



Timber EA Renewal Project
Ministry of Natural Resources
Roberta Bondar Place
Suite 400, 70 Foster Drive
Sault Ste Marie, ON P6A 6V5

June 14, 2002

Subject: Response to the Ministry of Natural Resources' Timber Class EA Review

The Ontario Professional Foresters Association (OPFA) has reviewed the Ministry of Natural Resources' May 17th 2002 draft paper on the renewal of MNR's 1994 Class Environmental Assessment for Timber Management on Crown Lands in Ontario.

The Association submits the following comments and recommendations with respect to the draft paper. It is requested that MNR to take this input into consideration as the final submission to the Ministry of Environment and Energy is prepared.

The review is based upon the principal objects of the *Professional Foresters Act 2000 (the Act)* as the primary frame of reference. The objects are to protect and serve the public interest, to regulate the practice of professional forestry and to govern its members. It is also based on the Act's Scope of Practice, which details the practices and services as they relate to the management, conservation and sustainability of forests.

With this in mind, the following questions have been considered:

- How well does the review reflect the Act's scope of practice?
- How well does the review serve and protect the public interest?
- How well does the review properly represent the legislative obligations and interests of the Association's members?

This is the context and rationale that has been to make comments and to recommend changes. The comments also ensure that the Act's requirements are reflected appropriately in the Ts & Cs. The concerns have been grouped into the two following general categories.

The Practice of Professional Forestry

The 1994 EA decision gave the Registered Professional Forester (RPF) clear duties in the Terms and Conditions (Ts & Cs) and these were then carried into the 1996 Forest Management Planning Manual. In 1994, the Association's members had a right to title only, today the members are licensed and the practice of forestry is regulated. This brings with it a set of obligations, which are governed by legislation.

The *Professional Foresters Act 2000 (Bill 110)* defines the scope of practice in Section 3.1 and states that:

“The practice of professional forestry is the provision of services in relation to the development, management, conservation and sustainability of forests and urban forests where those services require the knowledge, training and experience equivalent to that required to become a member under this Act and includes,

- (a) the designing, specifying or approving of silvicultural prescriptions and treatments, including timber harvesting;
- (b) the appraisal, evaluation and certification of forests and urban forests;
- (c) the auditing of forest management practices;
- (d) the assessment of impacts from planned activities on forests and urban forests;
- (e) the classification, inventory and mapping of forests and urban forests inventory; and
- (f) the planning and locating of forest transportation systems, including forest roads.”

It is noted that in some instances the explicit wording and mention of the role of the RPF in the 1994 decision has been deleted. It is strongly proposed that precision be restored in light of our legislation and expanded to those other Ts & Cs so that they reflect the scope of practice. The specific references to RPF and plan author are identified in our proposed modifications to the Ts & Cs.

The Public Interest

The Professional Foresters Act 2000, Section 5.1 states that:

“The principal object of the Association is to regulate the practice of professional forestry and to govern its members in accordance with this Act, the regulations and the by-laws in order that the public interest may be served and protected.”

Within this public interest mandate, the OPFA has identified a number of specific areas where the draft Ts & Cs require modification to reflect the principal object of the Act. The specific wording changes are identified in the attached proposal. The public interest proposals include:

1. Public Committees

Local Citizens Committees (LCCs) are the most important local interface amongst MNR, the forest industry and the public. Their involvement is critical, not only during plan development, but also during plan implementation. For this reason, their activities must be spelt out clearly and their composition and membership transparent and equitable. The LCCs and the provincial advisory committees should not be downgraded in stature. This submission provides specific proposals to strengthen not only the LCC, but also the Provincial Forest Policy Committee and the Provincial Forest Technical Committee.

The LCCs require training on their role and responsibilities as well as training on the Forest Management Planning process. This training need has been identified across the province. MNR's commitment to training requires enhancement.

2. Independent Environmental Assessment Audit

With the development of an approval and extension system for the Class EA, there is a need for both a fixed term (15 years) and an independent review of progress, accomplishments and amendments. Using the template of the Independent Forest Audit, we recommend the establishment of an Independent Environmental Assessment Audit to evaluate MNR's Five Year EA Report and the compliance with the Ts & Cs of the approval.

