkestell@shaw.ca .

Sincerely
Cooper Creek Cedar Ltd

A handwritten signature in black ink that reads "Bill Kestell". The signature is written in a cursive, flowing style.

Bill Kestell, RPF
Woodlands Manager



Be advised that Cooper Creek Cedar Ltd, the Woodlands Department of Porcupine Wood Products Ltd, is advertising our Forest Stewardship Plan (FSP) for public review and comment. The FSP covers CCC's operating area: generally the Laird Ck to Fletcher Ck drainages, the Duncan River area from Argenta to the Upper Duncan including Howser Ck and the areas in the Lardeau River/Trout Lake drainages.

The FSP is a landscape level plan which is focused on committing to forest management practices that will be implemented to conserve & protect forest resources within CCC's tenure.

This notice is to provide the public the opportunity to make comment on resource concerns within the Forest Development Units (FDUs) in the FSP to ensure the public's

concerns are addressed prior to Final Submission of CCC's FSP for approval to the Ministry of Forests, Lands & Natural Resource Operations. Cooper Creek Cedar's 2017-2022 FSP-Referral Document can be viewed at the following website:

<http://timberland2001.ca/cooper-creek-cedar-ltd/>

Comments specific to the FSP will be reviewed and, where applicable/feasible, changes will be made to the FSP to address the concerns.

For concerns to be considered prior to Final Submission for Approval, comments must be written and received by CCC by May 22, 2017. Comments can be emailed to:

coopercreek@porcupinewood.com

or mailed to:

Cooper Ck Cedar – FSP Comments
Box 850
Salmo, BC V0G 1Z0

Bill Kestell

From: Bill Kestell [bkestell@shaw.ca]
Sent: April-17-17 11:14 AM
To: 'dluchtan@netidea.com'; 'jeanpaulgareau@gmail.com'; jb229cd@shaw.ca; 'aewalters4@yahoo.ca'
Subject: CCC 2017-2022 FSP
Attachments: CCC_FSP_2017_Laird_fdu_add-on.pdf

Cooper Creek Cedar Ltd is advertising its 2017-2022 Forest Stewardship Plan to First Nations, Gov't Agencies, Licensees, affected Stakeholders and the general public. The original Referral FSP was referred March 16, 2017. In reviewing the FSP, we realized there is an area east of Laird Ck that was not included in the FSP. This area potentially provides access to the east side of Laird Ck, including the area of the Laird Ck slide. CCC understands the sensitivity of the area around the slide and understands the concerns the local community has with further development in this area. However; CCC believes it is prudent to include this area in the Laird Ck Forest Development Unit so CCC can choose the best access into east Laird Ck – the best access meaning the access that will be located in the most stable terrain. CCC commits to continuing information sharing with the local residents. A map showing the add-on area is attached.

The following is the “official” referral of the inclusion of this area into CCC’s FSP:

Cooper Creek Cedar Ltd is “amending” it’s 2017-2022 Forest Stewardship Plan to add additional area onto the Laird Creek Forest Development Unit. The additional area, which is east of Laird Ck, is required to allow CCC to access the eastern area of Laird Ck without crossing Laird Ck, if required. The review and comment period has been extended to June 19, 2017. Therefore; for your FSP comments to be considered, the comments must be submitted in writing by email to: coopercreek@porcupinewood.com , or mailed to: Cooper Ck Cedar – FSP Comments, Box 850, Salmo, BC V0G 1Z0, by June 19, 2017. The updated FSP can be viewed at the following website: <http://timberland2001.ca/cooper-creek-cedar-ltd/>

Bill Kestell, RPF
Cooper Creek Cedar Ltd
Woodlands Manager
Phone: 250-229-4536
Cell: 250-505-4476



Cooper Creek Cedar Ltd advertised the company's 2017-2022 Forest Stewardship Plan in early March 2017. The FSP is a landscape level plan that covers CCC's Forest Licenses' operating areas. The FSP commits to forest management practices that will be implemented to conserve & protect forest resources within CCC's tenure.

Upon review of the referred FSP, CCC realized an area adjacent to/east of the Laird Creek Forest Development Unit (FDU) was not included. CCC is amending their referral submission to include this area that will be included in the Laird Creek FDU.

This notice is to provide the public the opportunity to make comment on the addition of the area to the Laird Ck FDU and still make comment on resource concerns within the Forest Development Units (FDUs) in the FSP to ensure these concerns are addressed prior to final submission of CCC's FSP for approval to the Ministry of Forests, Lands & Natural Resource Operations.

To allow the public sufficient time to make comment on the addition of the area to the Laird Ck FDU and have opportunity to still comment on CCC's FSP, CCC is extending the review and comment period to June 19, 2017.

Comments specific to the FSP will be reviewed and, where applicable/feasible, changes will be made to the FSP to address the concerns. CCC's FSP & accompanying Forest Development Units can be viewed at the website:

<http://timberland2001.ca/cooper-creek-cedar-ltd/>

For concerns to be considered prior to final submission for approval, comments must be received in writing and be received by CCC by June 19, 2017. Comments can be emailed to: coopercreek@porcupinewood.com

or mailed to:
Cooper Ck Cedar – FSP Comments
Box 850
Salmo, BC V0G 1Z0

June 13, 2017

Re: Cooper Creek Cedar FSP Public Consultation Period

As the District Manager and having the delegated authority under the Forest Planning and Practices Regulation (FPPR) section 20 (2) (b) to increase the designated number of days that a Forest Stewardship Plan (FSP) is made available for review and comment pursuant to FPPR section 20(2)(a) I have considered the relevant information regarding the Cooper Creek Forest Stewardship Plan and the following is my decision.

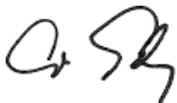
The Selkirk Forest District has received numerous emails requesting an extended time period for review and comments regarding the Cooper Creek Cedar FSP. The emails speak to inconsistencies in the information provided by Cooper Creek Cedar (CCC) in the advertisements regarding their public review and comment period for their Forest Stewardship Plan (FSP). Section 20 of the (FPPR) describes the requirements for providing public notice regarding a new FSP. The section indicates the content requirements of the public advertisement and the period during which persons have the opportunity to review a forest stewardship plan and provide comment (60 days). It does not require the person submitting the FSP to include a description of the area to which the FSP pertains in the advertisement.

In the initial advertisement, CCC made an effort beyond the requirements of section 22 by generally describing the areas covered by the FSP in order to bring greater awareness to the public. CCC has posted at least 8 advertisements in local newspapers including the Nelson Star, Valley Voice, and Pennywise throughout the public consultation period beginning on March 23, 2017. Additional postings have also been put on the Lardeau Valley LINKS website on 3 occasions. All ads indicated that the information is available for review and comment and where more information could be obtained. CCC did provide a 30 day extension which was first advertised in the Nelson Star on April 26, 2017 and subsequently in additional newspapers and the LINKS website. These advertisements did include a link to a website where maps of the areas included in the FSP could be seen. This has resulted in a total review and comment period of 89 days.

It is my understanding that a representative of CCC has had numerous conversations and meetings with area residences beginning prior to the initial advertisement being made and has continued to be available to those who request information or want to meet.

Given the above information regarding the amount of effort and information that CCC has made available to the public, and the information I have at this time, I have determined that a greater number of days to review and comment on Cooper Creek Cedar's FSP is not warranted under section 20(2)b of the Forest Planning and Practices Regulation and as such the review and comment will end on June 19th, 2017.

Sincerely,



George Edney, RPF
Acting District Manager
Selkirk Forest District

COOPER CREEK CEDAR LTD – REFERRAL DOCUMENT

2017-2022 STAKEHOLDER COMMENTS

Stakeholder/email	Stakeholder Concern	CCC Action/Response
AJLWG Letters	- mainly VQO concerns	- made changes to the FSP text to make Strategies clearer - CCC made commitments in letters to engage with AJLWG & Argenta-Johnsons Landing (AJL) community throughout CCC's forest development in AJL area (non-legal) - added AJLWG to formal <i>Affected Stakeholder</i> in FSP referral list - no material change to FSP
Bob Yetter Letter	- general concerns	- addressed concerns in CCC's response - no material change to FSP
Catherine MacRae, P.Ag. MFLNRO Invasive Plant Specialist	- comments regarding <i>Sec. 4.1 Invasive Plants</i> – grass seeding, training & reporting	- updated <i>Sec. 4.1 Invasive Plants</i> to address Catherine's concerns – forwarded changes/updates to Catherine – no response
Celia Cheatley	- general comments	- addressed concerns in CCC's response - no material change to FSP
CMH Helicopters	- general concerns – many operational – ie sharing roads	- added CHH to formal <i>Affected Stakeholder</i> in FSP referral list - addressed their concerns – commitment to work together (non-legal) - no material change to FSP
Friends of Lardeau Valley	- many general concerns/comments - requested clarity on parts of FSP	- addressed concerns and edited text to provide clarity within FSP - explained some of the FSP/Objective/Practice statements in the FSP - added Friends of Lardeau Valley to formal <i>Affected Stakeholder</i> in FSP referral list - no material change to FSP
Gary Slabaugh	- general concerns	- addressed concerns in CCC's response - no material change to FSP
Lardeau River Adventures	- general concerns	- addressed concerns and edited text to provide clarity within FSP - added Lardeau River Adventures to formal <i>Affected Stakeholder</i> in FSP referral list - no material change to FSP
Mary Davidson	- general concerns	- addressed concerns in CCC's response - no material change to FSP
Nelson & Kootenay Lake Tourism	- general concerns	- addressed concerns and edited text to provide clarity within FSP - added Nelson & Koot Lk Tourism to formal <i>Affected Stakeholder</i> in FSP referral list - no material change to FSP

Stakeholder/email	Stakeholder Concern	CCC Action/Response
<p>RDCK</p> <p>RDCK Area D – Aimee Watson</p>	<ul style="list-style-type: none"> - general comments and provided RDCK excerpts from the adopted official community plan bylaws as they pertain to Crown land, forestry, the natural environment, parks & recreation and community-specific policies - requested being included in CP/RP formal referral process (non-legal) - requested commitment to manage AJL area as per the CWPP (Wildfire Plan) 	<ul style="list-style-type: none"> - committed to include RDCK in future CP/RP referral process, as per CCC’s First Nations Referral process (non-legal) -no material change to FSP - commented on specific questions – mainly to be addressed at the operational stage - declined to commit to managing AJL area as per the CWPP – provided rational - no material change to FSP
<p>RDCK – Ramona Faust – RDCK Area E</p>	<ul style="list-style-type: none"> - general comments specific to Laird Ck FDU – operational concerns 	<ul style="list-style-type: none"> - discussed the concerns – CC committed to engaging with Laird Ck community throughout forest development (non-legal) - no material change to FSP
<p>S. Collier</p>	<ul style="list-style-type: none"> - comments specific to Cody Caves Park 	<ul style="list-style-type: none"> - discussed CCC’s process to date regarding development adjacent to Cody Caves Park - no material change to FSP
<p>Greg Utzig</p>	<ul style="list-style-type: none"> - karst topography, springs & surface flow - climate change 	<ul style="list-style-type: none"> - in lieu of an email response CCC (Bill Kestell, RPF & Chris Perdue, P.Geo., Eng.L. – CCC terrain specialist contractor) met with Greg Utzig & Peter Jordan on August 25, 2017 to discuss Utzig’s & Jordan’s concerns – slope stability and the GAR Ck slide in general. CCC proposed to continue an information sharing relationship with Utzig & Jordan throughout CCC’s forest development in the Argenta-Johnsons Landing FDU. We have agreed in principle to continue to share pertinent slope stability information.

The following public comments are late additions to CCC's 2017-FSP Stakeholder Comments-Referral Document. At the time of CCC's final FSP submission for approval, CCC did not consider these comments as being relevant to the FSP; but more specific to the Argenta FDU and CCC's future forest planning in the FDU. CCC has been instructed that these comments are important to the FSP and must be included:

Stakeholder/email	Stakeholder Concern	CCC Action/Response
Carolyn Schramm Elaine Smith Allison Brown Andy Shadrack Carl Johnson Dustin East Eric Schindler Jennie Welch Patrick Steiner Jane Gao Lew McMillan Martin Couch Nikola Barsoum Osa Thatcher Richard Ortega Rob Meany Sandy Blaikie Anderson Sean Kubara	The comments generally all addressed, to different degrees, the following concerns: - slope stability & the GAR Ck slide - expansion of the Purcell Wilderness Conservancy - the poor access from Argenta to Johnsons Landing (very narrow highway) that would be used for industrial traffic - Visuals - Wildlife - do not log in the Argenta-Johnsons Landing FDU	- discussed CCC's use of a professional terrain specialist to assess the terrain that would be potentially impacted by forest development. Discussed working relationship fostered with Greg Utzig & Peter Jordan - attached VQO FSP Section - explained CCC is not the governing body/agency responsible for the landuse decision regarding expansion of the Purcell Wilderness Conservancy and that the area outside the Conservancy is designated as being within the Timber Harvest Landbase - discussed CCC contracting a local professional Wildlife Biologist to work with CCC during forest development to minimize potential impacts to wildlife habitat and populations

AJLWG - Letter 1

March 15, 2017

Bill Kestell, RPF

Porcupine Wood Products / Cooper Creek Cedar

DELIVERED BY EMAIL

Copies to:

George Edney, District Manager – Selkirk Forest District

DELIVERED BY EMAIL

Forest Practices Board

DELIVERED BY EMAIL

Dear Bill:

**Re: Forest Stewardship Plan – Forest License A30171 & A56529
in particular the area we refer to as AJL (Argenta Johnsons Landing Face)**

Thank you for providing Marlene Johnston with an electronic version of CCC's FSP the afternoon of March 13. Unfortunately none of us had sufficient time to review it in any detail prior to our meeting yesterday. This letter is to provide you with our preliminary concerns regarding this process and to outline some of the issues we have about logging operations in this unique area. We will, of course, review the FSP in detail and comment further during the 60 day public review period.

As you have pointed out, the FSP is a legal document with a multitude of references to various provincial acts and/or regulations, and provides very little information specific to the Argenta Johnsons Landing Face. This makes it very difficult for anyone impacted by your proposed operations to respond effectively. We, of course, are *directly* impacted, and you will likely understand from our meeting that we are thus very concerned. We were however somewhat comforted by your commitment during our meeting to participate in meaningful discussions with us throughout the planning and operations phases of forest development on the AJL face.

OUR EXPECTATIONS:

Our goal is to promote a healthy forest that is resilient to fire and climate change.

We want to develop with you a comprehensive operating plan that clearly and substantively addresses the issues in this list of concerns - and any others that may arise - while the FSP is in development, and later on, when operating plans are being developed, we want to be onside ensuring that these concerns are fully attended to.

We are stepping up to work with you in good faith and hope that together we can create something better than just "what is required"- something that the Forest Practices Board would view as a model of how collaboration between your company and our communities worked to overcome mistrust and built a better forest.

We believe the FSP and any operating plans must contain the following minimum requirements:

- Professional reliance

- Excellent design confirmed on the ground as appropriate, for things like road layout, visuals, etc.
- Meaningful consultation and direct influence in planning and decision making
- Community involvement with regular updates to affected communities throughout the planning stage
- Prior to any plans being signed by an RPF, a commitment to work with affected communities until all issues are resolved
- That sufficient time be allocated to complete the plan

We believe a proactive approach, which you have indicated is logical, will enable meaningful community participation in the planning process and subsequent operations and thus avoid otherwise inevitable conflicts that would arise from inadequate consultation.

We realize that this will require a fair amount of work on both sides, but with adequate time we believe that together we can be successful.

What follows are six concerns we have at this stage in the process:

1. VISUAL QUALITY OBJECTIVES (VQO):

In order to achieve the VQOs or do better, it is necessary to implement the elements of good visual design as laid out in FREP Extension Bulletin #32 and to have a commitment in the FSP to achieve results consistent with the VQO. Recognizing that other legitimate stakeholders derive significant value from the AJL face as it currently stands, Cooper Creek Cedar needs to go beyond the minimum standards relating to VQOs and provide those interested with sufficient information (including maps, simulations, site visitations) well in advance of securing cutting permits.

We recognize that there is high value to the public (residents and visitors) in maintaining a continuous pleasing visual landscape in this area. It has long been known as a scenic corridor. It is rich in history, outdoor recreation opportunities and the sightseeing is unparalleled. We know that the North Kootenay Lake area each year receives an increasing number of tourists, many of them seniors, who come to enjoy the unique features of the area – forested mountain slopes rising out of lakes to alpine peaks. We know that in the past several years there have been mill closures in the North Kootenay Lake area (Cooper Creek Cedar Ltd in Cooper Creek, Cedar Shake Mill (Wapple) in Cooper Creek and Meadow Creek Cedar Ltd. in Cooper Creek) with resultant employment loss and families uprooted. In days past this was due to cyclic economic activity, but this time there will be no ‘recovery’, because the infrastructure is gone and logs are being trucked to distant mills. Planning, layout, roadbuilding and logging are no longer done by local people.

We know that a number of tourism related businesses have established themselves in this area since these mill closures. These family run businesses rely heavily on a physical environment that delivers what their clientele expects and demands: wild beauty. Additional cut blocks in this area will most assuredly impact their business in a negative way.

2. TERRAIN STABILITY ISSUES:

A terrain stability risk assessment strategy should be developed with terrain and hydrologic expert assistance.

Residents are concerned about terrain stability and want to avoid further landslides in this area. The Gar Creek slide of July 2012 was a wakeup call for many of us. This tragic event spotlighted the issues of living on steep mountain slopes. An extensive report was prepared for the RDCK. 'Johnsons Landing Landslide Hazard and Risk Assessment Report' provides detailed technical analysis of the event. The report states "terrain mapping and site assessments in the Gar Creek drainage in 1983, 1994, 2001 and 2003 did not indicate the possible occurrence of a landslide large enough to travel onto the Johnsons Landing bench." And yet -- such a landslide did occur.

Further landslides are probable, especially as the geology of the hillside is similar throughout, and residents have been made aware that logging is an exacerbating factor.

It seems little is known about the geology of the hillside. Karst formations -- caves, travertine flows, limestone outcroppings and swallets are all present but unmapped. Where does the water flow under the ground? What feeds the springs that supply Argenta Creek?

3. WILDLIFE CONNECTIVITY CORRIDORS:

Any operating plans for the AJL face must be designed with an objective of maintaining sufficient and appropriate wildlife connectivity and corridors so as to avoid any adverse consequences resulting from industrial activity in the area.

The AJL adjoins the Purcell Wilderness Conservancy, an area of pristine wilderness supporting wide ranging species like grizzly bears and wolverine. The AJL hillside serves as a regional connectivity corridor and protects the PWC. The hillside connects the alpine to Kootenay Lake and the valley bottom.

Increased logging north of Hamill Creek, on the west side of the Duncan, and on the north west side of Kootenay Lake combine with the cumulative effects of the Hamill Creek wildfire and logging/roadbuilding on the woodlot above Argenta to make this important corridor at the head of Kootenay Lake quite vulnerable.

4. OLD GROWTH RETENTION:

Old growth zones within the operating area need to be protected by significantly buffering these zones, including the Hamill Creek corridor.

We are concerned about adequate old growth retention.

5. WATER QUALITY:

The need to maintain community and domestic water quality, especially in light of climate change, is critical.

Argenta Creek is a major domestic water supply for individuals and it is supplied partially by springs. Carter Creek water users have already been negatively impacted by logging in their domestic watershed.

6. STRATEGIC FIRE INTERFACE HAZARD REDUCTION:

Wildfire hazard reduction within 2 kilometres of communities is a high priority.

The Regional District of Central Kootenay has identified the AJL face as one of the highest priorities for Fire Hazard Reduction strategies. To be safer, the hillside should be made more resilient to fire. Operating plans should be designed with the intention of restoring an ecologically appropriate stand structure of fir, larch and pine. The mature over story should be retained, vets and old growth left in place. The face should be kept green and mature looking, and this can be accomplished by keeping the canopy intact. Selective removal of overgrown understory trees will reduce the risk of wildfire.

On the AJL face, there is one dead end road with only one way out. It is isolated – winds are predominantly from the south, the forest is infill and there are numerous dead trees.

SUMMARY:

Attempts to plan logging on the AJL face have a long history of broken promises, unfulfilled agreements, and divisive process. The betrayals have generated levels of mistrust and suspicion that haunt long term residents to this day, making them resistant to participating in a process that historically has not worked. There has been no consultation with the public in relation to the recent conversion of these lands to a forest licence and the subsequent transfer from Meadow Creek Cedar to Canfor and then to Cooper Creek Cedar. This has only reinforced the level of mistrust that many in the area hold.

During the June 2016 meeting in Argenta, you said you can “do better”. It is with this commitment in mind that we have agreed to participate in this process. We realize that this will require a fair amount of work on both sides, but with adequate time we believe that together we can be successful.

Sincerely, *(signed)*

* Marlene Johnston

* Mary Davidson

* Rick Dietrich

Box 850 Salmo, B.C. V0G 1Z0

Phone: 250/357-9479
Fax: 250/357-9412

March 27, 2017

Re: Forest Stewardship Plan – FL A30171/56529

Thank you for your March 15, 2017 letter regarding Cooper Creek Cedar Ltd's 2017-2022 Forest Stewardship Plan (FSP). Your comments are appreciated and we accept your letter as a positive movement toward developing constructive and meaningful communication between the community and CCC.

The following is our response to your six concerns and, where applicable, our responses will include text from the FSP.

Visual Quality Objectives:

Excerpt from the FSP:

Visual Quality Objectives: Strategy/Practice – to be applied in all FDUs with VQOs:

When developing a Cutting Permit &/or a Road Permit, CCC will manage to achieve the Visual Quality Objectives set by GAR – Sec 7(2) Order by the District Manager, Kootenay Lake Forest District, March 7, 2014.

Practice: the following practices will be undertaken by CCC when developing a CP &/or RP to achieve the VQO established for that area:

A Visual Impact Assessment (VIA) will be carried out by CCC at the planning stage of forest development (Cutting Permit/Road Permit) in an area designated as a *Known Scenic Area*. The VIA will:

- i. review the visual landscape from major viewpoint(s)
- ii. determine the percent alteration on a perspective basis
- iii. describe how the visual design is consistent with the strategies and guidelines described in the *Visual Impact Assessment Guidebook (2nd. Ed., January 2001)* for those areas designated to be in a VQO of Preservation (P), Retention (R), Partial Retention (PR), or Modification (M),
- iv. evaluate the visual alteration of the planned forest development on the affected landscape and, when the planned development exceeds the prescribed VQO, CCC will incorporate the appropriate visual design to mitigate the visual impact to achieve the established VQO
- v. the resultant VIA will be formally reviewed by CCC and the QRP completing the VIA

prior to Cutting Permit submission.

CCC will use the following design techniques to mitigate the visual impact on the landscape:

- i. use the existing major terrain features to design boundaries
- ii. design the shape of the block to resemble the natural character of the landscape
- iii. incorporate edge treatments into the design of the cutblocks (ie feathered edges, irregular cutblock design)
- iv. retain stand structure within the block boundaries (ie islands, patches of trees) to mitigate the visual impact
- v. plant the blocks as soon as possible following completion of harvesting operations

When CCC develops a CP/RP that, when harvesting/road construction is complete, the established VQO for the developed area will not be met, CCC will apply for an exemption under Sec 12(7) of FPPR. Instances where not meeting the established VQO for an area are:

- i. developing a CP in an area that has previously experienced a natural event that resulted in large openings. It is now practicable to develop a CP in the area; however an opening created by the forest development cannot meet the established VQO in conjunction with the natural created opening. Practicable CP:
 - CP is the final development in the area for a significant time (> 10 yrs), and it is practicable to include the area of concern (avoid isolating timber)
 - other openings impacting the VQO are nearing green-up status
 - the VIA for the area uses \geq three Viewpoints and the VQO is not being met by only one viewpoint
- ii. area is being developed to address forest health concerns
- iii. for the purpose of ecosystem restoration

When CCC has completed the VIA, CCC will review the VIA with the community and will consider the community's input regarding the visual assessment. CCC will attempt to resolve any concerns the community may have with the assessment and, when feasible & applicable, changes to the development will be made.

Licensees may request an exemption when the established VQO cannot be met. The above text describes the specific instances when CCC can apply for an exemption. This is not a common practice. The exemption is sent to the Designated Decision Maker (District Manager) and the rationale for the exemption needs to be defensible.

Terrain Stability:

Terrain stability is always a significant concern for CCC when conducting forest operations. CCC contracts a professional terrain specialist to review our forest development. Regarding the development in the Argenta-Salisbury Ck face unit, the terrain specialist will be reviewing the most updated maps, including LiDAR mapping, prior to forest development occurring on the ground to identify terrain stability concerns. Subsequent Terrain Stability Field Assessments (TSFA) will be carried out to assess identified issues and to identify additional site specific terrain concerns. CCC will review all available previous terrain stability reports.

Wildlife Connectivity Corridors:

CCC will contact Brenda Herbison to discuss Brenda's previous wildlife work and reports that she completed for BCTS during previous forest development contracts. CCC will contract Brenda &/or another wildlife specialist during CCC's forest development, and will implement their recommendations regarding protecting wildlife habitat in the forest development. The FSP also discusses managing for wildlife habitat.

Old Growth Retention:

Excerpt from the FSP:

Objectives and Strategies that affect the Objectives set by Government for Biodiversity:

There are six KBHLP Objectives that contribute to managing for biodiversity that are applicable to the Objectives set by Government for Biodiversity covered in this FSP.

Objective 2. Old & Mature Forests: To contribute to the conservation of biodiversity, CCC will undertake to manage the forests within the FDUs under this FSP to the Old & Mature Forest inventory targets stated in KBHLP - Objective 2.

Old Forest Requirement Strategy: For all FDUs of this FSP, the requirement for Old Forest, as per KBLHP – Objective 2, are considered to be met through spatially, non-legal Old Growth Management Areas (OGMA's). OGMA's were established to provide representative examples of old forest values, and to support the conservation of other important values (ie wildlife habitat, connectivity, recreation, rare ecosystems).

The Old Growth Management Strategy allows for a Licensee to modify the boundaries of an established OGMA when the Licensees planned development infringes into an OGMA. When CCC harvests timber from an OGMA, a Registered Professional Forester will document the decision in a Supporting Document. The Supporting Document will include the methodology and evaluation for determining the replacement area and will provide a general description of the forest characteristics. The replacement area will contain stand characteristics that provide equal or greater biological values to meet the required Old Forest characteristics.

Changes to the boundaries or locations of OGMA's will be mapped and kept on record at CCC.

The Argenta FDU map identifies there is a significant Old Growth Management Area (OGMA) in the FDU. This area is predominately excluded from harvesting/road building. As per the above text, there is opportunity to modify the OGMA boundary; however, replacement area with specific requirements needs to be identified as replacement area.

Water Quality:

Excerpt from the FSP:

Objective 6. Consumptive Use Streams: To reduce the impacts of forest development on streams licensed for human consumption, CCC will apply the stream side management provisions listed in KBHLP – Objective 6 to S5 & S6 streams that meet the stated conditions.

CCC will apply the following forest practices when carrying out a primary forest activity in the management zone of a S5 or S6 stream that is determined to be a consumptive use stream:

Element	Result/Strategy	Location
Protecting Water Quality/Quantity in Consumptive Use Streams	<ol style="list-style-type: none"> 1. The streamside management zone will be as stated in KBHLP – Objective 6(1)(a)(i). 2. CCC will undertake to comply with the practice requirements stated in <i>Sec 50 – Restrictions in a Riparian Mgmt Zone</i> of the <i>FPPR</i>. 3. When falling or modifying trees around a consumptive use S5 or S6 stream, a sufficient number of trees will be retained adjacent to the stream to maintain stream and stream bank integrity. The required level of tree retention will be determined by a QRP when planning and designing a PFA. The target minimum basal area retention around a S5 stream will be 10%, as determined by a QRP while assessing the stems within the RMZ for wind firmness, contribution to wildlife & fish habitat/values, insect infestation, visuals, streambank stability (including soil stability & erosion potential), potential coarse woody debris contribution to the stream and operational & safety constraints/concerns. 4. The operational/planning practices stated in the Results/Strategies in section 3.4.1 Riparian Areas: “<i>FPPR Sec 52(1) - Retention of Trees in a RMZ</i>”, contained in this FSP, will be applied to determine the level of tree retention when carrying out PFAs around S5 and S6 consumptive use streams. 5. <i>FPPR – Schedule 1(2) – Factors relating to objective set by government for water, fish, wildlife and biodiversity in riparian areas</i> discusses management factors that will be considered and will affect CCC’s development of planned PFAs when planning around consumptive use streams. 6. PODs are located in the field and are identified whether the PODs are actually active (ie: any sign of actual human activity at the POD showing signs of diverting the water for human consumption, water box). For the PODs that are deemed active, CCC will notify the Licensees in writing of CCC’s planned development a minimum of 45 days prior to any PFA and will state the Licensees have 30 days to respond in writing of any concerns they may have with CCC’s planned development. CCC will discuss any concerns with the concerned Licensee and 	All FDUs

	try to resolve any concerns by making changes to the planned development where practicable. 7. The subsequent forest development recognizes the identified PODs and plans around the points, as per KBHLP – Objective 6.	
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Additionally:

<p>Protecting Water Quality/Quantity in a Community Watershed: Practice: The following Practices will apply to FDUs that are developed in Community Watersheds</p> <ol style="list-style-type: none"> 1. CCC will encourage the residents within the Community Watershed affected by the planned forest development to form a local community planning group &/or a formal information sharing framework (ie website, email communication) to liaise with CCC during all phases of the forest development. CCC will: <ol style="list-style-type: none"> i. use the information sharing structure as the forum to inform the local community of the results of the hydrologic/watershed assessment, the assessment’s recommendations and how the recommendations will be implemented in the proposed development ii. once CCC has determined realistic preliminary road & cutblock design/locations, CCC will provide the local community with detailed CP maps showing the proposed road and cutblock design & other pertinent information. CCC’s intent is to share detailed information about the proposed forest development with the local community and to engage the community in discussions and sharing of information about specific forest development proposals the community feels may impact the quality/quantity of their local water supply. The concerned stakeholders will be given a minimum of 30 days to respond to CCC’s submission of the planned cutting permit development. iii. within 15 days of receiving comments, CCC will discuss the comments received with the concerned stakeholders & water users and discuss, when feasible & practicable, how their concerns/issues can be incorporated into the final development, or why the concerns are not feasible to be incorporated into the final development.

Strategic Fire Interface Hazard Reduction:

Cooper Creek Cedar has been working with the *Collaborative Community Wildfire Protection Planning (CCWPP)* group in the Queens Bay area. We believe this is a positive collaboration with the local community. CCC will discuss this initiative with CCWPP and the community to investigate the possibility of implementing the program in your community. Additionally, CCC will be cognizant of planning development around fire mitigation when the opportunity arises.

Information Sharing:

Cooper Creek Cedar has stated that we encourage continual communication with the community throughout CCC's forest development in your community, and during the subsequent road building, harvesting, post harvest operations and silviculture activities. This information sharing is an opportunity for the community to be updated on the company's activities and for the community to identify their concerns and their local knowledge of the development area to CCC.

The current forum for information sharing is through the Lardeau Valley Website (LINKS). CCC is open to any other media the community wishes to propose, specifically forming an "Information Sharing Group" where concerns and scheduling public meetings can be communicated to CCC in a unified form.

It is important to understand the *Forest Planning & Practices Regulation* is based on professional accountability & reliance. This means that CCC's professional forester responsible for forest development must ensure:

- professional assessments are completed specific to the planned development (ie terrain assessments, Visual Quality Assessment, Wildlife assessment)
- the technical information and work (block & road layout) is completed and the recommendations of the professionals are included in the layout
- the forest development has been referred to First Nations, affected community & affected Stakeholders in a timely period prior to Cutting Permit submission so the affected parties have an opportunity to comment on the development

It also means that CCC's professional forester must determine when the relevant and applicable information is complete, what information will be used in the final development and when it is time to submit the Cutting Permit/Road Permit for approval.

CCC's 2017-2020 FSP:

CCC's FSP has been referred to First Nations, affected Stakeholders and the public through referral letters and advertisements in the local newspapers. The FSP can be viewed at the following website: <http://timberland2001.ca/cooper-creek-cedar-ltd/>

People are invited to make comment on the FSP. The referral notifications state, that for comments to be considered, comments must be received in writing to CCC by May 22, 2017 via email: (coopercreek@porcupinewood.com)

or by sending a letter to:

Cooper Ck Cedar – FSP Comments

Box 850

Salmo, BC V0G 1Z0

Cooper Creek is legally obligated to respond to all comments.

AJL Working Group
macmar@lardeauvalley.com

April 14, 2017

Cooper Creek Cedar/Porcupine Wood Products (CCC)
bkestell@shaw.ca

Re: AJL Working Group Comments on FSP REPFLs A30171 & 56529, Visuals Section 3.6

Hi Bill,

Thank you for your response (March 27, 2017) to our letter of concerns regarding the Argenta Johnsons Landing face (AJL). We do appreciate your comment during last Tuesday's meeting that our letter was professional. It is very important to us, as we continue to work with you, that we maintain a high level of mutual respect and professionalism.

Unfortunately, we feel your response does not address our six concerns. In responding to your FSP, which is a legal document, we are required to work within a mandated parameter: the sixty day public review period. This is the only chance we have to ensure that commitments in the FSP are enforceable. Our most serious concern relates to the Visual Quality Objectives Section 3.6 (VQO Section) in your FSP. We have read the FSP and we simply don't know what it means for AJL in particular or for Scenic Areas in general. We hope this letter will clarify how and why we would like this section modified.

If there is to be logging, we want the visual quality of the entire AJL to be maintained or minimally altered. We want the established VQOs of Retention and Partial Retention to be the final result after all development and logging is done. We have several concerns regarding the VQO Section and how it applies to AJL. The enclosure 'Visual Impact Assessment' asks specific questions relating to the FSP and AJL.

The VQO Section is subject to numerous interpretations. We want the meaning of the VQO Section to be clear and unambiguous. We wish to avoid wording within the FSP that permits alterations greater than existing VQOs specify. Unequivocal wording in the VQO section of the FSP will give us certainty that the VQOs for the AJL will be met.

We know that the FSP covers your entire operating area but we'd like you to explain clearly your Strategy/Practice and Results for Scenic Areas. Could you please include a chart in the FSP for the Argenta FDU with specific information, as you've done for other sections, e.g. watershed and recreation areas?

Why is understanding the VQO Section such a big deal for us?

All over BC, Scenic Areas are at risk of having these high value visual assets degraded because FSPs containing questionable wording are being approved. *The Southern Resource Area is particularly at risk, as specifically identified in the FLNRO Forest Stewardship Plan Review 2013, as having some of the poorest results for achieving Retention and Partial Retention VQOs at only 56% of the time.* The review also noted that statements exempting the proponent from the VQOs were observed in 90% of the Southern Interior FSPs.

Further, of the FSPs that included 'practicable' statements, none were consistent with the Joint Assistant Deputy Minister (ADM) Memo issued June 15, 2010 or FRPA General Bulletin #25 (see FLNRO's "Managing Change on BC's Scenic Landscapes Manual", sec 9). There is a lot of discussion in the reports about the use of 'practicable' being problematic for enforcement. We don't know what 'practicable' means in the FSP.

Despite the February 22, 2010 Ministry of Attorney General legal opinion concerning operation exemptions in Forest Stewardship Plans, the June 2010 Joint Assistant Deputy Minister Memo, the FRPA General Bulletin #25 and numerous other government reports - all of which discourage the use of operation exemptions within FSPs - they continue to be prevalent. As you have previously said: there's an attitude within the industry that visual quality is a 'soft resource'.

We have attempted to provide you with a chronology of industry discussions/directives as they relate to the issue of VQOs. Please refer to the enclosure 'VQO & Legal Opinion Timeline'. FLNRO's 2014 Visual Resource Management Program Review should be mandatory reading for anyone in the industry, in our opinion. The problem summarized in that Review is that unenforceable wording in approved FSPs has prevented investigations of many obvious infractions.

We had understood that applying for exemptions could be done without mention in the FSP. At our last meeting, you indicated that a licensee must mention the exemption in the FSP in order to apply for one. Is CCC required to write an exemption into the FSP? If so, we would like to know that the exemption in CCC's FSP and the numerous uses of the word 'practicable' do not make CCC's FSP one of the problematic types. We don't want an exemption to interfere with the resultant VQOs on AJL.

If CCC applies for any exemption (or amendment, etc.) which could change the VQO result on AJL, we ask that the public be notified on a timely basis and there be sufficient time provided for public review and comment. The public was very involved in determining Kootenay Lake Timber Supply Area VQOs in 2014 and that public review period was 75 days.

Summary

We sincerely hope you understand now why our focus has been on the wording contained in your draft FSP – ie the 'legal' aspect. Based on well documented FLNRO evidence, there is a significant risk that AJL will be altered more than what is allowed for in the legally established VQOs.

You have verbally advised us on at least two occasions that you understand CCC needs to "do a good job". Our legitimate concerns are largely about 'the system' and not necessarily centered on your obligations as a professional forester or CCC's commitment to conduct themselves appropriately within the legal framework provided. We simply need to know – and we believe there are many others who also need to know – that CCC is committing to results consistent with the VQOs (Retention and Partial Retention) for this area.

In closing, we quote from the Visual GAR Determination Rationale, KLFD, March 7, 2014, District Manager:

"...regarding the decision to keep Polygons 383, 384, 385 near Argenta as Retention...My decision reflects the high level of viewing by local residents. I am convinced that through a combination of excellent visual design and the rare use of legally available exemption tools which may require increased public engagement in order to implement harvesting and harvesting will be able to be carried out in these areas.

I am aware of at least 5 examples within or in the vicinity of the Kootenay Lake TSA where exemptions were requested from existing VQOs, resulting in a more intensive consultation with the public, stakeholders and government. In addition, a very thoughtful and effective visual design was incorporated which ultimately successfully addressed the visual.....within a very visually sensitive corridor. While the economics of such activities will always be a serious challenge to the forest industry, it can be done, and I am confident that, to some extent, it can continue to happen successfully. There are exemption tools, while at the same time incorporating innovative visual design techniques to deal with the challenges of developments within visually sensitive areas.

I also recognize the need for improvements to be made in this area. The FREP Extension Note #32 states that, 'one of the most effective tools available for managing visual quality is the application of visual design principles.'.....I wish to reiterate to the forest licensees that the good design is paramount to good visual landscape management.

Furthermore percent alteration is not the only tool available to measure to efficacy of visual management. I am strongly encouraging all forest licensees to rely more carefully in sound visual design principle to measure the efficacy of visual management."

Sincerely,

AJL Working Group

Marlene Johnston, Rick Dietrich, Mary Davidson

cc: George Edney, Ian Wiles, Cheryl Hillier, Aimee Watson, FPBoard

enclosures: 'Questions re: Visual Impact Assessment of Cooper Creek Cedar's FSP, Visual Section 3.6', (page 4), 'VQO & Legal Opinion Timeline' (pages 5 & 6)

Questions re: Visual Impact Assessment of Cooper Creek Cedar's FSP, Visual Section 3.6

1. Is there one or are there several VIAs for all of AJL?
2. How simple or comprehensive will the VIAs be?
3. How does CCC determine whether to do a simple or a comprehensive VIA?
4. VIAs are carried out at the planning stage, but could CCC apply for a Road Permit before having completed the VIA process?
5. Viewpoints:
 - What does CCC mean by major viewpoint?
 - How are the number of viewpoints used in a VIA determined?
 - We want to be involved when determining the number and locations of viewpoints used for the VIA. How do we arrange that?
6. Percent Alteration:
 - Will the visual modification be within the limits prescribed?
 - Will CCC assure us that they will determine size, shape and design of harvest areas as per the FRPA definitions for altered landscapes?
 - Will CCC assure us that they will only accept VIAs that are consistent with FRPA definitions?
7. Visual Design:
 - What happens if the design is more inconsistent than consistent?
8. Evaluate Visuals
 - Why mitigate instead of changing the plan? Do you have examples where you mitigate a negative impact on a VQO, rather than change the plan to meet existing VQOs?
 - What if CCC can't mitigate the visual impact to meet the VQO?
 - Will another VIA be done after the mitigation?
9. Resultant VIA
 - Shouldn't the VIA be completed before a road permit is applied for? Couldn't the road itself prevent the VQO from being met?
 - Can CCC get a road permit before conducting and reviewing the VIA? Under what circumstances might that occur?
 - Who is the responsible QRP for doing the VIA on the AJL? What is their training and experience?
 - We want to ensure that the VIA will not contain errors or underestimate the predicted visual impacts. How do we do that?
10. Design Technique (iv) Retain stand structure
 - How much will be retained and what measure of retention will you use, number of stems, area, volume?
 - We want enough inblock treatment to offset the dominance of block sizes as recommended in FREP Ext #13 & 32.
 - Will CCC use partial cutting?

VQO & Legal Opinion Timeline

The following timeline gives a general idea of some of the various government reports:

1. March 30, 2007: FRPA General Bulletin #12; Use of the Term "Practicable" in Results or Strategies

2. Feb 22, 2010: Ministry of Attorney General Legal Opinion Concerning Operational Exemptions;

"where there is an objective established that a licensee is legally required to meet, licensees cannot legally give themselves an exemption from having to meet the objective if certain conditions exist....there are exemptions provided for in the legislation, and those mechanisms should be used in order to obtain exemptions where required. The legal exemption provisions should not be circumvented through wording included in the results and strategies"

3. June 15, 2010: Joint Assistant Deputy Ministers Memo;

This memo advised Delegated Decision Makers of the legal implications of operational exceptions and requested that plans be amended/extended using appropriate tools within the Forest and Range Practices Act

4. June 23, 2011: Forest and Range Practices Act (FRPA) General Bulletin #25; A Comparison of FSP Results or Strategies Flexibility Options

"This bulletin clarifies the mechanisms available to incorporate flexibility into FSP results or strategies."

"For greater certainty, the reader is reminded that while FRPA provides significant flexibility in how to address established objectives, there is less flexibility in whether or not established objectives must be addressed".

5. October 2013: FREP (Forest and Range Evaluation Program) Extension Bulletin #32; Effectiveness of Managing Visual Objectives under FRPA

"The most restrictive VQOs (Retention and Partial Retention) continue to be at greatest risk for non-achievement. In particular, the Retention VQO, which represents 13% of provincial scenic areas, was achieved 56% of the time. Considering that this VQO is reserved for the province's most visually sensitive and important landscapes, a significant risk exists for visual quality degradation of these landscapes."

"The following administrative practices will improve visual performance outcomes:

- Reviewing Forest Stewardship Plan Results and Strategies to ensure consistency with visual quality objectives and to confirm that they are measurable and verifiable*
- Referencing visual quality objectives as a "result" in Forest Stewardship Plans, as VQOs are a result defined by legislation"*

6. February 2014: FLNRO Visual Resource Management Program Review (VRM Program Review)

The following are some of the highlights found in the 2014 Visual Resource Management Program Review (which should be mandatory reading):

- "ongoing approval of licensee operational exceptions within FSPs, despite legal opinion by the Ministry of Justice to the contrary; the Compliance & Enforcement Program is consequently unable to take cases forward, as stewardship plan wording allows alterations that are greater than the VQOs specify*
- lack of investigation by the Compliance & Enforcement (C&E) Program despite many requests or complaints*
- additional pressure to relax visual objectives in the BC Interior scenic areas, as the forest industry moves into green, beetle free forest to harvest additional wood*
- In many situations in which VQOs were exceeded with obvious infractions, C&E were prevented from moving forward because of enabling wording in the approved FSPs*
- A 2012 review revealed that while 83% of FSP Results/Strategies were written to be consistent with objectives, those commitments were negated in large part by operational exceptions. This was most pronounced in the Southern Resource Area where 90% of FSPs contained operation exceptions.*
- 40% of the Southern Resource Area's Results & Strategies (R&S) were inconsistent with objectives set by government*
- in 2012, the delivery of 3 planned courses (Professional Reliance training) was cancelled at the last minute as a result of lack of support at the Regional Executive Director and Assistant Deputy Minister level. A key factor was that the Ministry staff registered for the courses could not get approval to attend"*

7. Present: Forest Practices Board numerous investigations into non-compliant Visual Quality Objectives, Forest Stewardship Plans (SIR #44), etc.

VQO and Legal Opinion Timeline (cont.)

8. 2016-2017: Assistant Deputy Minister Resource Stewardship Annual Report

“data suggests visual quality value is at risk in this region”

9. March 2017 FLNRO; VRM Program “Managing Change on BC’s Scenic Landscape Training Manual ”

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May 30, 2017

Argenta-Johnsons Landing Working Group

Re: AJL April 14, 2017 Letter – CCC’s 2017-2022 FSP

This letter is Cooper Creek Cedar Ltd’s (CCC) response to the Argenta-Johnsons Landing Working Group’s (AJLG) April 14, 2017 letter regarding CCC’s 2017-2022 Forest Stewardship Plan (FSP).

CCC will not include a chart specific to the Argenta-Johnsons Landing Forest Development Unit (AJL) in the FSP. The FSP is a *Landscape Level Plan* that addresses CCC’s forest management that will be implemented to conserve & protect forest resources over CCC’s entire tenure area, and not specific to any one community, watershed or recreation area. However; as an attachment, CCC will include a chart specific to visual management in the AJL. The chart will serve as a commitment by CCC to AJLG, and the AJL community, of the management practices CCC will implement when managing for visuals in our forest development of the AJL tenure.

From *Dictionary.com*, **practicable** means “capable of being done, effected, or put into practice, with the available means; *feasible*.” **Practicable** is more narrowly defined than **practical**: “*capable of being put into practice*.” In the FSP CCC states that we will refer our development plans to impacted stakeholders and First Nations Bands and that CCC will consider incorporating stakeholders’ and First Nations’ comments when the comments are feasible and can be implemented into the development plans. CCC cannot blindly state that all comments will be implemented into the final Plan because some comments may not be able to be reasonably implemented: ie – zero harvesting, zero visual impact, helicopter log as opposed to constructing road. In the FSP, CCC does commit to replying to all comments to discuss the feasibility of implementing, or not implementing the comments in the final Plan. CCC is required to rationalize when stakeholders’ comments would not be implemented in the final Plan.

Following discussion with the Ministry of Forests, Lands & Natural Resource Operations (MFLNR) regarding CCC not requiring mentioning *exemptions* in the FSP, Cooper Creek Cedar has removed the *exemption* section from the FSP. CCC will expand on *exemptions* in the chart that is specific to AJL.

There are three Visual Quality Objectives (VQO) in the Argenta FDU: Retention, Partial Retention & Modification. The dominant VQOs are Retention and Partial Retention. CCC’s FSP states:

3.6 Objectives set by Government for Visual Quality (FPPR 9.2):

Visual Quality Objectives: Strategy/Practice – to be applied in all FDU’s with VQOs:

When developing a Cutting Permit &/or a Road Permit, CCC will manage to achieve the Visual Quality Objectives set by GAR – Sec 7(2) Order by the District Manager, Kootenay Lake Forest District, March 7, 2014.

It is clear that CCC will manage to *Retention* and *Partial Retention* in the applicable VQO polygons in VJL FDU. This statement is measurable and verifiable.

(Note: Retention: consisting of an altered landscape in which the alteration, when assessed from a significant public viewpoint, is difficult to see, small in scale and natural in appearance. FPPR 1.1.(b)

Partial Retention: consisting of an altered forest landscape in which the alteration, when assessed from a significant public viewpoint, is easy to see, small to medium in scale and natural and not rectilinear or geometric in shape. FPPR 1.1.(c)

As per above, CCC states in the FSP Cooper Creek Cedar will *manage to achieve the Visual Quality Objectives set by GAR – Sec 7(2) Order by the District Manager, Kootenay Lake Forest District, March 7, 2014.* However; you quote in your letter from the *Visual GAR Determination Rationale, KLFD, March 7, 2014, District Manager*”:

I am aware of at least 5 examples within or in the vicinity of the Kootenay Lake TSA where exemptions were requested from existing VQOs, resulting in a more intensive consultation with the public, stakeholders and government. In addition, a very thoughtful and effective visual design was incorporated which ultimately successfully addressed the visual.....within a very visually sensitive corridor. While the economics of such activities will always be a serious challenge to the forest industry, it can be done, and I am confident that, to some extent, it can continue to happen successfully. There are exemption tools, while at the same time incorporating innovative visual design techniques to deal with the challenges of developments within visually sensitive areas.

I also recognize the need for improvements to be made in this area. The FREP Extension Note #32 states that, ‘one of the most effective tools available for managing visual quality is the application of visual design principles.’.....I wish to reiterate to the forest licensees that the good design is paramount to good visual landscape management.

Furthermore percent alteration is not the only tool available to measure to efficacy of visual management. I am strongly encouraging all forest licensees to rely more carefully in sound visual design principle to measure the efficacy of visual management.”

Cooper Creek Cedar supports the District Manager’s rationale. CCC will manage to the designated VQOs, and will rely in “*sound visual design principle to measure the efficacy of visual management.*” Cooper Creek Cedar Ltd’s Forester responsible for forest development and the contracted Qualified Registered Professional (QRP) responsible for completing the VIA will determine whether the visual design meets the designated VQO.

The VIA will be completed by a contracted QRP who has significant experience in visual assessments. The visual simulation is done by a contracted GIS individual with considerable experience in GIS and visual simulation. A picture is taken of the landscape (VQO polygon) from each of the chosen viewpoints and the proposed cutblocks, with the proposed forested retention, is superimposed over the picture to give a picture of the proposed development, including the road systems. The simulation is then assessed (using both percent alteration and visual design principles) and the VIA is evaluated to determine whether the development is consistent with (*meets*) the designated VQO. If the simulation shows the proposed development is inconsistent with (*does not meet*) the designated VQO, then the development is mitigated (*changed – shape, size &/or retention levels are changed*). Another simulation is completed to assess and evaluate whether the proposed development meets (*is consistent*) with the designated VQO. The simulations will be shown to the affected stakeholders.

The amount of stand retention will be determined on a block-by-block basis at the operational stage; therefore CCC cannot state the level of retention that will be used in the forest development. Partial retention will certainly be utilized where applicable, not only to meet visual impacts, but for wildlife, terrain and hydrological concerns. Stand retention, block size &/or shape and utilizing the terrain are the major tools to achieving sound visual design and meeting the designated VQOs.

Road Permits and Cutting Permits can be applied for at any time if the Permits are within the Licensee’s approved FSP/FDU. However; it is the responsibility of the Licensee to ensure the resultant forest operations meet the applicable *Regulations* and the Licensee’s *Results & Strategies* stated in the Licensee’s FSP meet the applicable *Objectives Set By Government*. The visual impact created from road construction is accounted for in the Visual Impact Assessment (VIA) completed for the development.

Cooper Creek Cedar Ltd deems significant viewpoints as public sites that view a landscape for an extended period of time – an altered landscape is visible from a specific public site for an extended period of time. Some examples of significant

viewpoints are: lakes/waterways, beaches, ferry landings, highways where the landscape is viewed for an extended period of time (>1-minute) while travelling at the designated speed limit. (*Significant Viewpoint* is the terminology used in FPPR 1.1) There is no limit to the number of viewpoints that are used. The viewpoints are determined by the QRP responsible for completing the VIA and the Licensee. CCC encourages the public to suggest significant viewpoints they believe should be considered when the Licensee is assessing whether the altered landscape meets the designated VQO; however the final decision of which viewpoints will be used is the Licensees' Professional Forester.

Additions to define Significant Viewpoints:

Proposed definition of a *Significant Viewpoint*: a place or location on the land or water that is accessible to the public, provides a viewing opportunity and has relevance to the landform being assessed.

Example of Significant Viewpoints:

- a stretch of highway leading toward a harvest unit (ie focal view)
- a rest stop
- a recreation site or park
- a group of homes, or settlements
- a tourist-related commercial enterprise

Sincerely

Cooper Creek Cedar Ltd



Bill Kestell, RPF
Woodlands Manager

ATTACHMENT: VISUAL QUALITY OBJECTIVES SPECIFIC TO ARGENTA-JOHNSONS LANDING FOREST DEVELOPMENT UNIT / OPERATING AREA

Note: this attachment is specific to Cooper Creek Ltd's forest development in the Argenta-Johnsons Landing tenure area. The attachment and commitments are not included in CCC's 2016-2022 Forest Stewardship Plan. This is not a legal document, but is a commitment by CCC to manage Visual Quality with the Argenta-Johnsons Landing-Lardeau (Community) communities throughout CCC's forest development in the area.

The following is the latest update of CCC's: **3.6 Objectives set by Government for Visual Quality (FPPR 9.2)** in CCC's FSP that will be submitted for approval to MFLNR. The changes from the original are in "red". The changes have been made to make the *Results & Strategies* more clear. Comments specific to Argenta-Johnsons Landing are in "purple".

3.6 Objectives set by Government for Visual Quality (FPPR 9.2)

The objective set by government in relation to the revised scenic areas and VQO's (Visual Quality Objectives) for the Kootenay Lake TSA that were established March 7, 2014

3.6.1 VQO's Established On February 12, 2014

Visual Quality Objectives (VQO's) and the scenic areas for the Kootenay Lake TSA were revised and established in the District Manager – Selkirk Forest District March 7, 2014 letter (and are subsequently continued under FRPA-Sec 180 & 181 & GAR-Sec 17) that provide VQO guidelines designed to meet the designated Scenic Area objectives for altered landscapes through:

- the March 7, 2014 District Manager – Selkirk Forest District letter identified *known Scenic Areas*, in the Kootenay Lake TSA
- **KBHLP – Objective 9 – Visuals:** to conserve the quality of views from communities, water waterways and major highways by establishing identified areas as *known scenic areas*
- the Kootenay Lake Forest District VQO's are consistent with the scenic areas identified in the KBHLP

Visual Quality Objectives: **Result/Strategy** – to be applied in the Argenta-Johnsons Landing operating area with VQOs:

Result: When developing a Cutting Permit **or** a Road Permit, CCC will manage to achieve the Visual Quality Objectives set by GAR – Sec 7(2) Order by the District Manager, Kootenay Lake Forest District, March 7, 2014.

Strategy: the following practices will be undertaken by CCC when developing a CP &/or RP (**and prior to submitting a CP or RP for approval**) to achieve the VQO established for that area:

A Visual Impact Assessment (VIA) will be carried out by CCC at the planning stage of forest development (Cutting Permit/Road Permit) in an area designated as a *Known Scenic Area*. The VIA will:

- i. review the visual landscape from **significant** viewpoint(s)
- ii. determine the percent alteration on a perspective basis
- iii. describe how the visual design is consistent with the strategies and guidelines described in the *Visual Impact Assessment Guidebook (2nd. Ed., January 2001)* for those areas designated to be in a VQO of Preservation (P), Retention ®, Partial Retention (PR), or Modification (M),
- iv. evaluate the visual alteration of the planned forest development on the affected landscape and, **where the VIA shows the planned development exceeds the prescribed VQO, CCC will modify the planned development using visual design principles to achieve the designated VQO.**
- v. the resultant VIA will be formally reviewed by CCC and the QRP completing the VIA **prior to**

finalizing the visual design and prior to Cutting Permit submission.

CCC will use the following design techniques to mitigate the visual impact on the landscape:

- i. use the existing major terrain features to design boundaries
- ii. design the shape of the block to resemble the natural character of the landscape
- iii. incorporate edge treatments into the design of the cutblocks (ie feathered edges, irregular cutblock design)
- iv. retain stand structure within the block boundaries (ie islands, patches of trees) to mitigate the visual impact
- v. plant the blocks as soon as possible following completion of harvesting operations

- Prior to CCC submitting a Cutting Permit or Road Permit, CCC will complete a VIA. CCC's RPF and the QRP responsible for completing the VIA will assess the visual design to determine whether the resultant VIA meets the designated VQO. Changes to the visual design will continue to be done until CCC/QRP are satisfied the visual design meets the designated VQO.
- CCC will provide the Community with the VIA. The Community will have a minimum of 30 days after the visual design/VIA is submitted to the Community to make comment on the visual design to CCC. CCC will respond to the comments within 15 days of the completion of the comment period and discuss the visual design.
- Note: it is the responsibility of the Cooper Creek Cedar's RPF to determine the final visual design and whether the visual design is consistent with the designated VQO.
- Note: CCC encourages the Community to participate/stay informed in CCC's forest development throughout the process.
- Exemptions: if/when CCC is required to make a request for an exemption to a Regulation or Plan, CCC will manage to *Forest Planning & Practices Regulation: Section 12*. If CCC applies for an exemption to the designated VQOs in the Argenta-Johnsons Landing area, CCC will refer the exemption to the community, and specifically the Argenta-Johnsons Landing Working Group for comments. CCC will refer the proposed exemption for a minimum of 30 days. CCC will discuss all comments regarding the proposed/submitted exemption with the individual/group/stakeholder that submitted the comments.

Bill Kestell

From: marlene johnston [macmar@lardeauvalley.com]
Sent: June-19-17 5:37 PM
To: Bill Kestell
Cc: Edney, George A FLNR:EX; Ian.Wiles@gov.bc.ca; Aimee Watson; Michelle Mungall.MLA; fpboard@bcfpb.ca; Mary Davidson; R Dietrich; Gary Slabaugh; Rhonda Batchelor; marlene johnston; AJL Working Group
Subject: AJL Working Group Input on CCC's FSP 2017-2022
Attachments: AJL Working Group Comments on CCC 2017 - 2022 FSP.pdf; ATT00004.htm

Bill Kestell

Woodland Manager

Cooper Creek Cedar Ltd/Porcupine Wood Products Ltd.

Dear Bill,

This letter and the attached spreadsheet constitutes the AJL Working Group's input and comments on Cooper Creek Cedar's Forest Stewardship Plan for 2017 - 2022. We appreciate the time you have taken to respond to concerns we have already submitted and remind you that several of those matters have not yet been adequately addressed. However this letter and attached spreadsheet doesn't focus on the outcomes of previous discussions. Here we intend to detail areas in the FSP that require further clarification and explanation.

Owing to the unresolved points regarding the FSP, and the ability proposed operations have to significantly impact a landscape and natural environment of vital interest to the AJL Working Group, we now request formal inclusion in the referral process with respect to the Cutting and Road Permit process for the following FDU: Hamill Creek, Grey Horse Ridge, Lake Creek, Upper Duncan and Duncan River, Howser Creek, Healy Creek/Trout Lake, Poplar Creek, as well as the Argenta FDU. As the majority of these FDU's covered by the FSP are upstream of the Argenta FDU, operational impacts within these areas can reasonably be expected to cause potential impacts downstream. Therefore, the AJL Working Group respectfully asserts that it merits Stakeholder status in the upcoming permit issuance processes.

The AJL Working Group has experienced significant challenges in interpreting CCC's intent in the version of the FSP we were provided with. We find it difficult to clearly see all the implications of the language used in the FSP. In general, we find the language unclear. We understand that the FSP is not intended to provide detailed or specific information about operational plans, but do not agree with advice offered by several forest professionals to the effect that we should 'not bother' attempting to understand what an FSP represents to ground level operations. The FSP is a document that gives legal force to the licensee's commitments and so must be written in a way that can be understood by the public, with whom consultation is a legislated requirement for the licensee.

The AJL Working Group is hopeful that CCC intends to surpass the 'minimum legal requirements'. We are encouraged by the clear expectations articulated in the Chief Forester's Guidance Document (2016), FLNRO's District Managers' Expectations Document (2016) and the ABCFP's Guidance on Non-Statutory Expectations. We would be delighted to see CCC demonstrate their understanding and acceptance of these guidelines in their FSP. CCC stated at a meeting in Argenta in June 2016 that it "thinks they (we) can do better." This was definitely encouraging.

The AJL Working Group's letter of concerns from March 2016 clearly articulated our primary concerns, and those concerns remain. We have prepared a spreadsheet with more detailed and specific concerns about the FSP, which we hope you will find helpful.

In addition to our questions and comments in the spreadsheet:

1. If any Amendments, variances, exemptions, etc. are applied for during the period the FSP is in force, that the AJL Working Group and the public be notified and given ample time for public review and comment.
2. The AJL Working Group would like to receive a copy of the submitted Visual section of the FSP when it is submitted to FLNRO for approval.
3. We want to be proactively and meaningfully engaged in the VIA process.
4. That CCC commits to having a completed plan for the entire hillside reviewed and commented upon by affected communities, prior to any road/cutting permit.

The AJL Working Group commits to working collaboratively during the Cutting and Road Permit stages of this process to develop a comprehensive operating plan that clearly and substantively addresses our and others' concerns. We are committed to work with you in good faith and sincerely hope that together we can create something better than just "the minimum legally required".

Further, we want to establish a way of moving forward positively with you, including good effective communication. We believe that the current Information Sharing arrangement is not working as well as it could and we would be happy to discuss possible options when we next meet. Because you committed early, in our first meeting in fact, to engage with us and the communities in meaningful discussions throughout the planning and operations phase of forest development on the Argenta FDU, we would very much like to start that process as soon as possible. We hope to meet with you in the next couple of weeks to formalize how we can best proceed.

Thank you for providing us with an opportunity to review and provide input to CCC's 2017-2022 Forest Stewardship Plan. We hope you find the feedback useful. We look forward to reading the approved FSP and hope it reflects the comments in the spreadsheet.

When we next meet perhaps we could discuss how to move forward on a positive note.

Yours truly,

The AJL Working Group

AJL Working Group Comments on CCC 2017 - 2022 FSP

Page	Section #	Subject of Comment or Report excerpt	Comment	Recommendations
General Comment	N/A	Strategic Fire Interface Hazard Reduction	AJL Working Group commends CCC for its participation in this innovative approach to logging in the Queen's Bay area as part of the CCWPP.	Please show how the RDCK Community Wildfire Protection Plan (CWPP) will be incorporated into CCC's operational plans for the Argenta FDU.
General Comment	Throughout	Vague language, uncertain meaning, unclear commitments	AJL Working Group has struggled to determine the implications of the following words or phrases: - "undertake to comply", "undertake to manage" etc. - "practicable", which was subsequently defined by CCC as "feasible". - "manage to achieve": this phrase appears to commit to managing, not to achieving.	CCC should use clear, unequivocal language that makes CCC's intentions easily understood. This could ensure that outcomes are easily measured and verified during and after implementation of forest activities. Does 'undertake' mean 'to try', or something else? CCC should remove every "undertake" and replace it with a clear commitment to the corresponding objective.
General Comment			It is not clear to the AJL Working Group that CCC has adopted the expectations contained in the Chief Forester's Guidance document (2016) and the FLNRO District Managers' Expectations (2016). The FSP would benefit from CCC's implementation of that Guidance.	CCC should demonstrate how proposed operations conform to the CF and DM Guidance expectations. The AJL working group asks CCC to engage fully with all stakeholders and members of the public throughout the term of this FSP.
1	1.0 Introduction	The FSP is a landscape level plan that specifies results and strategies that must be consistent with the objectives set by government.	Since this is the only document legally required to be reviewed by the public, it should possess sufficient detail and discussion to allow the public to achieve a meaningful understanding of what activity is being proposed on public lands	AJL Working Group acknowledges that the required level of detail will be available during the operational planning phases, as Cutting and Road Permits are prepared. AJL Working Group should be accorded Stakeholder status in the permitting process to facilitate an appropriate level of understanding.
1	2.1 Referral Process	Consider any written comments received that are relevant to the Plan and describe any changes that are made to the Plan as a result of the comments received	It is noteworthy that CCC commits to consider comments, but is not required to provide a response, or an accommodation of any sort.	As noted in the Association of BC Forest Professional's 2009 Guidance for Managing non-Statutory Expectations in Forest Practices, "...if non-statutory expectations advance or promote good forest stewardship, then professional consideration might include these expectations in the plan or activity...the forest professional is responsible to provide a rationale and to advocate for a better understanding of how their plans and actions affect the principles of good forest stewardship." (p. 5). CCC should demonstrate this alignment between plans and good stewardship. The AJL working group recommends the licensee make use of advice provided to RPFs in the 2016 FLNRO FSP Workshop and provide periodic review opportunities that are "predictable and invite a sustained level of engagement".
2	2.1 Referral Process	The FSP does not provide information regarding stand level development. Individuals or interest groups that may be affected by the CCC's forest development of a Cutting Permit &/or a Road Permit can request information specific to this development. CCC will respond to these specific requests by providing maps showing the proposed cutblock and road locations and shapes. The interest group(s) will be given an opportunity to make comment on the development prior to cutting permit application. The interested parties will be given a minimum of 30 days; from the time they were given the maps, to submit written comments. CCC will respond to the request for information from the Stakeholder within 15 days of receiving their comments to discuss their concerns regarding the specific proposed forest development.	The AJL Working Group would like to participate in the review of stand level plans in the Healy Creek, Lake Creek, Poplar Creek, Greyhorse Ridge, Glacier Creek, Hamill Creek, and Argenta FDUs.	Same recommendation as in the General Comment Section above: the AJL Working Group should be granted Stakeholder status in order to participate in the detailed review of each FDU's Operational Plan. The AJL Working Group would be willing to undertake this work individually or in coordination with others in a larger working group.
2	2.2 Forest Development Units	CCC's Primary Forestry Activities (PFAs) must be entirely within approved FDUs	The FDU boundaries and operating area boundaries do not always match on the maps; the operating area is at times outside the FDU boundary.	CCC should ensure that the FDUs and Operating Areas shown on the maps are correct.

Page	Section #	Subject of Comment or Report excerpt	Comment	Recommendations
3 to 4	2.3 Objectives, Results, Strategies, and Practice Requirements (and elsewhere)	CCC will follow the practice requirements stated in Sections 35 and 36 of the FPPR. The objective set by government ... is considered to be achieved when CCC applies these practice requirements when carrying out primary forest activities.	Noting that "compliance is considered to have been achieved" through taking on a practice rather than from results offers little assurance to stakeholders about the full achievement of required objectives. The Association of BC Professional Foresters, in the Summary section of the 2009 "Guidance for Managing non-Statutory Expectations in Forest Practices", states that "...forest management success is no longer measured by just meeting the letter of statutory requirements...Self-regulated professional status in the practice of professional forestry is a privilege granted by government for the purpose of serving and protecting the public's interest." That document also states: "effective management that includes non-statutory expectations will contribute to public trust, good forest stewardship, and forest management success..." (p. 8)	CCC/Porcupine should commit explicitly in the FSP to developing and implementing measures that will achieve the following sound management objectives: -identification and protection of ecologically sensitive areas, such as very wet or dry, steep slopes, complex broken slopes, shallow soils, etc. -protection of wetland, ephemeral streams and other riparian areas; -identification and protection of unique and rare ecosystem habitats; -enhancing the health and fire safety of old growth areas with thinning from below, leaving the oldest healthiest fire resistant species; -strategic maintenance of snags and coarse woody debris to ensure habitat values in operational areas are enhanced.
5 to 7	3.3 Wildlife		Does not identify whether any species of concern are present in the various FDUs. Requirements in the event that there are such species present are described, but not whether or not they will be necessary. Suggests a lack of stand-level baseline.	Prior to any road/cutting permit submission, AJL Working Group recommends that CCC demonstrate how sufficient and appropriate wildlife connectivity and corridors will be maintained.
7	3.3.1 Practice 1 (d)	If any of the species at risk are identified outside the known occurrence sites, the Licensee will notify the Conservation Data Center and inform them about the sighting.	Notify when?	Notification should be immediate.
8	3.4.1 Riparian Areas	CCC will follow the practice requirements stated in Sections 47 to 51 inclusive, 52(2) and 53 of the FPPR. The objective set by government for fish, water, wildlife and biodiversity within riparian areas is considered to be achieved when CCC applies these practice requirements when carrying out primary forest activities	What about the lower class streams including streams? Some are being used by people for their drinking water supply?	CCC should clearly indicate their intentions and level of concern for residents and businesses relying on potentially impacted streams, whether or not water usage is governed by a water licence.
9	3.4.1 Riparian Areas	Practices: Retention of Trees in a Riparian Management Zone	Where will the tree retention be met? Without indicating where tree retention will be met, it would be difficult to enforce the tree requirements.	
9	3.4.1 Riparian Areas	Practices # 2: Retention of Trees in a Riparian Management Zone At the time of planned forest development, CCC's forest development staff and contractors will consider/implement the "Factors" regarding the planned management regime, the type, timing or intensity of the forest activity...	What does 'consider/implement' mean?	
9	3.4.1 Riparian Areas	Practices # 6: "...a QRP will provide a rationale for not meeting the target...provide optional management recommendations."	Will the rationale include a commitment to follow the recommendations of the QRP?	CCC should clarify the purpose of the rationale, and ensure that the recommendations in the rationale are consistent with government objectives.
10	3.4.2 Fisheries Sensitive Watersheds	At the time this FSP was developed, there were no designated "Fisheries Sensitive Watersheds" in CCC's FDUs, therefore the requirement to create a Result/Strategy for this objective does not apply.	The Fisheries Act does not use such designations to control activities around water. If the stream carries fish or contributes to a fishery used by Commercial, Recreational, or Aboriginal fishers, then there are clear prohibitions of negative impacts. Do these prohibitions not apply to CCC's FSP?	CCC should outline the relationship of these works to existing regulatory frameworks beyond those discussed in the FSP in order to demonstrate that appropriate levels of regulatory oversight are in place. The AJL Working Group and Friends of the Lardeau River are in agreement on this approach.
12	3.4.4 Consumptive Use Streams	Result/Strategy #6	How will the licensee determine whether or not a POD is active?	
14	3.5.3 KBHLP Objective 1. Biodiversity Emphasis	CCC will undertake to comply with the Biodiversity Emphasis objective by managing to KLFD's assigned BEO's within each LU.	What does 'managing to' mean?	Use something more definitive than 'managing to', like 'maintain the age class requirements specified for the BEO'.

AJL Working Group Comments on CCC 2017 - 2022 FSP

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14	3.5.3 KBHLP Objective 2. Old & Mature Forests	CCC will undertake to manage the forests within the FDU's under this FSP to the Old & Mature Forest inventory targets stated in KBHLP - Objective 2.	It isn't clear that the targets will be met.	CCC should clearly state that the targets will be met.
14	3.5.3 KBHLP Objective 2. Old & Mature Forests	The Old Growth Management Strategy allows for a Licensee to modify the boundaries of an established OGMA when the Licensees planned development infringes into an OGMA. When CCC harvests timber from an OGMA, a Registered Professional Forester will document the decision in a Supporting Document. The Supporting Document will include the methodology and evaluation for determining the replacement area and will provide a general description of the forest characteristics. The replacement area will contain stand characteristics that provide equal or greater biological values to meet the required Old Forest characteristics. Changes to the boundaries or locations of OGMA's will be mapped and kept on record at CCC.	In your March 27 th response to our concerns for Old Growth retention, you comment that "there is opportunity to modify the OGMA boundary" which implies a different intent than where in the FSP you state "...planned development infringes into OGMA".	<ol style="list-style-type: none"> 1. We ask that there be no trading of OGMA in the Purcell Wilderness Conservancy, the Cariboo No Harvest Zone, the Gar Hazard area or the Hamill Creek corridor. 2. CCC should not use any 'draw downs'; the 14% OGMA retention should be maintained or bettered. 3. CCC should confirm where previous OGMA trading has taken place on the Argenta Face, including Bulmers/Salisbury and the Woodlots. 4. CCC should also confirm what OGMA trading has occurred throughout its entire operating area. 5. In addition to updating their own records, CCC should update the non-legal OGMA layer in the provincial database. 6. AJL Working Group asks that if any OGMA is traded the replacement area must be of equal or better biodiversity value and that a clearly written rationale by a licensed professional biologist be provided.
14	3.5.3 KBHLP (Old Forest Requirement Strategy)	Same passage as above	<ol style="list-style-type: none"> 1. Under what circumstances would this development infringe upon an OGMA? 2. Who determines whether an infringement is justifiable or simply an 'opportunity'? 3. Who will oversee whether the best Old Growth is being retained so that connectivity and high grade habitat are maximized? 3. How is the area of an infringement determined? 4. Are replacement Old Growth areas restricted to the originating Landscape Unit? 5. How are replacements tracked between licensees? 6. How is equal or better old growth determined? 	AJL Working Group requests that CCC provide clear answers to these questions and asks to be included in all planning involving OGMAs.
15	3.6.1 Objectives set by Government for Visual Quality		Cooper Creek Cedar should go beyond the default practice to meet VQOs.	<p>CCC should commit to achieve the VQOs and to doing better than just meeting minimum requirements.</p> <p>AJL Working Group encourages CCC to see this as an opportunity to maintain our spectacular views by not pushing the thresholds of what might be allowed.</p>
15	3.6.1 Objectives set by Government for Visual Quality	Result: When developing a Cutting Permit or a Road Permit, CCC will manage to achieve the Visual Quality Objectives set by GAR – Sec 7(2) Order by the District Manager, Kootenay Lake Forest District, March 7, 2014	<p>Why say "manage to achieve", and why say "when developing a CP or RP"?</p> <p>'Manage to achieve' could make enforcement difficult if management efforts were made, and the VQO after harvesting was not achieved.</p>	AJL Working Group wants a clear commitment that all completed harvesting and road building will achieve the VQO.
15	3.6.1 Objectives set by Government for Visual Quality	Strategy: the following practices will be undertaken by CCC when developing a CP &/or RP (and prior to submitting a CP or RP for approval) to achieve the VQO established for that area:	<p>Why is the VIA a strategy and not a practice?</p> <p>If the result is clearly specified in the earlier section, also having a strategy could lead to confusion over precedence. What happens if you follow the strategy but don't achieve the result?</p>	Please clarify.

AJL Working Group Comments on CCC 2017 - 2022 FSP

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15	3.6.1 Objectives set by Government for Visual Quality	A Visual Impact Assessment (VIA) will be carried out by CCC at the planning stage of forest development (Cutting Permit/Road Permit) in an area designated as a Known Scenic Area.	Will there be one VIA for each FDU? What are the boundaries for the Scenic Area?	AJL Working Group asks that: 1) all available tools be utilized to provide excellence in visual design, in addition to relying on visual simulation 2) CCC provide an accurate map showing the current boundaries of all Scenic Areas.
15	3.6.1 Objectives set by Government for Visual Quality	The VIA will describe how the visual design is consistent with the strategies and guidelines...for those areas designated to be in a VQO of Preservation (P), Retention (R), Partial Retention (PR), or Modification (M)	If one assumes that the Visual Impact Assessment evaluates the design and finds that it does meet the VQOs, then how will the VIA be implemented and then monitored during forest development?	CCC should clarify how they will monitor forest activities during operations to ensure those activities are consistent with the VIA.
15	3.6.1 Objectives set by Government for Visual Quality	significant viewpoint	-"significant public viewpoint" CCC's definition does not seem consistent with the VRM Training Manual which states, "A significant public viewpoint means: a place or location on the water or land that is accessible to the public and has relevance to the landscape being assessed". The training materials also indicate that these areas and their importance could be determined by discussions between the proponent, government, and stakeholders.	AJL Working Group asks that CCC's definition of a "significant public viewpoint" be consistent with the VRM recommended definition.
16	3.6.1 Objectives set by Government for Visual Quality	CCC will apply for an exemption under Sec 12(7) of FPPR. Instances where not meeting the established VQO for an area	We appreciate that you have removed the 'self-exemption' from the FSP Visual Section and made some other improvements	We request that before any exemption, exception, amendment, variance, etc is applied for that the AJL Working Group and the public be given ample time for review and comment.
17	3.7 Cultural Heritage Resources	CCC commits to discussions with the appropriate First Nations, as identified in the CAD database..." CCC will refer the specific development to the affected First Nations.	What CAD database? Do you mean the government database of traditional territories? Are affected First Nations those in the database?	Please be more specific. Define what 'affected' means.
18	4.1 Invasive Plants	Reseed ..., or other approved erosion control vegetation.	What is "other approved erosion control vegetation"? Do you mean erosion control mixture?	Specify erosion control mixes that do not have a higher proportion of weed seeds.
19	4.3 Recreation	When planning forest development...the following management strategies will be implemented...	Does the catch-all strategy meet the objectives listed for each of the trails? If not, is a separate strategy required for each rec site?	
Appendices	Affected Stakeholders			The list of Affected Stakeholders should be edited to include the AJL Working Group.

AJLWG - Letter 3 - CCC Response

June 23, 2017

Agenta-Johnsons Landing Working Group

See Cooper Creek Cedar Ltd's comments to your June 19, 2017 email. CCC has responded to the four bullets in "Red" below and included a word document with each bullet from your spreadsheet answered.

From: marlene johnston [mailto:macmar@lardeauvalley.com]

Sent: June-19-17 5:37 PM

To: Bill Kestell

Cc: Edney, George A FLNR:EX; Ian.Wiles@gov.bc.ca; Aimee Watson; Michelle Mungall.MLA; fpboard@bcfpb.ca; Mary Davidson; R Dietrich; Gary Slabaugh; Rhonda Batchelor; marlene johnston; AJL Working Group

Subject: AJL Working Group Input on CCC's FSP 2017-2022

Bill Kestell

Woodland Manager

Cooper Creek Cedar Ltd/Porcupine Wood Products Ltd.

Dear BILL,

This letter and the attached spreadsheet constitutes the AJL Working Group's input and comments on Cooper Creek Cedar's Forest Stewardship Plan for 2017 - 2022. We appreciate the time you have taken to respond to concerns we have already submitted and remind you that several of those matters have not yet been adequately addressed. However this letter and attached spreadsheet doesn't focus on the outcomes of previous discussions. Here we intend to detail areas in the FSP that require further clarification and explanation.

Owing to the unresolved points regarding the FSP, and the ability proposed operations have to significantly impact a landscape and natural environment of vital interest to the AJL Working Group, we now request formal inclusion in the referral process with respect to the Cutting and Road Permit process for the following FDU's: Hamill Creek, Grey Horse Ridge, Lake Creek, Upper Duncan and Duncan River, Howser Creek, Healy Creek/Trout Lake, Poplar Creek, as well as the Argenta FDU. As the majority of these FDU's covered by the FSP are upstream of the Argenta FDU, operational impacts within these areas can reasonably be expected to cause potential impacts downstream. Therefore, the AJL Working Group respectfully asserts that it merits Stakeholder status in the upcoming permit issuance processes.

The AJL Working Group has experienced significant challenges in interpreting CCC's intent in the version of the FSP we were provided with. We find it difficult to clearly see all the implications of the language used in the FSP. In general, we find the language unclear. We understand that the FSP is not intended to provide detailed or specific information about operational plans, but do not agree with advice offered by several forest professionals to the effect that we should 'not bother' attempting to understand what an FSP represents to ground level operations. The FSP is a document that gives legal force to the licensee's commitments and so must be written in a way that can be understood by the public, with whom consultation is a legislated requirement for the licensee.

The AJL Working Group is hopeful that CCC intends to surpass the 'minimum legal requirements'. We are encouraged by the clear expectations articulated in the Chief Forester's Guidance Document (2016), FLNRO's District Managers' Expectations Document (2016) and the ABCFP's Guidance on Non-Statutory Expectations. We would be delighted to see CCC demonstrate their understanding and acceptance of these guidelines in their FSP. CCC stated at a meeting in Argenta in June 2016 that it "thinks they (we) can do better." This was definitely encouraging.

The AJL Working Group's letter of concerns from March 2016 clearly articulated our primary concerns, and those concerns remain. We have prepared a spreadsheet with more detailed and specific concerns about the FSP, which we hope you will find helpful.