The Independent EA Audit should be established under the auspices of the Environmental Commissioner with recommendations to MOEE regarding amendments and extension. Specific timeframes for report completion and public release are identified in the Association's proposals. The public interest requires an independent assessment of MNR's compliance and effectiveness.

3. MNR Reporting and Accountability

Many of the Ts & Cs associated with Inventory, Monitoring, Information, Forest Science and Management Systems lack program deliverables and timelines. It will be difficult to evaluate compliance without specific performance targets and expectations. It is proposed that a five year action plan that deals with the above items be developed within one year of the approval of this EA Renewal and that the Provincial Forest Technical Committee, with its public members, review and comment on the specific program proposals. This system would improve MNR's public reporting and thus accountability. It will bolster the public's expectations of MNR and provide evidence for the Independent Audit of MNR's Five Year EA Report.

Currently, the Independent Forest Audit (IFA) procedures are decided by MNR alone. In order to monitor the process and to open the process to a wider public, the Environmental Commissioner should conduct a review of the IFA procedure and protocols every five years.

4. Public Issues

The public remains interested in two high profile issues that are no longer addressed in the proposed Ts & Cs:

(a) Old Growth

Strategies and plans for the management of old growth forests have not been completed and implemented. There is more science to be refined and more public consultation required.

(b) Roadless Wilderness

Strategies and planning relating to the management of roadless wilderness areas are not complete.

We believe that new Ts & Cs are required for both these items and we look forward to examining them in MNR's final submission to MOEE.

General Comments

Since OPFA members are involved at all levels of forest management, as silvicultural practitioners and as experts in such fields as modeling, inventory and forest science, comments have been provided on some matters which can improve and streamline the delivery of forest practices and management.

The forest industry and the communities across Northern and Central Ontario, which it supports, need better assurance of a long-term sustainable wood supply. Better forecasting of future mill supplies coupled with better information on silvicultural effectiveness and costs are needed across woodsheds and regions. The Forest Accord wood supply balance and regional wood supply strategies need to be incorporated into a new T & C (T & C #53 in our attachment).

The reduction, amalgamation and deletion of many of the 115 Ts & Cs set in 1994, is very welcome. However, in places, the reasons given in the draft paper for the change should bear further elucidation. In addition, on occasion, the paper lacks the requisite implementation detail for a firm evaluation to be made by the Association.

A comprehensive statement on whether or not MNR has complied with the 1994 EA Ts & Cs at the provincial and local level should be made. Statements are made in certain parts of the draft as to whether general compliance requirements have been met and in some others there is no explicit statement. The stakeholders need to know.

There is no doubt that the development and implementation of the 1994 EA Ts & Cs was instrumental in significantly advancing both the public interest and forest management in this province. Further developments since then have resulted in the production of a constructive set of operating Manuals and in the innovative Forest Renewal Trust Fund system. All this has created a new sense of purpose and public expectation with respect to forest management in Ontario. MNR and all stakeholders need to continue to work

constructively together to enhance this improvement in forest management on Crown lands.

The Association's proposals on specific Ts & Cs are described in the attachment. Any opportunity to discuss our proposals with you in more detail at your convenience would be welcomed.

Yours sincerely,

Rick Monzon, R.P.F.
Executive Director

Attachment

OPFA Proposed Revisions to MNR's Draft Ts & Cs

Notes

OPFA proposed changes are **highlighted in bold** and any deletions are evident with a ~~strike through~~. Only those terms and conditions where we felt change was required, at this time, have been identified in this proposal. In addition, we have included short bullet points in *italics* to explain the *rationale or noting where further clarification is required*.

The proposed revisions are shown in the same order as the Ts & Cs are listed in “MNR’s Timber Class EA Review”, with the exception of # 5 pertaining to LCCs, which is listed with the other three public committees (# 35 Regional Advisory Committees, # 36 Provincial Forest Policy Committee and # 37 Provincial Forest Technical Committee). Also, a proposed new T & C # 53 regarding long term wood supply is added at the end of this attachment.