In addition to our questions and comments in the spreadsheet:

1. If any Amendments, variances, exemptions, etc. are applied for during the period the FSP is in force, that the AJL Working Group and the public be notified and given ample time for public review and comment.

CCC will include the AJLWG in CCC's formal Cutting Permit &/or Road Permit Referral process. This referral process will be the same as the First Nations referral process discussed in the FSP.

2. The AJL Working Group would like to receive a copy of the submitted Visual section of the FSP when it is submitted to FLNRO for approval.
CCC will forward the VQO section of the FSP Submitted for Approval – the final VQO section.
3. We want to be proactively and meaningfully engaged in the VIA process.
CCC will refer the VIA to the AJLWG, as well as stating the viewpoints, as committed in CCC's recent response to AJLWG's April 4, 2017 letter.
4. That CCC commits to having a completed plan for the entire hillside reviewed and commented upon by affected communities, prior to any road/cutting permit.
CCC will not make this commitment at this time. CCC has not done enough development work on the face unit to commit to a plan for the entire hillside. CCC will discuss the scope of their development as CCC acquires more information of the Argenta-Johnsons Landing area.

The AJL Working Group commits to working collaboratively during the Cutting and Road Permit stages of this process to develop a comprehensive operating plan that clearly and substantively addresses our and others' concerns. We are committed to work with you in good faith and sincerely hope that together we can create something better than just "the minimum legally required".

Further, we want to establish a way of moving forward positively with you, including good effective communication. We believe that the current Information Sharing arrangement is not working as well as it could and we would be happy to discuss possible options when we next meet. Because you committed early, in our first meeting in fact, to engage with us and the communities in meaningful discussions throughout the planning and operations phase of forest development on the Argenta FDU, we would very much like to start that process as soon as possible. We hope to meet with you in the next couple of weeks to formalize how we can best proceed.
CCC remains committed to engaging with the Argenta-Johnsons Landing communities & the AJLWG throughout CCC's development. CCC agrees the current arrangement requires some work. CCC has met/discussed with AJLWG as a group and individually for some time now, and CCC questions if the significant time spent meeting individually and as a group, phone conversations and emails, by all parties, has been productive. This process needs to be productive for all parties to continue.

Thank you for providing us with an opportunity to review and provide input to CCC's 2017-2022 Forest Stewardship Plan. We hope you find the feedback useful. We look forward to reading the approved FSP and hope it reflects the comments in the spreadsheet.

When we next meet perhaps we could discuss how to move forward on a positive note.

Yours truly,

The AJL Working Group

AJL Working Group Comments – CCC FSP 2017-2022
CCC’s Response

General Comment – Strategic Fire Interface Hazard Reduction

There is no plan to incorporate the current RDCK CWPP for the Argenta-Johnsons Landing (AJL) area into CCC’s plans. CCC understands that John Cathro has submitted (or about to submit) the plan for approval. CCC does not have any ongoing development plans at this time to incorporate Cathro’s plan into. CCC will not commit to implementing CWPP plans into CCC’s development. CCC acknowledges the importance to incorporate fire mitigation plans into forest development plans. CCC has been discussing fire mitigation with other professionals in the field of fire mitigation, and intend to consult with them, and John Cathro, at the time of CCC’s forest development.

General Comment – Vague Language

CCC has defined “practicable” in a previous letter the Argenta-Johnsons Landing Working Group (AJLWG).

“Undertake to Comply” – make every effort to comply with the *Objectives*

“Manage to Achieve” – make every effort in the management of the forest development/operations to achieve the *Objectives/Results*

General Comment – Stakeholder Engagement

CCC *continues* to commit to engaging with the communities of Argenta-Johnsons Landing-Lardeau throughout CCC’s forest development process.

Introduction – AJLWG Referral

CCC will include AJLWG in the “formal referral process”, as per First Nations conditions stated in the **Section 3.7 Cultural Heritage Resources** in CCC’s FSP, in CCC’s future forest development in Healy Ck, Lake Ck, Poplar Ck, Greyhorse Ridge, Glacier Ck, Hamill Ck & Argenta FDU.

Referral Process

The following statement is included in **Section 2.1 Referral Process of CCC’s FSP**: “The interested parties will be given a minimum of 30 days; from the time they were given the maps, to submit written comments. *CCC will respond to the request for information from the Stakeholder within 15 days of receiving their comments to discuss their concerns regarding the specific proposed forest development*”. CCC receives some comments to the FSP that do not result in a material change to the FSP – this is CCC’s decision. All comments *specific to the FSP* are submitted with CCC’s *FSP Submission for Approval* to MFLNRO – the comments & CCC’s responses are considered by the Delegated Decision Maker in the FSP approval process.

Referral Process

CCC will include AJLWG in the “formal referral process”, as per First Nations conditions stated in the **Section 3.7 Cultural Heritage Resources** in CCC’s FSP, in CCC’s future forest development in Healy Ck, Lake Ck, Poplar Ck, Greyhorse Ridge, Glacier Ck, Hamill Ck & Argenta FDU.

Forest Development Units

There are numerous mapping data sources in the province, and the mapping data does not always matchup: ie Parks data does not match perfectly with the Landscape data, height-of-land (that generally serves as unit boundaries) are not always determined to be in exactly the same location. The FDU boundaries are CCC’s legal areas of operations.

Practice Requirements

“Requirements” is the last word in the phrase. The *Practices* are the management practices/processes/operations that will be instituted to meet the *Results*. The *Results* are measurable, not the *Practices*.

Wildlife

These concerns will be addressed at the operational stage and the requirements to protect wildlife will be stated in the specific Site Plan(s).

Species at Risk

The Conservation Data Center will be identified immediately if a species at risk is identified outside the known occurrence sites/area.

Riparian Areas

Section 3.4.1 Riparian Areas & FPPR Sec 52(1) – Retention of Trees in a Riparian Management Zone in CCC's FSP state the management of all creeks, regardless of whether the stream/creek has a licensed water license on it.

Riparian Area

'Riparian Area' is the area immediately adjacent to creeks, streams, wetlands & lakes – both sides; therefore the trees will be retained in the area adjacent to the creeks, streams, wetlands & lakes – both sides.

Riparian Area

Consider – assess the area during the Riparian Assessment and implement the appropriate "Factors" from a list of "Factors" in the development of the area and the subsequent primary forest activity.

Riparian Area

Yes – the recommendations will be included in the forest practice. The QRP's rationale will be stated in the Site Plan specific to the riparian area.

Fisheries Sensitive Watersheds

The following is CCC's response to Friends of the Lardeau River regarding this comment: "As stated in the FSP, there are no "Fisheries Sensitive Watersheds" in the FDU's covered in CCC's FSP. As per above, CCC recognizes the impacts of operating adjacent to fish-bearing & non-fishbearing streams & creeks, and has described the forest practice to maintain the existing stream integrity."

CCC will follow the regulatory framework presented to them by the appropriate regulatory agency.

Consumptive Use

CCC physically investigates each POD to determine if there is a structure in place at the designated location of the identified POD. If there is a structure, CCC assumes the POD is active.

Biodiversity Emphasis

Managing: to bring about or succeed in accomplishing – during CCC's management/development of planned forest activities, CCC will manage to meet the specified biodiversity targets.

Old & Mature

The "Targets" are measurable; therefore measuring the resultant age classes will determine if the targets are met.

OGMA

1. The Purcell Wilderness Conservancy, Caribou No-Harvest Zones, Gar Sec 16 Reserve are **reserves** that are intact as mapped – there will be no trading of OGMA in these areas.
2. There will be no drawdowns – the total designated OGMA area will be retained
3. The current OGMA mapping is the area CCC will manage to
4. CCC made a OGMA area trade in the Queens Bay FDU
5. As per the FSP: "Changes to the boundaries or locations of OGMA's will be mapped and kept on record at CCC."
6. As per the FSP: "The Old Growth Management Strategy allows for a Licensee to modify the boundaries of an established OGMA when the Licensee's planned development infringes into an OGMA. When CCC harvests timber from an OGMA, a Registered Professional Forester will document the decision in a Supporting Document. The Supporting Document will include the methodology and evaluation for determining the replacement area and will provide a general description of the forest characteristics. The replacement area will contain stand characteristics that provide equal or greater biological values to meet the required Old Forest characteristics."

OGMA

1. Access requirement, logical block boundary, forest health, blowdown, fire
2. The Professional responsible for the development
3. The Professional responsible for the development & the QRP involved in the development & responsible for ensuring the connectivity & habitat targets are maintained
4. By the proposed development – ie area/length of road, area of forest health concern
5. Yes – the OGMA is Landscape Unit specific
6. The Licensee altering the OGMA is responsible to track/map the area. In instances of shared LU, the Licensees in the LU are responsible to ensure they are using the most up-to-date information/mapping
7. Determined by the QRP proposing the replacement: As per the FSP: “The Old Growth Management Strategy allows for a Licensee to modify the boundaries of an established OGMA when the Licensees planned development infringes into an OGMA. When CCC harvests timber from an OGMA, a Registered Professional Forester will document the decision in a Supporting Document. The Supporting Document will include the methodology and evaluation for determining the replacement area and will provide a general description of the forest characteristics. The replacement area will contain stand characteristics that provide equal or greater biological values to meet the required Old Forest characteristics.”

CCC will refer any proposed changes to the established OGMA for comments, but AJLWG will not be asked to be involved in OGMA planning.

Visuals

When developing a Cutting Permit **or** a Road Permit, CCC will manage to achieve the Visual Quality Objectives set by GAR – Sec 7(2) Order by the District Manager, Kootenay Lake Forest District, March 7, 2014. The measurable result is the determination of whether the VQO was met.

Visuals

The *enforceable* measure is whether the designated VQO was met, and this is a non-conformance with a penalty if the VQO is not met. CCC will “*manage to achieve*” – will develop the CP/RP with meeting the designated VQOs as one of the objectives of the development. The forest development develops Cutting Permits & Road Permits (not sure of your question?). CCC has made the commitment to manage to the designated VQO in the FSP. The visual result is objective – not everyone agrees the resulting impact meets the VQO – as per the DM’s rationale for designating VQOs in the Argenta area you included in your April 14th letter – managing VQOs to *sound visual design*.

VIA

The *Visual Impact Assessment* is a tool to use, prior to any primary forest activity occurs, to assess the visual impact of the proposed development. CCC will monitor the harvesting & road building, and changes to the proposed cutting can be made if there is a concern the designated VQO is not going to be met.

If the resultant VQO is not met, AJLWG has the right to challenge the resultant with MFLNRO & initiate an investigation.

VIA

A VIA is completed for each Cutting Permit, which includes the roads proposed, and existing openings. The boundaries of the scenic areas are the identified VQO polygons on the FDU map. CCC will utilize all the tools (VIA, sound visual design practices, monitoring the harvesting operations) to ensure the designated VQOs are achieved.

VIA

The VIA simulates the development of the CP – blocks shapes, sizes, timber retention of all blocks & roads in the CP – that is prescribed, and the cutting specs in the VIA dictate the cutting specs on the ground. The harvesting is monitored by watching the visual impact from a designated viewpoint, and making adjustments to the cutting pattern, retention as the operation proceeds.

Significant Viewpoint

As per CCC's response to AJLWG's April 4th letter & revision:

Cooper Creek Cedar Ltd deems significant viewpoints as public sites that view a landscape for an extended period of time – an altered landscape is visible from a specific public site for an extended period of time. Some examples of significant viewpoints are: lakes/waterways, beaches, ferry landings, highways where the landscape is viewed for an extended period of time (>1-minute) while travelling at the designated speed limit. (*Significant Viewpoint* is the terminology used in FPPR 1.1) There is no limit to the number of viewpoints that are used. The viewpoints are determined by the QRP responsible for completing the VIA and the Licensee. CCC encourages the public to suggest significant viewpoints they believe should be considered when the Licensee is assessing whether the altered landscape meets the designated VQO; however the final decision of which viewpoints will be used is the Licensees' Professional Forester.

Additions to define Significant Viewpoints:

Proposed definition of a *Significant Viewpoint*: a place or location on the land or water that is accessible to the public, provides a viewing opportunity and has relevance to the landform being assessed.

Example of Significant Viewpoints:

- a stretch of highway leading toward a harvest unit (ie focal view)
- a rest stop
- a recreation site or park
- a group of homes, or settlements
- a tourist-related commercial enterprise

Exemptions

As per CCC's revision to AJLWG's April 14th letter:

- Exemptions: if/when CCC is required to make a request for an exemption to a Regulation or Plan, CCC will manage to *Forest Planning & Practices Regulation: Section 12*. If CCC applies for an exemption to the designated VQOs in the Argenta-Johnsons Landing area, CCC will refer the exemption to the community, and specifically the Argenta-Johnsons Landing Working Group for comments. CCC will refer the proposed exemption for a minimum of 30 days. CCC will discuss all comments regarding the proposed/submitted exemption with the individual/group/stakeholder that submitted the comments.

First Nations

CCC refers to the CAD database (public version of the government website). CAD identifies all the Bands with interests in specific areas in BC. CCC refers its proposed development to *all* the Bands identified in CAD within the area of proposed development. CCC contends all the Bands identified with interests in the areas of development may be "affected" by the proposed development.

Invasive Plants

"other approved erosion control mix" means CCC will use any approved erosion control plants/seeds that are available to control invasive plants.

Recreation

Yes – the strategies are expected to retain the integrity of the trails.

Affected Stakeholders

AJLWG has been added to the list of Affected Stakeholders

Prepared by:

Bill Kestell, RPF, Woodlands Manager

Cooper Creek Cedar Ltd

June 23, 2017

Bill Kestell

From: Tom Bradley - WKWA [tomb@netidea.com]
Sent: March-16-17 10:16 AM
To: Bill Kestell
Cc: 'Brian McNaughton'
Subject: Re: CCC FSP

Bill:

Thank you from the WKWA for the consideration. We greatly appreciate the specific exclusion.

I will inform our members.

Sincerely,

Tom

On 16/03/2017 8:58 AM, Bill Kestell wrote:

> Tom: CCC did not intend to include the area-based tenures,
> specifically Woodlots & Community Forests, in our FSP/FDU's as areas we
> would manage for forest development. I have added the following text to the FSP:

>
> "Cooper Creek Cedar's FSP & FDU's exclude all actively managed
> area-based tenures including Community Forests, Woodlots, Tree Farm
> Licenses and Pulpwood Areas."

>
> I trust this addresses your concerns. Please notify me if you still
> have concerns.

>
> -----Original Message-----

> From: Tom Bradley [<mailto:tom@sifco.ca>]
> Sent: March-13-17 5:54 PM
> To: Bill Kestell
> Cc: Brian McNaughton
> Subject: Re: CCC FSP

>
> Hi Bill:

>
> I assume that the referral is re: Woodlots?

>
> If I read your Argent map correctly, your FDU boundary encompasses woodlots.

>
> I do not see an entry in FSP text that says "Active Woodlot Licenses
> are excluded from the FDU." We think that text based exclusion should be made.

>
> FRPA 5 states that

>
> (2) A forest stewardship plan must be consistent with timber
> harvesting rights granted by the government for any of the following
> to which the plan applies:

>
> (a) the timber supply area;

Bill Kestell

From: Tom Bradley [tomb@netidea.com]
Sent: March-16-17 10:23 AM
To: Peter Mcallister; Chris Choquette; Richard Brenton; Donald Kirk; Gary Burns; Rocky Hawes; Noel Weldon; Greg Sahlstrom; Hugh Watt; Jeff Mattes; Duncan Lake; Stuart Deverney; Kelly Robertson; connorchaseclover@hotmail.com; Rainer Muentner; Bob Sahlstrom; thomson.wells6@gmail.com; Peter Schroder; louwerseb@yahoo.com; Brent Petrick; Bernie Clover; George Delisle; Mike Pascuzzo; Ian Grindle; Randy Foggin; Rick & Lorraine Aldrich; Laurel Raynell Posnikoff; Greg Sahlstrom; Carol Moore
Cc: Brian McNaughton
Subject: FSP Events

Hi Guys:

Cooper Creek Cedar also published a proposed FSP in which the FDU maps included all Woodlots within the FDU areas.

I contacted Bill Kestell and asked that WL be excluded from the FDUs by adding some language to the FSP text.

Bill agreed, and WL are now out of the Cooper Creek FSP FDUs.

Concern addressed promptly and professionally. Very positive outcome.

If only they all went so smoothly.

Tom

Comments on Cooper Creek/Porcupine Wood Products
Forest Stewardship Plan 2017-2022

June 19, 2017

Bill Kestell
Cooper Creek/Porcupine Wood Products
Box 850, Salmo, BC
coopercreek@porcupinewood.com

Hello Mr. Kestell,

My Name is Bob Yetter. By way of a short introduction, I have lived as a full-time resident of Johnsons Landing for the past 18 years on a few acres which I own outright with my wife. We live in a self-built home made from trees we felled and milled on a small bandsaw mill. I currently make a living doing maintenance and carpentry work in the area, along with other woodwork projects.

I am not a forester by trade or training, but prior to moving here, I did work from 1986-1999 at the University of Montana School of Forestry. During those years we lived on 20 acres of Ponderosa/Fir forest, upon which we did some forest management work and logging.

So, having some familiarity with the work, I am not opposed to logging as a general statement. I have done some, and know it can be done well. With the greater benefit and health of the forest in mind, the land, trees and wildlife respond well to such activities.

However, I also see the contemporary, and heavy-handed, approach to forestry which clearly has the bottom line financial result as the primary incentive. Knowing the difference, and the potential for how it can be done so much better, makes it hard to approve of today's commercial version of industrial forestry.

A suggestion

That being said, the forests along the "Argenta/Johnsons Landing Face" (which is my primary, but not only concern here), have been neglected from natural thinning and fuel control by some 100 years of fire suppression. They are now,

in my opinion seriously crowded and in need of thinning for both the sake of forest health, and for fire suppression concerns. Living in a community with urban-forest interface, and having a little fire suppression training, I am well aware of the potential fire danger to this area, my community, and home.

I see no mention of fire hazard considerations regarding the contiguous Purcell Wilderness Conservancy, or the local nearby communities, and would like to see this important issue considered in the FSP, from the perspectives of fuel reduction treatments in the forest, increased human access due to roadbuilding, and regarding increased fire danger from the burning of slash and other logging activities.

Doing nothing is not really a satisfactory response to the current fire danger of this area, but neither is clearcutting and excessive forest removal (as you no doubt know, research has shown the due to faster drying conditions and increase heat and wind, wildfires are often exacerbated by clearcuts). It seems to me that there is too much of an all or nothing approach these days, wherein the forest is 'preserved' and untouched, or in contrast, available for 'management' and subjected to overly harsh commercial logging.

So, I would like to suggest that you consider a very different than standard approach to logging of this area. Leaving healthy stands of mature trees and the old growth (for future Caribou, and our grandchildren to appreciate), while thinning out the overall forest for health, wildlife, and fire safety, might set a promising standard for future forestry. Such innovative practices are being done elsewhere, and such a management approach in this area of visual, tourism-oriented, and ecological importance (and with such distrust by the local communities), would go a long ways in restoring the image of forestry in the minds of the public.

Given this areas' proximity to the Purcell Wilderness Conservancy and the historic Earl Grey Pass Trail, Fry Creek Trail, the Heart Lake trail, and considering that we live in a time of changing values regarding wildlands use (as well as climate change and other environmental issues), this would seem an appropriate, timely, and visionary approach. I hope you will give it serous consideration, and would like to hear what you think of the idea.

Wildlife

As a hunter and wildlife enthusiast, I am greatly concerned about the habitat for wildlife in this area. Even in the short time I have been here, the number of toads, a sure sign of a healthy ecosystem, have declined substantially.

Sudden and extreme changes to the forest would seem to greatly impact the habitat and welfare of wildlife, so again, a more moderate and ecosystem-friendly approach would be better for all of us.

I note that sec 3.3.1 indicates that "Licensee is exempt from the obligation to prepare results or strategies in relation to the objective set out in Sec 7(1) given the established WHA which address the amount of area required to meet habitat requirements and specifies the GWM to maintain the identified wildlife within those areas. The Cour d'Alene Salamander and Flammulated Owl are the exception,". Can you tell me about the strategies you will undertake for these two species in this area?

Noxious Weeds

Having lived in Montana where noxious weeds were a major problem throughout the state for both wildlife and livestock forage, and having battled them on my own land, I am quite concerned about the introduction of such weeds via soil disturbance and human transfer of the seeds.

I must say that "knock mud from boot treads" offers little confidence that there will be a serious approach to noxious weed management. I would like to know more about how you will manage the extremely serious ecological impact of invasive weeds.

Riparian areas, watersheds, slope stability, road safety, stocking, visual impacts, and climate change considerations

Also important to wildlife and general habitat quality are the riparian areas. Given all the uncertainty of apparent climate change (man-made or natural), it would seem prudent to err on the side of caution regarding future forest health, and to leave a greater-than-required riparian area buffer with more trees remaining. Would you consider such a treatment?

Such increased stream protection would also help with concerns about soil and slope stability in this obviously slide-prone area. I was actually here, at my home on Gar Creek when the 2012 landslide came down. I ran from it, then watched it pass my house. Slope stability issues are not simply some vague concern to add to the list. It took the lives of my neighbors, and barely spared a few others. This is a very real concern for me, and for others in this area.

Road safety is also of paramount importance to us. We live at the end of a 22 kilometer 'dead end' dirt road. It is our only access to and from our homes, and is directly below the steep and unstable slopes where you plan to log. In addition, this road becomes much more dangerous in summer with visitors and tourists driving too fast on the one-lane road. I really can't imagine meeting up with a logging truck on this road with few and far-between pull-outs, and steep drop off on the lake side. How do you imagine dealing with situations where a truck is blocking the single-lane road and there is no safe place, or way, for either vehicle to back up or pass? There seems to be nothing in the FSP regarding road safety in this unique circumstance. This is very important to those of us in Johnsons landing, and really needs to be addressed before actual activities proceed.

I would like to see a greater than usual emphasis on slope stability and geotechnical analysis, as well as watershed protection to reduce any increased likelihood of slope failure and landslides in this area. I would also specifically request that you remove all of the Gar Creek watershed from your planned roadbuilding cutting areas. This is just too serious, and too recent of an event to disregard what the land is telling us.

Given that there was no prior indication that the Gar Creek slide was likely, there are apparently many unknowns about the geology and slope stability of this particular face. As a degree of reassurance to us, as well as for your own benefit, would you be willing to complete terrain stability mapping prior to establishing road routes and cutting areas? It seems, in this case at least, that these matters would be better addressed now, than at some later time.

In all seriousness, I consider any soil disturbing activities in Gar Creek watershed as a direct threat to the lives of myself and community members. For safety sake, and to help reduce our local trauma, would you be willing to remove the Gar Creek watershed from any development activities?

I also have a water license on Gar Creek for drinking water, and am dealing with silty water presently as a result of the slide and the resulting instability of the stream channel, so for that reason as well, I am requesting that you consider removing Gar Creek from any ground disturbing activities.

Stocking standards appear to be status quo, and rather dated given the recent changes to the global climate and perceived changes on the horizon. It would seem prudent to reconsider both species survivability, as well as appropriateness/adaptability, in a changing climate. Would you be willing to update stocking standards for this area which would reflect current projected climate change scenarios?

While logging and resource extraction industries have long been a part of Canada's economy, increasingly tourism and recreational activities are adding significant income and jobs to BC and the Kootenay Lake area. I am concerned that visual quality objectives will not be adequately met, and also wonder about the potential revenue loss from reduced tourism activity from unsightly clearcuts, and hiking views. I would like to see more measurable and verifiable information regarding plans for meeting visual quality objectives. In addition, could there be a cost-benefit analysis done to determine if leaving the forest intact, or thinned without any clearcuts, is more economically viable than clearcutting or heavy commercial logging?

Indigenous cultural/archeological concerns

In my understanding, this land is within the territory of the Ktunaxa. At least some of the area directly below where logging activities are proposed is a distinct cultural site. I think the term is "projectile-factory" where there was encampments and toolmaking going on in the same location for generations. There are significant archeological sites in this area, and no doubt more in the nearby forest areas. I see no mapping of any indigenous cultural areas or archaeology sites in the FSP. This is a potentially rich indigenous cultural heritage area. Can archeological field surveys be undertaken before ground disturbing activities occur?

Process Inaccessibility

Although I realize it is not your system which has been put into place here, I don't know where else I would make these comments. After a complete reading

of your FRP, I have come away with the feeling that the public participation aspect of this endeavor is really in name only, and that there is no real and meaningful public consultation process available.

By that I mean, it seems solely designed to address the government obligations for a FSP. As such there is little relevant detailed, site-specific information about what you are actually planning to do, or where. In many cases the actual matters of concern are referred to as forthcoming in some future documents such as 'cutting permits', road permits', etc. All of which would occur *after* the approval of the FSP, and *after* the public comment period.

In many other cases, the FSP refers to its requirements only as complying with various other documents, such as: "CCC will follow the practice requirements stated in Sections 64 and 65 of the FPPR and Objective 4 of KBHLP. The objective set by government for wildlife and biodiversity at the landscape level is considered to be achieved when CCC applies these practice requirements when carrying out primary forest activities:"

As such there is no specific information here upon which to comment, and obviously a thorough citizen review of all such applicable documents is unrealistic, and probably pointless.

In addition, the numerous acronyms and references to other documents such as: "CCC will undertake to comply with the Biodiversity Emphasis objective by managing to KLFD's assigned BEO's within each LU", renders the FSP basically meaningless and intimidating to the layperson. Similarly, in several places we are referred to other issues which fall under the authority of this or that Ministry or authority which are equally inaccessible.

Further, the maps, which have so many overlays, and such an unclear Legend (unless you are trained in the Forestry lingo), and such vague boundaries as far as what might actually take place and where, are completely confusing and useless beyond the simple recognition of particular areas where you are planning something.

So to me, what is being presented as a "public participation" and "Public Comment" process, may fit the legal requirements for such, but does not actually provide accessible inclusion to the vast majority of the citizenry, who may very well have genuine concerns, and even valuable on-the-ground knowledge of the lands in question.

In short, the process seems broken and ineffective, and out of the range of meaningful public participation. It serves more as a useful incentive for people NOT to become involved, or to become involved in a frustrated manner. In my opinion, this FSP format is confusing, frustrating, intimidating and inaccessible to the average citizen. Any specific comments we may be able to make is done so with the sense that they will be disregarded as easily refutable by the experts in service to the industry.

The FSP document itself seems a combination of vagueness and unnecessary complexity, and something akin to legal-ease. I wish it were more measurable and verifiable, but as it is, I find myself unable to make any meaningful comments regarding actual specific on the ground activities that the FSP is understood to address. If these particular issues cannot be addressed before approval of the project, when can they, and what standing will citizen input have at that time?

Ideological bias

What come across most clearly in this FSP is the cultural and ideological bias behind forest 'Stewardship' and public land use in general.

Stewardship implies taking care of something. Nothing in this FSP leads one to perceive that the objective is to actually take care of the forest. No where do I see anything meaningful regarding true forest health and ecological stability.

Statements such as: "The results and strategies state management practices that will conserve and protect forest resources within the companies' planned area of interest in which harvesting and road construction activities will occur.", are oxymoronic and unconvincing. Claims to be *conserving and protecting* the forest while disturbing the soils, impacting the waterways, removing the canopy and vegetation, altering the local micro-climate, and introducing exotic weeds, comes across as some kind of bureaucratic doublespeak.

All decisions and actions seem first and foremost to appear subject to the primary stipulation that they occur "without unduly reducing the supply of timber from British Columbia forests,". This strongly implies a default to government requirements more attuned to financial management than they are to forest management. It also says rather plainly, that the most important thing

here is to cut trees to generate money, and every other consideration will take a second place. This is not actual forest stewardship, nor even forest management. It seems more along the lines of trying justifying what is actually (socially and ecologically) an unpopular or unacceptable practice.

In part, this bias towards a particular, and long-held belief, that economic interests and generating money is the highest form of good, or the best use of natural resources, is an extremely narrow view of the term 'economy'. Economy also is defined as "the careful management of available resources", and in its original sense, refers to the "responsible management of the household". The 'taking care' that is implied in the origin of this term does not usually mean anything like selling all the house's contents for the greatest amount of money, but rather implies a responsibility towards the best use and care of the things that make life possible, and to the benefit of those living in "the household" and even into their future.

Canada's historical resource extraction trajectory, with its roots in natural resource exploitation via the Hudson's Bay Company, continues to permeate our relationship with the natural world as one of continuous extraction for monetary gain. A true and balanced Forest *Stewardship* Plan would give equal consideration to the non-monetary values of the forests and their contributions to people, cultures, ecology, biodiversity, and the rest of the biosphere. Clearly as deforestation, mining, and other resource extraction practices world-wide alters the ecology, economy, and climate of the planet, we have to ask, how can government and industry begin, not only thinking about other, less impacting, ways to live, but to actually bring these new ways into practice? How are we to 'pause' the status quo activities long enough to consider a different approach?

Cultural/Social/Religious Considerations of landscape

Although this may be outside your normal context in dealing with the non-Native public on forest management issues, it is nonetheless an understanding of the nature of reality that reaches far back into our own Western perspectives of the world. Plato himself, one of our cultures' early and quite significant influences, stated that particular locations possess ecological and spiritual qualities which markedly affect human character development.

To quote:

“...There is a further consideration we must not ignore. Some localities have a more marked tendency than others to produce better or worse men, and we are not to legislate in the face of the facts. Some, I conceive, owe their propitious or ill-omened character to variation in the winds and sunshine, others to their waters, and yet others to the products of the soil, which not only provide the body with better or worse sustenance, but equally affect the mind for good or bad. Most markedly conspicuous of all, again, will be localities which are the homes of some supernatural influence, or the haunts of spirits who give gracious or ungracious reception to successive bodies of settlers. A sagacious legislator will give these facts all consideration a man can, and do his best to adapt his legislation to them.”

Although it may be far outside the realm of mainstream North American culture and worldview, many people, for many generations, have had, what (for lack of a better term), has been called a spiritual relationship with nature and particular landscapes. Places like Iceland, even today give legitimacy to such relationships, as do most indigenous cultures the world over.

There are in the Kootenays in general, and the North Kootenay Lake area as well, a fair number of people who would claim to have some degree or manner of spiritual/religious connection to the land and wildlife and other creatures who share their surroundings.

While they may be shy to admit to this unconventional stance (in our culture at least) in something like a public comment on logging, this sense of a relationship with the natural world where they live is certainly part of the desire present behind people's effort to protect areas of nature.

Is there any place in this process for the perceived infringements on peoples' spiritual/religious freedoms in relation to forests and forest management to be addressed? I do think that like local culture, attachment to the land on these levels is a large part of many peoples' unspoken concerns. That is, they might not wish to be ridiculed for holding beliefs contrary to popular culture, but they hold them just the same, and are affected by any threat or violation to them.

Perhaps this now begins to seem outlandish in a culture unfamiliar with, or unaccepting of such views, but please bear with me, as it might provide some insight into the motivations and passions behind some people's attachment to the land and environment.

We live in a very unique place (Johnsons Landing), within a rather unique region, and within a remarkable country, and in a most interesting and unusual time on the earth. The landscape and its inhabitants (of every kind), as well as the people who live here now, and who have lived here in the past, all greatly influence who we are here, and how we live and perceive the world. How we live, and think, and what is important to us is often, and in many ways, quite different from that of the rest of the world, and even from the rest of BC. It is well known in anthropology, that the landscape forms the people, and with more time the more the people are transformed to a unique expression of the particular area where they live.

While there is undoubtedly a great difference between recognized ethnic, racial and /or tribal group's cohesiveness and their resulting social and cultural identity, and that of the comparatively short-term, mixed-heritage, conglomeration of individuals making up a Kootenays' 'culture', there are nonetheless similarities in shared landscape, worldviews, values, hunting/gathering interaction with the land, life-ways, dietary preferences, environmental ideology, spiritual/religious concepts, and so on.

Further, as more and more distinct groups are being homogenized and assimilated into mainstream electronic consumer cultures, ANY vestiges of a group culture which has some variety in ideology, worldview, and values deserves to be recognized for its unique contribution to humanity and future evolution, and therefore given a similar amount of respect regarding its survival, as any more traditionally defined "culture" receives. Simply put, the cultures of rural communities are different from each other, and from urban and suburban cultures, and from other geographic and continental cultures, and deserve both recognition and protection from exploitation and the various aspects of cultural genocide.

Again, as is well known to anthropologists, area-specific distinctions in a culture derive over time from immersion in the landscape itself. There is clearly a 'collective identity' and culture here that is distinct from other parts of the world, other parts of North America, and even other parts of British Columbia. Indeed the West Kootenay landscape, being the home of this "culture", is a larger land-base than that of many cultural areas throughout the world, where the existence of a more cohesive group culture would go unquestioned.

Although in its infancy as cultures go, it is a culture nonetheless, and it is inextricably tied to its location, which in no small way, includes the land. The

culture of Johnsons Landing, although it shares many attribute with others in our greater culture, is distinct even within the larger North Kootenay Lake culture. This is our unique culture, and even if we would not normally conceive of it as such, most of us would readily recognize what I'm referring to.

Any threat to a people's immediate landscape is a threat to their landscape-oriented culture. Your imprecise plans to alter the landscape we call home, is just such a threat, which might help explain why our response is deeper than might seem otherwise merited. Not having meaningful input or control over what happens to our cultural landscape is both alarming and demoralizing in the least.

Who will give consideration to the impacts of logging activities to the social, religious, and local cultural concerns of the people who call these lands home?

Where does a new generation of Canadians with an ecological conscience - who wish to not have standard industrial logging practices forcibly imposed on their landscape - propose to the status quo industry representatives to reconsider how we might begin to live more sustainably, and respectfully, with the planet?

I appreciate you taking the time to read my thoughts here, and I hope that you will be able to truly hear some of the rather unconventional perspectives included.

Please include these points and comments for consideration of your Forest Stewardship Plan 2017-2022 (FSP) and in all actions deriving from it. I would also like to be considered a stakeholder in this matter, and to receive all related notices.

Thank you,
Bob Yetter
RR1, S4, C6
Kaslo, BC
V0G1M0
robertyetter@gmail.com

cc
george.edney@gov.bc.ca
tim.ryan@bcfpb.ca
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Box 850 Salmo, B.C. V0G 1Z0

Phone: 250/357-9479

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June 28, 2017

Bob Yetter
RR 1, S4, C6
Kaslo, BC V0G 1M0

Re: June 19, 2017 Letter – FSP Comments

Cooper Creek Cedar Ltd (CCC) acknowledges receiving your professionally written letter commenting on CCC's 2017-2022 Forest Stewardship Plan (FSP). CCC provides the following reply:

CCC appreciates your comment that you are not opposed to logging and agrees that forest development needs to be done using sound forest stewardship practices. CCC recognizes the complex landscape and social values associated with the Argenta-Johnsons Landing (AJL) face unit and contend that CCC will develop the area using sound forest stewardship practices managing for the spectrum of forest and social resources.

Cooper Creek Cedar is in discussions with experts in the field of wildfires and wildfire mitigation at a landscape level as a forest development scenario. We can assure you we acknowledge the value of managing for wildfire reduction in the forest development process and will work towards reducing the wildfire risk to the communities in our development. CCC has not completed any forest development to date; therefore there are no plans to provide to the community at this time. However; CCC encourages community engagement with us throughout our forest development.

Wildlife

If during forest development, Cour d'Alene Salamander or Flammulated Owl are discovered, CCC will consult with local wildlife experts regarding the best management practices to use to protect the affected species. The wildlife experts' or qualified professionals' management recommendations will be implemented in the forest development.

Noxious Weeds

CCC contends the most successful practice to minimize the risk of introducing invasive plants into new areas is to reseed exposed mineral soil with approved Canada Common #1 Forage Mixture, or other approved erosion control vegetation as soon as feasible following the forest activity, and to plant harvested blocks as soon as possible following harvesting. The objective is to establish a non-invasive crop to out compete the invasive plants.

Riparian Areas, Watersheds, Slope Stability, Road Safety, Stocking, Visual Impacts, Climate Change

All of the above resources/concerns do require a level of retention, and the level of retention can only be determined at site specific situations; therefore CCC cannot provide you with a general statement that would apply to all the concerns you raise. CCC will make the determination site specifically at the forest development phase. CCC will contract qualified professionals to assess the site and will implement their recommendations of how to best manage the resource/concern. CCC has contracted a professional geotech to assess the terrain stability of the development area – the terrain specialist is already conducting terrain assessments in the AJL area. There is a Section 16 Reserve around Gar

Creek and the slide area – CCC does not have any intention of infringing into the reserve area. The reserve is shown on the Argenta FDU map.

In instances where CCC's Silviculture Forester believes current stocking standards do not adequately provide for the most suitable establishment of the next plantation, the stocking standards will be amended to a more suitable prescription. CCC does not believe there is currently a proven correlation between a stocking standard and climate change. This may evolve over time, and CCC will consider new information supporting changes in stocking standards to address climate change in future prescriptions.

Cooper Creek Cedar recognizes and appreciates the benefits of tourism to the north Kootenay Lake area, both economically and socially. CCC has, and will continue to work with the tourist industry to minimize the impact on either industry and to foster the growth and stability of both industries.

CCC recognizes there is a real concern with industrial traffic and local traffic on the existing road. CCC does not have a solution at this time, but commits to working with the community and Highways to find a workable and safe solution to use of the main access road.

Indigenous Cultural/Archaeological Concerns

At an early stage in CCC's Cutting Permit development, CCC refers to the archaeological mapping for the Kootenay Lake District to determine identified archaeological polygons that are adjacent to proposed cutblocks and roads. Where archaeological polygons are adjacent to proposed development, CCC will have an Archaeological Overview Assessment completed by qualified professionals, and their recommendations regarding the disturbance of potential archaeological sites will be implemented in the subsequent development. This process occurs *prior* to primary forest activity occurring.

Process Inaccessibility

CCC does not have the authority to make the changes to the FSP process you are dissatisfied with. CCC needs an approved Forest Stewardship Plan to operate and this requires preparing a legal document that meets the legal requirements of the FSP. However, CCC has committed to engaging with the AJL community throughout our forest development. Although this engagement is not "legal", CCC contends this commitment is a binding agreement with CCC and the community to information share our development. Currently the communication forum is through updates in the local LINKS website. CCC is agreeable to discuss and institute alternative communication forums at the community's suggestion.

Cultural/Social/Religious Considerations of Landscape

I found your discussion interesting and you raise many good points. CCC's response is that we as a company and, more importantly, as individuals with families who also live in the Kootenays appreciate where we live. In the June 2017 public meeting CCC had in Argenta to introduce ourselves to the AJL community, I commented that, although the community contends that Argenta-Johnsons Landing is a unique community, no one in the room feels more strongly about their home than my family and I feel about our Harrop home. My wife & I built our home and raised a family in the forty years we have lived in Harrop. CCC respects the discomfort and concern the AJL people feel in CCC's plans to develop in your community. CCC's objective is to consult with the community, share our development strategies, listen to individuals' constructive concerns and develop a strategy that will maintain the integrity of the community.

Sincerely

Cooper Creek Cedar Ltd

Bill Kestell, RPF
Woodlands Manager

Bill Kestell

From: Bill Kestell [bkestell@shaw.ca]
Sent: March-16-17 9:32 AM
To: 'MacRae, Catherine FLNR:EX'
Subject: RE: Cooper Creek Cedar Ltd FSP

Catherine: thank you for your comments and the FPB report. I will relook at Sec 4.1 Invasive Plants and make the appropriate changes in regards to the report. If you don't mind, I would like to send you my revised Sec 4.1 to get your comments prior to our final submission??

From: MacRae, Catherine FLNR:EX [<mailto:Catherine.MacRae@gov.bc.ca>]
Sent: March-14-17 1:01 PM
To: Kestell, Bill FOR:IN
Subject: RE: Cooper Creek Cedar Ltd FSP

Hi Bill – I have only looked at Section 4.1 Invasive Plants. The Forest Practices Board report *Forest Stewardship Plans: Are They Meeting Expectations?* of August 2015 identified four components of good measures for invasive plants. They are planning, training, prevention and reporting. You have included wording around the planning and prevention pieces, however, I do not see anything relating to training or reporting. I have attached our considerations document which gives some examples of measures you may want to consider including.

My suggestion around seeding is to seed immediately following harvesting if possible; you will have a better catch than if you wait until a crust has formed. I suggest that you always request the certificate of seed analysis for the mix you are thinking of using before it is mixed and that you reject any seed that contains invasive plants; see attached MOTI handout. I also suggest you incorporate a reporting measure such as all your staff and woodlands contractors will download the Report-A-Weed app to their phones and iPads and report new infestations or species they don't recognize during the course of their work.

Catherine MacRae, P.Ag.
Invasive Plant Specialist
Ministry of Forests, Lands and Natural Resource Operations
1907 Ridgewood Road
Nelson, BC V1L 6K1
250 825-1159

From: Bill Kestell [<mailto:bkestell@shaw.ca>]
Sent: Monday, March 13, 2017 1:47 PM
To: Kestell, Bill FOR:IN
Subject: Cooper Creek Cedar Ltd FSP

Cooper Creek Cedar Ltd is referring our 2017-2022 Forest Stewardship Plan to you for your review and opportunity to submit comments regarding the Plan. This submission includes:

- 2017 FSP Referral Letter
- 2017 FSP Document – Referral Document

You will be invited to join CCC's Dropbox to view the FDU maps. Please contact me if you have problems accessing the document or the FDU maps.

Bill Kestell, RPF

Celia Cheatley

May 5, 2017

Box 1243 Kaslo, BC V0G 1M0

Cooper Creek Cedar
Box 850
Salmo, BC V0G 1Z0

Dear Cooper Creek Cedar folks,

I am writing in response to your plans for logging in the Argenta area. I am a former resident, now living in Kaslo.

I believe that it is possible to make logging a benefit for all if it is done in a manor that leaves the land in a state from which Nature can quickly recovery. New approaches can be taken so that we benefit from our forests now and in the future.

I have the following concerns that I do not find addressed, either to my satisfaction, or perhaps my comprehension, in your Forest Stewardship Plan. Also questions for you as a company.

1. Has the Minister responsible for the Wildlife Act been notified directly, so that species in the area can be assessed?
2. Have the First Nation peoples for whom this is in their traditional territories been notified directly?
3. How does the plan address the impact of logging roads and their effect on water flow over the land? I am concerned that logging roads increase the likelihood of landslides. The Johnson's Landing slide shows that there is inherent instability in the area.
4. Have you considered how the communities nearby might work with you to reduce the risk of wildfires? I believe that this could be done in conjunction with the logging.
5. Have you considered doing restoration following the logging to reduce the impact of roads and landings?
6. Would you be willing to log in ways that are less profitable but with lower impact on the landscape?
7. Would you be willing to wait to start logging until plans can be made to reduce the negative impacts?
8. Would you be interested in becoming a model for others to learn from with respect to ecological based logging and community involvement?

Argenta and the mountains around it are dear to my heart. My parents and son are buried in the Argenta Cemetery. Thank you for taking the time to consider and respond to my concerns and questions.

Celia Cheatley
celiacheatley@gmail.com



Cooper Creek <coopercreek@porcupinewood.com>

Re: Cooper Ck Cedar – FSP Comments

celia cheatley <celiacheatley@gmail.com>

Tue, Jul 4, 2017 at 6:52 AM

To: Cooper Creek <coopercreek@porcupinewood.com>

Thanks for this reply. It gives me some hope that there may be a way forward that works for all concerned.

I will be sharing your comments with others.

Celia Cheatley

On Jul 3, 2017 2:15 PM, "Cooper Creek" <coopercreek@porcupinewood.com> wrote:

1. The FSP was not referred directly to the Minister, but the FSO was referred to Ministry of Forests, Lands & Natural Resource Operations – Habitat Mgmt
2. The FSP has been referred to First Nations Bands that have territorial interest in the areas covered by the FSP
3. The FSP does not address logging roads. Logging roads (location, length, how they are built) is addressed at the operational phase. CCC has encouraged the Argenta-Johnsons Landing (AJL) communities to be engaged/information share with CCC throughout the development phase so the community will know CCC's access plans prior to any permits being submitted.
4. CCC is working with some individuals who are very experienced/experts in the field of wildfires & wildfire mitigation. CCC is assessing the potential of developing a fire mitigation plan.
5. Yes - all roads will be assessed for the need to maintain for future work. Roads that are not required and are only short-term roads will be deactivated following their use.
6. CCC's intent is, regardless of the economic profit, intends to manage the forest development in the AJL area in a sound forest stewardship practice that will minimize the impact on the landscape, environment, wildlife.
7. CCC intends to have addressed the negative impacts prior to harvesting/road construction. It is this reason why it is important for the community to interact with CCC so CCC becomes aware of the communities' concerns, and the community is aware of CCC's plans.
8. As per bullets 7/8

Bill Kestell, RPF
Cooper Creek Cedar Ltd
Woodlands Manager

On Fri, May 5, 2017 at 7:46 AM, celia cheatley <celiacheatley@gmail.com> wrote:

Please find attached my letter.

Thanks.

Celia Cheatley

Bill Kestell

From: Dave Butler [dbutler@cmhinc.com]
Sent: June-08-17 9:10 AM
To: Bill Kestell
Subject: RE: Bill Kestell shared "2017-2022 CCC FSP-Stakeholders" with you

Thanks, Bill.

I'm in Cranbrook, so perhaps we could meet in Creston one day?

Thanks for the understand re timing, it's less about winter harvesting than about ensuring we have adequate time to talk.

Dave

Dave Butler, RPF, RPBio., Director of Sustainability
CMH Heli-Skiing & Summer Adventures
T: 250-426-3599 | F: 1-250-426-3517

#cmhheli | cmhski.com | cmhsummer.com

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From: Bill Kestell [mailto:bkestell@shaw.ca]
Sent: Thursday, June 08, 2017 9:29 AM
To: Dave Butler <dbutler@cmhinc.com>
Subject: RE: Bill Kestell shared "2017-2022 CCC FSP-Stakeholders" with you

To alleviate some of your concern about referral – it is very doubtful we would be developing a Cutting Permit in any area of your concern during your ski season, and more doubtful that we would have any planned forestry operations in these areas in that period.

I am in Harrop, so Nelson to Kaslo area. But if you're in Revelstoke, we could always meet in Nakusp?

From: Dave Butler [mailto:dbutler@cmhinc.com]
Sent: June-07-17 1:51 PM
To: Bill Kestell
Subject: RE: Bill Kestell shared "2017-2022 CCC FSP-Stakeholders" with you

Thanks for your note, Bill.

I understand your reluctance to make commitments at this scale because of the limitations set by FRPA. Many companies we deal with at least make some reference to us working together in their FSPs. This sets a solid foundation for the site-specific work.

But I do sincerely appreciate your willingness to make the three commitments noted below, and to work with us to ensure that the needs of both licensees are met.

The only thing I ask is that you consider the season when sending us referrals. The 30-day turn-around is very difficult to meet during our main operating season (Dec 1 – April 30); it's a challenge for me to engage our teams when they're focused on safe experiences for the guests.

It would be great to meet in person. Where are you located these days?

Dave

Dave Butler, RPF, RPBio., Director of Sustainability
CMH Heli-Skiing & Summer Adventures
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From: Bill Kestell [<mailto:bkestell@shaw.ca>]
Sent: Wednesday, June 07, 2017 6:57 AM
To: Dave Butler <dbutler@cmhinc.com>
Subject: RE: Bill Kestell shared "2017-2022 CCC FSP-Stakeholders" with you

Dave: thanks for your comments and I acknowledge your concerns regarding ensuring Cooper Creek Cedar Ltd (CCC) works with CMH Heli-Skiing (CMH) so that both our business concerns are met.

First, I will not make commitments in CCC's FSP specific to working with CMH Heli-skiing. I believe you know that the *Forest Stewardship Plan* is a landscape level operational plan that is specific to Licensees stating their *Strategies & Results* that are *Measurable* of how the Licensee will meet the *Objectives Set by Government*. For CCC, that does not include making commitments to specific stakeholders.

However; Cooper Creek Cedar Ltd will commit to CMH that CCC will:

- Ensure CMH will receive referrals on all of CCC's operational level plans, both for harvesting & road construction. CCC's suggestion is that CCC refer all Cutting Permits (this includes proposed blocks, proposed road construction & the existing roads required to access the CP) to CMH at the same time as CCC's CP referrals to First Nations. (CCC's First Nations Referral strategy is a commitment in the FSP.) This will provide CMH with a minimum of 30 days to comment on the proposed development. A Key Map, KML & Shape files are included in the referral that will allow CMH to see the location of the proposed development
- As stated above, CCC will refer proposed CP development to CMH and this referral will include a minimum of a 30 day comment period. During this period, CCC will discuss the proposed development with CMH, discuss their concerns and, if needed & where practicable, implement CMH's concerns into the planned development. CCC will discuss CMH's suggestions for joint planning for block design and timing and the possibility of making changes to planting/spacing specs.
- Work together on management and maintenance of access roads.

I have worked with CMH in the past; I was the woodlands manager of Meadow Creek Cedar Ltd prior to the most recent previous owners & have worked as a forester in the Duncan Lake area for more than 30 years. I propose that, with this previous experience working with CMH, that meeting the above commitments can be a relatively smooth process. I believe that many of CMH's areas of concern do enable different forms of planning and forest operations that can benefit CCC & CMH. The biggest challenge in the past has been road maintenance and road access, especially to CMH's fuel caches. Road maintenance is an issue that I suggest we schedule to discuss on an annual basis. If CCC & CMH do set up a minimum of an annual meeting, CCC can provide CMH with their proposed development & harvesting/road building schedule for that year.

I trust this addresses your concerns. I do suggest we talk, either via phone or in person. I prefer meeting in person where commitments seems to be stronger and concerns more easily discussed & understood by both parties. I will leave this with you, but will try to contact you if I have not heard from you in the next week or so.

Bill Kestell, RPF
Cooper Creek Cedar Ltd
Woodlands Manager
Phone: 250-229-4536
Cell: 250-505-4476

From: Dave Butler [<mailto:dbutler@cmhinc.com>]
Sent: June-01-17 2:11 PM
To: Bill Kestell
Subject: FW: Bill Kestell shared "2017-2022 CCC FSP-Stakeholders" with you

Sorry, should have said Cooper Creek Cedar areas below, not Cedar Creek...

Dave Butler, RPF, RPBio., Director of Sustainability
CMH Heli-Skiing & Summer Adventures
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From: Dave Butler
Sent: Thursday, June 01, 2017 3:02 PM
To: 'Bill Kestell' <bkestell@shaw.ca>
Subject: RE: Bill Kestell shared "2017-2022 CCC FSP-Stakeholders" with you

Hi Bill. Thanks again for the referral and I apologize for the delay. Now that our ski season is done, it is easier to focus on these kinds of referrals.

While I appreciate the fact that the FSP requires you to address only the objectives laid out in FRPA, I do note that the plan does not make any mention of our presence or activities other than as a referral stakeholder.

As background, we are the major tourism licensee in the area, with our CMH Galena, CMH Bobbie Burns and CMH Bugaboo tenured operating areas overlapping with your development areas. These are all based out of multi-million \$ lodges that we own and operate. We not only have many mapped ski runs in our tenured areas, but as you noted, we have other facilities there such as fuel caches and communication sites. These operations have been on-going for decades.

Now that you're managing the Cedar Creek areas, we should probably meet to discuss the overlaps between our operations. We work closely with many forest companies (such as Canfor, RCFC, Downie) and we find that there are many areas of common ground.

In a general sense, we'd love to see some commitments in the FSP about:

- Ensuring that we receive referrals on all operational level plans, both for harvesting (and associated activities) and road management.
- Working together to ensure that timber and tourism interests are met (I know that FRPA only requires you to address recreation). We have many examples of innovative projects that we've worked on with forest companies to harvest timber while maintaining good skiing. Some of these involve joint planning for block design and timing, while others involve changes to planting/spacing specs.
- Working together on management and maintenance of access roads.

I would be pleased to meet at your convenience, Bill.

Thanks again for the opportunity to comment.

Dave

Dave Butler, RPF, RPBio., Director of Sustainability
CMH Heli-Skiing & Summer Adventures
T: 250-426-3599 | F: 1-250-426-3517

#cmhheli | cmhski.com | cmhsummer.com

[WATCH THE LATEST STOKE »](#)

From: Bill Kestell [<mailto:bkestell@shaw.ca>]
Sent: Thursday, March 30, 2017 4:32 PM
To: Dave Butler <dbutler@cmhinc.com>
Subject: RE: Bill Kestell shared "2017-2022 CCC FSP-Stakeholders" with you

I am the woodlands manager for Cooper Creek Cedar Ltd and it looks like they are referring our 2017-2022 Forest Stewardship Plan. CCC purchased the historic Meadow Creek Cedar license that includes tenure in the Duncan, Howser & Healy Ck drainages – I think you have fuel caches in these drainages. I have reposted the FSP in the following website: <http://timberland2001.ca/cooper-creek-cedar-ltd/>

It is better to view the FSP in the website than in Dropbox.

Does this answer your questions?

From: Dave Butler [<mailto:dbutler@cmhinc.com>]
Sent: March-30-17 8:48 AM
To: bkestell@shaw.ca
Subject: FW: Bill Kestell shared "2017-2022 CCC FSP-Stakeholders" with you

Bill – not sure who you are, or what this is?

We don't open docs that aren't clear.

Dave

Dave Butler, RPF, RPBio., Director of Sustainability
CMH Heli-Skiing & Summer Adventures
T: 250-426-3599 | F: 1-250-426-3517

#cmhheli | cmhski.com | cmhsummer.com

Bill Kestell

From: friendsofthelardeau@lardeauvalley.com
Sent: June-09-17 1:36 PM
To: bkestell@shaw.ca
Cc: george.edney@gov.bc.ca; ian.wiles@gov.bc.ca; awatson@rdck.bc.ca
Subject: Friends of the Lardeau Review of Cooper Creek Cedar Ltd.'s "2017-2022 Selkirk Forest District FSP"
Attachments: FLR Comments on CCC FSP.xlsx

Mr. Bill Kestell
Woodlands Manager
Cooper Creek Cedar

Dear Mr. Kestell,

The FSP circulated by Cooper Creek Cedar Ltd (CCC) has been reviewed by the Board of Directors of the Friends of the Lardeau River (FLR). Thank you for providing the opportunity to review this important undertaking.

The FLR is a non-profit society established in 2006, in accordance with the Society Act of BC (2017), to advocate for the ecological integrity of the Lardeau River and the associated corridor. The FLR currently enjoys a membership of 26. We have a longstanding page on Facebook with a steadily growing following which now exceeds 200. We invite you to review it and to join: <https://www.facebook.com/friendsofthelardeauriver/>

This is the venue by which the FLR Board will be communicating updates to the society's membership. Specifically, the FLR's mandate includes the following goals and objectives:

- To protect the Lardeau River and its biodiversity;
- To facilitate fish and wildlife inventories, studies, habitat restoration, and public education about the history, present, and future of this unique system;
- To identify the impacts of the Duncan Dam and other developments, along with their effects on biodiversity and habitat viability by participating in development reviews and by undertaking monitoring;
- To network with conservation groups, communities, individuals, First Nations, youth, governments, agencies, politicians and industry to pursue areas and projects of common interest;
- To advance proposals and initiatives that will serve the ecological integrity of the Lardeau River System, including the pursuit of legal protection for wildlife habitats in the Lardeau River system.

With this letter, the FLR provides comments, poses questions, and makes some recommendations regarding the information in the document. These matters are also detailed in an attached spreadsheet about the FSP and about CCC's proposed operations in the Selkirk Forest District. FLR would appreciate direct responses to the questions posed in the Comment column to us, but also shared with those cc'd on this correspondence. Please note that many of the questions and comments are intended to address gaps in FLR's understanding, as well as to indicate areas of concerns. In submitting these comments, it is important to note that FLR hopes to work cooperatively with CCC/Porcupine to ensure that the interests of all parties, including those of CCC/Porcupine, can be protected and advanced.

1. It is evident from the maps that CCC's proposed land use possesses potential to impact the entire length of the Lardeau River, as well as its associated waterways and drainages. By virtue of this potential, the FLR respectfully asserts that the stand-level plans for all of the FDU's must be made available for review and discussion by the FLR Board and its membership. FLR is willing to undertake this review in coordination with others, if a regional Working Group can be formed.
2. Much of the language in the FSP is vague about the level and form of commitment to stewardship being made

in the FSP. The FLR requests clarification about what CCC means by “undertaking to comply with practice requirements” and about the regulatory framework within which the operations will take place.

3. For the sake of transparency, FLR makes a recommendation about CCC’s management of comments and questions in the FSP review process.
4. FLR, as a non-profit society advocating for the Lardeau watershed, takes a landscape level interest in the activities within the Lardeau River system. As a result, FLR is requesting additional detail about other developments within individual FDUs, and within CCC’s operational area in general.
5. The FSP is not clear about what the privileges and responsibilities are for its tenure on lands which will eventually return to the public domain. FLR requests specific clarifications about these matters. FLR recognizes that this may be an operational level question about restoration, so would be willing to defer pursuit of this information until the stand-level planning stages of the Cutting and Road Permit phase of CCC’s operations, provided that the FLR is accorded Stakeholder status on this file with respect to the Cutting and Road Permit planning process.
6. FLR requests information that may be available at the stand-level planning stage, about wildlife and other baseline data collection. FLR recognizes that this information may not be required for the FSP, so will defer consideration of this matter to the Cutting and Road Permit phase of CCC’s operations, provided that FLR is provided is accorded Stakeholder status on this file with respect to the Cutting and Road Permit planning process.
7. FLR is requesting a clear process map that would indicate a proposal’s process from inception, through implementation, to file closure, in order to understand who is responsible for which decisions and outcomes at which points in the process. This map should include the regulatory body/agency that provides oversight, compliance or inspections/enforcement. This would help us assure our membership that the appropriate level of oversight is engaged and ensure full transparency.

The FLR looks forward to developing and maintaining a productive relationship with CCC regarding its proposed operations.

Sincerely,

Rhonda Batchelor

President

Friends of the Lardeau River

friendsofthelardeau@lardeauvalley.com

FLR - Comments 1 - CCC Response

Page	Section #	Rpt	Comment	Recommendations
General Comment		Stand-level Operational Plans	It is evident that the proposed operation stands to impact the entire length of the Lardeau River itself, along with the system's constituents.	A detailed review of each FDU's Operational Plan should be undertaken by the FLR group as a stakeholder. This may be best undertaken by coordinating through the Area D Director's office.
CCC Response to General Comment		CCC will include FLR in the formal referral process, as per First Nations, in all future forest development (Cutting Permits & Road Permits) planned by CCC and will provide a minimum of a 30-day Review & Comment Period		
1	1.0 Introduction	The FSP is a landscape level plan that specifies results and strategies that must be consistent with the objectives set by government.	Indicates low level of specifics required, so very low recourse to details for impacted areas/residents	FLR acknowledges that the required level of detail will be available during the operational planning phases, as Cutting and Road Permits are prepared.
	1.0 Introduction	Response as above regarding including FLR in CCC's formal referral process of future forest development.		
1	1.0 Introduction	The results and strategies state management practices that will conserve and protect forest resources within the companies' planned area of interest in which harvesting and road construction activities will occur. The results and strategies must be measurable or verifiable so they can be evaluated as to whether the specific objectives are being met.	CCC indicates that compliance is considered to have been achieved by implementing a practice requirement, not achieving an outcome. How is compliance to practice determined and tracked? Is CCC also committed to ensuring the achievement of Objectives? Who is liable if the Objective is not achieved and damages are incurred by either private or public stakeholders? There is a self-exemption for VQOs identified, for instance, that makes the commitments to results appear to be made in full knowledge that they won't be kept.	CCC should distinguish between undertaking a practice (making 'best efforts' to meet a practice requirement) and undertaking to achieve a specific objective (committing to meeting the objective). If CCC is committed to achieving the outcome, that should be explicitly stated in this document. CCC should answer the questions posed in the Comment column.
	1.0 Introduction	CCC is changing the wording in the FSP from "Undertake to Manage" to "Undertake to Comply". The Objective of the <i>Practice</i> , as stated in the "Practice Requirement" - the forest activity planned to comply/meet the Objective, is measured as to whether the final outcome meets the specific Objective. The practice is tracked throughout CCC's operations. The ultimate determination of whether the Objective has been met is done by MFLNR. The assessment is done by MFLNR/Compliance & Enforcement investigations, which can be triggered by public notification when the public believes an objective has not been met. CCC is liable if the Objective is not met. The reference to requesting an exemption for a designated VQO has been deleted from the FSP. The intent of an exemption is not "made in full knowledge that they won't be kept". Exemptions are in place to allow Licensees to exceed specific Regulations/Policies in special circumstances: ie exceeding VQOs to address Forest Health concerns, fire mitigation, recovering timber within a forest fire.		
2	2.1 Referral Process	consider any written comments received that are relevant to the Plan and describe any changes that are made to the Plan as a result of the comments received	It is noteworthy that CCC only needs to consider comments, but not required provide a response, or an accommodation of any sort.	For the sake of transparency, the proponent should document its response to all comments, whether incorporated into the plan or not and ensure that FLNRO is also aware of all comments. If something is to be ignored, or adopted, a rationale should be provided, so that reviewers know that they have been heard.
	2.1 Referral Process	CCC is required to submit all comments received regarding the FSP to MFLNR in CCC's <i>Submission for Approval</i> . MFLNR considers the comments and CCC's response to the specific comments and whether CCC's response adequately addresses the comments. CCC is required to respond to all comments regardless if the comments generate a change to the FSP. CCC will clarify this in Sec 2.1 Referral Process in our final submission.		

2	2.1 Referral Process	<p>The FSP does not provide information regarding stand level development. Individuals or interest groups that may be affected by the CCC's forest development of a Cutting Permit &/or a Road Permit can request information specific to this development. CCC will respond to these specific requests by providing maps showing the proposed cutblock and road locations and shapes. The interest group(s) will be given an opportunity to make comment on the development prior to cutting permit application. The interested parties will be given a minimum of 30 days; from the time they were given the maps, to submit written comments. CCC will respond to the request for information from the Stakeholder within 15 days of receiving their comments to discuss their concerns regarding the specific proposed forest development.</p>	<p>FLR would like to avail itself of the opportunity discussed here for detailed information about the stand level developments in the Healy Creek, Lake Creek, Poplar Creek, Greyhorse Ridge, Glacier Creek, Hamill Creek, and Argenta FDU's.</p>	<p>Same recommendation as in the General Comment Section above: a detailed review of each FDU's Operational Plan should be undertaken by the FLR group. CCC should support and/or coordinate the formation of a regional working group for the operational planning work to be undertaken in support of the Cutting and Road Permit process. FLR would be happy to join such a group.</p>
	2.1 Referral Process	<p>The FSP does not provide information regarding stand level development. Individuals or interest groups that may be affected by the CCC's forest development of a Cutting Permit &/or a Road Permit can request information specific to this development. CCC will respond to these specific requests by providing maps showing the proposed cutblock and road locations and shapes. The interest group(s) will be given an opportunity to make comment on the development prior to cutting permit application. The interested parties will be given a minimum of 30 days; from the time they were given the maps, to submit written comments. CCC will respond to the request for information from the Stakeholder within 15 days of receiving their comments to discuss their concerns regarding the specific proposed forest development.</p>	<p>FLR would like to avail itself of the opportunity discussed here for detailed information about the stand level developments in the Healy Creek, Lake Creek, Poplar Creek, Greyhorse Ridge, Glacier Creek, Hamill Creek, and Argenta FDU's.</p>	<p>Same recommendation as in the General Comment Section above: a detailed review of each FDU's Operational Plan should be undertaken by the FLR group. CCC should support and/or coordinate the formation of a regional working group for the operational planning work to be undertaken in support of the Cutting and Road Permit process. FLR would be happy to join such a group.</p>

	2.1 Referral Process	CCC will formally refer all future stand level development in Healy Creek, Lake Creek, Poplar Creek, Greyhorse Ridge, Glacier Creek, Hamill Creek and Argenta FDUs to FLR. CCC, upon request, will refer all of CCC's future stand level development, regardless of the FDU if FLR wishes to be included. CCC has encouraged local communities (ie Argenta, Laird Creek) to form a "working group/information sharing group" to interact with CCC throughout CCC forest development. The objective of this interaction between CCC and the community would be for the community to have current knowledge of the planned development and for the community to information share with CCC throughout the forest development. CCC welcomes FLR to coordinate the group - CCC would help coordinate the group if FLR wants CCC to be part of the organizing of the group.		
	2.2 Forest Dev. Units	Cooper Creek Cedar's FSP & FDU's exclude all actively managed area-based tenures including Community Forests, Woodlots, Tree Farm Licenses and Pulpwood Areas.	This FSP does not consider or even identify cumulative impacts of all activities in specific FDUs or across operations	CCC should demonstrate its familiarity with all that is taking place within the impact radius of its operations along with the cumulative impacts of those activities on the specific values in each FDU. It would also help if a section describing the regulatory framework for this sort of work were provided.
	2.2 Forest Dev. Units	Area-based tenures are included in the FDU maps. However; "Cooper Creek Cedar's FSP & FDU's exclude all actively managed area-based tenures including Community Forests, Woodlots, Tree Farm Licenses and Pulpwood Areas." because area-based tenures have exclusive right to manage/operate on their tenure. This point was noted by the BC Association of Woodlots.		
3 to 4		FDUs Gross Area Chart	Operations will potentially impact an estimated 200,000 ha of publicly owned land, which is close to 2,000 square km. Does the public lose the right of free access to the FDUs? If so, for how long? Does CCC or Porcupine hold liability for the condition of the sites for the duration of the licencing period? How is it determined which FDU will be operationalized at any given time? Are residents notified when this is about to happen?	CCC/Porcupine should provide clarity regarding the privileges and responsibilities of its tenure on public lands.
		FDUs Gross Area Chart	CCC's tenure is wholly on Crown Land - which in essence is Public Land. CCC has no authority to regulate access to Crown Land by the Public. In situations that CCC feels there is a reason to restrict access (ie safety concerns around logging/hauling operations) CCC is required to apply for, and receive authority to restrict access by the Government's Delegated Decision Maker, generally the Forest District's District Manger. This is <i>Regulation</i> . CCC is liable for the the sites (cutblocks, roads) until relieved of these obligations by the Delegated Decision Maker (ie CCC is responsible for a road condition until CCC applies to be relieved of the <i>Road Permit obligations</i> . CCC will deactivate (waterbar) a road if operations have ceased for a period of time to manage water and minimize the possibility of the road being an environmental hazard.) Generally the roads are simply posted as being deactivated. Public notice is dependent on the level of use by the Public.	

5 to 7	2.3 Objectives, Results, Strategies, and Practice Requirements	CCC will follow the practice requirements stated in Sections 35 and 36 of the FPPR. The objective set by government for soils is considered to be achieved when CCC applies these practice requirements when carrying out primary forest activities:	Noting that compliance is stated to have been considered to have been achieved via practices, not from results. This seems to set accountability on other shoulders than the proponents' and final liability lands on the public owner of the land.	The proponent should clarify where oversight of and final responsibility for outcomes actually resides. FLR acknowledges that this level of detail may be available during the operational planning phases of preparing Cutting and Road Permits: FLR will defer this question until that stage of the process.
	2.3 Objectives, Results, Strategies, and Practice Requirements	CCC used the terms listed in <i>Forest Planning & Practices Regulation (FPPR)</i> ; Part 4 is entitled "Practice Requirements", Sec 35 of FPPR is entitled "Soil Disturbance Limit" and Section 36/36 of FPPR lists Results that must be met.		
8 to 10	3.3 Wildlife		Does not identify whether any species of concern are present in the various FDU's. Requirements in the event that there are such species present are described, but not whether or not they will be necessary. Suggests a lack of stand-level baseline.	FLR acknowledges that the required level of detail will be available during the operational planning phases, as Cutting and Road Permits are prepared.
	3.3 Wildlife	As identified by FLR, determining the Wildlife Species and how to manage for the specific species is done at the operational planning stage.		
10	3.4.1 Riparian Management Zones	CCC will follow the practice requirements stated in Sections 47 to 51 inclusive, 52(2) and 53 of the FPPR. The objective set by government for fish, water, wildlife and biodiversity within riparian areas is considered to be achieved when CCC applies these practice requirements when carrying out primary forest activities	This section seems to ignore the Fisheries Act, which speaks to outcomes of activities, not intent. Riparian margins are considered fish habitat, so should not be available for harvesting activities. To what level is this application subject to review by environmental regulators? Which regulators have jurisdiction over these operations?	Answers to the questions in the Comment Section should be provided.
	3.4.1 Riparian Management Zones	Stream classification is done at the operational planning stage (streams in a Community Watershed, fish bearing/not fish bearing, stream size). The FSP states the minimum <i>Riparian Management Areas/Riparian Reserve Zones</i> specific to the stream classification. A Qualified Registered Professional makes recommendations to the level of timber & understory retention when the stream is assessed. All forest activities are subject to environmental review and can be initiated by the Public. Under FRPA, a Results-Based Forest Legislation, CCC's Registered Professional Foresters are responsible to decide what professionals the Company feels are required to assess the activity to manage the resource.		
15-16	3.4.2 Fisheries Sensitive Watersheds	At the time this FSP was developed, there were no designated "Fisheries Sensitive Watersheds" in CCC's FDU's, therefore the requirement to create a Result/Strategy for this objective does not apply	The Fisheries Act does not use such designations to control activities around water. If the stream carries fish or contributes to a fishery used by Commercial, Recreational, or Aboriginal fishers, then there are clear prohibitions of negative impacts. Do these prohibitions not apply to CCC's operations?	CCC should outline the relationship of these works to existing regulatory frameworks beyond those discussed in the FSP in order to demonstrate that appropriate levels of regulatory oversight are in place.
	3.4.2 Fisheries Sensitive Watersheds	As stated in the FSP, there are no "Fisheries Sensitive Watersheds" in the FDU's covered in CCC's FSP. As per above, CCC recognizes the impacts of operating adjacent to fish-bearing & non-fishbearing streams & creeks, and has described the forest practice to maintain the existing stream integrity.		

19	3.6 Objectives set by Government for Visual Quality	When developing a Cutting Permit &/or a Road Permit, CCC will manage to achieve the Visual Quality Objectives set by GAR – Sec 7(2) Order by the District Manager, Kootenay Lake Forest District, March 7, 2014.	The visual impact assessment will not take place until an application is submitted for a Cutting or Road Permit. The FSP indicates that when VQOs cannot be met, CCC will secure an exemption to the requirements, rather than adjust its practices. This commitment to VQOs, therefore, seems to have been made with the knowledge that CCC would not ultimately be required to fulfill it. While FLR acknowledges that the self-exemption has been removed in an updated version of the FSP, this does not inspire confidence in the other commitments that appear to have been made.	CCC should clarify which results and objectives can be verified and measured, and identify how that would be achieved.
	3.6 Objectives set by Government for Visual Quality	The VIA will be completed <i>before</i> submitting an application for a CP or RP, and will share the VIA with concerned stakeholders in the operational referral process prior to submission of a CP/RP. After talking to MFLNR, CCC was informed the exemption is not required in the FSP and subsequently deleted the exemption section from the FSP - CCC's intent was never inferring a self-exemption. CCC states in the FSP: Result: When developing a Cutting Permit or a Road Permit, CCC will manage to achieve the Visual Quality Objectives set by GAR – Sec 7(2) Order by the District Manager, Kootenay Lake Forest District, March 7, 2014. This can be verified and measured. CCC also states in the FSP:iv. evaluate the visual alteration of the planned forest development on the affected landscape and, where the VIA shows the planned development exceeds the prescribed VQO, CCC will modify the planned development using visual design principles to achieve the designated VQO. v. the resultant VIA will be formally reviewed by CCC and the QRP completing the VIA prior to finalizing the visual design and prior to Cutting Permit submission.		
22	4.3 Recreation (including sites and trails		Several published trails exist within the various FDUs that are not included in the FSP. In order to avoid conflicts with tourists, hikers, and local users of the trails, the FSP should include as many trails and sites as possible. This kind of information should be considered part of the baseline data for any FDU or combination of FDUs.	There are several readily available publications that give very good and comprehensive information about these kinds of recreational infrastructure. Regional information centres have some great resources. This information should be incorporated into the FSP to demonstrate its full knowledge of the areas.
	4.3 Recreation (including sites and trails	CCC refers to the Government Website - Data Warehouse to identify the designated Recreation Areas, Sites & Trails that are legally designated to be managed. CCC acknowledges that, in their forest development, numerous other Recreation Areas, Sites & Trails will be discovered. CCC will manage for these recreation sites at the operational/development phase.		

Appendices	4.5 Cumulative Effect of Multiple FSPs	<p>The FSP must address the cumulative effect of multiple FSP's within an area (FPPR Sec 19). CCC will notify other Licensees (this includes BCTS) where CCC has planned development in areas with overlapping FDU's and/or when CCC's planned development is in Landscape Units (LU) that also include area in other Licensees' FDU's. The intent of the communication is to proactively address and resolve landscape unit level issues prior to CP application:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> biodiversity – Old & Mature plus Old targets <input checked="" type="checkbox"/> ungulate winter range targets <input checked="" type="checkbox"/> watershed management – Community Watershed Equivalent Clearcut Area calculations and share Hydrological Assessment. Share QRP assessments & recommendations <input checked="" type="checkbox"/> share development plans so that plans may augment each Licensees' plans (ie shared road access to minimize road densities) <input checked="" type="checkbox"/> share VIA reports/issues 	<p>This requirement does not result in a consideration of all uses across FDU's, just other forestry uses. This is inadequate to meaningful cumulative impact assessment. It also leaves CCC/Porcupine exposed if impacts from other operations are attributable to CCC.</p>	<p>An inventory of activities within a given FDU should be included in the FSP, since it is also a 'landscape level' consideration. Such an inclusion would protect both the proponent and, possibly, the decision-makers by allowing 'threshold' levels of disturbance to be better understood.</p>
	4.5 Cumulative Effect of Multiple FSPs	<p>The intent of the "Cumulative Effect of Multiple FSPs" is to ensure all Licensees operating in a shared LU are aware of previous activities so the legal objectives (Old & Mature, UWR, Community Watersheds, ECAs, Hydrological Assessments) are met. These objectives are impacted on levels of timber removal/timber retention. It is only prudent & due diligent to share this information to ensure the objectives (retention of specific species/ages) is retained. CCC proposes the "other activities" will be recognized at the oprational/development stage. Communication with the "other Licensee" would occur at this time.</p>		
	Affected Stakeholders			<p>This list should be reviewed for sufficiency, since there are very few NGOs included. Several organizations, including the Friends of the Lardeau River, should be added.</p>
	Affected Stakeholders	<p>CCC has used the best information available to identify affected stakeholders. The list of affected stakeholders is not static and will increase with responses, as per FLR's comments, through the FSP process and through CCC's future development. FLR is now included CCC's list of "Affected Stakeholders" for future referrals.</p>		

Bill Kestell

From: Bill Kestell [bkestell@shaw.ca]
Sent: June-21-17 12:01 PM
To: 'friendsofthelardeau@lardeauvalley.com'
Subject: RE: Friends of the Lardeau Review of Cooper Creek Cedar Ltd.'s "2017-2022 Selkirk Forest District FSP"

Rhonda: please see CCC's responses below. For clarity, CCC has provided their response in "Red" at the bottom of each bullet.

From: friendsofthelardeau@lardeauvalley.com [mailto:friendsofthelardeau@lardeauvalley.com]
Sent: June-18-17 2:30 PM
To: bkestell@shaw.ca
Cc: george.edney@gov.bc.ca; ian.wiles@gov.bc.ca; awatson@rdck.bc.ca
Subject: Friends of the Lardeau Review of Cooper Creek Cedar Ltd.'s "2017-2022 Selkirk Forest District FSP"

Dear Mr. Kestell,

We acknowledge receipt of your June 15, 2017 responses to the FLR Comment submission. The FLR notes that CCC's responses did not fully address the following of FLR's concerns and questions:

1. Referral Process (formation of a "working group/information sharing group"): the FLR feels that CCC, as the beneficiary of all works to be undertaken in the tenure areas, bears a duty to ensure that a mechanism is in place to review the operational plans meaningfully and effectively. FLR is willing to undertake its own detailed review, but intended to signal its willingness to participate in something that would produce, perhaps, a set of combined resources for the effort and a single point of contact for CCC and the next stages of the review and development processes.

CCC has tried to initiate the formation of a local community "working group" through many conversations with smaller local groups, individual conversations with Argenta-Johnsons Landing residents, posters and on the LINKS website. To date, no "larger" working group has shown interest in forming a single working group to liaise with CCC during our forest development. Subsequently, CCC is believing the area/community is too large/diverse to form one working group, and CCC is accepting the communication will be with a number of groups/individuals. CCC has encouraged the formation of a working group(s), but CCC does believe the Licensee should be the proponent to "form" the group to avoid a conflict of interest. In discussions with the community, it has been agreed that the forum of communication is best accomplished via the LINKS website, and posters when applicable (ie giving notice of a public meeting). The agreement to post updates on the LINKS website was agreed upon CCC began communication with FLR. CCC welcomes other suggestions to communicate.

2. The application of the Fisheries Act and other environmental regulatory regimes to the proposed operations: CCC cites the FRPA, and indicates that environmental review can be initiated by the Public. More information is required to clarify that process. The environmental assessment of this development's impacts from those regulators whose jurisdiction is environmental protection appears to be completely absent. The FLR seeks more information about that process from CCC.

CCC's legal obligation/responsibility is to meet all regulatory statutes. CCC will ensure regulatory Acts/Regulations/Higher Level Plans/Strategise & Results are met by being thorough in our development and employing the appropriate professional to assess the specific resource to ensure the result of the forest operations will be consistent with the regulatory requirement. However; under FRPA, CCC does not submit any Plans for approval to any regulatory agency. CCC suggests that "environmental review can be initiated by the Public" if the Public proposes a forest practice does not meet the specific regulation via notifying the appropriate government agency of the non-conformance and initiating an investigation/review of the result of the forest practice – ie MFLNRO Compliance & Enforcement.

3. Known Trails and Recreational Sites: CCC references the gov't. website's Data Warehouse as the source of information about recreational sites and indicates that it will 'manage for the [numerous other Recreation Areas, Sites & Trails] at the operational/development phase'. It is not clear what this commitment will entail. Specifically, what constitutes 'managing for' with respect to designated areas, sites, and trails? Would the same level and type of management be exercised for each of the discovered areas, sites, and trails?

When Recreation Sites, Trails &/or Areas, regardless of formal designation, are encountered during CCC's forest development, CCC will manage to preserve the integrity of the Recreation Site, Trail or/or Area. The benefit of continual information sharing during CCC's forest development is the local public is able to identify recreation sites to CCC proactively.

4. Cumulative Effect: the FLR is aware of the Multiple FSP discussion in the document, but the response does not explain why CCC would not proactively collect and adapt operations to consider all activities in an area. Surely being prepared is a more responsible approach than reacting on an ad hoc basis as new site conditions are discovered.

CCC proposes the "Cumulative Effect" was adequately addressed. The objective in the FSP is to ensure that, when multiple Licensees are operating in a shared Landscape Unit, the Licensees will communicate and share information to monitor the effect on Biodiversity Targets, Ungulate Winter Range targets, Connectivity Targets, Wildlife Targets from each Licensees operations. That is the objective addressed in the FSP. CCC is unsure of FLR's referral to "all activities in the area". CCC suggests the "all activities in the area" would be addressed at the operational stage, not in a ad hoc basis, but in a proactive process through shared information.