Forest Management Plan Preparation and Renewal

Rationale: Scope of practice, as defined in Bill 110

1. (b) Normally a Forest Management Plan shall be renewed every ten years. The Year 3 Annual Report for the management unit will describe progress on plan implementation. **A Registered Professional Forester, together with the planning team and the MNR District Manager, will determine** if the Year 3 Annual Report supports continuation of the long-term management direction. If the Year 3 Annual Report supports continuation of the long-term management direction, the details of operations for the remaining five years shall be planned, reviewed, approved during the fifth year and then added to the Forest Management Plan. If the Year 3 Annual Report does not support the continuation of the long-term management direction, an appropriate contingency plan will be prepared to bridge the time required to prepare an unscheduled plan renewal.

Public Consultation

Rationale: Response to correspondence is assigned by the chair of the planning team, according to which planning team member is most qualified to do so and according to responsibilities assigned in the FMP terms of reference.

6. (c) **The plan author, together with the planning team,** ~~MNR~~ shall respond in writing, in a responsive and timely way, to all written comments and submissions received from any person or group during the preparation of a Forest Management Plan. This requirement shall also apply to all verbal comments if a written

response has been requested. In those responses, **the planning team MNR** shall provide an explanation of the results of the consideration of the comments and submissions.

Rationale: Clarification on “appropriate modifications” is required in MNR’s final submission.

- (e) As part of the planning of operations for the second 5-year operational term of the Forest Management Plan, formal public consultation opportunities shall be provided at key stages as described in the Forest Management Planning Manual. Formal public consultation will be conducted in accordance with (a) to (d) of this condition, with appropriate modifications.

Aboriginal Consultation

Rationale: This condition would be more effective if the planning team were provided with appropriate time frames for implementation.

- 7. The Forest Management Planning Manual shall describe provisions for Aboriginal consultation in the development of a forest management plan, including the following:
 - (a) **At least six months** prior to the commencement of formal public consultation on the preparation of a Forest Management Plan, planning team representatives shall make reasonable efforts to meet with individual Aboriginal communities in or adjacent to the management unit to develop an appropriate approach for Aboriginal consultation. The approach shall be used for both the preparation of the Forest Management Plan, and planning for the second 5-year operational term.
 - (d) In the event that an appropriate approach regarding Aboriginal consultation is unable to be reached **by the time formal consultation begins**, the standard public consultation process will be applied.

Issue Resolution and Bump-Up

Rationale: To maintain the role of the RPF, as specified in the 1994 EA Decision

- 8. The Forest Management Planning Manual shall describe provisions for a process to resolve issues and address requests for an individual environmental assessment as follows:
 - (a) If a person has an issue during the preparation of a Forest Management Plan, an issue resolution process, as described in the Forest Management Planning Manual, shall be followed. That process shall require written submissions from the concerned person, including a description of the issue and a proposed solution. Opportunities will be provided for the involvement of the Local Citizens Committee, and the requirement for a written decision from the plan author and/or

MNR. The process shall provide for different levels of complexity and the need for interaction of the plan author **and**; the MNR District Manager; **interaction with and/or** the MNR Regional Director **may also be required**. If the process is initiated after the draft plan is available to the public, only the steps of the process that involve the MNR Regional Director shall apply. The requirements of the issue resolution process shall also apply to amendments to Forest Management Plans and insect pest management programs, with appropriate modifications as necessary.

Background Information and Management Unit Description

Rationale: To maintain the role of the RPF, as specified in the 1994 EA Decision

9. The following background information shall be available for use in forest management planning, in accordance with the Forest Management Planning Manual:
 - (a) updated forest resource inventory data for the management unit, **provided by a Registered Professional Forester and** in accordance with the requirements of the Forest Information Manual;

Rationale: To maintain the role of the RPF, as specified in the 1994 EA Decision

10. Each Forest Management Plan shall contain a description of the management unit. The management unit description will be prepared in accordance with the Forest Management Planning Manual and shall contain:
 - (a) a description of the forest, based on updated forest resource inventory data **as provided by a Registered Professional Forester**, and landscape level information;

Planning Long-term Management Direction

*Rationale: Scope of practice, as defined in Bill 110
To maintain the role of the RPF, as specified in the 1994 EA Decision
(applies to calculating harvest level)*

11. The long-term management direction for the management unit shall be established in a Forest Management Plan in accordance with the Forest Management Planning Manual. **A Registered Professional Forester shall lead** ~~in~~ the development of long-term management direction, **in which**:
 - (a) management objectives shall be identified in accordance with the requirements of the Forest Management Planning Manual;
 - (b) analytical methodologies, models and tools, regarding forest regulation, social and economic analysis, wildlife habitat supply and landscape management, shall be used; and

- (c) the level of forest harvest shall be established for the 10-year period of the Forest Management Plan, using forest regulation methodologies that determine the available harvest area for every forest unit on the management unit.