Thank you again for your responses to our initial questions. We look forward to further clarifications and engagement.

Sincerely,

Rhonda Batchelor

President
Friends of the Lardeau River

CCC trusts the response answer FLR's questions.

Sincerely

Bill Kestell, RPF

Cooper Creek Cedar Ltd

Woodlands Manager

June 21, 2017

Dear Mr. Kestell:

I am writing to request the formal inclusion of the Friends of the Lardeau River (FLR) as a Stakeholder as described in Section 2.1 Referral Process of Porcupine/Cooper Creek Cedar's "2017-2022 Forest Stewardship Plan for Operations in the Selkirk Forest District" (the FSP) (pg.1) for the purposes of referral of operational plans during CCC's preparation of the cutting and road permits for Licences A56529 and A30171.

The FLR is a non-profit society established in 2006, in accordance with the Society Act of BC (2017), to advocate for the ecological integrity of the Lardeau River and the associated corridor.

The FLR currently enjoys a membership of 26 and a following of couple of hundred on Facebook - <https://www.facebook.com/friendsofthelardeauriver/>

Specifically, the FLR's mandate includes the following goals and objectives:

- To protect the Lardeau River and its biodiversity;
- To facilitate fish and wildlife inventories, studies, habitat restoration, and public education about the history, present, and future of this unique system;
- To identify the impacts of the Duncan Dam and other developments, along with their effects on biodiversity and habitat viability by participating in development reviews and by undertaking monitoring;
- To network with conservation groups, communities, individuals, First Nations, youth, governments, agencies, politicians and industry to pursue areas and projects of common interest;
- To advance proposals and initiatives that will serve the ecological integrity of the Lardeau River System, including the pursuit of legal protection for wildlife habitats in the Lardeau River system.

The FLR has reviewed the FSP and will be submitting comments by June 19th, as soon as a final review of the comments has been completed by the FLR's Board of Directors. When you receive those comments, you will note that the majority of our concerns with the FSP have arisen from attempting to interpret what the FSP's Objectives, Results, and Strategies commitments will mean at an operational level. Because this is the case, and because the FLR's mandate is to act in a stewardship role over the entirety of the Lardeau Valley corridor, we respectfully request referral to the Friends of the Lardeau River of the operational plans and harvest, including cutting and road permit applications. The areas of CCC tenure that are of particular interest to the FLR are designated as Healy Creek, Lake Creek, Poplar Creek, Greyhorse Ridge, Glacier Creek, Hamill Creek, and Argenta FDU's on the FSP's maps.

Thank you for your consideration of this matter. We look forward to a positive response and to developing a collaborative and productive working relationship with Porcupine/Cooper Creek Cedar Ltd. over the coming months.

Kind regards,

Rhonda Batchelor

President of Friends of the Lardeau River

friendsofthelardeau@lardeauvalley.com

Bill Kestell

From: Bill Kestell [bkestell@shaw.ca]
Sent: June-09-17 7:14 AM
To: 'friendsofthelardeau@lardeauvalley.com'
Cc: 'george.edney@gov.bc.ca'; 'ian.wills@gov.bc.ca'; 'awatson@rdck.bc.ca'
Subject: RE: Status request from Friends of the Lardeau River

Rhonda: thank-you for the your note. Cooper Creek Cedar Ltd CCC) will formally include the Friends of the Lardeau River (FLR) in the formal referral process of our future Cutting Permits. The formal referral process will be as per the First Nations Referral Process stated in CCC's 2017-2022 Forest Stewardship Plan:

“Once the general locations/areas of proposed cutblocks and roads in a new planned forest development have been identified and mapped, CCC will refer the specific development to **FLR**.

CCC's referral package will include:

- a formal referral letter describing the planned development: physical location of the planned development, proposed size of the CP (number/total area of the proposed cutblocks), proposed volume being developed and the location of the proposed roads
- a Key Map showing the general location of the proposed development and a Cutting Permit Map showing the design & size of the proposed cutblocks & road locations and KML & shape files of the planned development
- the date comments must be received by CCC to be considered will be stated in the referral letter. The referral/comment period will be a *minimum* of 30 days and the comments from **FLR** must be written comments and must identify **FLR's** interests that may be impacted by the proposed development.
- **FLR's** comments received for consideration will be reviewed by CCC and CCC will discuss with the **FLR** how the comments/concerns can be practicably resolved and, when feasible & practicable, incorporated into the planned development prior to completion of the forest development.
- ~~CCC will keep information received from First Nations regarding cultural heritage resources confidential unless the First Nations state this information can be released.”~~

CCC is also encouraging the community of Argenta-Johnsons Landing (AJL) to participate with CCC in information sharing throughout CCC's forest development in the AJL area. To date, CCC has met with a group from the Lardeau, AJL Working Group and has had one meeting with Carolyn Schram (Argenta resident), David Polster, R.P.Bio (Argenta) & Peter Jordan, Ph.D, P.Geo (Argenta). CCC invites FLR to participate in our development process. If you, or your group would like to meet with CCC, please let me know and we can schedule a meeting. Otherwise, CCC is posting regular updates of our forest development on the LINKS website. Please feel free to call.

Bill Kestell
Cooper Creek Cedar Ltd
Woodlands Manager
Phone: 250-229-4536
Cell: 250-505-4476

-----Original Message-----

From: friendsofthelardeau@lardeauvalley.com [mailto:friendsofthelardeau@lardeauvalley.com]
Sent: June-08-17 1:17 PM
To: bkestell@shaw.ca
Cc: george.edney@gov.bc.ca; ian.wills@gov.bc.ca; awatson@rdck.bc.ca
Subject: Status request from Friends of the Lardeau River

Mr. Bill Kestell
Woodlands Manager

Bill Kestell

From: Bill Kestell [bkestell@shaw.ca]
Sent: July-03-17 10:29 AM
To: 'slabaughgary@gmail.com'
Subject: FW: Comment on FSP for Cooper Creek Cedar Ltd 2017-2022

Gary: thank you for your comments. CCC's response is below in "Red".

From: Cooper Creek [mailto:coopercreek@porcupinewood.com]
Sent: July-03-17 9:36 AM
To: bkestell@shaw.ca
Subject: Fwd: Comment on FSP for Cooper Creek Cedar Ltd 2017-2022

----- Forwarded message -----

From: Gary Slabaugh <slabaughgary@gmail.com>
Date: Mon, Jun 19, 2017 at 4:43 PM
Subject: Comment on FSP for Cooper Creek Cedar Ltd 2017-2022
To: "coopercreek@porcupinewood.com" <coopercreek@porcupinewood.com>

Dear Bill Kestel and the owners of Porcupine Wood Products and CCC Ltd,

Thank you for your updates posted on the Lardeau Valley links.

I'm a recent new resident of BC having moved to Meadow Creek in late February 2016. My main areas of interest are ecology, having done undergraduate studies in that field. I also enjoy bird watching and hiking. I plan to soon become a member of the Friends of the Lardeau River. I'm aware that the Friends of the Lardeau River are a stakeholder in this commenting period and during operations, compliance, and enforcement. I've also met with FLNRO officials a couple of times. George Edney and Ian Wiles said that the purpose of this commenting period is for the public to inform the professional forester who submitted the draft FSP of our values. These below comments reflect my values. As a disclaimer, I'm not against the harvesting of timber. I'm for sustainable and responsible harvesting of timber to ensure overall forest ecosystem health.

· As a resident of Meadow Creek, BC; I request that the Duncan Dam overlook be designated as a significant viewpoint where a Visual Quality Objective (VQO) would be met.

I believe the Duncan Dam would be a good viewpoint, but I will not make that commitment at this time. CCC needs to complete some development to get a complete understanding to the face unit so the best choices, for all resources, can be made.

· I also request that the entrance to the Lardeau-Duncan Conservation Area (popular with birders) located just north of the bridge where Highway 31 crosses Meadow Creek be designated as a significant viewpoint where a VQO would be met.

Same as above

· I request that a real commitment be made to VQO's instead of something along the lines of "VQO's will be attempted to be managed." Real commitment. Not weasel words.

As stated in the FSP – CCC will manage **to achieve** the designated VQO's - there is no mention of "attempt to manage to:".

· I request that the areas surrounding the Meadow Creek FDU which was logged last summer be upgraded from Partial Retention to Retention for overall forest health and preservation and visual quality and tourism.

CCC will not upgrade, or downgrade any of the designated VQOs. "Visual Quality Objectives (VQO's) and the scenic areas for the Kootenay Lake TSA were revised and established in the District Manager – Selkirk Forest District March 7, 2014 letter (and are subsequently continued under FRPA-Sec 180 & 181 & GAR-Sec 17) that provide VQO guidelines designed to meet the designated Scenic Area objectives for altered landscapes through" – CCC does not have the authority to change the VQOs

· I request an FSP that focuses on plain and clear public commitments so as to minimize a complaint-driven compliance & enforcement process. The commitments ought to be easily understood by non-professionals. The legalese underneath these commitments as to how these commitments will be met can then explain the commitments.

CCC requires an approved FSP to operate on our tenure. CCC realizes the FSP is a "legal document" and is subsequently to develop a "legal document" for approval. CCC has made additional comments to the Argenta-Johnsons Landing (AJL) communities to continue communication & community/company interactive throughout CCC's development in the AJL area.

· I request a major amendment to the FSP to remove the FDU's under the new licensee, understanding that BC Timber Sales was the previous licensee. These FDU's represent a long and contentious history for the communities directly impacted. Additionally it would be a sign of good will and an opportunity to extend the official (as opposed to unofficial) commenting period.

I am not sure of your request regarding "removal of the FDU under the new licensee". I understand that BCTS has also included the AJL area as a FDU in their FSP – this is an issue with BCTS, but they do have a rationale for including other areas in their FSP. CCC has not extended the comment period for the FSP. CCC contends the public, especially the AJL area, was provided with significant notification of the FSP and enough time for referral. The District Manager agreed with this as he formally notified the AJL Working Group that he would not require CCC to extend the review & comment period.

· These above mentioned FDU's on the Argenta face and Balmer-Salisbury which directly border the communities of Balmer's Landing, Johnson's Landing, and Argenta ought to have a separate FSP. One licensee, one FSP... mostly because of the need for a Community Wildfire Protection Plan and a Fuel Management Plan overseen and implemented by the Fire Chief and Area D of the Regional District of Central Kootenay.

CCC will not do a separate FSP for the areas mentioned.

· I would like to see a similar Community Wildfire Protection Plan put into place for Area D as you have implemented with Queen's Bay.

CCC is consulting with individuals who are "experts" in the field of wildfire & wildfire mitigation. These discussions are in a very early stage; therefore CCC cannot comment on a Plan at this time, or make commitments.

· As per Wildlife Conservation and Biodiversity: riparian zones require a larger buffer than zero meters. I would suggest that all timber harvesting ought to be no closer than 100 to 10 meters from riparian zones.

The only Riparian Zone with a ≥ 0 – meters is the zone around S6 creeks. The retention around all creeks will be determined by a Qualified Registered Professional (QRP) at the time of development. The objective when managing around creeks is to maintain the integrity of the creek.

· The precautionary principle regarding the loss of biodiversity is not being adequately addressed in the FSP. I request this be rectified in the final draft.

There is no intent to create a loss of biodiversity in CCC's forest management.

· As per Watershed Integrity and Slope Stability and Old Growth Management Areas: after meeting with Dave Polster, an ecological restorationist, the attendees were informed that for hydrologic integrity to be maintained 60% of the trees in an area where timber is harvested need to be over 160 years old as a general rule.

Maintaining the watershed for overall forest health during this period of man-made climate change is crucial. The trading out of Old Growth from OGMA's ought to be kept to a minimum since the living trees in the affected areas where timber is being harvested are already less than 160 years old.

CCC does not consider infringing into OGMA's as a "normal" practice. CCC's intent is to maintain OGMA's intact.

Infringing into an OGMA is done only under unique situations and a QRP is required to provide suitable replacement areas.

· I request that the FSP specifically address any trading from OGMA's under the previous licensee, BCTS.

There is no "trading" of OGMA's between Licensees. The OGMA in the Argenta FDU is identified and is a standalone area.

· I specifically request an absolute prohibition against trading or co-locating or doubling-up from within the Conservancy if the Conservancy and a Landscape Unit overlap.

I am unsure of this request – the Purcell Wilderness Conservancy is a "park/reserve" – no harvest zone.

· As per ecological restoration: logging roads need additional protection against unauthorized Off Road Vehicles after harvest.

CCC acknowledges this is a concern for the communities. CCC cannot commit to any form of "off road vehicle protection" at this time, but will commit to discussing this with the communities throughout CCC's forest development.

· As per wildlife conservation and ecological restoration: logging roads need to be made more inaccessible to predators in wildlife corridors.

Logging road locations is an operational issue. CCC will be contracting a local Biologist to work with us during forest development.

· Given the need for tourism and that this FSP includes easily accessible Wilderness Areas, access to the Earl Gray Pass trailhead east of Argenta needs to be given consideration. I don't even know if this trailhead is on your map.

The FSP only includes Recreation Trails that are "legally" identified. Where trails & other recreation sites are identified during CCC's forest development, CCC will manage around the trails/recreation sites to maintain the recreation values.

· I'm especially distressed with the damage being done in terms of access to hiking and maintain biking trails alongside Grizzly Creek.

I am unsure of your question.

Bill, I'm encouraged that you are keeping the unofficial commenting period open specifically for the Argenta face and Balmer-Salisbury while the corrupted LiDAR is being rectified. Seeing that you are already keeping additional comments for these FDU's under the broader FSP in an additional file, why not amend the FSP? You could (1) keep the official commenting period open longer (a major complaint from what I hear through the grapevine) (2) build good will (3) throw a bone to the Balmer's Landing, Johnson's Landing, Argenta communities and (4) create an opportunity to write a new gold standard FSP for the new licensee while the FDU's not excluded from your proposed Cooper Creek Cedar Ltd 2017-2022 FSP would be unaffected. It seems like a win-win negotiation. Please give it some serious thought. Thanks.

CCC will not extend the FSP comment period, or write a separate FSP for the areas you mention. However; CCC will continue to provide updates in the LINKS website and encourage community interaction with CCC throughout our forest development.

Sincerely,
Gary K. Slabaugh
13547 Highway 31
Meadow Creek, BC

Bill Kestell

From: Bill Kestell [bkestell@shaw.ca]
Sent: June-21-17 3:27 PM
To: 'Oliver Hopwood'
Subject: RE: CCC / Porcupine FSP Submission

Oliver: thank you for your professional and informative note. Cooper Creek Cedar acknowledges & is sensitive to your concerns; although CCC does believe there is a significant group of Kaslo and Lardeau Valley people who are still employed in the forest industry. CCC will include you in CCC's future CP development in the Lardeau, specifically any development that has potential to impact the Lardeau River. In my previous tenure with Meadow Creek Cedar, MCC partnered with White Grizzly cat skiing operations in the development of a CP that resulted in a win-win for both parties. When CCC does propose development in the Lardeau Valley, CCC trusts we can have the same result with Lardeau River Adventures.

Feel free to contact me at anytime.

Bill Kestell, RPF
Cooper Creek Cedar Ltd
Woodlands Manger
Phone: 250-229-4536
Cell: 250-505-4476

From: Oliver Hopwood [mailto:lardeauriveradventures@gmail.com]
Sent: June-19-17 5:55 PM
To: bkestell@shaw.ca
Cc: Aimee Watson; George.Edney@gov.bc.ca
Subject: Re: CCC / Porcupine FSP Submission

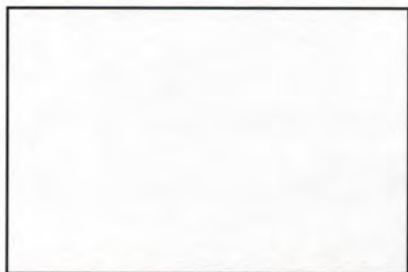
Hello Bill,

As today represents the deadline for submissions for CCC / Porcupine's FSP, I was ensuring you had received our submission sent via email on June 15.

Thank you.

Sincerely,

Oliver Hopwood



LARDEAU RIVER ADVENTURES

Oliver Hopwood & Tamara Henry
BOX 158
MEADOW CREEK, BC
VOG 1N0

1 855 400 RAFT (7238)



*Discover the **Kootenay Rockies Premier Adventure!***

On Thu, Jun 15, 2017 at 8:41 AM, Oliver Hopwood <lardeauriveradventures@gmail.com> wrote:

To:

Bill Kestell, RPF
Porcupine Wood Products / Cooper Creek Cedar

Copied to:

George Edney, District Manager – Selkirk Forest District, Forest Practices Board
Aimee Watson, RDCK Area D Director

Dear Bill:

Re: Logging within the catchment of the Lardeau River.

Lardeau River Adventures Ltd. would like to register our interest in Cooper Creek Cedar Ltd's. Forest Stewardship Plan (FSP) and their plans to carry out logging in the Selkirk Forest District under Forest Licences A56529 & A30171. We wish to be registered as a stakeholder with a particular focus on the impacts and possible mitigations for operations within the catchment of the Lardeau River and would like to provide our input in the Cutting and Road Permit process to follow.

As justification for that request, we offer the following background:

Lardeau River Adventures Ltd. (LRA) is an eco-tourism company based in Meadow Creek (est. 2013). LRA holds both a BC Park Use Permit (PUP) for operations within Goat Range Provincial Park and a Licence of Occupation (Crown Tenure) for operations in the Hope Creek, Gold Hill and Howser areas.

In the four years we have been operating, we have received a tremendous amount of support from the local community and have used our business to promote the unique and unspoiled beauty of the Lardeau valley to both domestic and international tourists alike. We offer the following Trip Advisor link for your consideration:

http://www.tripadvisor.ca/Attraction_Review-g793329-d6214225-Reviews-Lardeau_River_Adventures-Kaslo_Kootenay_Rockies_British_Columbia.html

We have won the 2016 Luxury Travel Guide Awards and won gold in the 2014 Best of Business Awards (Kootenay business). We are proud to employ locally and pleased to have the opportunity to spend locally. We are committed to growing sustainable eco-tourism in this area and have invested at a time when the local economy has been depressed overall.

When we began scouting the area to assess the viability for a successful and sustainable rafting operation, we were especially interested in what characteristics make this area unique. These include the exceptional water quality of the Lardeau, the scenic nature of the valley visible from the river and Highway 31 and the abundant and diverse wildlife in the area - including several significant and at risk species, such as mountain caribou. All of these attributes combined gave us the confidence to invest our life savings in a wilderness river rafting venture based in Meadow Creek.

In the last two years, we have experienced significant negative impacts to our operation from the logging in the Hope Creek area as well as the more recent Lake Creek operations. There has been no notification or consultation regarding the timing, scale or location of these cut blocks. We are determined that this will not become a pattern. The scale and high visibility of the cut blocks has drawn many negative comments from our guests. It has a direct influence on the scenic value of the experience and has become clear to us that it is increasingly at odds with the product we market and as such, threatens our business. We also believe that the proximity of these current operations to the river poses real and significant risk to a sensitive environment.

Our issues specifically pertaining to the FSP:

1. VISUAL QUALITY OBJECTIVES (VQO):

In order to achieve the VQOs or do better, it is necessary to implement the elements of good visual design as laid out in FREP Extension Bulletin #32 and to have a commitment in the FSP to achieve results consistent with the VQO. Recognizing that other legitimate stakeholders derive significant value from the Lardeau River valley in it's current state, Cooper Creek Cedar needs to go beyond the minimum standards relating to VQOs and provide stakeholders with sufficient information (including maps, simulations and site visitations) well in advance of securing cutting permits.

2. WILDLIFE CONNECTIVITY CORRIDORS:

Since the logging operations began at Hope Creek North and South, we have logged a significant drop in the frequency of wildlife movements in that area (especially as viewed from the river) - particularly grizzly bears. Operating plans must be designed with the objective of maintaining sufficient and appropriate wildlife connectivity and corridors so as to avoid further adverse consequences from industrial activity in the area. We look forward to the opportunity to review the process and subsequent mapping by which CCC can assure us that such allowances have been made.

3. WATER QUALITY / TERRAIN STABILITY:

We have been deeply concerned and disappointed to see the close proximity of logging to the Provincial Park boundary on the east bank of the Lardeau especially between Healy Creek and Hope Creek.

The Lardeau River is home to the only wild spawning grounds for the endemic Gerrard rainbow trout. This fish is the world's largest sub species of rainbow trout and is responsible for a fishery worth millions of dollars annually to the Kootenay Lake region. The Lardeau also plays host to a large natural Kokanee salmon fishery. Both species are an indicator of high water quality. And they are both vulnerable to run-off events that can increase sediment and choke the redds (spawning beds). An increase in logging in the immediate catchment puts these threatened and economically valuable species at risk at a time when they have already been experiencing a catastrophic collapse in their numbers.

SUMMARY:

Further logging within this catchment, without due consultation and consideration, represents the single biggest threat to both the ecological health of the Lardeau River and the future of our business. We appreciate that historically primary resource industries have done their best to satisfy both the demands of their industry and the regulations that have been in place. However, times are changing. There are new and varied pressures on the resources of the Lardeau Valley. Tourism is the largest **growing** local employment provider (including but not limited to, Lardeau River

Adventures, Selkirk Snowcat Skiing, White Grizzly Cat skiing, Kootenay Reflections Photography, Rise and SUP paddleboard & Grizzly Bear Ranch). The communities in Poplar Creek, Howser, Meadow Creek, Cooper Creek, Argenta and Johnson's Landing no longer rely on primary resource extraction and are moving towards a more diverse and sustainable economy. People are no longer living here for the logging or mill-work of yesteryear, but for the many natural splendours and opportunities a relatively whole and unspoiled valley such as this provides.

We look forward to engaging with you and ensuring that the richness of this valley and those who rely upon it are protected.

Sincerely

Oliver Hopwood & Tamara Henry



LARDEAU RIVER ADVENTURES

Oliver Hopwood & Tamara Henry
BOX 158
MEADOW CREEK, BC
VOG 1N0

1 855 400 RAFT (7238)



*Discover the **Kootenay Rockies Premier Adventure!***

Bill Kestell

From: Bill Kestell [bkestell@shaw.ca]
Sent: July-13-17 11:32 AM
To: 'Bill Kestell'
Subject: FW: CCC / Porcupine FSP Submission

Hi Bill,

Thank you for the response. We appreciate and look forward to being included in CCC's future CP development. The Lardeau Valley and especially the natural values potentially impacted within the catchment of the Lardeau River (Visual Quality, Wildlife Connectivity and Water Quality / Terrain Stability) are our specific concern at this time. To be honest, I'm not sure how forestry employees in Kaslo is relevant to this issue. We are specifically concerned with the Lardeau Valley, the water catchment, the ecological integrity of this area and the long term sustainability of the local community. If Kaslo residents stand to be negatively impacted by the CP put forward by CCC, or any alterations subsequent to stakeholder input, and you deem it appropriate to invite representatives from Kaslo for a balanced discussion, we would welcome the opportunity. As for employment, in the Lardeau Valley local employment in the tourism industry and the money tourism injects directly into the local economy is significant and continues to grow. Selkirk Snowcat Skiing alone employs 39 people.

I am glad you and White Grizzly experienced a positive relationship and outcome and we look forward to working together to a similar goal.

Sincerely,

From: Bill Kestell [<mailto:bkestell@shaw.ca>]
Sent: June-28-17 1:14 PM
To: 'Oliver Hopwood'
Cc: 'George.Edney@gov.bc.ca'; 'Aimee Watson'
Subject: RE: CCC / Porcupine FSP Submission

Oliver: In your letter you state: "The communities in Poplar Creek, Howser, Meadow Creek, Cooper Creek, Argenta and Johnson's Landing no longer rely on primary resource extraction and are moving towards a more diverse and sustainable economy. People are no longer living here for the logging or mill-work of yesteryear, but for the many natural splendours and opportunities a relatively whole and unspoiled valley such as this provides." Cooper Creek Cedar Ltd (CCC) recognizes and respects the importance of the tourist industry in the communities you identify, and in the Kaslo area. CCC has, and will continual to work with the tourist industry (CMH heili-skiing, Cody Caves, White Grizzly Cat Skiing) to minimize the impact on either industry and to foster the growth and stability of both industries.

In CCC's statement: "CCC does believe there is a significant group of Kaslo and Lardeau Valley people who are still employed in the forest industry.", CCC simply contends that the *forest industry*, which is ultimately based on resource extraction *and* reforestation continues to employ a significant number of individuals and families in the same communities. These jobs include: forest technicians, biologists, terrain professionals, hydrologists, loggers, logging truck drivers, road builders, road maintenance contractors, tree planters/brushers, silviculture technicians & professionals, surveyors – and all these workers and contractors also contribute significantly to the local community, including the tourist industry. And, some of the local tourist companies use logging roads to access their tenure, and individuals use these same logging roads to access skiing & hiking trails, hunting & fishing areas.

CCC is not comparing the tourism industry to the forest industry, CCC is simply recognizing both industries as being important to the economic growth & stability of the north Kootenay Lake to Trout Lake region.

Thank you for the interesting dialogue.

Bill Kestell, RPF
Cooper Creek Cedar Ltd
Woodlands Manger

Mary Davidson

07/13/17

To: Bill Kestell, RPF
Salmo BC
From: Mary Davidson
Lardeau BC
Re: Cooper Creek Cedar/Porcupine Wood Products Forest Stewardship Plan 2017-2022

Note: CCC's comments to your letter are in red at the end of each section. – Bill Kestell, RPF – June 21, 2017

Dear Bill,

The following are my comments and recommendations regarding the Forest Stewardship Plan currently under public review.

1) Comments on the FSP:

- The FSP has contradictory statements within it. The wording is unclear throughout, yet this is a legal document. An unpolished draft was put before the public for review.
- The FSP contained a self-exemption in the VQO section. This practice was deemed illegal in 2010.
- The maps supplied have multiple conspicuous errors.
- The FSP targets minimum requirements. It commits to as little as possible
CCC's objective when writing the FSP for submission to MFLNRO is to address the legal requirements of the FSP process. It is meant to be a legal document and, as with most legal documents, wording tends to be unclear.
CCC disagrees with your "unpolished draft" comment. The *Referral Document* is meant to be the Licensee's first draft and meant to receive comments prior to the *Submission for Approval*. I have reviewed the FSP with professional colleagues and MFLNRO, and no one has made the critical comments you are making. CCC does not intend to make changes to the document that you imply should be made. The FSP targets are the legal targets, and many would disagree with you they are minimums.
CCC acknowledged the exemption should not have been included in the FSP. CCC also states there was no intent on CCC's part to suggest it as a *self-emption*. CCC has stated this in the most recent letter to the Argenta-Johnsons Landing Working Group.

2) Recommendations regarding the FSP:

- The FSP would benefit from a more elevated bottom line. Struggling to meet the minimum requirements of FRPA is unlikely to generate public support for CCC.
- The FSP should be written in language people can understand: plain English. When legislation is referenced the pertinent material should be included in the document, so that the reader isn't required to look outside the document itself in order to understand what is being stated. If the legislation itself is unclear, the FSP should clearly articulate what interpretation its own commitments are based upon.
- Significant parts of the FSP are open to interpretation. These should be rewritten. Say what you mean, and mean what you say.
- CCC would help itself by committing in the FSP to engaging in a fair and open public process from this point forward. This would build trust and smooth the way forward for all concerned. Such a gesture has the potential to repair some of the missteps taken during the public review period.
As per above, CCC's objective when writing the FSP for submission to MFLNRO is to address the legal requirements of the FSP process. It is meant to be a legal document and, as with most legal documents, wording tends to be unclear.

CCC has discussed with Rick, Marlene and yourself in the two meeting we have had the differences between the FSP and public consultation, and that specific commitments CCC makes with specific public communities (Argenta-Johnsons Landing) will not be included in the FSP. However; CCC has made commitments to your group personally, in writing in letters & emails & in the LINKS website that CCC is willing to communicate with community members throughout CCC's forest development.

3) Comments on the public review period of CCC's FSP:

- CCC actively discouraged public input into the FSP.
- CCC said that public comments would be considered at the operations stage.
- CCC stated to the public that CCC was keeping two files, and that some public input was not going to FLNRO.
- CCC did not concurrently inform the public that it is *only during the FSP approval period* that FLNRO reviews public comments and concerns to ensure they are addressed by the licensee. No such protection exists at the operations stage.
- If public comments are not included in FLNRO's review of the FSP, then the public has no recourse during operations. This does not serve the public well. Adherence to the established legal process would have ensured that the public had ample time to understand and review the FSP.
- CCC stated verbally to the AJL Working Group that CCC was committed to working with them throughout the planning process and throughout the operations phases of their work.
- CCC's communication with the public, mostly via LINKS, was poorly timed, the information sometimes contradicted what had been verbally expressed, and the information was somewhat inaccurate and thus confusing.

Respectfully, I am unsure of the justification of your comments above. The comments below are from the March 27, 2017 – CCC reply to the Argenta-Johnsons Landing group letter (Marlene, Rick, Mary). "Cooper Creek Cedar has stated that we encourage continual communication with the community throughout CCC's forest development in your community, and during the subsequent road building, harvesting, post-harvest operations and silviculture activities. This information sharing is an opportunity for the community to be updated on the company's activities and for the community to identify their concerns and their local knowledge of the development area to CCC.

The current forum for information sharing is through the Lardeau Valley Website (LINKS). CCC is open to any other media the community wishes to propose, specifically forming an "Information Sharing Group" where concerns and scheduling public meetings can be communicated to CCC in a unified form."

This is just one example of CCC's suggestion to your group encouraging public involvement in CCC's future development in Argenta-Johnsons Landing area. This suggestion has also been included in correspondence with other groups.

•

4) Recommendations stemming from CCC's public review period:

- CCC should adhere to the established legal process and provide FLNRO with *all* the input they received during the public review period.
- FLNRO should ensure that these concerns and comments are *properly and thoroughly* addressed in the FSP. Where comments refer to specific regional concerns, these should be addressed and recorded in such a way that the intent of the comment is recognized and safeguarded by virtue of having been reviewed by FLNRO during the approval process.
- In every instance where a public concern is potentially affected by forest development, the FSP should clearly address the concern. The language used to do so should be clear, unbiased and not subject to interpretation.

07/13/17

- The process followed by CCC did not protect or respect the interests of local people in a full or forthright way. Damage was done. One way to repair this damage would be for CCC to formalize the verbal commitment they made to the AJL Working Group to engage in an open and genuine process with a regionally inclusive group throughout their planning and operations phases. Such a commitment in the FSP would go a long way toward establishing a sound foundation upon which to move forward. *CCC will submit the FSP for Submission, which is MFLNRO review, in the near future. They will make the decision on your first three bullets. Regarding your fourth bullet, CCC does not know of any damage that has been done. CCC contends that we have participated in open & genuine communication/information sharing with the AJL Working Group.*

Thank you for your careful consideration of these observations, concerns and recommendations.

Yours truly,

Mary Davidson

cc: George Edney, Ian Wiles, FPB, AJL Working Group, Aimee Watson, Michelle Mungall



Nelson & KL Tourism Letter

June 19 2017

Cooper Creek Cedar Ltd.
Porcupine Wood Products/
coopercreek@porcupinewood.com

cc: George Edney, District Manager, FLNRO; Ian Wiles, Forest Stewardship Manager, FLNRO; Forest Practices Board; Friends of Lardeau River; AJL Working Group; Aimee Watson, Director RDCK; Suzan Hewat, Mayor Kaslo; Michelle Mungall MLA; Wayne Stetski MP; Kaslo & Area Chamber of Commerce; Kathy Cooper, CEO Kootenay Rockies Tourism; Marsha Walden, CEO Destination BC, Shirley Bond, Minister of Jobs, Tourism and Skills Training BC; Christy Clark Premier BC

RE: FSP COMMENTS

Dear Cooper Creek Cedar/Porcupine Wood Products:

We are taking this opportunity to provide our input regarding our concerns about your 2017-2022 Forest Stewardship Plan, during your legally mandated, official public comment period.

Nelson Kootenay Lake Tourism is the official Destination Marketing Organization for this area, representing hundreds of local businesses that derive their primary source of revenue directly from the fastest growing industry in BC: tourism. We are concerned that short-term logging plans will negatively affect tourism and tourism businesses for a generation or more if executed carelessly or even just to the mandated standards for the areas you intend to log.

Tourism contributed a total of \$15.7 Billion dollars to the BC economy in 2015, up 5.3% from 2014 and up 38.0 % since 2005 -- and that growth continues with 2016 estimated to be the best tourism year in BC to date. Tourists from all over the world are coming to this particular area for its incredible natural beauty, comprised of stunning views of lush forest, soaring mountains and pristine Kootenay Lake. They come for the natural beauty and the absence of crowds. We can deliver this amazing combination, but only with your cooperation. Destructive, highly visible logging will decimate our product for the foreseeable future, driving tourists away and putting hundreds of small businesses out of business.



Although we are concerned about all the viewsapes in your tenure, because many of them impact world-class hiking routes enjoyed by tourists and locals alike, we are particularly concerned with the highly visible area between Hamill Creek and Kootenay Joe Creek. This particular viewscape is of significant impact to tourism businesses located on the west shore of the lake, but it also impacts every single person who drives up to the top of the lake. Impacted businesses include adventure tourism businesses as well as accommodation businesses and two campground jewels in the crown of BC Parks.

We ask that you take this opportunity to work with us to create a long-term, sustainable and ongoing economy for this area and not take a short-sighted slash and burn approach. You have an opportunity to truly **HARVEST** rather than decimate forest and we ask that you do so.

Since the public was not provided with an accurate description of the area you intend to log, **we request an extension of the public input timeframe**, enabling those businesses specifically at risk to comment. Many of them have not yet done so, believing your FSP would not in fact impact them.

In addition, **we ask that you commit to meeting existing legally established VQOs** in your FSP. In fact, we'd really like to see you **exceed** those minimum standards and pioneer exciting new benchmarks in forestry for BC. We are very concerned that VQO standards seem often to be ignored without penalty.

Finally, we ask that you add us as a stakeholder, enabling us to provide input to FSPs, operating plans and all future changes and amendments. This is too important to this area's economy to take a short-term view.

We look forward to your reply in writing.

Thank you,

Dianna Ducs, Executive Director

On behalf of the Nelson Kootenay Lake Tourism Society, Board of Directors

Box 850 Salmo, B.C. V0G 1Z0

Phone: 250/357-9479

Fax: 250/357-9412

June 29, 2017

Nelson and Kootenay Lake Tourism

dianna@nelsonkootenaylake.com | www.nelsonkootenaylake.com

Thank you for your June 19, 2017 letter I which you provide your comments on Cooper Creek Cedar Ltd's (CCC) 2017-2022 Forest Stewardship Plan (FSP). The following is CCC's response to your comments.

CCC has, and will continue to work with the local tourism industry. CCC recognizes the importance of having a viable tourism industry in the Kootenays. We have worked with White Grizzly Cat Skiing, Cody Caves and CMH Heli Skiing to foster a productive relationship that has benefited all parties. CCC welcomes the opportunity to work with Nelson & Kootenay Lake Tourism. CCC will include Nelson & Kootenay Lake Tourism as a stakeholder in our referral process for future Cutting Permit development.

CCC has not extended the FSP Review & Comment period. This issue was discussed with other interest groups and the Ministry of Forests, Lands & Natural Resource Operations. The District Manager, after a thorough review of requests to extend the referral period and reviewing CCC's thorough referral process, issued a formal letter stating CCC was not required to extend the referral period.

CCC states in the FSP: "When developing a Cutting Permit or a Road Permit, CCC will manage to achieve the Visual Quality Objectives set by GAR – Sec 7(2) Order by the District Manager, Kootenay Lake Forest District, March 7, 2014." This is a commitment to manage to the designated VQOs. CCC will provide Nelson & Kootenay Lake Tourism an opportunity to review CCC's Visual Impact Assessment (a visual simulation of the visual disturbance) prior to Cutting Permit submission.

CCC manages all forest development with sound forest & professional stewardship practices so Cooper Creek Cedar can maintain a long-term and sustainable forest tenure to provide the required fiber to our mill into the extended future.

Sincerely

Cooper Creek Cedar Ltd

Bill Kestell, RPF

Woodlands Manager

Queens Bay Residents Association Comment on Cooper Creek Cedar 2017 FSP

Old Forest Requirement Strategy

We have concerns regarding Section 3.5.3 KBHLP - Objective 2 (Old Forest Requirement Strategy). Given the fact that old forest representation of some lower elevation biogeoclimatic subzones is lacking in many landscape units of southeastern BC, we consider this a matter of importance which requires specific consideration.

We are aware of circumstances where other licensees seeking to modify a designated OGMA have relied on an overly simplistic analysis to compare the biodiversity values of the original and replacement areas. Such a cursory analysis appears to be limited to the general forest characteristics (timber type and age class), the total area included, and the presence or absence of harvesting constraints in original and candidate replacement areas.

Professional biologists have identified a number of attributes that are critical to the biodiversity value of a given area and should therefore be considered in any comparative evaluation of candidate OGMAs. These include:

- patch size and shape
- connectivity and degree of fragmentation
- interior forest habitat values
- the influence of topography and terrain types, site index and productivity
- densities of large snags, live veteran trees and large hollow logs
- occurrence of rare site series or special features
- usage or habitat potential for animal and plant species at risk
- incidence of insects and diseases that increase habitat value for biodiversity (e.g., mistletoe, heart rot decay, etc.)
- deficit with respect to OGMA representation in the particular biogeoclimatic subzone within the Landscape Unit

A comparative analysis of the biodiversity values in the original and replacement areas should be carried out and documented by a Qualified Professional Biologist. A replacement or modified OGMA must be shown to contain greater or equal value for the preservation of biodiversity.

We feel that the CCC Old Forest Requirement Strategy should be modified to reflect this more thorough approach.

3.4.3 Community Watersheds

We feel that the practice requirements outlined in Sec 59 through 63 of the FPPR in designated community watersheds, and especially those related to protecting water quality/quantity, be extended to all watersheds that support 4 or more licenses for consumptive use and where there is a community that can organize itself to participate in planning.

Bill Kestell

From: Bill Kestell [bkestell@shaw.ca]
Sent: July-03-17 3:07 PM
To: 'John Beerbower'
Subject: FW: Comment on CCC 2017 FSP
Attachments: Comment on CCC 2017 FSP.pdf

John: thanks for your comments. Cooper Creek Cedar contends that the process regarding infringing into established OGMA's is adequately addressed in the FSP. All of your concerns will be assessed if CCC does propose a change to an OGMA. CCC will commit to the Queens Bay Residents Association that we will refer any proposed changes to an OGMA in the Queens Bay/Laird Ck/Coffee Creek FDU's with the professional rational prior to making the change to the OGMA. CCC will not commit to your request to manage "all watersheds that support four or more licenses for consuptive use and where there is a community that can organize itself to participate in planning". CCC contends the FSP addresses registered water licenses for consumptive use in section **3.4.4 Consumptive Use Streams** of CCC's FSP. CCC will continue to engage with communities in watersheds who want to engage in the planning process, as CCC has done with the Queens Bay watershed group in the past.

From: Cooper Creek [<mailto:coopercreek@porcupinewood.com>]
Sent: July-03-17 2:56 PM
To: bkestell@shaw.ca
Subject: Fwd: Comment on CCC 2017 FSP

----- Forwarded message -----
From: **John Beerbower** <jb229cd@shaw.ca>
Date: Mon, Jun 19, 2017 at 7:36 AM
Subject: Comment on CCC 2017 FSP
To: coopercreek@porcupinewood.com

Bill Kestell
Woodlands Manager
Porcupine Wood Products

Dear Bill,

Please find attached comment from the Queens Bay Residents Association on the proposed Cooper Creek Cedar 2017 FSP. Please also note that comments previously submitted for the 2007 FSP are the continuing position of the QBRA regarding development in the Queens Bay watershed area.