Access Planning

Rationale: Scope of practice, as defined in Bill 110

- 12. **Road planning shall require the involvement of many individuals, including the LCC, the plan author and other members of the planning team.** The Forest Management Planning Manual shall describe planning provisions for primary road (i.e., any road that provides permanent access for the management unit) and branch road (i.e., any road that branches off from an existing or new primary or branch road that connects separate areas of operations) corridors, including the following:
 - (a), (b)....., and (c).....

Rationale: Clarification of what is meant by “branch road” required in MNR’s final submission.

- (c) For each new branch road, a 1 km corridor shall be identified for a 10-year period following the consideration of natural resource features, land uses and values, as identified on the values map for the management unit, and the results of consultation with affected and interested parties. Documentation of the rationale for the corridor, and associated use management strategy for each new branch road, shall be provided in the supplementary documentation that accompanies the Forest Management Plan.

Planning Harvest, Renewal and Maintenance Operations

Rationale: Scope of practice, as defined in Bill 110

- 15. The Forest Management Planning Manual shall describe planning provisions for the identification of areas of operations, **which shall be led by a Registered Professional Forester and which shall include** the following:
 - (a)through (g).

Rationale: Scope of practice, as defined in Bill 110

- 16. The Forest Management Planning Manual shall describe planning provisions for the development of Silvicultural Ground Rules, including the following:
 - (a)
 - (b) (iii) At the time of implementation of operations, in the event that the actual site conditions encountered are found to be different than those previously identified in the Forest Management Plan, then, other relevant approved

alternative silvicultural treatments contained in the Silvicultural Ground Rules can be selected, **and certified by a Registered Professional Forester.**

Rationale: Scope of practice, as defined in Bill 110

20. The Forest Management Planning Manual shall describe planning provisions for improving silvicultural planning, including the following:
- (a) **A program will be designed by a Registered Professional Forester** ~~An analysis will be undertaken~~ to determine the necessary levels of renewal and tending activities, and associated expenditures required to achieve objectives described in the Forest Management Plan, for each 5-year operational term. ~~The~~ **An** analysis will be **done and** documented, and will include a discussion of the following:
 - (i) the level of previous renewal and tending operations,
 - (ii) the silvicultural effectiveness of previous renewal and tending operations,
 - (iii) the expenditures associated with those previous renewal and tending operations, and
 - (iv) recommended changes that may affect the future level, effectiveness, and expenditures associated with the forecasted renewal and tending operations.

Monitoring Program

Rationale: Scope of practice, as defined in Bill 110

21. The Forest Management Planning Manual shall describe planning provisions for monitoring operations, including the following:
- (a) For each 5-year operational term of a Forest Management Plan, provisions for monitoring operations shall be discussed in the plan and shall include:
 - (i) a general description of the forest operations inspection program for the management unit and specific provisions for monitoring operations in individual Areas of Concern and groups of Areas of Concern with common values;
 - (ii) a description of monitoring which will be used to determine the effectiveness of any silvicultural treatments which are “exceptions” to the recommendations in the silvicultural guides;
 - (iii) a description of monitoring which will be used to determine the effectiveness of prescriptions for Areas of Concern which are “exceptions” to the specific direction or recommendations in the applicable implementation manuals; and
 - (iv) a description of the program for carrying out assessments of regeneration success for both naturally and artificially regenerated areas, and assessments that are used in the Great Lakes-St. Lawrence forest region.
 - (b) Monitoring descriptions **related to forest cover shall be developed by a Registered Professional Forester.** Monitoring descriptions shall include:
 - (i) the identification of the methods which will be used;
 - (ii) the timing and duration of monitoring;
 - (iii) the documentation and reporting of monitoring results; and

- (iv) the opportunities for Local Citizens Committee members to participate in monitoring.