Regards,

John Beerbower
Queens Bay Residents Association



Regional District of Central Kootenay

Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4
Telephone (250) 352-6665
BC Toll Free 1-800-268-7325

Web: www.rdck.bc.ca
Email: info@rdck.bc.ca
Fax: (250) 352-9300

File No.: 4340-30-R1710D-CCC_FSP

May 30, 2017

Bill Kestell, RPF
Cooper Creek Cedar Ltd.
c/o Porcupine Wood Products
Box 850
Salmo, BC V0G 1Z0
bkestell@shaw.ca

Dear Bill Kestell,

RE: A56529 Forest Stewardship Plan (2017-2022)

Thank you for your request for feedback from the Regional District of Central Kootenay on the Cooper Creek Cedar Forest Stewardship Plan (FSP) for the Kootenay Lake Timber Supply Area.

The area covered by the FSP overlaps with the Regional District Electoral Areas 'E' (Laird Creek to south of Coffee Creek) and 'D' (all other areas). Please see the attached excerpts from the adopted official community plan bylaws as they pertain to Crown land, forestry, the natural environment, parks & recreation and community-specific policies.

Because of the significant geographical extent of the proposal areas, the Regional District respectfully requests the opportunity to provide comments at the site plan scale – relative to proposed cutblocks and road locations prior to cutting or road permits issued.

Please note that the Regional District operates two water systems (Grandview and Balfour) in the Laird Creek/ Redfish Creek drainages.

This response includes two additional attachments: the detailed response from Electoral Area D Director Aimee Watson and a Report on the Johnsons Landing Landslide Hazard and Risk Analysis.

If you have any questions, please contact me at 250.352.8184 or by email at kaasen@rdck.bc.ca.

Sincerely,

Kristin Aasen

Kristin Aasen, Planner

Enclosures

Copy: RDCK Electoral Area E and D Directors



Area 'D' Official Community Plan Bylaw No. 2435, 2016

Resource Area Objectives

1. To retain and diversify resource-based land uses which contribute to the local economy and nature of communities in the Plan area.
2. To encourage the economic benefits of value-added resource processing to be retained in the community.
3. To recognize the importance of Crown lands for recreational values and opportunity.
4. To ensure, in cooperation with the Province and private land owners, that resource based activities do not result in increased occurrence or magnitude of natural hazards in areas where there is risk to persons or property in the Plan area.
5. To encourage that the economic values associated with water resources within the Plan area provide benefit to the community.

Resource Area Policies

The Regional Board:

1. Recognizes that a Resource Area designation includes those uses compatible with larger parcels and/or restrictions to land use such as accessibility or hazards.
3. Recognizes the jurisdiction of the Province over public Crown land.
5. Will work with the Province to ensure unique scenic vistas and public recreation areas are recognized and managed for within the Plan area.
6. Will work with the Province to ensure community watersheds and sources of domestic water supply are recognized and protected within the Plan area.
7. Will support the development of community owned and managed woodlots in consultation and with the support of the community.

Natural Environment Objectives

1. To maintain high water quality of groundwater and surface water sources of domestic water supply.
2. To foster an awareness of the values associated with the natural environment and conserve sensitive and significant natural features and values from negative impacts as a result of development.
3. To encourage the maintenance of biodiversity in the Plan area, important to the biological functioning and ecological integrity of the area.
4. To conserve the natural values within the Plan area in recognition of their importance to the local economy, residents, visitors, as a natural amenity, and for wildlife and ecological functioning.
5. To encourage the creation of a watershed stewardship plan for the lakes, rivers and streams within Kootenay Lake and the Lardeau Valley.

Natural Environment Policies

The Regional Board:

2. Supports the identification, protection, and restoration of environmentally sensitive areas.
4. Supports the Provincial requirement that developers apply for and obtain appropriate permits and authorization for "Changes In and About a Stream" pursuant to Section 9 of the Water Act.
5. Encourages the retention of existing wildlife corridors and access to water.
6. Encourages the Province to recognize environmentally sensitive areas, hazard areas, and areas upstream of alluvial fans, and uphold the strictest regulation for forest and mining or mineral development in these areas.
7. Encourages the protection of environmentally sensitive areas, important to the biodiversity and ecological functioning of the Plan area, and areas that contribute to community 'greenway' corridors that link open space areas.
10. Supports cooperation with Fisheries and Oceans Canada and the Province in the identification and management of sensitive habitat on Kootenay and Duncan Lakes and other riparian areas.

Parks and Recreation, Culture and Heritage Objectives

4. Protect, establish and maintain public access to Kootenay and Duncan Lakes and the river systems within the Plan area.
7. Protect Crown lands around Kootenay and Duncan Lakes and other riparian areas for public enjoyment and aesthetic and natural heritage values.
8. Work toward the development of a trail system which encourages and accommodates a variety of users and uses; which is consistent and complementary to existing trail systems within the Plan area, while recognizing the need to protect domestic water sources.

Parks and Recreation, Culture and Heritage Policies

The Regional Board:

11. Encourages the Province to secure, enforce, and provide ongoing maintenance and development of public right-of-ways and access to Kootenay and Duncan Lakes and river systems within the Plan area.
14. Encourages the Province to maintain and protect Crown lands along and adjacent to the foreshore of Kootenay and Duncan Lakes and other riparian areas for public use and enjoyment.
15. Supports that Crown lands adjacent to the community of Lardeau along Davis Creek be maintained as public green space.
16. Encourages the establishment of a trail linking Davis Creek and Lost Ledge Provincial Parks in conjunction with the Province and BC Parks.
17. Encourages the Province to maintain old forestry roads recognized for their value to residents and visitors for recreational activity and use.

Hamill Creek

94. Wishes to maintain existing conditions of clean air and water.
95. Recognizes that Hamill Creek will remain primarily residential but supports agriculture, light industry and commercial development; provided it does not pollute the environment.

Argenta Policies

101. Recognizes that residents value the pristine nature of the environment, including land, water and wildlife, and wish to continue to promote wise and balanced stewardship of the area.
106. Strongly advocates the protection of all sources of domestic water supply.
107. Recognizes the value of the north end of Kootenay Lake and the Argenta Wetlands to the community, and recognizes the environmental sensitivity of both.
111. Encourages the RDCK and/or Province to designate as undeveloped community parkland of all Crown lands between the Argenta Wetlands and the northern boundary of Bulmers Pointe from the road down to the lakeshore.
113. Recognizes the importance of the Purcell Wilderness Conservancy to the community and encourages that it be retained as a Class 'A' Provincial Park.
114. Supports that the Crown land immediately north of former Crown lots 1 through 9, Plan 8391 be considered for undeveloped community park purposes, with all lands to the west of this area toward Kootenay Lake to be kept within the working forest.
115. Recognizes access to the Earl Grey Trail and supports long term maintenance of this access point.

Johnsons Landing Policies

119. Encourages recognition and protection of existing community trail corridors and supports long term maintenance and public ownership of the Fry Creek Trail.
121. Recognizes the importance of the Purcell Wilderness Conservancy to the community and encourages that it be retained as a Class 'A' Provincial Park.
124. Recognizes heritage values and encourages conservation of cultural and archaeological sites.
127. Encourages recognition and protection of wildlife corridors and seasonal habitat ranges.

Area 'E' Official Community Plan Bylaw No. 2260, 2013

Natural Environment Objectives

1. To maintain high water quality of groundwater and surface water sources of domestic and irrigation water supply.
2. To foster an awareness of the values associated with the natural environment and to conserve sensitive and significant natural features and values from negative impacts as a result of development.
3. To encourage the maintenance of biodiversity in the Plan area, important to the biological functioning and ecological integrity of the area.
4. To conserve the natural values within the Plan area in recognition of their importance to the local economy, residents, visitors, as a natural amenity and for wildlife and ecological functioning.
5. To maintain the aesthetic quality of communities within the Plan area.

Natural Environment Policies

The Regional Board:

1. Supports the identification, protection, and restoration of environmentally sensitive areas as delineated on Schedule B.1 as Environmental Reserve (ER) including areas identified as wetlands, spawning areas and areas for species at risk. Please note that additional areas of environmental sensitivity exist beyond those featured on Schedule B.1 and that efforts will be made to refine these values as resources permit.
3. Supports the Provincial requirement that developers apply for and obtain appropriate permits and authorization for "Changes In and About a Stream" pursuant to Section 9 of the Water Act.
4. Encourages the retention of existing wildlife corridors, riparian corridors and access to water.
5. Encourages the Province to recognize environmentally sensitive areas, hazard areas, and areas upstream of alluvial fans, and uphold the strictest regulation for resource and recreational tenure in these areas.
6. Encourages the protection of environmentally sensitive areas and features, important to the ecological functioning of the Plan area and which contribute to community greenway corridors.
10. Supports cooperation with Fisheries and Oceans Canada and the Province in the identification and management of sensitive habitat on Kootenay Lake and other riparian areas.

Resource Area Objectives

1. To retain and diversify resource based land uses which contribute to the local economy and nature of communities in the Plan area.
2. To recognize and support traditional resource based industries, such as mining, mineral exploration and forest management of timber resources on Crown land in recognition of the importance of these industries to the history and economy of the Plan area.
3. To encourage the economic benefits of value added resource processing to be retained in the community.
4. To ensure, in cooperation with the Province and private land owners, that resource based activities do not result in increased occurrence or magnitude of natural hazards in areas where there is risk to persons or property in the Plan area.
5. To encourage the Province to respect the interests and concerns of residents in decisions concerning activities, development, and sale of Crown lands and water.
6. To maintain Crown lands adjacent to lake fronts, riparian areas and areas of environmental sensitivity within the public domain.
7. To encourage collaboration with large industrial land owners with regard to public use of industrial lands and consideration of community values where possible.

Resource Area Policies

The Regional Board:

3. Recognizes the jurisdiction of the Province over public Crown land and that resource based activities on Crown land are governed under applicable Provincial regulations and statutes.

4. Recognizes the need for collaboration between industrial users and public users of Crown lands with regard to the establishment and promotion of recreational use of Crown lands.
5. Will work with the Province to ensure sources of domestic and irrigation water supply are recognized and protected within the Plan area.
6. Will support the development of community owned and managed woodlots in consultation and with the support of the community.
7. Will work collaboratively with large industrial land holders with regard to public use of industrial lands.
8. Strongly encourages the Province to inform and consult with a community before any change in land use on Crown land, including issuing licences or permits for any development or activity, land sales, and land use designation amendments that may affect the community.
9. Discourages the Province from disposing of Crown lands that are used by the general population for recreational purposes, when such disposition would prevent further usage by the general public.
10. Discourages the Province from disposing of any Crown Land that is environmentally sensitive, except for conservation or stewardship purposes, unless such sensitive aspects are protected through a restrictive covenant.

Parks and Recreation, Culture and Heritage Objectives

2. To protect, establish and maintain public access to Kootenay Lake where there is expressed community interest and support and ensure clear signage of such sites.
5. To protect Crown lands around Kootenay Lake and other riparian areas for public enjoyment and aesthetic and natural heritage values.
6. To work toward the development of a trail system which encourages and accommodates a variety of users and uses; which is consistent and complementary to existing trail systems within the Plan area, while recognizing the need to protect domestic water sources.

Parks and Recreation, Culture and Heritage Policies

The Regional Board:

8. Will seek stewardship opportunities for public access points to ensure long term access to Kootenay Lake and the Kootenay River.

Queens Bay Policies

8. Recognizes that the various recreational trails located on Crown land adjacent to the community are valued by residents and encourages that these lands be retained in an undeveloped state.

Balfour policies:

23. Recognizes the importance of motorized access to Crown lands for recreational pursuits.

The Argenta / Johnsons Landing Face portion of the CCC tenure has some significant concerns regarding terrain stability and wildland urban interface fire. As a result, there are three areas of concern:

1. Community consultation on critical operational details regarding forest operations;
2. Terrain stability for areas of proposed logging within the Argenta / Johnsons Landing Face; and
3. Community wildfire protection planning.

1. Consultation Concerns

Regarding consultation, the details that are of most importance to the community are not available in a Forest Stewardship Plan. In fact, requiring public input on a document that has little operational details is not an effective means of building public trust. The details that are crucial to the communities are not to be found in the FSP. Rather, they are to be found in the operational plans where the specifics of harvesting and road building will be found, along with important information about water licenses, biodiversity, high risk fuels, sensitive terrain and other priority community values.

Public Safety & Emergency Responsibility

With the 2012 landslide of Johnsons Landing, we learned several crucial factors that need to be included in any work on our mountains into the future. Terrain stability and ground water levels can be major factors contributing to catastrophic events. Emergency planning must be built into all resource management plans. Public safety is of the utmost importance at all scales of planning, from the strategic level of the FSP to the operational level of site and harvest plans. However, according to MFLNRO policies, it is not a consideration that has regulatory support in regards to approval of cutting permits, FSP's or operational plans. Licencee's must indicate they will not cause a landslide and provide information on how they will ensure this, but that information is not reviewed nor vetted before approval of cutting permits. Thus the communities that are directly impacted by CCC logging activities are extremely concerned about all proposed activities.

2. Terrain Stability

A recent presentation from geotechnical expert Peter Jordan provided context to these concerns. In his presentation to the community, he indicated the following facts regarding the Argenta Face hillside:

- The geology and hydrology of the Argenta Face is very similar to the Johnsons Landing face / Gar Creek area;
- Karst features (limestone) indicate that below the surface there are caves and streams
- Unidentified springs lead to un seen formations and water courses underground that are vulnerable to activities above ground
- The geotechnical report completed for the Gar Creek area indicated that this geology and changes to subsurface hydrology contributed to the catastrophic landslide in July of 2012 was;
- Intense hydrological events that normally occurred every 200 years are now happening much more frequently and at unpredictable levels as a result of climate change.

These factors must drive planning for logging activity. As a result, I insist that operational plans come to the RDCK for formal referral, review and input before any cutting permits are approved.

As the local level government responsible for emergency management, it is our due diligence to properly review the risk factors raised regarding terrain stability. With that, we request that the recent LiDAR mapping also be made available to our emergency management staff at the RDCK.

Gar Creek

In regards to Gar Creek in Johnsons Landing, I have attached the February 2014 letter from Garth Wiggill to Sharon Daily indicating that the hazard zone around GAR Creek is to be removed from Timber Harvesting Land Base and the Annual Allowable Cut. This needs to be reflected in the CCC FSP indicating it will not be logged at all.

Water Systems

There are more than 50 water licences within the proposed area of the Argenta / Johnsons Landing Face and these are not accurately shown on the FSP Maps. This information needs to be updated for the entire FSP area. Please see the link below ¹.

Community watersheds have provisions for protection within an FSP, however, individual water licenses do not. As well, inspection or oversight to ensure that the water source have been protected and not negatively impacted, is not provided within the management of a forestry tenure. While individual water licences are not considered a 'community watershed' and thus have no specific identification within an FSP, 50 + licenses in one area certainly constitutes a clear indication that this hillside is a significant source of consumptive water use and therefore I request information be provided on how activities will specifically protect all water sources. The following areas have community water systems:

- Fletcher Creek Improvement District
- Howser
- Argenta
- Johnsons Landing
- Salisbury
- Ainsworth
- Mirror Lake

3. Community Wildfire Protection

The RDCK is currently updating the Community Wildfire Protection Plan (CWPP) for all of Area D. While fieldwork and community consultation is ongoing, it is already well understood that small isolated communities such as Argenta, and Johnsons Landing are particularly at risk from wildfire. Fire

1

http://a100.gov.bc.ca/pub/wtrwhse/water_licences.output?p_Source_Name=Argenta+Creek&p_Licence_No=&p_Priority_Issue_Date=&p_POD_Purpose=&chk_Appurtenant_Land=&p_POD_Qty_Equality=%3D&p_POD_Qty=&chk_Licence_Comments=&chk_POD_Qty_Flag_Desc=&chk_Date_Updated=&p_Licensee=&p_Dist_Prec_Name=&chk_Client_No=&p_Client_No=&chk_Points_Code=&p_Points_Code=&chk_File_No=&p_File_No=&p_WR_Map=&chk_PCL_No=&p_PCL_No=&chk_Watershed=&p_Watershed=&p_Export=Screen

suppression over the past 60 years has increased the fire hazard in the wildland urban interface (WUI). The effects of climate change will increase this hazard.

As a result, all activities within the WUI must be managed explicitly to reduce the risk of wildfire. The operational and silvicultural details of this must be an outcome of collaborative planning with RDCK staff and based on recommendations of the CWPP.

Conclusion

I respectfully request the following for the CCC tenure area within Area D:

- Referral through to the RDCK on operational and harvest plans
- Identification of all water licenses;
- Explicit commitment to protect all water sources from the impacts of logging and road building
- LiDAR imaging for Argenta and Johnsons Landing
- Commitment to reduce the wildfire risk within the WUI and to adhere to recommendations of the CWPP for Area D.

Box 850 Salmo, B.C. V0G 1Z0

Phone: 250/357-9479

Fax: 250/357-9412

June 19, 2017

Regional District of Central Kootenay
Box 590, 202 Lakeside Drive
Nelson, BC V1L 5R4

Re: May 30, 2017 RDCK FSP Letter

Thank you for your May 30, 2017 letter and the *RDCK Area "D" & "E" Official Community Plan Bylaws*. Cooper Creek Cedar Ltd (CCC) will retain the Community Plans on file and will refer to the Plans with future Cutting Permit/Road Permit development. CCC will commit to formally refer future forest development to RDCK Areas "D" & "E". The referral will include:

- a formal referral letter describing the planned development: physical location of the planned development, proposed size of the CP (number/total area of the proposed cutblocks), proposed volume being developed and the location of the proposed roads
- a Key Map showing the general location of the proposed development and a Cutting Permit Map showing the design & size of the proposed cutblocks & road locations, KML & shape files of the planned development
- the date comments must be received by CCC to be considered will be stated in the referral letter. The referral/comment period will be a minimum of 30 days and the comments from RDCK must be written comments and must identify the specific concerns that RDCK have with the development and the resources that may be impacted by the proposed development.
- RDCK's comments received for consideration will be reviewed by CCC and CCC will discuss the comments with the RDCK and how the comments/concerns can be practicably resolved and, when feasible & practicable, incorporated into the planned development prior to completion of the forest development.

This addresses the concerns RDCK Area "D" commented on. The remaining responses will address RDCK Area "E" comments.

Cooper Creek Cedar Ltd has attempted to engage with the Argenta-Johnsons Landing & Lardeau (AJL) communities throughout CCC's Forest Stewardship Plan referral period. This attempt for open consultation has included written and verbal commitments by CCC to continue consultation throughout CCC's forest development in the AJL area. CCC has encouraged the communities to form a "working group(s)" to information share with CCC so both parties can share information throughout the future forest development. This attempt included discussions with RDCK Area "E". To date, no group has shown interest in forming a working group. In discussions with the Argenta-Johnsons Landing Working Group and other Argenta residents, it has been agreed that CCC would communicate with the community through the LINKS website, which CCC has done.

CCC commits to formally refer future forest development to the RDCK Areas "D" & "E", and CCC will commit to continuing with the LINKS updates. CCC will work cooperatively with Area "E" if they wish to engage with CCC beyond the LINKS website.

As per Section 3.4.4 Consumptive Use Streams in CCC’s 2017-2022 FSP, CCC does make a commitment to identify water licenses and to manage forest development adjacent to the water licenses to reduce the impacts of forest development on streams licensed for human consumption:

Objective 6. Consumptive Use Streams: To reduce the impacts of forest development on streams licensed for human consumption, CCC will apply the stream side management provisions listed in KBHLP – Objective 6 to S5 & S6 streams that meet the stated conditions.

CCC will apply the following forest practices when carrying out a primary forest activity in the management zone of a S5 or S6 stream that is determined to be a consumptive use stream:

Element	Result/Strategy	Location
Protecting Water Quality/Quantity in Consumptive Use Streams	<ol style="list-style-type: none"> 1. The streamside management zone will be as stated in KBHLP – Objective 6(1)(a)(i). 2. CCC will undertake to comply with the practice requirements stated in <i>Sec 50 – Restrictions in a Riparian Mgmt Zone of the FPPR</i>. 3. When falling or modifying trees around a consumptive use S5 or S6 stream, a sufficient number of trees will be retained adjacent to the stream to maintain stream and stream bank integrity. The required level of tree retention will be determined by a QRP when planning and designing a PFA. The target minimum basal area retention around a S5 stream will be 10%, as determined by a QRP while assessing the stems within the RMZ for wind firmness, contribution to wildlife & fish habitat/values, insect infestation, visuals, streambank stability (including soil stability & erosion potential), potential coarse woody debris contribution to the stream and operational & safety constraints/concerns. 4. The operational/planning practices stated in the Results/Strategies in section 3.4.1 Riparian Areas: “<i>FPPR Sec 52(1) - Retention of Trees in a RMZ</i>”, contained in this FSP, will be applied to determine the level of tree retention when carrying out PFAs around S5 and S6 consumptive use streams. 5. <i>FPPR – Schedule 1(2) – Factors relating to objective set by government for water, fish, wildlife and biodiversity in riparian areas</i> discusses management factors that will be considered and will affect CCC’s development of planned PFAs when planning around consumptive use streams. 	All FDU's

Element	Result/Strategy	Location
Protecting Water Quality/Quantity in Consumptive Use Streams	<p>6. CCC downloads the Points of Diversion (POD) at the initial stages of each CP development from the government Data Distribution Service/Warehouse. This coverage identifies the locations of the POD licenses & the licensees that are “Active” or “Retired”. The active PODs are put on the specific planning maps. At the initial stages of planned CP development, the PODs are located in the field and are identified whether the PODs are actually active (ie: any sign of actual human activity at the POD showing signs of diverting the water for human consumption, water box). For the PODs that are deemed active, CCC will notify the Licensees in writing of CCC’s planned development a minimum of 45 days prior to any PFA and will state the Licensees have 30 days to respond in writing of any concerns they may have with CCC’s planned development. CCC will discuss any concerns with the concerned Licensee and try to resolve any concerns by making changes to the planned development where practicable.</p> <p>7. The subsequent forest development recognizes the identified PODs and plans around the points, as per KBHLP – Objective 6.</p>	All FDU's

CCC partnered with other local Licensees and BCTS in 2016 to have the majority of CCC’s tenure, including the AJL area, flown for LiDAR. Unfortunately the data was not satisfactory, and CCC did not accept the data. CCC again has partnered with a local Licensee to have CCC’s tenure flown for LiDAR, and both of the Licensees are confident we will receive a better product. The LiDAR data will not be available until October 2017. CCC has posted on the LINKS website that, due to the poor quality of the first data and the latest data not being available until October, CCC has postponed forest development in the AJL area until we have good quality LiDAR. CCC will share this data with the AJL area community, preferably with professionals that are capable of reading the LiDAR data.

The *Argenta FDU Map* that is posted on the website has identified the area around the Gar Creek (around the slide) as a *Section 16 Reserve*; therefore this area is identified as being reserved from any forest development.

At this time, CCC will not commit to adhering to the recommendations of the CWPP for Area “D”. CCC has been in communication with John Cathro regarding developing a fire mitigation plan, and we have discussed fire mitigation with other professionals in the field of fire mitigation. CCC acknowledges the importance of reducing the wildfire risk in all communities CCC works in; however the final plan will be presented to the AJL community at a later stage in our development after CCC’s professionals have more information on implementing a fire mitigation plan into CCC’s forest development.

Again, thank you for RDCK’s interest in CCC’s forest development. CCC hopes to form a cooperative relationship with RDCK Areas D & E in the near future so the RDCK can be currently informed of CCC’s ongoing forest development in your areas.

Sincerely
Cooper Creek Cedar Ltd

Bill Kestell, RPF
Woodlands Manager

Cc: Aimee Watson, RDCK Area E

RDCK Ramona Faust - CCC Response

June 21, 2017

Ramona: thank you for your comments/concerns. The majority of your comments are specific to the Laird Ck watershed. For clarity, I will address each bullet – CCC's response in "Red".

Referral Comments on Cooper Creek Cedar's

Forrest Stewardship Plan

Regional District of Central Kootenay Area E

Coffee Creek Fletcher Queen Creek

Laird/ Redfish Creek

Overall the feedback from community members in Laird Creek have been that of utmost concern about further harvesting in the watershed given its history of landslides of which the one that affectrd drinking water was of greatest concern. Some residents want no further harvesting and are very concerned about any plans for a creek crossing.

Planning for climate change and more frequent hydrological events as well as wildfite will require creative harvesting methods' steep unstable terrain and it is important that these factors dominate forest planning in interface areas.

Five year development plans have merit and should be considered.

Section 2.1: Community Members in Are E would appreciate stand level development information detailing Road and Cut Block location, type of harvesting and equipment to be used.

CCC has been in contact with a few Laird Ck community residents via email &/or phone calls. CCC has been clear that we encourage community interaction during all of CCC's forest development in the Laird Ck watershed. At a minimum, CCC will formally refer the proposed development before submission of a Cutting Permit or Road Permit. The Referral Period will have minimum 30-day comment period for the community to make comment on the proposed development, and committing CCC to respond to all comments. However; CCC would prefer to set up a continuing information forum with the community so the community is continually informed of the ongoing development. Currently, this information sharing is simply returning emails to individuals who have contacted CCC. If the community would like to establish a more formal working group to liaise with CCC, CCC would support this.

CCC has been conducting forest development in the Laird Ck watershed. A road system is proposed and "shapes" of block have been identified. CCC is contracting to Chris Perdue, P.Geo., Eng.L. to assess the terrain stability concerns, hydrology & soils relating to the impacts of the proposed development, and how best to manage the forest development to minimize the risk to these forest resources. After CCC has completed the final proposed road layout and Mr Perdue has completed the Terrain Stability Field Assessment, CCC will advertise a public/community meeting to present our proposal and information to engage the community. (would you like to be the contact for organizing the community for this meeting?)

Section 2.2 FDU It would be important to know which licensee is planning operations in specific portions of Laird Creek. Coordination and collaboration would be vital.

CCC & BCTS has recently made an area exchange, CCC is now the sole Licensee developing/operating in the Laird Ck FDU/watershed. BCTS & CCC believe having one Licensee in the watershed is the best way to manage in the Laird Ck drainage. BCTS will retain the outstanding obligations from their previous forest activities (ie silviculture obligations)

3.1 Soils Because soil and terrain stability is a critical concern for the public a description of strategies would be important.

CCC acknowledges the soil & terrain stability concerns the Laird Ck community have, especially since the recent landslide event. As stated above, Chris Perdue will be completing thorough TSFA assessments throughout the forest development. CCC intends to develop/construct roads that will minimal impact on terrain stability. Proposed cutblocks will be assessed by Chris Perdue and boundaries adjusted, tree patches retained to minimize risk to the terrain. Road locations & block locations/shapes/retention will be referred to the community for discussion before CP/RP are submitted. CCC contends that Chris Perdue is thorough in his assessments. CCC will share Chris' reports to you if you want.

Section 3.2.1 A Has the Province conducted a social and economic stability analysis of the communities in the FDU?

Not that I am aware of.

Section 4.4.1 Public criticism of the minimum protection of riparian areas under the FRPA is the most contentious aspect of operating in consumptive watersheds and fish bearing streams. Strategies that exceed the minimum setback would inspire public confidence. The basal area retention could be considered inadequate

Stream retention will be developed on a site specific basis. CCC & Chris Perdue are very aware of the issues water plays in terrain stability and the importance of water to the community. CCC's objective is to develop a comprehensive drainage plan within the planning area that will be shared with the community. The proposed retention in riparian areas will be referred to the community when CCC refers the proposed road & block locations/shapes. CCC does not intend to manage to the minimums, but to manage to the best practices.

Section 3.4.2 Redfish Creek has a developed spawning channel and therefore a strategy is required if the FDU includes Redfish

CCC will not be developing in the Redfish watershed, other than using the existing road system in Redfish to access the south Laird Ck development.

Section 3.4.3: All consumptive watersheds in Area E should require the same protections as a community watershed because the province issues licenses and communities have a significant financial investment in real estate which depends on the quality and quantity of water available.

CCC will not commit to managing consumptive watersheds in Area E as Community Watersheds.

However; CCC will manage consumptive use streams as per **Section 3.4.4 Consumptive Use Streams** in CCC's FSP to reduce the impacts of forest development on streams licensed for human consumption.

Section 3.5.3 KBHLP. Objective 2. Old and Mature Trees. The practise of substituting established OGMA's for substitute OGMA without a public process is a concern. A full review of the biodiversity and function of established OGMA's versus substitute areas requires qualified professional analysis and public review.

The proposed development to date does not infringe on the established OGMA in the Laird Ck FDU. If CCC does need to go into the OGMA in the future, CCC will refer the proposal to the RDCK and the community.

Section e.6 Visual Quality Objectives. The tourism corridor and view from Kootenay Lake are. Ery important to the local economy and as with OGMAs should not be subject to relaxation.

As stated in the FSP: Sec 3.6.1: When developing a Cutting Permit **or** a Road Permit, CCC will manage to achieve the Visual Quality Objectives set by GAR – Sec 7(2) Order by the District Manager, Kootenay Lake Forest District, March 7, 2014.

CCC will refer the Visual Impact Assessment to the community for comments.

In closing it would be important for the proponent to have meetings in the communities in Area E when developing stand level plans. The stability and safety oc Laird Creek indicates a complete set of analysis should be completed for Laird Creek. Planning for Wildfire in the interface area is also of highest concern.

As stated above, CCC will contact the community & you to set up a public meeting in the near future. CCC has already received comments from the Laird Ck area and (hopefully) has responded to them all. Ramona – feel free contact me whenever &/or would it be a good idea for you & CCC to meet sooner than later?

Thank you for the opportunity to comment.

Ramona Faust
Director Area E
Regional District Central Kootenay

Bill Kestell, RPF
Cooper Creek Cedar Ltd
Woodlands Manger
June 21, 2017

Box 850 Salmo, B.C. V0G 1Z0

Phone: 250/357-9479

Fax: 250/357-9412

June 5, 2017

S Collier
3415 Bodard Drive
Nelson, BC V1L 6T3

Re: CCC's Forest Development – Cody Caves

The following is Cooper Creek Cedar Ltd's (CCC) response to your May 3, 2017 letter.

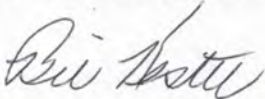
Cooper Creek Cedar has not submitted a Cutting Permit that would authorize CCC to harvest timber in the Cody Caves area, specifically in the area originally designated as a Goal 2 Reserve. CCC has been conducting forest development in the area, but currently does not have any actual logging activity scheduled.

CCC worked diligently with BC Parks, Ministry of Forests, Lands & Natural Recourse Operations (MFLNR) and a local individual who is an "expert caver" and who actually mapped the cave network that is Cody Caves (the Caver) in our forest development of the area adjacent to Cody Caves. The Caver identified the original Goal 2 Areas was actually in the wrong area to protect the Cody Cave features (sink holes, caves being near the surface). The result that was achieved through all parties working together is the Goal 2 Reserve has been adjusted to protect more to the actual cave features that require protection while allowing CCC to harvest some timber adjacent to the Caves that has minimal to no impact on the Caves. MFLNR is currently in the process of formally designating the new area as a Goal 2 Reserve. CCC will not be harvesting, constructing road or using road for industrial traffic in any area within the Goal 2 Reserve or the Cody Caves Park.

During the process, especially in the final stages, the Caver communicated with the *Friends of West Kootenay Parks (FWKP)* to inform them of the revision to the reserve boundaries. The Caver stated he supported the boundary revision because the Cave features were now reserved. He also said the process was a successful collaboration with the Licensee, the government agencies and himself. CCC can provide you with more information; however, if you are a member of the FWKP, I trust they could pass on this information.

I trust this clarifies some of the information that you were concerned with. CCC recognizes the importance of the Cody Caves – for tourism and as a special feature for British Columbia. Cooper Creek Cedar Ltd found the process of dealing with all parties very rewarding in that the result was a win-win for all groups involved.

Sincerely
Cooper Creek Cedar Ltd



Bill Kestell, RPF
Woodlands Manager

~~Handwritten signature~~

Cooper Creek Cedar
Box 850
Salmo BC V0G 1Z0

May 3, 2017

S. Collier
3415 Bodard Dr
Nelson BC
V1L 6T3

Dear Sir / madam.

I am writing this letter in regards to the recent submission of logging plans in an area that has been designated as a Goal 2 Parks reserve for Cody Creek Provincial Park.

I am requesting that your company put any logging here on hold until the prescribed process to determine its future is allowed to work as intended as per the memorandum of understanding arrived at during the review of the BC Park system undertaken by the gov't in the 1990's which to my knowledge still has validity.

In view of the expanding role tourism is creating in our local economy, it would be extremely short-sighted to put short term revenue ahead of long term and ongoing revenue potential that is realized by having an intact forest that encompasses this unique caves system.

Please add these comments to the public concern component of CCC's FSP.

Thank you

Sue Collier

Bill Kestell

From: Bill Kestell [bkestell@shaw.ca]
Sent: July-24-17 10:29 AM
To: 'DeCourcy, Tara D FLNR:EX'
Cc: 'Wiles, Ian G FLNR:EX'; marlene.johnston
Subject: Marlene Johnston FSP Comments
Attachments: Marlene Johnston-June 9,2017.pdf

Tara: Marlene informed me that I did not include her FSP comments & CCC's response to her comments in CCC's Final FSP Submission. I have attached Marlene's email that has CCC's response within the email. The email will be appended to the FSP.

CCC's comments are clarity only, there was no material change to the FSP.
The omission was not intended.

Bill Kestell, RPF
Cooper Creek Cedar Ltd
Woodlands Manager
Phone: 250-229-4536
Cell: 250-505-4476

Bill Kestell

From: Bill Kestell [bkestell@shaw.ca]
Sent: June-21-17 2:49 PM
To: 'marlene johnston'
Subject: RE: Comments on CCC's Draft FSP by Marlene Johnston as Stakeholder

Marlene: see CCC's responses to your concerns/questions. CCC's responses are beneath each bullet in "Purple"

Bill Kestell, RPF
Cooper Creek Cedar Ltd
Woodlands Manager
Phone: 250-229-4536
Cell: 250-505-4476

From: marlene johnston [mailto:macmar@lardeauvalley.com]
Sent: June-19-17 5:15 PM
To: Bill Kestell
Cc: Edney, George A FLNR:EX; Ian.Wiles@gov.bc.ca
Subject: Comments on CCC's Draft FSP by Marlene Johnston as Stakeholder

Hi Bill,

Please accept this email as my own comments on Cooper Creek Cedar's Draft FSP 2017-2022. Thank you for including me as a Stakeholder with the opportunity to comment.

When I first contacted you back in November 2016, I thought you were sincere in wanting to do a good job on the Argenta Johnsons Landing Face and I still believe that. I stepped forward to work with you within the 'system' in which I had some confidence.

However, after learning how poor the success rate for achieving VQOs in Scenic Areas is throughout the province and has been for several years despite that legal opinion in 2010, the experience over the past few months has seriously eroded my confidence in that system. From the offensive letter of Deputy Minister of Justice/Attorney General Mr. Fyfe, down through the Ministry of FLNRO to the licensee, it has been made clear that if there is to be change or improvement in FSPs the pressure also has to come from the public.

The Chief Forester, Forest Practices Board, FLNRO (Visual Resource Management, FREP, Assistant Deputy Ministers of Stewardship, etc) and the Ministry of Justice have all identified problems with wording in FSPs and recommended or encouraged improvements. The public has the responsibility to participate in the public part of the FSP process if they want that change.

The FSP is a legal document where words can mean everything or nothing. As one District Manager said, "words are important".

-The words are important for the public, for them to understand the intent of the licensee and for the public to know that an FSP can be enforceable.

-The words are important to the licensee to provide 'flexibility' and sometimes it can mean the FSP is unenforceable.

To be subjected to higher public expectations in this new round of FSP reviews may be seen by you as unfortunate. I hope that you see it as an opportunity to engage positively with the communities to achieve an FSP and an outcome on the ground that is of a higher standard than just meeting the default standards. As you know, my concern for the visual quality of the Argenta Johnsons Landing Face is very high and I want the visual quality results to be better than just meeting the VQOs. I look forward to working with you as we move forward.

Marlene – you and I have had extensive discussions regarding the difference in the FSP and CCC's commitment to you and the Argenta-Johnsons Landing Working Group (AJLWG), and numerous other groups/individuals CCC has communicated with during the FSP Referral period. Regarding CCC's FSP submission to MFLNR for approval – this is a legal document that CCC is required to submit to address the legal requirements of the Forest Stewardship Plan process. CCC or MFLNRO (as stated by George Edney to your group) are not in the position to change the Objectives and legal requirements of the FSP – but CCC needs to submit a document that will be approved. However; CCC has regularly told you, AJLWG and others CCC is committing to work with you/information share/consult throughout CCC's forest development process.

My comments are meant to be helpful with the goal of having a better FSP. The examples below are in your FSP but these same examples have most likely been used in other FSPs.

Proof reading examples for verb disagreement, etc:

1. Page 8 3.4.1 Riparian Area
2. Page 13 3.5.1 Landscape Level
3. Page 13 3.5.1 Stand Level
4. Page 15 3.6 Objectives for Visual Quality
 - there is no verb
 - why use an apostrophe with VQO's (repeated a number of times)
 - water waterways

Proof reading example for Apostrophe, etc:

5. Page14 3.5.3 OGMA with an apostrophe?
 - there is a missing) bracket after the word 'ecosystems'

Proof reading example for inconsistent dates:

6. Page 22 4.4 Stocking Standards
 - Appendix I -dates for the Stocking Standard Guidelines include "approved December 2007" in 4.4;
 - “approved March 2003” in the Appendix opening sentence;
 - “September 2007” for the Default Stocking Standards available at the web link which states “Dec 2007”

As a result of the (very) recently adapted Biogeoclimatic Zones (BEC), Kootenay Lake has developed new Stocking Standards. These new Stocking Standards will be submitted with CCC's FSP Submission for Approval.

General confusion examples:

7. Page 9 3.4.1.Riparian Areas Retention of Trees Practice #6

"if situations arise where the tree retention specified in the above table cannot be retained (ie forest health, blowdown potential, safety concerns), a QRP will provide a rationale for not meeting the target tree retention and will provide optional management recommendations"

“If situations arise” sounds rather open ended and could be subject to various interpretations.

- to whom are the recommendations provided and when?
- will the recommendations be followed?

Situations - in the event there is a forest health problem, blowdown event/potential/standing dead trees creating a safety hazard for subsequent silviculture operations that result in not enough trees being present to meet the specified retention

The QRP recommendations will be implemented

8. Page 9 3.4.1 Riparian Areas Retention of Trees Chart

than 0%?

-if the target for Class S6 is greater than or equal to 0%, when do you retain more

climate change in the area?

-how is this chart for Target Retention consistent with the FLNRO predictions of

Retention in S6 creeks is prescribed on site specific basis at the operational stage. There is information that strongly suggests the importance of tree retention around S6 creeks; therefore QRPs are increasingly prescribing retention around S6 creeks – this retention may be retaining the understory/non-merchantable stems to a level of full tree retention

I do not know if the chart addresses climate change. The chart is from the *FPPR Part 4 Stream Riparian Classes Section 47 (4)*

9. Page 9 3.4.4 Consumptive Use Streams Result/Strategy #3

"When falling or modifying trees around a consumptive use S5 or S6 stream, a sufficient number of trees will be retained adjacent to the stream to maintain stream and stream bank integrity. The required level of tree retention will be determined by a QRP when planning and designing a PFA. The target minimum basal area retention around a S5 stream will be 10%...."

of trees and "required level" of tree retention.

There seems to be an inconsistency between "sufficient number"

yet in the chart 3.4.1 the target is $\geq 10\%$, not 10%.

-The **target** minimum basal area retention around a S5 stream will be 10%,

-Is there no minimum "sufficient number" for S6 streams?

The target BA retention for S5 creeks in table 3.4.1 is $\geq 10\%$ (greater than or equal to). As per *FPPR Sec 52. 1(b)Restrictions in a riparian management zone* the target BA retention in S6 streams is **"Not Applicable"**. CCC is indicating that retention will be considered in S6 creeks

10. Page 9 3.4.4 Consumptive Use Streams Result/Strategy #4

"The operational/planning practices stated in the Results/Strategies in section 3.4.1 Riparian Areas; "FPPR Sec 52 (1)- Retention of Trees in a RMZ", contained in this FSP, will be applied to determine the level of tree retention when carrying out PFAs around S5 and S6 streams."

This #4 Result/Strategy does not seem consistent with Result/Strategy #3 above.

CCC contends that the above statement states the same basal area retention as described in Results/Strategy #3 will be applied to operations around Consumptive Use Streams. This statement was put in rather than repeat the chart.

11. Page 15 3.6.1 Objectives set by Government for Visual Quality

"Visual Quality Objectives (VQO's) and the scenic areas for the Kootenay Lake TSA were revised and established in the District Manager-Selkirk Forest District March 7, 2014 letter (and are subsequently continued under FRPA-Sec 180 & 181 & GAR-Sec17) that provide VQO guidelines designed to meet the designated Scenic Area objectives for altered landscapes through:your 3 bullets..."

I find this paragraph confusing. I understand that GAR established VQOs and Scenic Areas, but are there VQO guidelines in GAR?

-What are the designated Scenic Area objectives?

-If the first sentence ended after *(and are subsequently continued under FRPA-Sec 180 & 181 & GAR-Sec17)* that would make sense. The wording after that, referring to VQO guidelinesthrough: the 3 bullets is confusing. What are you trying to say?

Simply stating the VQOs in the DM's March 7, 2014 letter are legally enabled through the *Government Actions Regulation (GAR)* which provides authority to the Minister responsible for the *Forest Act*, the Minister responsible for the *Land Act* and the Minister responsible for the *Wildlife Act* to establish objectives for certain items described in the regulation. These objectives can apply at many different scales.

Sincerely,

marlene at lardeau

Bill Kestell

From: Wiles, Ian G FLNR:EX [Ian.Wiles@gov.bc.ca]
Sent: November-22-17 4:36 PM
To: Kestell, Bill FOR:IN
Subject: Greg Utzig comments to Bill Kestell June 17

From: g13utzig@telus.net [mailto:g13utzig@telus.net]
Sent: Saturday, June 17, 2017 10:06 AM
To: coopercreek@porcupinewood.com
Subject: FSP - Johnsons Landing - Argenta Face

Hello Bill,

As a property owner, water license holder and a professional land use planning consultant with significant knowledge of the terrain and hydrology of the Argenta - Johnsons Landing slope, I am writing to express my concern regarding any development on that hillside.

Given the potential hazards present, the complex karst hydrology of the slope, I am writing to request that any planning for road construction and harvesting in the area be given the highest possible level of assessments for terrain and hydrologic hazards, and that operations reflect the risks identified.

Given the dependence of local residents on surface water creeks and springs in the area, and the fact that they all only have one access route in and out of the area, it is essential that hazard risk levels of any planned activities must be LOW.

In addition, the 2012 Johnsons Landing landslide has demonstrated that climate change is happening, and that it must be taken into account in all planning for development. Given the high interface fire risks in the area, and the projected increase in those risks with climate change, all your development activities must take that into account as well. All harvesting in the area should be coordinated with a wildfire interface fuel reduction strategy.

I also ask that I be placed on a list of local stakeholders to be kept informed of planning activities as they progress, and be given the opportunity for effective input at all stages.

Feel free to contact me, if you require further input.

Regards,

Greg Utzig

In response to Greg Utzig's comments, Bill Kestell, CCC, & Chris Perdue, P.Geo., Eng.L, CCC terrain specialist met with Greg Utzig & Perter Jordan. Mr. Utzig's comments and the terrain stability concerns on the Argenta face unit, and the GAR Creek slide in particular were discussed. CCC proposed to engage with Utzig & Jordan throughout CCC's development in this area, and to jointly share information.
Meeting - August 25, 2017

Climate change in the Kootenays?
Visit our website for more information:
www.westkootenayresilience.org

Gregory Utzig, P.Ag.
Kutenai Nature Investigations Ltd.
602 Richards St.
Nelson, British Columbia
Canada V1L 5K5
Tel (250) 352-5288
e-mail g13utzig@telus.net

Bill Kestell

From: Bill Kestell [bkestell@shaw.ca]
Sent: November-29-17 2:39 PM
To: 'morningbirddesign@gmail.com'
Subject: CCC Response

Allison: thank you for your comments, and I apologize for the delay in responding.

Cooper Creek Cedar Ltd (CCC) appreciates your concerns with future forest development in the Argenta-Johnson's Landing area.

CCC plans on moving forward with developing this area for forest development. I can assure you that CCC recognizes the challenges, both social, environmental and terrain related, and our plan is to develop this area in the most stewardship responsible manner. Terrain Stability Assessments will be completed by a qualified terrain specialist professional on all areas developed for harvesting to fully assess the potential impact road construction and harvesting may have on the terrain stability of the area and adjacent areas.

From: Allison B [<mailto:morningbirddesign@gmail.com>]
Sent: Friday, June 16, 2017 7:52 PM
To: coopercreek@porcupinewood.com
Cc: Edney, George A FLNR:EX; Ryan, Tim FPB:EX; awatson@rdck.bc.ca; Mungall.MLA, Michelle LASS:EX
Subject: re: Logging proposal Argenta/Johnson's Landing

Dear Mr. Kestell,
I hope this letter finds you well.

It has come to my attention that your company is planning to log the area near Argenta and Johnson's Landing. I would like to voice my opinion against such an action. This area is too steep and unstable to be safely cut in the manner proposed; and prone to landslides as evidenced in the recent devastating slide which resulted in four deaths.

I am not opposed to logging at all, in fact believe responsible cutting of forest to be a valuable source of timber and revenue for our region. However, for this particular zone I feel it would be best to be avoided.

Thank-you for your attention.

Sincerely,
Allison Brown

Bill Kestell, RPF
Cooper Creek Cedar Ltd
Woodlands Manager
Phone: 250-229-4536
Cell: 250-505-4476

Bill Kestell

From: Bill Kestell [bkestell@shaw.ca]
Sent: June-26-17 8:36 AM
To: 'Andy Shadrack'
Subject: RE: Cooper Creek/Porcupine Wood Products Forest Stewardship Plan 2017-2022

Thank you for your note Andy, and the information. Your questions are more pertinent to operational matters, and not specifically to the FSP.

I do not have a definite answer to your question regarding adjusting CCC's logging plans about block size and retention. These decisions will be better answered when CCC has more information concerning the development area and CCC's development plans. The Argenta-Johnsons Landing development area has significant constraints (terrain, hydrology, wildlife, visuals) that will impact cutting permit development & levels of retention/block size & shape. I can assure you that CCC will be thorough in assessing all the resource & terrain/hydrological concerns in the Argenta-Johnsons landing area, as with all of CCC's tenure, especially when developing in active watershed areas. CCC has postponed forest development in the Argenta-Johnsons Landing area due to inaccurate LiDAR information we received early this year, and CCC will not continue planning operations until the new LiDAR data is received - expected in October 2017.

Again, thank you for your interest & information.

-----Original Message-----

From: Andy Shadrack [<mailto:ashadra@telus.net>]
Sent: June-24-17 10:26 AM
To: Recipient list suppressed:
Subject: FYI: Cooper Creek/Porcupine Wood Products Forest Stewardship Plan 2017-2022

>Kaslo

>

>Saturday, June 24th

>

>Bill, with regard Cooper Creek/Porcupine Wood Products Forest
>Stewardship Plan for 2017-2022, as you are aware we have had two
>landslides in North Kootenay Lake. One was in Johnson's Landing that
>killed four people and damaged or destroyed a quarter of the community
>properties in July 2012 and the other on Mount Buchanan in April 2017
>that fortunately did not kill or injure anyone nor damage or destroy
>any private property. Attached please find the climate data prepared
>for Columbia Basin Trust by the Pacific Climate Institute Consortium on
>climate changes between 1920 and 2017.

>

>You will note that Table 1 shows that the mean annual precipitation for
>Kaslo between 1920 and 2016 is now 818 mm, plus 260 mm annually which
>is a 46.6% increase in precipitation on a year over year basis. 39.6%
>of that precipitation increase comes between May and August, and you
>may recall that in 2012 we had four times the usual average rainfall
>for June, and then in June 2013 a month's rain fell in a little over
>twenty-four hours.

>

>Next I'll draw your attention to Table 2 and the fact that the mean
>annual temperature change for January and February has now exceeded two
>degrees Celcius, and the temperature range now reaches as high as 37.8
>degrees Celcius.

>

>Based on my agricultural background this tells me that forest openings,
>due to harvesting of trees, should be becoming smaller to help keep
>forest floor temperature down and preserve moisture, and that they
>should also be smaller to avoid supersaturation of the ground which is
>the pre-cursor to likelihood of landslides.

>

>Finally, earlier this year I attended a teleconference seminar
>organized by the Fraser Basin Council, where there was a technician
>present who is travelling the province giving seminars to registered
>professional foresters on how to consider adjusting the cut to address
>climate change.

>

>My one and only question to Cooper Creek/Porcupine Wood Products, as I
>am not opposed to logging per se, is how is the company going to adjust
>its logging plans in terms of where and by how much will the retention
>rate of forest cover change compared to before I provided the Company
>with the information that has been provided to me by PCIC.

>

>Andy Shadrack,
>Co-chair North Kootenay Lake Water Monitoring Project

This email has been checked for viruses by Avast antivirus software.
<https://www.avast.com/antivirus>

Carl Johnson Letter / CCC response

*See Cooper Creek Cedar Ltd' comments in "Red" – Bill Kestell, RPF
July 3, 2017*

**COMMENTS ON PORCUPINE WOOD PRODUCTS / COOPER CREEK CEDAR FSP -
ARGENTA JOHNSON LANDING FACE JUNE 18, 2017**

QUOTING STEVE BARABANOFF AT THE JUNE 2016 MEETING IN ARGENTA:

“AND WHAT MAKES YOU PEOPLE THINK YOU ARE SO SPECIAL” in response to concerns raised at that time by members of the community:

I am special because I live here.

I am concerned about the long term condition of the forest.

I am concerned about the quality of logging that this company and its contractors have performed recently.

I am concerned about wildlife habitat that will be destroyed by the type of logging that this company has demonstrated.

I am concerned that increased access by the public to the hillside during hunting season will result in a slaughter of the few remaining elk and mule deer that currently live on this slope.

I am concerned that if roads are built there will be increased trespass on private land due to easy access.

I am concerned about the drastically increased risk of slope failure and landslide as a result of poor logging practices especially in light of stability concerns raised by several qualified professionals.

I am very concerned about the increased risk of forest fires as a result of logging activity and increased access to forested areas if a road is constructed.

I am concerned since this area is largely Karst based topography ground water and springs will be disrupted by logging activity.

I am concerned that logging will drastically change the water patterns both in flow, timing and quality in the creeks and springs that supply all of the dwellings in the area with drinking and irrigation water.

SPECIFICALLY REGARDING THE FSP

The entire document is largely impossible to understand by the typical individual. It is written in forest service jargon in a manner that precludes meaningful comment by non professional members of the public. If you don't have an intimate knowledge of FRPA and don't know the interpretation of the various words and clauses meaningful comment is not possible.

I note that a goal is “to preserve and protect forest resources within the companies planned area of interest”. The emphasis is on the company not on public benefit through

protection of wildlife habitat, water resources, reduction on greenhouse gases through carbon sequestration, protection of the million dollar view from the BC parks at Lost Ledge and Davis creek, consideration of lifestyle of the local public who will not experience any benefit from logging our hillside.

The draft plan as currently available for review does not address the increased risk of slope failure due to the current logging practices of steep slope logging, large sized clear cuts, inadequate long term drainage control on roads and areas that have been logged. Similar slope conditions to those at the Johnson Landing slide of several years ago exist across the slope and yet the FSP does not acknowledge this alarming situation. There should be no logging above private land. If the company proceeds to log and I hope not, does the company accept full responsibility for any and all cost associated with rehabilitation of the land and any damage to private land holdings? Does the RPF Mr. Kestell carry enough professional liability insurance to cover the costs associated with such circumstances? If not why not?

Mr. Kestell, RPF has professional liability.

It is a well established fact that forest harvesting activity accounts for up to 25% of forest fires, public caused 38% (S-100 workbook - Ministry of Forests, page 2-1). If our hillside is logged we are at a substantial increased risk of forest fires due to poor fueling practice, chainsaw or hot vehicles, smoking by loggers, increased ground heat to clearcut logging on south or west facing slopes, slash or broadcast burns that “get away” due to lack of caution, and increased access by the public with hot quads, smoking etc.

Does Porcupine or CCC have enough assets to compensate people here if their land or houses are burned as a result of the logging practice?

Does the QP have enough liability insurance. Will CCC exclude all activity during the hot months of the summer and fall June through September?

CCC is discussing incorporating a fire mitigation plan into its forest development with individuals who are experts in wildfire & wildfire mitigation. CCC monitors the local weather stations and shuts down primary forest activities as the indices show.

Since I am the closest private land holder (DL12828) to the area that CCC wants to log we will likely be inundated with dust from hauls roads going up the hillside. How is CCC or their contractors going to resolve this? We also will suffer true dust from increased traffic on the Johnson Landing Road that will increase the dust that drifts up to our houses. Is CCC committing to regular dust control on both the haul roads system and the Argenta Johnson’s Landing road?

CCC will discuss this concern with the community at the time of development.

The Johnson Landing road as nears the Argenta hairpin turn is single lane traffic. Is CCC needs to provide a pilot car both ways for movement of heavy equipment such as logging trucks in order to allow safe use of the road by the public?

As above.

The FSP does not address the Karst topography issue at all. Argenta creek which is a primary water supply for many residents is very hard water and likely relies on

underground water supplies from across the hillside to keep flowing all year. In addition it is also used to generate electricity for many residents of the community. Logging activity will disrupt the flow and timing of ground water recharge. The company must do a geotechnical and hydrological assessment of the entire potential recharge area and provide this information in a meaningful plain language report and with a presentation to the community and the forest service should the company pursue logging of our hillside. The company must comply with recommendations of any such report.

If water supplies, as they have existed here for decades, are disrupted in quantity, quality or timing does CCC or Porcupine commit to providing the entire costs for rehabilitation if possible. The cost of the replacement water system for Johnson Landing as a result of the slide is in hundreds of thousands of dollars. Does Porcupine or CCC have adequate cash reserves to cover such contingencies?

The FSP does not address terrain specifically.

CCC will contract a professional terrain specialist & he will assess the potential impacts associated with operating above Karst topography – his recommendations will be included in the forest development. CCC does not intend to damage/disrupt the community's water supply.

Based on my personal experience having lived here for more than 30 years is that the wildlife that currently exist on the hillside will be devastated by logging of the type typically done by this company. The small herd of elk and mule deer that exist will be over hunted due to road access, increased predators such as wolves and cougars entering the upper areas by logging roads, less forest cover for protection. Is CCC or Porcupine willing to commit to maintaining a gate system that prevents motorized access by the public up any roads built above Argenta? Is CCC willing to prosecute offenders in the courts? Has a species at risk analysis been done of the hillside to ensure that there is adequate knowledge before it is too late? If not why not? The wildlife report will need to be presented to both the community and government agencies.

CCC does not have the authority to erect gates on Crown land. If the community wants a gate, CCC will work with the community to get a gate erected. CCC does not have the authority to prosecute anyone.

CCC is contracting a local professional Biologist to provide recommendations for the protection of wildlife during CCC's forest development – these recommendations will be incorporated into CCC's plans.

The Argenta - Johnson Landing Face area is listed in the FSP as 7736 Ha. out of a total area of 201571 Ha. This total represents only 3.8 % of CCC cut not considering areas that are excluded due to visibility constraints, rocky slopes, avalanche paths, riparian zones, old growth and caribou. The Argenta community is currently pursuing inclusion of the Argenta Johnson's Land face in the Purcell Wilderness Conservancy. This would be a perfect gesture on behalf of CCC and Porcupine to delay any logging activity until addition to parks can be achieved through Order in Council. The company should be able to get credit from government and the environmental community at large from this. YOU HAVE A REALLY BAD REPUTATION NOW - HERE IS AN OPPORTUNITY TO HELP IMPROVE IT.

CCC does not have the authority to extend the Purcell Wilderness Conservancy. CCC

contends the community will have significant amount of time to pursue the extension of the Conservancy prior to CCC doing any logging.

More Questions:

Has CCC or Porcupine or its contractors in the current or previous configuration of the company ever been investigated, charged or convicted of offenses related to logging activities ?

CCC was found in contravention of a logged block not meeting the designated VQO.

Since CCC is driven by profit and cost reduction, it is likely the "LOW BID" will be utilized for all aspects of the logging of our hillside. Does CCC or Porcupine require contractors to provide insurance or post performance bonds that are available for long term environmental protection? If not why not? This information can also be pursued under FOI.

CCC does not employ the "low bid" process with its contractors.

CCC is required to have a qualified Registered Professional do a hydrological assessment of the hillside. Has this been done? The public and government needs to see and review this report.

The hydrological report has not been done yet, but it will be completed in conjunction with the terrain assessment. CCC will share this report with the community. There is no government approval process for cutting permits; therefore assessments are not submitted to government. CCC will provide the assessment to government, upon request.

The cut block size is not specified in the FSP because it does not get into enough detail to make meaningful comment. Will the company commit to providing detailed plans to the community well in advance of any on the ground activity. If not why not? There should be no logging activity including road construction within 1 km of private land. How much of the proposed cutting area is selective logging? At what % retention? What type of ground disturbance/destruction equipment is intended to be used?

Because CCC has postponed any forest development at this time, CCC cannot provide you with these answers – they will be provided at the operational phase. CCC has continually suggested to the community to be engaged with CCC throughout the development process so the community is get informed of the cutting permit & road permit development prior to submission for approval of these permits.

CCC indicated in June 2016 that they intended to utilize LIDAR analysis of the hillside. The information gained by this process must be provided to BC Forest service and to the community for review by our qualified professionals

LiDAR maps will be available to the community upon request. CCC is not aware the Ministry of Forest, Lands & Natural Resource Operations wishes to be involved with this process (as per above).

Regarding visual quality requirements as suggested on page 16. If CCC applies for an

exemption from these requirements for any reason, is the exemption application consulted with the community or is there only a special agreement reached with the district manager of the forest service? If not why not?

The community will be advised of any exemptions requested and provided with enough time to make comment.

What will be done to stop the movement of invasive plants such as knapweed up the road resulting in outbreaks across the hillside?

CCC will manage for prevention of invasive plants as per the practices stated in the FSP. CCC contends reseeding exposed mineral soil, resulting from a PFA, with approved Canada Common #1 Forage Mixture, or other approved erosion control vegetation, within two years of the disturbance taking place is the best practice to minimize the introduction of invasive plants.

Forest Health:

The main species of trees targeted by CCC is fir for trading with other logging companies for cedar. Typical harvesting practices leaves very large quantity of waste on the ground for extended periods of time. Downed fir attracts fir bark beetle which leads to more infestations thus giving logging companies the excuse to log more. How does CCC intend to remove immediately all cut stems or damaged trees from logged areas, given that the burning time is limited to when it is safe to do so?

CCC does not leave a lot of slash on the ground that attracts fir bark beetle – simply because this fiber is worth money and CCC does not want to promote a fir beetle infestation. Clean logging, site prep (piling debris), burning slash piles as soon as possible following harvesting are methods used.

Slash or broadcast burning is a major concern to the community due to the inevitable escape to the surrounding forest. Smoke from burning large piles or areas of debris will drift down into the community causing health concerns. Is CCC or Porcupine prepared to provide alternate housing for residents impacted by smoke in hotels outside the area?

No – CCC will not provide alternate housing. CCC will monitor the weather stations so burning only occurs on days when the indices propose “drafting” is “good” so the smoke rises and does not impact the community.

Stocking standards section is unreadable except by professionally trained forester and is largely filler for a public review document. Put it in plain language so that a member of the public can offer meaningful comments.

These are the stocking standards – no other way to state them. They simply tell the best proposed species to plant for specific areas/blocks.

In summary, I spent a lot of time reviewing and thinking about this FSP. It is grossly unfair to expect that people can understand the regulations and what they mean. It was written, in my opinion, for a rubber stamp by the District Manager. If you really want public input come prepared with detailed maps that show the road layout, 20 year plan, cut block size, details of fire hazard abatement, controlled access, restocking, hydrogeological assessments, Karst topography assessment, wildlife preservation planning and landslide

hazard assessment.

As above, CCC does promote community engagement with CCC to see the logging plans well in advance of harvesting.

I would also want to know whether the logging costs of doing it in an environmentally sound manner exceed the profit to CCC or Porcupine?

CCC does believe that logging with environmentally sound practices are consistent with a profitable harvesting practice.

Bill Kestell, RPF
Cooper Creek Cedar Ltd
Woodlands Manager.

LOOKING FORWARD TO AN EXTENSION OF THE PURCELL WILDERNESS FROM MOUNTAIN TOPTO LAKE. THINK OF THE LONGTERM BENEFIT TO FUTURE GENERATIONS NOT JUST CONVERTING A HILLSIDE ADJACENT TO A PARK INTO 2X4's

Carl Johnson
Argenta BC
250-366-4201
carljohnson@lardeauvalley.com

Bill Kestell

From: Bill Kestell [bkestell@shaw.ca]
Sent: December-11-17 1:02 PM
To: 'mountainretreat@lardeauvalley.com'
Subject: CCC FSP Comments

Carolyn: You & I have communicated in the past regarding CCC not including your comments in Cooper Creek Cedar Ltd's (CCC) FSP submission. As I said, I did not recognize your comments as being relevant to the FSP, but more specific to the Argenta-Johnsons Landing (AJL) Forest Development Unit. CCC has since been instructed to include your comments in the final FSP submission - your comments and CCC's reply will be submitted in the final FSP. It is for this reason that I reply to you so late.

Cooper Creek Cedar Ltd (CCC) recognizes the concerns the local residents have regarding terrain stability following the GAR Ck slide. CCC recognizes the concern of the local communities following the GAR Ck slide. CCC has contracted a professional terrain specialist. He has already started assessing the AJL hillside, and will continue to assess the hillside to identify slope stability concerns throughout our forest development. Additionally, CCC has met with Peter Jordan & Greg Utzig, two noted terrain specialists who are connected to the local community, and we have agreed to share terrain information throughout CCC development. The terrain specialist will be thorough & complete with his terrain assessments, and CCC will share this information with Mr Jordan & Mr Utzig, and the public upon request &/or through the LINKS website.

During the meeting with Mr Jordan & Mr Utzig, we discussed karst topography. Although it is difficult to assess for karst, as it is mainly subsurface, there are numerous indicators of karst (ie sink holes, springs). The terrain specialist, as well as the layout crews, are aware of the importance of identifying karst identifiers. These features will be mapped when encountered and subsequent forest development will manage for karst topography.

From: Carolyn Schramm [<mailto:mountainretreat@lardeauvalley.com>]
Sent: Saturday, June 10, 2017 12:43 PM
To: Cooper Creek
Cc: Edney, George A FLNR:EX; Mungall.MLA, Michelle LASS:EX; Aimee Watson
Subject: Argenta-Johnson's Landing FSP Comments

To all concerned:

In a Argenta Community Meeting with Porcupine/CCC in June 2016, Residents raised concern regarding the slope stability of the Argenta-Johnson's Landing mountainside following the catastrophic Johnson's Landing Slide with its concurrent loss of life.

Consequently, Peter Jordan P. Geo. was invited to a community meeting in Argenta in November to address this concern. He recommended that the AJL Residents be vigilant about the mountainside, since the geologic and hydrologic nature of the mountainside is continuous between the communities of Argenta and Johnson's Landing.

David Polster R.P.Bio. met with the community in May and expressed grave concern about the steepness of the slopes and the slope stability due to the karst and underground hydrology between Argenta and Johnson's Landing. He stated that road building and logging were not advisable with these features on this mountainside.

Consequently, I am asking that there be no road building and logging above the watersheds and human habitation on the Argenta-Johnson's Landing Face.

Thankyou for your concern,
Carolyn Schramm

Bill Kestell, RPF
Cooper Creek Cedar Ltd
Woodlands Manager
Phone: 250-229-4536
Cell: 250-505-4476

Bill Kestell

From: Bill Kestell [bkestell@shaw.ca]
Sent: November-29-17 3:04 PM
To: 'dustin.east@gmail.com'
Subject: CCC Response
Attachments: Visual Quality Objectives-CCC FSP.pdf

Dustin: thank you for your comments, and CCC apologizes for the delay in responding. Please see CCC's response to your comments in "red" below.

From: Dustin East [<mailto:dustin.east@gmail.com>]
Sent: Sunday, June 18, 2017 10:38 PM
To: coopercreek@porcupinewood.com
Cc: Edney, George A FLNR:EX; Ryan, Tim FPB:EX; Aimee Watson; Mungall.MLA, Michelle LASS:EX
Subject: Protection of the Argenta/Johnsons Landing Face,

Hi Bill Kestell,

I'm writing in regards to the proposed logging that is slated on the Argenta face. Essentially, I do not agree with the way logging has been happening in our Area D region. I also own a property in the Retallack area and have been watching much of the forest around me become devastated by the sort of "rape and pillage" style of logging.

I understand that it is part of our industry, yet I feel there is better ways to go about it by being more consciously selective of how it is logged and the size of the cut blocks. I am willing to stand up for the forests in a peaceful way, and am open to any suggestions anyone has to help be heard to make it a better situation for our rural communities.

In conclusion, I am opposed to the current plan n Argenta and want to be informed of anyways that I can help or rally people around finding a healthier and better way to "manage" OUR forests. The reasons why not to log include:

- endangered caribou habitat, - area in the Kootenay Lake Timber Supply Area has been reserved from harvesting with the objective to protect caribou – the Argenta face is not included in this reserve area
- disruption of lands adjacent to the Purcell Wilderness Conservancy, - it is not CCC's mandate to expand the Purcell Wilderness Conservancy. The area adjacent to the Conservancy is in the designated Timber Harvest Landbase and is available for forest development. However; there are significant restrictions in the Argenta face that must be adhered to during forest development (ie visuals, terrain stability assessment restrictions). CCC recognizes the importance of the Conservancy and will manage around the Conservancy to maintain the area's integrity.
- wildlife movement corridors, - CCC will/has contracted a local professional wildlife specialist to identify areas that should be managed to maintain the local wildlife features and habitats. CCC will incorporate the specialist's recommendations in our forest development
- visual impacts, - significant Visual Quality Objectives have been designated on the Argenta-Johnson's Landing face unit that CCC must meet in our forest development. I have attached the Visual Quality Objective section from CCC's FSP – this describes how CCC will manage to meet the designated Visual Quality Objectives
- logging traffic on a narrow road – CCC recognizes this as a concern. CCC will discuss this issue with the local community when CCC begins forest development in the hope of developing a satisfactory working agreement for use of this road
- increased slope instability in a landslide prone area – CCC will/has contracted a professional terrain specialist to conduct terrain stability assessments on the areas being developed, and the adjacent areas to assess the terrain stability issues that may be present

I believe there is a better way, and I hope our leaders are ready to stand up go to war against the higher corporate powers to do the RIGHT thing.

All the best in this mission to find unity in the face of diversity. Finding a way for us for all parties get along and grow our communities strong in these challenging times.

Sincerely,

Dustin East

Dustin East
250 505- 8159

Bill Kestell, RPF
Cooper Creek Cedar Ltd
Woodlands Manager
Phone: 250-229-4536
Cell: 250-505-4476

Bill Kestell

From: Bill Kestell [bkestell@shaw.ca]
Sent: November-29-17 2:31 PM
To: 'kaslocrn@yahoo.ca'
Subject: CCC response

Elaine: thank you for your comments, and I apologize for the delay in responding. Cooper Creek Cedar Ltd (CCC) appreciates your concerns with future forest development in the Argenta-Johnson's Landing area. However; CCC is not the agency to make the land use decision on whether this area should be included in the Purcell Wilderness Conservancy. CCC plans on moving forward with developing this area for forest development. I can assure you that CCC recognizes the challenges, both social, environmental and terrain related, and our plan is to develop this area in the most stewardship responsible manner.

From: Elaine Smith [<mailto:kaslocrn@yahoo.ca>]
Sent: Saturday, June 17, 2017 9:15 PM
To: Bill Kestell
Cc: Aimee Watson; Edney, George A FLNR:EX; Ryan, Tim FPB:EX; Mungall.MLA, Michelle LASS:EX
Subject: logging above Johnson's Landing

Hello Mr. Kestell, et al,
I am very concerned about the proposed logging above Argenta and Johnson's Landing. This stretch of forest is connected to, and should be included in, the Purcell Wilderness Conservancy . This land is precious and irreplaceable. It is the largest piece of land untouched by resource extraction in Southern B.C. Please consider the will of the people when deciding if this logging will happen.
Thank-you,
Elaine Smith, Kaslo B.C.

Bill Kestell, RPF
Cooper Creek Cedar Ltd
Woodlands Manager
Phone: 250-229-4536
Cell: 250-505-4476

Bill Kestell

From: Bill Kestell [bkestell@shaw.ca]
Sent: December-11-17 12:47 PM
To: 'mountainhome@look.ca'
Subject: CCC FSP Comments
Attachments: Visual Quality Objectives-CCC FSP.pdf

Eric: thank you for your letter & comments and I apologize for the late response. A acknowledge you make some very interesting points.

Cooper Creek Cedar Ltd (CCC) is not the governing body or agency that will make the landuse decision of the proposed expansion of the Purcell Wilderness Conservancy. Currently the Argenta-Johnsons Landing (AJL) area is designated to be within the Timber Harvest Landbase.

Cooper Creek Cedar Ltd recognizes the concerns the local residents have regarding terrain stability following the GAR Ck slide. CCC recognizes the concern of the local communities following the GAR Ck slide. CCC has contracted a professional terrain specialist. He has already started assessing the AJL hillside, and will continue to assess the hillside to identify slope stability concerns throughout our forest development. Additionally, CCC has met with Peter Jordan & Greg Utzig, two noted terrain specialists who are connected to the local community, and we have agreed to share terrain information throughout CCC development. The terrain specialist will be thorough & complete with his terrain assessments, and CCC will share this information with Mr Jordan & Mr Utzig.

CCC also recognizes the concern & issues with the current main highway access through Argenta to Johnsons Landing. CCC will conduct open discussions regarding the access problems as CCC progresses through the forest development to try to come up with a workable solution. CCC will also investigate the possibility of an alternative logging traffic route. The AJL landscape has Visual Quality Objectives set by government. I have attached the Visual Quality Objective section from CCC's FSP. Although the section is not specific to AJL area, it describes in detail the process CCC will utilize to ensure compliance with the designated VQOs.

From: mountainhome@look.ca [<mailto:mountainhome@look.ca>]
Sent: Saturday, July 8, 2017 7:56 PM
To: coopercreek@porcupinewood.com; Edney, George A FLNR:EX; Walton, Grant L FLNR:EX; Wiles, Ian G FLNR:EX; Ryan, Tim FPB:EX; awatson@rdck.bc.ca; cathro.john@gmail.com; Mungall.MLA, Michelle LASS:EX
Subject: Porcupine/CCC FSP submission from Eric Schindler

Madame/Sir:

Attached please find our submission expressing our strong opposition to Porcupine Wood Products/Cooper Creek Cedar's FSP plans for the Argenta/Johnson's Landing hillside and adjacent areas.

Sincerely,

Eric Schindler

(sent from Loran Godbe's email address)

Bill Kestell, RPF
Cooper Creek Cedar Ltd
Woodlands Manager
Phone: 250-229-4536
Cell: 250-505-4476

ERIC SCHINDLER

RR1, Site 4, Comp. 23, KASLO, BC, VOG 1K0

June 10, 2017

To Porcupine Wood Products

Coopet Creek Cedar, FSP Comments

Box 850, SALMO, BC, VOG 1Z0

Madame, Sir:

We express our strong opposition concerning your companies logging plans for the Argenta-Johnson's Landing Face, and areas to the North!

The remaining forests of the mountain slopes between Hamill Cr. and Birchdale must never be logged! The public lands from Kootenay Lake to the alpine must finally be included to the Purcell Wilderness Conservancy; as this is vital to the otherwise incompletely protected wilderness body!

Under the Land Use Plan (Core Process) the Argenta-Johnson's Landing Face was assigned the status of Special Management Zone. Adjacent to Protected Areas this meant to be managed in support of the Protected Area, and for visual values. This has been ignored, the public has been deceived. Thus, considering the vulnerability of the area, and that it is a most crucial link to the

high elevation ecosystems of the Conservancy, it must finally become part thereof.

Moreover, this would also give full protection to the protective forests. The forests, that protect us, our communities and visitors, from such disasters as landslides,

avalanches, raging creeks, etc. It is incomprehensible that, despite of the Johnsons Landing landslide, the government could simply turn this area, and the death and life responsibility, over to you.

All of us who are living here still bear the horrors of the fat Cr. landslide of 2012, which killed friends and neighbors and buried homes! How many more might have been killed had not the forest trees eased somewhat the landslide's force before being swept away?

However, the slide may not have happened at all, had not years ago logging occurred in this watershed. The unstable geological structure is similarly unpredictable across the whole mountainside.

There are also the threats to our drinking water supplies, the increased forest fire hazards of even aged monocultures, the loss of scenic values - not least, the murderous situation of putting logging trucks on this unstable, narrow public dirt road, which has anyway pulled already too many cars over its crackly banks.

In the 13th century the first mountain forests were declared Protective Forests in Switzerland. Centuries later they still fulfill their protective functions. While elsewhere in the Alps, after cutting in mountain forests, whole villages were buried under landslides or avalanches or were swept away by torrents. Clearcutting was abolished in Switzerland in 1902. Yet tremendous costs and efforts are still needed in attempts to stabilize the denuded slopes by building avalanche/slide barriers, and to restore the mountain forests. The logging sins of generations ago will still burden generations to come.

Yet here in BC, here on this geologically unstable mountain slopes, the forests that protect us are still forsaken to be cut down unwisely and ruthlessly. With even much worse short- and long term impacts than the forest plundering in the Alps centuries ago, due to speed of today, the road building, and soil compaction by heavy equipment, etc. Is there no learning from the past mistakes, no insight, no caring for the land, for the present and future generations?

Think of the Coffee Cr. landslide. It may have started above the forest line, but the forest below, the protective forest, that could have it held back, was cut.

Jobs? Well, why do you not go back to the

forest lands your company has logged already, and restore them properly? It will create jobs for generations. Why should our children's children pay for the logging sins of today?

This spring is marked by many landslides and by overflowing streams and lakes. Lives have been lost, people forced to evacuate their homes, great damage has been done. All at great suffering and immense costs. The necessary preventive measures will cost much more. And how much of this (and increasing future disaster) could have been prevented had not so many of the protective forests been cut, but left to hold soil and water, rock slides and avalanches back?

Climate change plays a role, yes, but this immense deforestation (and at best monoculture replantation) here and world wide, is a main cause of climate change.

Some may say that the protective forests of the Argenta-Johnson's Landing Tace can be cut. Yes, they can be cut, the last tree on earth can be cut, the Tree of Life, to which we all belong, can be cut - and we are doing it. Little wisdom and conscience is needed to conclude that it should **NOT BE DONE!**

Sincerely,
Eric Schindler

copies

Bill Kestell

From: Bill Kestell [bkestell@shaw.ca]
Sent: December-06-17 3:22 PM
To: 'rawsome.cloud@gmail.com'
Subject: CCC Response

Jane: thank you for your comments to CCC's FSP - I apologize for the delay in responding. I appreciate your concerns with maintaining the ecosystems and integrity of the Argenta to Johnsons Landing forested landbase and the wildlife. CCC is contracting a local professional wildlife biologist to conduct wildlife assessments in the areas and provide recommendations to CCC on the best practices to protect and maintain the local wildlife habitat and populations. Cooper Creek Cedar Ltd plans to proceed with forest development in the Argenta-Johnsons Landing area.

From: China Cloud [<mailto:rawsome.cloud@gmail.com>]
Sent: Saturday, June 17, 2017 6:25 PM
To: coopercreek@porcupinewood.com
Cc: Edney, George A FLNR:EX; Ryan, Tim FPB:EX; awatson@rdck.bc.ca; Mungall.MLA, Michelle LASS:EX; wayne.stetski@parl.gc.ca
Subject: Comments Re: Logging plan for Argenta/Johnsons Landing Face from a former field biologist

Good Morning Bill,

My name is Jane Gao, a former field biologist who worked for the Nature Conservancy of Canada on the Darkwoods project when the property was purchased by NCC in 2009. I worked with Denise Hamilton and Gerry Nellestijn about 8 months, surveying the riparian areas, invasive weeds, as well as the subalpine areas which we called "Mountain Caribou trailer parks". You are welcome to look up the reports we wrote if you have access to them.

What I have seen for Darkwoods is that a prime intact wilderness was stripped into pieces, which could not sustain the natural recovery process to support its wildlife populations. It has pushed many keystone species including the endangered Mountain Caribou to these small pockets of disconnected habitats, and some to the endangered status. In addition, the infestation of the invasive weeds especially in riparian areas will or already is one of the biggest threats to the health of local plant species there.

As a local resident family of Argenta, We enjoy hiking the Argenta-Johnsons Landing Face. We started taking our son hiking up there since he was 10 months old, so that he grows up having a solid relationship with the place. During one of our hikes, I actually found some Mountain Caribou pellets. I understand there is so far no research or baseline (therefore no TEM) studies done on this Face. How can you be so certain that your proposed logging plan will not harm the resident and transient wildlife population (especially keystone species), will not comprise the health of the extended ecosystems, will not cause danger in the stability of the land. In forestry, we all know the current silviculture practise merely replaces the tree count, with little or no long term monitoring or ecosystem health studies to follow.

Have you or anyone from your company WALKED THE LAND???

What I am trying to say is that as a biologist and a local resident, it breaks my heart to see this large scale of logging happening here. I read your proposed "Forest Stewardship Plan" which is quite vague and filled with big meaningless words. I don't see any concrete

answers to address most of the concerns of the local residents such as wildlife population, habitat loss, potential infestation from invasive species, wildfire risk and landslide risk.

I urge you to re-consider logging the Argenta-Johnson Landing Face, and find alternative routes to your economic growth or whatever the reasons/drives behind this action.