Insect Pest Management Programs

Rationale: To maintain the role of the RPF, as specified in the 1994 EA Decision

- 24. The Forest Management Planning Manual shall describe planning provisions for insect pest management programs, including the following:
 - (a) When there is a major insect pest infestation, a District insect pest management program shall be developed by a multi-disciplinary team, comprised of MNR district and regional staff, **a Registered Professional Forester** and a representative(s) of the Local Citizens Committee(s). Areas eligible for insect pest management shall be identified, and a range of management options shall be considered and documented. The following management options shall be considered:
 - (i) through (vi); and
 - (b) through (e).

Annual Operations

Rationale: Scope of practice, as defined in Bill 110

- 25. The Forest Management Planning Manual shall describe planning provisions for the ~~preparation of an~~ Annual Work Schedule, **which shall be prepared and certified by a Registered Professional Forester, and which shall include** the following:
 - (a)through (g)

Management Unit Annual Reporting

*Rationale: Scope of practice, as defined in Bill 110
MNR accountability*

- 26. The Forest Management Planning Manual shall describe provisions for the preparation of Management Unit Annual Reports, including provisions for the use of text, tables and maps, and shall include the following:
 - (a) Each year, a Management Unit Annual Report shall be prepared **and certified by a Registered Professional Forester and shall be submitted by six months after year-end, i.e., by September 30th. The Management Unit Annual Report shall** report on the implementation of forest management operations during the preceding year. Each Management Unit Annual Report will include a discussion of the progress to date in meeting the planned level of activity described in the Forest Management Plan, **including an explanation of any variance between**

- the annual 10-year targets and the achievement to date, and strategies to bring plan implementation into line with planned targets.** It will also include a discussion of any significant events affecting the implementation of the Forest Management Plan. Records on pesticides used for forest management purposes will be appended to the Management Unit Annual Report. In addition to these reporting requirements, the Management Unit Annual Reports for Years 3, 7 and 10 will provide further information as described in (b), (c), and (d) of this term and condition.
- (b) ...through (d).

Monitoring - Forest Operations Inspections

*Rationale: To serve and protect the public interest, in accordance with Bill 110
MNR accountability*

27. (a) MNR shall ensure that monitoring of the forest management activities of access, harvest, renewal and maintenance will take place through a forest operations inspection program. Monitoring will consist of compliance with approved Forest Management Plans and any other conditions imposed on operations by legislation or policy.
- (b) MNR will maintain an appropriate implementation manual that will describe the details regarding a forest operations inspection program including scope, documentation and record retention.
- (c) **Records and results of the annual compliance monitoring program will be available for inspection at the local level by the Local Citizens Committee and the general public by May 30th. In addition, MNR will prepare an analysis and recommendations for improvement, if required, of district, regional and provincial compliance results and make the report available to the public by September 30th annually.**

Monitoring - Audit Program

*Rationale: To maintain the role of the RPF, as specified in the 1994 EA Decision
Scope of practice, as defined in Bill 110
To serve and protect the public interest, in accordance with Bill 110*

28. MNR shall ensure that independent forest audits for management units are conducted in accordance with the requirements of the Crown Forest Sustainability Act and its regulations (Sections 26.3 and 69.1(31)). **Each audit team must have at least one Registered Professional Forester. The audit will be comprehensive in scope and the independent auditors can investigate any matters related to forest management. Audit reports must be made available to the public within six months of the field audit. The Environmental Commissioner shall review the audit program once every five years.**

Monitoring - Silvicultural Effectiveness

Rationale: Scope of practice, as defined in Bill 110

29. MNR shall maintain an implementation manual that provides direction for silvicultural effectiveness monitoring to support systematic reporting to the general public. **A Registered Professional Forester will design the silvicultural effectiveness monitoring programs. Direction in the Silvicultural Effectiveness Manual** ~~That direction~~ will include:
- (a) an identification of acceptable methodologies;
 - (b) a description of the timing of monitoring activities; and
 - (c) requirements for the documentation and reporting of monitoring results.