Yours,

Jane Gao

Bill Kestell, RPF
Cooper Creek Cedar Ltd
Woodlands Manager
Phone: 250-229-4536
Cell: 250-505-4476

Bill Kestell

From: Bill Kestell [bkestell@shaw.ca]
Sent: November-29-17 3:30 PM
To: 'jenniewelch@me.com'
Subject: CCC response

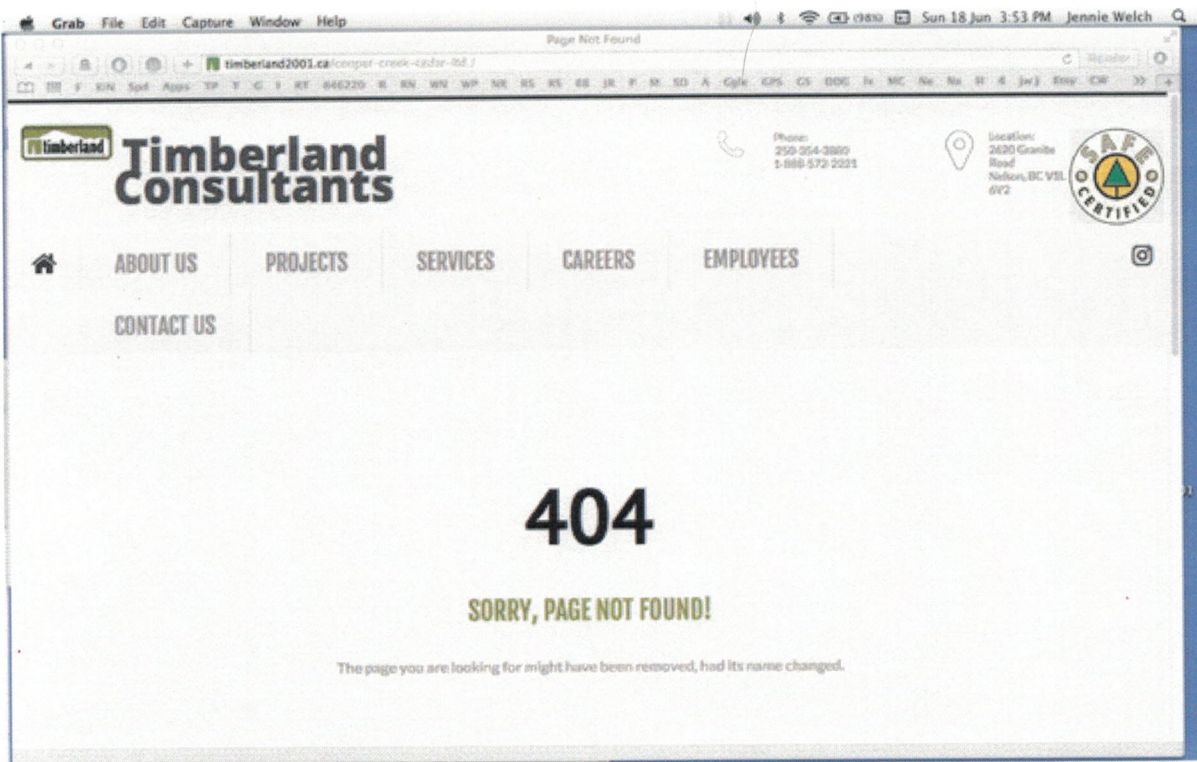
Jennie: I apologize for the late delay in responding to your comments, although I do not have much of a constructive response to your comments.
I do apologize for the misinformation regarding the "link"; however, CCC did provide the proper link a long time ago and in plenty of time for you to read the FSP and see the maps prior to expiry of the FSP comment period.
The FSP is a landscape document that Licensees must develop and submit to the Ministry of Forests, Lands & Natural Resource Operations for approval to obtain the right to operate on the crown Timber Harvest Landbase.
Regarding your comments of the trails: the trails on the FSP maps are the legal trails provided in the Ministry mapping inventory maps. The trails you identify are not included in this data, and are therefore not on the FSP maps. However; CCC will respect the trails you mention if our forest development encompasses the trails or is adjacent to the trails. Our objective will be to maintain the integrity of all trails we encounter in the Argenta-Johnson's Landing area in our forest development.

From: Jennie Welch [mailto:jenniewelch@me.com]
Sent: Sunday, June 18, 2017 7:33 PM
To: coopercreek@porcupinewood.com
Cc: Mungall.MLA, Michelle LASS:EX; fpboard@gov.bc.ca; Wiggill, Garth W FLNR:EX
Subject: Response to Argenta / Johnson's Landing Face FSP

The information put out by Porcupine / Cooper Creek Cedar in several different places tells us that the FSP can be found at -

<http://timberland2001.ca/cooper-creek-cedar-ltd./>

which is a dead link, (screen shot below from June 18)



together with the misleading comment that "there is no deadline regarding comments specific to CCC's development in the Argenta-Johnson's Landing area." We are also directed to a drop box where we are told we will find the relevant maps, but access to the drop box requires log in details, which we are not supplied with. None of this has been corrected when later updates have been posted. As late as June 11, CCC again posted that the FSP may be viewed at the same dead link. Similarly misleading are Bill Castell's references to discussions with the "Argenta Johnson's Landing Group", which generally speaking, consists only of 2 people, both of whom live on the other side of the lake in Lardeau.

The residents of Argenta and Johnson's Landing have worked with many different people from the old Department of Forestry, from BC Parks, forest licence holders, organizations such as the Silva Foundation and Blackwell & Associates, mediators, independent foresters, politicians and others over a period of perhaps 40 years. The sheer number of meetings held, field trips taken, hours of work put in, research done, money raised, letters written, reports created etc. on this face, involving a large proportion of those who live in the 2 communities, is nothing short of remarkable. The message both the communities have consistently put out is that we are opposed to regular commercial exploitation of this forest; and yet, after all this, here we are again, being expected to to input information in response to the FSP, and take part in an "information sharing" group with Cooper Ck. Cedar, so we can help them do just that. Not surprisingly, we've had it with this stuff. The absence of Argenta and Johnson's Landing residents in the A/JL Group does not represent a lack of interest. It's a boycott. Just how much more are we expected to put in before anyone takes any notice of what we have to say?

Why is a response to an FSP even necessary? It's government's job to keep the logging companies they issue licences to on the straight and narrow, not ours. We already have full time jobs, many of us, and pay taxes and elect representatives to take care of these things for us. What justification is there for them downloading a chunk of the responsibility back to us, or acting only in the interest of the logging community, a very small and ever decreasing number of people, while ignoring the interests of the majority of the population?

I've come across plenty of helpful information on the internet, provided by the government, intended to assist paid professionals writing FSP's to do their job. I've found none to help the ordinary, untrained members of the public who are exhorted to reply to them. Meanwhile, this FSP is written in the vaguest of forestry speak, in language intended to obscure meaning, avoiding statements involving any quantifiable outcome that won't be put to the broadest of interpretations. This document lists principles to be adhered to, but does not convey to the public any picture of what

will actually happen on the ground in practical terms, and as such, does not enable the meaningful public involvement it pretends to provide for.

So there's not much of a tangible plan in this plan, and neither is there much in the way of stewardship. Two experts in the field, David Polster and Peter Jordan, have come to speak to us, to give us severe warnings about the possible effects of logging activity on the A/JL face in connection with the crumbling, aging rock, the many springs, the karst scenery, and the problems they present for slope stability along the face. The Johnson's Landing slide has resulted in the disappearance of a large chunk of the community, either through death, destruction of property, or the potential for it with the predicted next slide. Those remaining still have big practical problems coping with it. However there is nothing in the FSP that shows slope stability issues have been considered at all. So what kind of "stewardship plan" is this?

Two points, which make me wonder if they might be pointers to the quality of the FSP in other respects (though it's hard for the average person to tell) - regarding the trails and recreation sites - 2 well known ones, the recently upgraded Earl Grey Trail and the Fry Creek Trail, are not mentioned, when so far as I can tell from the very thickly drawn lines on the map, the beginnings of both are in the development area. I also wonder why the the "ungulate winter range" area includes several properties in the centre of Argenta, but none of the properties with very similar land use that completely encircle them, and why the UWR area follows the unfenced property boundaries exactly. This makes no sense.

However the whole system of logging in BC now, with "professional reliance" and the fox being left to guard the chickens, makes no sense either, particularly in the case of Cooper Creek Cedar, with its reputation even within the logging community, for very low standards. And once the MFLNRO rubber stamps the FSP, like it always does, CCC have no liability for any damage they cause, and no incentive to consider anything but profit for their 3 owners. It seems from the way the system is set up, that this, and the temporary provision of a few non-local jobs, is to take precedence over the environment, and the interests of the far larger number of people who live here, who abhor the value system it represents, and who are understandably angry.

Jennie Welch

Bill Kestell, RPF
Cooper Creek Cedar Ltd
Woodlands Manager
Phone: 250-229-4536
Cell: 250-505-4476

Bill Kestell

From: Bill Kestell [bkestell@shaw.ca]
Sent: December-06-17 3:41 PM
To: 'zucci@kaslo.org'
Subject: CCC Response

Lew: thank you for your comments and I apologize for the late response.
A significant portion of the area you have identified on your attached map is reserved from harvesting, and the lower reaches are within private land; therefore there is very little area you have identified that is available for harvest. Additionally, CCC is very aware and respectful of the concerns of slope stability concerns adjacent to the slide area and within the watershed. CCC is contracting a professional terrain specialist to assess the terrain concerns that may be impacted by any of CCC's future development.
CCC is not the agency to make a landuse decision regarding expansion of the Purcell Wilderness Conservancy.

From: S L [<mailto:zucci@kaslo.org>]
Sent: Monday, June 5, 2017 6:12 PM
To: coopercreek@porcupinewood.com
Cc: Wiles, Ian G FLNR:EX; Ryan, Tim FPB:EX; fpboard@gov.bc.ca; Minister, ENV ENV:EX; Mungall.MLA, Michelle LASS:EX; Minister, FLNR FLNR:EX
Subject: proposed logging - Gardiner creek watershed in Johnsons Landing

I am a long term resident of Johnsons Landing.
I am writing this note in plain text and simple english.

Again I hear and read that this community is in an area that is included in the timber harvesting plans of Porcupine Wood Products and Cooper Creek Cedar.

Public input for this issue is deadlined to be June 19th 2017. Here is my input.

In July 2012 a deadly landslide of Gar Creek took four lives from our community.
You already know this.

Attached is a photo which outlines the Gardiner Creek watershed which is located right next to the Gar Creek Watershed.

Our Home is located within the Gardiner Creek outline.
There are about 15 other water licenses on this creek. Ours is one of them

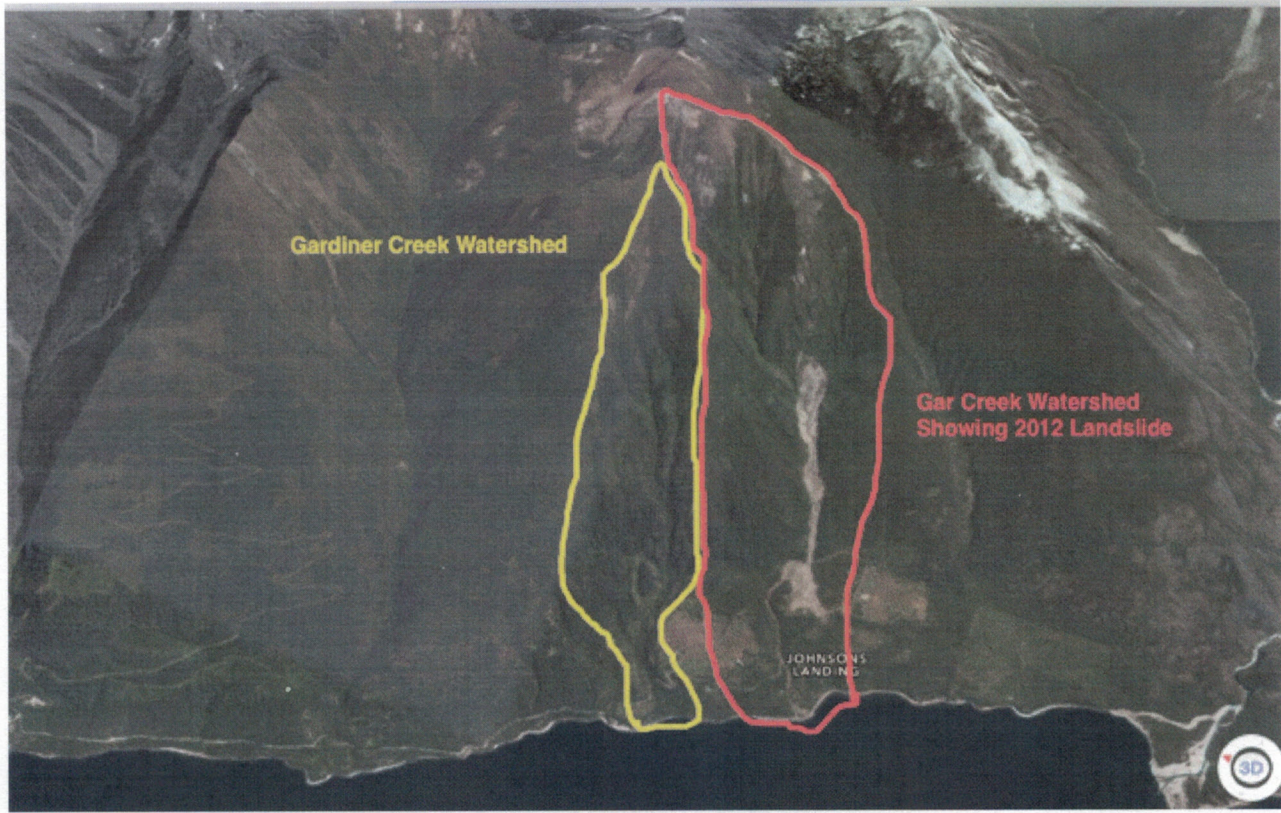
Please DO NOT MESS with the foolish idea that it is a good idea to log in the Gardiner creek watershed.
Long term Slope stability and domestic water sources are essential.

I submit that this area be EXCLUDED from Porcupine Wood products/Cooper Creek Cedar timber harvest planning.

Please undertake to extend the Purcell Wilderness Conservancy western boundary to the shore of Kootenay Lake.

Respectfully yours

Lew McMillan
Johnsons Landing



Bill Kestell, RPF
Cooper Creek Cedar Ltd
Woodlands Manager
Phone: 250-229-4536
Cell: 250-505-4476

Bill Kestell

From: Bill Kestell [bkestell@shaw.ca]
Sent: December-06-17 3:58 PM
To: 'martin.couch@hotmail.com'
Subject: Cooper Creek Cedar - FSP
Attachments: Visual Quality Objectives-CCC FSP.pdf

Martin: thank you for your comments regarding CCC's FSP, and I apologize for the late response. The acting District Manager made the formal decision, prior to the FSP referral period expired, and following other requests for the referral period to be extended, that Cooper Creek Cedar Ltd had met, and even exceeded, the FSP advertisement requirements. Subsequently the acting DM determined CCC was not required to extend their FSP referral period. The FSP was submitted for approval in July 2017 – approval is still pending. CCC will contract a professional terrain specialist to review and assess the areas around all areas CCC proposes for forest development. CCC respects the concerns of the local communities following the GAR Ck slide. Attached is the Visual Quality Objective section from the FSP. Although it is not specific to the Argenta-Johnsons Landing area, the section does commit to conducting a thorough visual assessment of the visual impact proposed harvesting may have on the landscape. CCC will share this information with the local community as it is completed.

From: martin couch [<mailto:martin.couch@hotmail.com>]
Sent: Monday, May 29, 2017 9:27 PM
To: coopercreek@porcupinewood.com; Edney, George A FLNR:EX; Wiles, Ian G FLNR:EX; Awatson@rdck.bc.ca
Subject: Logging at the north end of Kootenay lake

To all whom it concerns and are involved,

In the matter of logging at the north end of kootenay lake.
First and foremost I request that CCC/porcupine repost there ad informing the public of their Forest Stewardship Plan (FSP). A plan that includes Argenta and Johnson's Landings but was not advertised as so. Furthermore, I request an 60 day extension on the public input period for the FSP.

Beyond this, here I express my opinion and concerns on this matter.
As a resident of Johnsons Landing I am opposed to the logging of the Argenta/Johnson's landing face. (I am in fact opposed to all logging in the fashion that the industry currently operates. Seems we have to completely protect an area or clear cut it in an unsustainable manner. I am opposed to any industry, corporation, etc that puts the economy above the ecosystem, which, bottomline, the logging industry does; as nothing can interfere with the supply of timber to the mill)
Their are enough clear cuts scaring these mountain sides.
The land base on the Argenta/Johnson's landing face in very unstable and logging would increase the risk of further land slides, as well as the risk of affecting the water quality coming off the mountain, which many people consume as their drinking water.
Any consideration of heli-logging is highly undesirable due to noise pollution.
This is a designated scenic area, in my opinion, one of the most beautiful places on this earth, and I would like to see it stay that way, for generations to come.
So again, I am opposed to any logging activity in the Argenta/Johnson's Landing area.

Thank you for your time,

Martin Couch
RR1 S4 C25 Kaslo BC V0G 1M0

250-366-0063

Bill Kestell, RPF
Cooper Creek Cedar Ltd
Woodlands Manager
Phone: 250-229-4536
Cell: 250-505-4476

Bill Kestell

From: Bill Kestell [bkestell@shaw.ca]
Sent: December-11-17 10:28 AM
To: 'nbarsoum101@gmail.com'
Subject: CCC FSP

Nikola Barsoum: thank you for your comments and I apologize for the late response.

The acting Selkirk Forest District District Manager made the decision that Cooper Creek Cedar Ltd (CCC) was not required to extend the Forest Stewardship Plan comment period because the DM believed CCC had met the advertising requirements that substantially informed the Public and Stakeholders of the FSP. However; do not confuse the FSP with CCC's willingness to maintain open communication with the Argenta-Johnsons Landing (AJL) communities. CCC has continually encouraged the AJL community to become engaged with CCC throughout our future forest development in the AJL area, and will continue to encourage open communication and information sharing. To date, one group has liaised with CCC and the agreed upon form for CCC to present information as it comes available is on the local LINKS website. I assume from your letter that you belong to the Johnsons Landing Community Association – does this group want to form a more formal information sharing/working group? Please let me know and we can work towards forming a working group.

CCC recognizes the concern of the local communities following the GAR Ck slide. CCC has contracted a professional terrain specialist. He has already started assessing the AJL hillside, and will continue to assess the hillside to identify slope stability concerns throughout our forest development. Additionally, CCC has met with Peter Jordan & Greg Utzig, two noted terrain specialists who are connected to the local community, and we have agreed to share terrain information throughout CCC development.

CCC recognizes the access concern/issue with the existing AJL road. CCC will discuss access options with the community as the forest development moves forward, and will investigate the possibility of an alternate forest access route.

CCC is not the agency to make the landuse determination for expansion of the Purcell Wilderness Conservancy (PWC). CCC has been aware of a local movement proposing the expansion of the PWC for more than a year. CCC does not support the expansion, but CCC has not opposed the expansion either.

Nikola, you and your community will have time to comment on CCC's future forest development in the AJL area. It is up to the community to determine if this communication is more formal, as per through a working group, or more informal as per through LINKS.

From: Nikola Barsoum [<mailto:nbarsoum101@gmail.com>]
Sent: Saturday, June 17, 2017 1:43 AM
To: coopercreek@porcupinewood.com
Cc: Edney, George A FLNR:EX; Ryan, Tim FPB:EX; awatson@rdck.bc.ca; Mungall.MLA, Michelle LASS:EX
Subject: Logging the Argenta/Johnsons Landing Face

Bill,

It is greatly concerning to me to hear that the extension for the public comment period was denied for the proposed logging of the Argenta/Johnsons Landing Face. Living in Johnsons Landing, it is clear that this community did not receive clear and sufficient notification about the proximity of the proposed logging. I personally have many concerns with this whole project, that I do not feel have been adequately addressed.

I don't feel confident at all that the obvious instability of the slopes here in Johnsons Landing, especially after the deadly landslide of 2012, has been taken fully into consideration. How will this project address the problem that deforestation increases slope instability, and therefore increases the danger of landslides here?

To access our homes in this community there is **one single road** that will be perilously below where all the logging is happening. If there are any landslides or avalanches as a result from the forests being logged, our

only road access will be blocked. This is a major health concern in the event of an emergency! How has this been address?

The road to Johnsons Landing is notoriously narrow and windy with soft shoulders and cliff drop offs. It is a homesteading community for a reason - not a place to drive to and from on a regular basis. Will there be logging trucks or heavy machinery operating on this road?

As you may or may not be aware, this piece of land that is slated to be logged is adjacent to the Purcell Wilderness Conservancy which is the **last** undisturbed wilderness area of it's size left in southern B.C. What an important thing to consider! Has it been? The government of BC, Parks website says: "*This contiguous undisturbed wilderness is critical in maintaining the viability and biodiversity of the largest intact ecosystem in southeastern BC – the Purcell Mountains.*"

http://www.env.gov.bc.ca/bcparks/explore/parkpgs/purcell/nat_cul.html

I am aware that there are citizen groups currently trying to get this land to be included in the neighbouring protected area, and I am in full support of that! Without a further comment from the public and community here you are totally disrespecting the current efforts being made to protect the habitat corridors and overall health of the ecosystems that are proposed to be logged, but you are also discounting (much too greatly) the active citizenry here that created the Purcell Wilderness in the first place! From the same Parks page: "*The Purcell Wilderness Conservancy Park is one of the first large scale wilderness areas in Canada to be set aside as a result of local citizen action.*"

Is this project really to go ahead without an adequate comment period from the same local citizen base?

When we in Johnsons Landing decided, as a community, that we really needed more time to understand the ramifications of this logging project on our homes and lives, we had our Association President agree to write a letter on our behalf asking for more time to speak with you about this project Bill. I have to say, it is incredibly shocking that so far it has been denied.

I urge you to reconsider the denied extension of the comment period. There are too many community grievances and valid safety concerns for this project to just get pushed on through.

I look forward to hearing your response.

Regards,

Nikola Barsoum
Secretary, The Johnsons Landing Community Association

Bill Kestell, RPF
Cooper Creek Cedar Ltd
Woodlands Manager
Phone: 250-229-4536
Cell: 250-505-4476

Bill Kestell

From: Bill Kestell [bkestell@shaw.ca]
Sent: December-11-17 10:48 AM
To: 'paul@kootenayjoe.net'
Subject: CCC FSP

Osa: thank you for your comments and I apologize for the late response
Cooper Creek Cedar Ltd (CCC) recognizes the concerns the local residents have regarding terrain stability following the GAR Ck slide. CCC recognizes the concern of the local communities following the GAR Ck slide. CCC has contracted a professional terrain specialist. He has already started assessing the AJL hillside, and will continue to assess the hillside to identify slope stability concerns throughout our forest development. Additionally, CCC has met with Peter Jordan & Greg Utzig, two noted terrain specialists who are connected to the local community, and we have agreed to share terrain information throughout CCC development. The terrain specialist will be thorough & complete with his terrain assessments, and CCC will share this information with Mr Jordan & Mr Utzig.

From: Paul Hunter [<mailto:paul@kootenayjoe.net>]
Sent: Friday, June 16, 2017 9:00 PM
To: coopercreek@porcupinewood.com
Cc: Edney, George A FLNR:EX; Ryan, Tim FPB:EX; awatson@rdck.bc.ca; Mungall.MLA, Michelle LASS:EX
Subject: Logging on Argenta Johnsons Landing face

Dear Bill Kestell,

I am a property owner in Johnsons Landing and had a very close escape from the Johnsons Landing Slide in 2012. Therefore I am very concerned about the effects of road building and forest extraction on the whole hillside above Argenta and Johnsons Landing.

I read your Forest Stewardship plan and had a hard time understanding what you actually plan to do. The maps particularly were undecipherable. I found little reference to geologic surveys or consideration in the planning process. This is a limestone region, I know this well from caving and hiking in the alpine above Bulmer/ Salisbury. The hydrology of the area is complex.

I am afraid of another slide, of more people and homes buried and of forest ecology altered forever. I insist that you undergo intensive geologic investigation prior to making any forestry plans .

Please,

Osa Thatcher Box 1235, Kaslo BC V0G 1M0

Bill Kestell, RPF
Cooper Creek Cedar Ltd
Woodlands Manager
Phone: 250-229-4536
Cell: 250-505-4476

Bill Kestell

From: Bill Kestell [bkestell@shaw.ca]
Sent: November-29-17 3:49 PM
To: 'psteiner@kaslo.org'
Subject: CCC Response

Patrick: thank you for your comments and I apologize for the delay in responding.

The comment period has expired prior to this reply; however, an Argenta-Johnsons Landing group did request an extension of the comment period to the District Manager. This request was denied.

Regarding your comments:

- CCC recognizes the concerns of the local residents regarding slope stability, especially in light of the GAR Ck slide. CCC has contracted a professional terrain specialist who will review/assess all the terrain associated with CCC's future forest development plans. These assessments will be available to the local community for their review upon completion.
- CCC recognizes the challenges of having industrial traffic on the existing road. CCC will discuss this issue with the local community when CCC begins forest development and planning in the area. CCC's objective will be to develop a workable plan with the community and/or develop an alternative access strategy.

CCC's FSP was submitted in July and is currently being reviewed by the Ministry of Forests, Lands & Natural Resource Operations.

From: Patrick Steiner [<mailto:psteiner@kaslo.org>]

Sent: Sunday, June 18, 2017 9:49 PM

To: coopercreek@porcupinewood.com

Cc: Edney, George A FLNR:EX; Ryan, Tim FPB:EX; Aimee Watson; Mungall.MLA, Michelle LASS:EX

Subject: Request extension to comment period on Porcupine Logging in Johnson's Landing/Argenta corridor

Dear Mr. Kestell;

I am a resident and property owner in Johnson's Landing and am writing to request an extension to the comment period on the proposed logging in the Argenta-Johnson's Landing area by Porcupine Wood Products. I have many reasons for being concerned about the proposed logging, but the chief reasons are:

- destabilization of slopes from road building and logging activity and potential for future landslides like the one I lived through in 2012 in Johnson's Landing that killed four of my neighbours
- the narrowness of the existing road between Argenta and J.L which is often single lane means logging truck traffic poses an extreme risk of collision and death to residents in the area, as well as potentially destabilizing the main road. As the only road in and out of J.L. residents will have no choice but to drive and possibly meet oncoming logging trucks where it is simply impossible for two vehicles to pass each other safely

I urge you to extend the comment period and to engage in meaningful public consultation with residents of the area.

Thank you,

Patrick Steiner

Property Owner: 2251 Kootenay Joe Rd., Johnson's Landing, BC.

Stellar Seeds
P.O. Box 1344
Kaslo, BC, V0G 1M0
(250) 353-2026

www.stellarseeds.com

Bill Kestell, RPF
Cooper Creek Cedar Ltd
Woodlands Manager
Phone: 250-229-4536
Cell: 250-505-4476

Bill Kestell

From: Bill Kestell [bkestell@shaw.ca]
Sent: December-11-17 10:54 AM
To: 'johnsonslandingretreat@gmail.com'
Subject: CCC FSP

Richard: thank you for your comments and I apologize for the late response. Cooper Creek Cedar Ltd (CCC) recognizes the concern & issues with the current main highway access through Argenta to Johnsons Landing. CCC has no intention of impacting your business. CCC will conduct open discussions regarding the access problems as CCC progresses through the forest development to try to come up with a workable solution. CCC will also investigate the possibility of an alternative logging traffic route.

From: Richard @ Johnson's Landing [<mailto:johnsonslandingretreat@gmail.com>] **On Behalf Of** Richard Ortega
Sent: Friday, June 16, 2017 1:09 PM
To: coopercreek@porcupinewood.com
Cc: Wiles, Ian G FLNR:EX; Ryan, Tim FPB:EX; Edney, George A FLNR:EX; ajlworkinggroup@gmail.com; Aimee Watson; John Cathro; Mungall.MLA, Michelle LASS:EX
Subject: INPUT: Logging on the Argenta Johnson's Landing face

Cooper Creek Cedar - FSP Comments (+ copies to other related parties)

I am writing in regards to your logging proposal on the Argenta/Johnson's Landing face.

We have been running the Johnson's Landing Retreat Center since 1999. The only access to the Centre for our guests and ourselves is the very narrow dirt road that runs from Argenta to Johnson's Landing. If your proposed logging were to proceed our guests would more then likely encounter logging trucks along our narrow access road. This would be a sure way to end our business as I doubt anyone would want to come to our Retreat Centre after the harrowing experience of trying to pass a logging truck on our narrow dirt road. Due to this totally negative impact on our business I request that you come up with a plan to keep logging trucks off of the Johnson's Landing road or cancel the logging plans for the Argenta/Johnson's Landing face. I request a detailed reply to my concern.

**Thank you,
Richard Ortega (Program Director)
Johnson's Landing Retreat Centre**

**'Invest in Yourself to help Change the World'
Johnson's Landing Retreat Center**

Dedicated to the development of Body, Mind and Spirit
Johnson's Landing, British Columbia, Canada
Mail: R.R. 1, Site 4, C 31, Kaslo, British Columbia, V0G 1M0, Canada
Phone: 1 (250) 366-4402 FAX 1 (250) 366-4171
WEB Site: www.JohnsonsLandingRetreat.bc.ca
E-Mail: info@JohnsonsLandingRetreat.bc.ca

Bill Kestell

From: Bill Kestell [bkestell@shaw.ca]
Sent: December-11-17 11:05 AM
To: 'meaney@hotmail.com'
Subject: CCC FSP Comments

Rob: thank you for your comments and I apologize for the delay in replying.

Cooper Creek Cedar Ltd (CCC) recognizes the concerns the local residents have regarding terrain stability following the GAR Ck slide. CCC recognizes the concern of the local communities following the GAR Ck slide. CCC has contracted a professional terrain specialist. He has already started assessing the AJL hillside, and will continue to assess the hillside to identify slope stability concerns throughout our forest development. Additionally, CCC has met with Peter Jordan & Greg Utzig, two noted terrain specialists who are connected to the local community, and we have agreed to share terrain information throughout CCC development. The terrain specialist will be thorough & complete with his terrain assessments, and CCC will share this information with Mr Jordan & Mr Utzig.

Cooper Creek Cedar Ltd (CCC) also recognizes the concern & issues with the current main highway access through Argenta to Johnsons Landing. CCC will conduct open discussions regarding the access problems as CCC progresses through the forest development to try to come up with a workable solution. CCC will also investigate the possibility of an alternative logging traffic route.

CCC is not the agency to make the landuse determination for expansion of the Purcell Wilderness Conservancy (PWC). CCC has been aware of a local movement proposing the expansion of the PWC for more than a year. CCC does not support the expansion, but CCC has not opposed the expansion either.

From: Rob Meaney [mailto:rob_meaney@hotmail.com]
Sent: Monday, June 19, 2017 9:22 AM
To: coopercreek@porcupinewood.com
Cc: Edney, George A FLNR:EX; Ryan, Tim FPB:EX; awatson@rdck.bc.ca; Mungall.MLA, Michelle LASS:EX
Subject: Jhonsons Landing Argenta logging

Hello Bill Kestell,

My Name is Rob Meaney, currently I live in Nelson, but most of the reason why I am now a resident of the kootenays is because of the strong connections I have made with the communities of Johnson's Landing and Argenta.

I lived in Johnson's Landing in 2013, the year after Garr Creek slid. I am concerned to hear that there are plans for logging on the "Argenta/Johnson's Landing Face". There are many reasons why this would NOT help the community; unstable landslide prone slopes and logging traffic on an already tight and sometimes dicey roads, to name a few. But I am most concerned about the close proximity to the Purcell Wilderness Conservancy. I have already spent a good amount of my time dedicated to the Jumbo Wild cause, protecting land in the East Kootenays adjacent to the Purcell Wilderness Conservancy, and do not look lightly on more development/resource extraction close to it.

The PWC is a precious home to many endangered and beautiful species of animals that can not be found in many other places on this planet. Grizzly bears, Mountain Caribou, Wolverines, ect. (even Porcupines! which your company is named after!) The forest around it is most certainly important. To assume that the land already designated to the PWC is "enough" to sustain those populations into the future is simple too short sighted.

I thank you for taking the time to read this e-mail and hope that you truly consider the concerns of the locals, who have much more invested in this land.

Regards,
Rob Meaney

Bill Kestell, RPF
Cooper Creek Cedar Ltd
Woodlands Manager
Phone: 250-229-4536
Cell: 250-505-4476

Bill Kestell

From: Bill Kestell [bkestell@shaw.ca]
Sent: December-11-17 11:16 AM
To: 'sandy.breathing@gmail.com'
Subject: CCC FSP Comments
Attachments: Visual Quality Objectives-CCC FSP.pdf

Sandy: thank you for your comments and I apologize for the delay in responding.

Cooper Creek Cedar Ltd (CCC) recognizes the concerns the local residents have regarding terrain stability following the GAR Ck slide. CCC recognizes the concern of the local communities following the GAR Ck slide. CCC has contracted a professional terrain specialist. He has already started assessing the AJL hillside, and will continue to assess the hillside to identify slope stability concerns throughout our forest development. Additionally, CCC has met with Peter Jordan & Greg Utzig, two noted terrain specialists who are connected to the local community, and we have agreed to share terrain information throughout CCC development. The terrain specialist will be thorough & complete with his terrain assessments, and CCC will share this information with Mr Jordan & Mr Utzig.

Cooper Creek Cedar Ltd (CCC) also recognizes the concern & issues with the current main highway access through Argenta to Johnsons Landing. CCC will conduct open discussions regarding the access problems as CCC progresses through the forest development to try to come up with a workable solution. CCC will also investigate the possibility of an alternative logging traffic route.

CCC is not the agency to make the landuse determination for expansion of the Purcell Wilderness Conservancy (PWC). CCC has been aware of a local movement proposing the expansion of the PWC for more than a year. CCC does not support the expansion, but CCC has not opposed the expansion either.

CCC is contracting a local professional wildlife biologist to make recommendations to CCC that will minimize negative impacts to the local wildlife habitat and populations. CCC will incorporate these recommendations into the forest development.

The Argenta-Johnsons Landing face unit has specific Visual Quality Objectives determined and set by government. I have attached the Visual Quality Objective section from the FSP to this email. Although the section is not specific to the Argenta-Johnsons Landing area, the text is very specific of the process CCC will undertake to comply with the VQO regulations.

From: Sandy Blaikie Anderson [<mailto:sandy.breathing@gmail.com>]
Sent: Saturday, June 24, 2017 4:11 PM
To: coopercreek@porcupinewood.com
Cc: Edney, George A FLNR:EX; Ryan, Tim FPB:EX; awatson@rdck.bc.ca; Mungall.MLA, Michelle LASS:EX
Subject: logging in a dangerous zone

Bill Kestell
Cooper Creek Cedar/Porcupine Logging

I am writing to beseech you to cease & desist from your plans to log the Argenta /Johnsons Landing Face. More time is needed to give the new government time to consider this action.

There are serious concerns about increased slope instability in a landslide prone area, endangered caribou habitat, disruption of lands adjacent to the Purcell Wilderness Conservancy, wildlife movement corridors, visual impacts, as well as logging traffic on a narrow road.

Please heed the pleas of the people who live in the area & have had neighbours die from landslide activity. Stop now before it is too late.

Sincerely
Sandra Blaikie

Bill Kestell, RPF
Cooper Creek Cedar Ltd
Woodlands Manager
Phone: 250-229-4536
Cell: 250-505-4476

Bill Kestell

From: Bill Kestell [bkestell@shaw.ca]
Sent: January-02-18 9:50 AM
To: 'Bill Kestell'
Subject: RE: Forest Stewardship Plan for Argenta/Johnsons Landing.

From: Bill Kestell [mailto:bkestell@shaw.ca]
Sent: October-18-17 4:03 PM
To: 'Sean Kubara'
Subject: RE: Forest Stewardship Plan for Argenta/Johnsons Landing.

Sean: I have attached the original FSP advertisement. The add states the FDU includes the Argenta area. Although there has been much discussion over just stating Argenta, it has been agreed/accepted the advertisement satisfied public notification of the FSP. However; as per the last email Sean, the FSP provides you with minimal to zero information specific to your concerns regarding forest development in Salisbury Creek. Your best form of notification is to get into the LINKS website for updates. Or getting involved in a watershed/public interest group to interact with Cooper Creek Cedar. There is one such group somewhat formed now – Friends of the Lardeau River that you could contact and become part of. Cooper Creek Cedar does not have any plans to begin forest development in the Argenta-Johnsons Landing area until spring/summer of 2018. I suggest, so you do not “slip through the cracks” to contact me again in May 2018 and request an update. Does this work for you? CCC is committed to sharing information of our forest development in the Argenta-Johnsons Landing area, including Salisbury Ck.

From: Sean Kubara [mailto:skubara@gmail.com]
Sent: October-16-17 7:11 PM
To: Bill Kestell
Cc: Tara.DeCourcy@gov.bc.ca; tim.ryan@bcfpb.ca
Subject: Re: Forest Stewardship Plan for Argenta/Johnsons Landing.

On Mon, Oct 16, 2017 at 3:44 PM Bill Kestell <bkestell@shaw.ca> wrote:

Sean: the FSP is a landscape level document that does not address specific watershed &/or operating area forest development – Cutting Permits &/or Road Permits; therefore, the FSP does not speak to any Salisbury Creek development. The FSP notice and subsequent Forest Development Unit maps did include the area from Argenta to Johnsons Landing; therefore, Salisbury Creek area is included in the FSP maps. The FSP was submitted to the Ministry of Forests, Lands & Natural Resource Organization for approval in July. To date the FSP has not been approved, but is proceeding through the approval process. Cooper Creek Cedar Ltd (CCC) will not “redo” the FSP submission.

I do not recall meeting you or getting a note specifically handed to me after the meeting. I am not saying you did not meet me and give me a note, but I do believe that I would have kept your note on record – I do not have such a note. To date, CCC has not undertaken any forest development in the Argenta-Johnsons Landing area. We have met or been in contact via email with some members of the Argenta-Johnsons Landing community, and we have agreed that CCC would submit notices in the local LINKS website in an effort to update the community on CCC’s forest development. To date CCC has submitted five summaries into LINKS. This has been the agreed upon communication forum. CCC suspects that there will be more communication as forest development proceeds in the future.

Dear Mr. Kestell,

The notice I read in the Pennywise clearly indicated it covered north of Hamill Creek. Was there more than one notice? I will check the Pennywise archive when I return home from this trip. I have not seen a Forest Development Unit map and wouldn't necessarily understand it if I had.

Quite possibly I handed my note to someone else at your table since I didn't know any of you. I made an assumption that it would be seen by those who should see it.

Can you give me any comfort that I and my family will be advised when you start making specific plans for Salisbury Bulmer? We are not connected to Links and did not agree to that being how we get contacted. In fact I didn't even know about it. We have very specific concerns about some parts of Salisbury Bulmer that BCTS left alone due to risk, as well as spur 100, parts of which are close to our intake. As I said previously we have a lot at stake.

Thank you for your quick response to my previous correspondence.

Sean M. Kubara

From: Sean Kubara [mailto:skubara@gmail.com]
Sent: October-15-17 11:36 AM
To: bkestell@shaw.ca
Cc: Tara.DeCourcy@gov.bc.ca; tim.ryan@bcfpb.ca
Subject: Forest Stewardship Plan for Argenta/Johnsons Landing.

Dear Mr. Kestell,

I attended the meeting in Argenta in June of 2016 and provided you with a hand written note containing names addresses and information concerning Salisbury Creek. I requested that we be notified concerning your plans up the Salisbury Bulmer FSR.

My family have lived at Salisbury Creek since the early 1970s. There are 4 households plus a guest cabin and all are served by Salisbury Power. Our intake for the power plant and water system is located 100 meters or so above the bridge at Salisbury Creek. and not too far from the clearcut at the end of spur 100.

The clearcut at the end of spur 100 nearly abuts our property line and included part of a wet area containing a spring that runs into Salisbury Creek.

I saw your required FSP notice in the Pennywise several weeks ago and went online to see if I could tell whether any of the planned activity included Salisbury. What I read was that it only included your license areas north of Hamill Creek. I went online to skim the FSP (boiler plate-no useful information) and found nothing there to alert me that it included Salisbury. Nevertheless I persisted and followed the links and checked for road and cutting permits and found none affecting Salisbury. **As a result I did not submit comments on your FSP.**

Now I find out that the FSP apparently does cover Salisbury, but the comment period has closed and I feel betrayed because I was never given an opportunity to express my concerns. Why did the notice lie about what parts of your license areas were included in the FSP? Why did you ignore my hand written note asking to be notified?

I hope you will be required to redo the Notice with a proper description of the area affected so that I might have an opportunity to provide comments. We have a lot at stake. Sediment and changes in flow caused by activity up that FSR would adversely effect our hydroelectric and water system. (See Maps and watershed inventory paper for Argenta-Johnsons Landing done by EBA Engineering Consultants Ltd. for BCTS in early 2000s.)

I look forward to hearing from you.

Sean M. Kubara, BA, LLB