Wildlife Population Monitoring

Rationale: MNR accountability

30. MNR shall continue to investigate wildlife population monitoring methods and will continue a Provincial Wildlife Population Monitoring Program within the Area of the Undertaking. This program will provide long-term trend data on representative terrestrial vertebrate species and will collect information to support the testing of the effects and effectiveness of forest management guides. The species to be monitored include:
- (a) species which benefit from forests managed for the purposes of maintaining early successional stages and where management direction comes from the Forest Management Guidelines for the Provision of Moose Habitat or the Forest Management Guidelines for the Provision of White-tailed Deer Habitat, and their successors;
 - (b) species which benefit from forests managed for purposes of maintaining late successional stages and where management direction comes from the Forest Management Guidelines for the Provision of Marten Habitat or the Forest Management Guidelines for the Provision of Pileated Woodpecker Habitat, and their successors; and
 - (c) species which utilize the following habitat types and features: snags, dead and downed woody material, riparian areas, mature/overmature stands, and large areas in a similar successional stage.
 - (d) A five-year action plan will be submitted to the Provincial Forest Technical Committee for review and comment within one year of the approval of the EA extension. The action plan will include the proposed program developments, deliverables and deadlines. Annual reporting of accomplishments and progress will be included in the Provincial Annual Report on Forest Management.**

Monitoring Guideline Effectiveness

Rationale: MNR accountability

31. (a) MNR shall maintain a program of long-term scientific studies to assess the effectiveness of provincial implementation manuals.
- (b) **A five-year action plan will be submitted to the Provincial Forest Technical Committee for review and comment within one year of the approval of the EA extension. The action plan will include the proposed program developments, deliverables and deadlines. Annual reporting of accomplishments and progress will be included in the Provincial Annual Report on Forest Management.**

Provincial Annual Report on Forest Management

Rationale: MNR Accountability

32. (a) MNR shall annually prepare a provincial report (the “Provincial Annual Report on Forest Management”) that shall be tabled in the Legislature **by March 31st of the following year**. The report will be provided to the Ministry of Environment and Energy and made available to the public.
- (b) The report shall include the following information:
- (i) a summary of Ontario’s land and Crown forest base,
 - (ii) forest products industry statistics,
 - (iii) a description of forest disturbance, including:
 - . area and volume of Crown forest resources harvested,
 - . a summary of the discussions contained in Management Unit Annual Reports on the subject of areas harvested under the clearcut silvicultural system, based on size and frequency parameters required by implementation manuals and the Forest Management Planning Manual,
 - . areas and or volumes of losses associated with natural forces such as insects, disease, forest fire, blowdown.
 - (iv) provincial government revenues from Crown charges, as defined by the *Crown Forest Sustainability Act*, including payments associated with penalties, offences and the harvest of Crown forest resources;
 - (v) a summary of expenditures from the Forest Renewal Trust and the Forestry Futures Trust
 - (vi) a summary of the amount of regeneration, tending and protection activities;
 - (vii) a summary of silvicultural effectiveness;
 - (viii) a summary of compliance monitoring results and an enforcement summary,
 - (ix) a summary of forest access road construction, maintenance, abandonment and roads subject to access control;
 - (x) a summary of major findings reported in independent forest audits;

- (xi) a description of significant advances and milestones in scientific research, technical development programs, and policy developments related to forest management,
- (xii) a summary of the progress of on-going negotiations with Aboriginal peoples on a district-by-district basis.
- (xiii) a summary of the accomplishments and progress relating to the five-year action plans specified in Ts & Cs 30, 31, 40, 41, 42, 43, 44, 45, 46, 47 and 53.**

Public Committees

Local Citizens Committees

Rationale: To serve and protect the public interest, in accordance with Bill 110

5. (a) A Local Citizens Committee, comprised of local citizens representing a range and balance of interests, shall be established in accordance with the requirements of *Section 13 of the Crown Forest Sustainability Act* in each District or management unit. ~~The Forest Management Planning Manual shall provide guidance for the membership composition, terms of reference and operational procedures for Local Citizens Committees.~~
- ~~(b) The Local Citizens Committee is to participate in the preparation of Forest Management Plans, contingency plans and Forest Management Plan amendments, and in the monitoring of Forest Management Plan implementation. In addition, Local Citizens Committees are to be given the opportunity to provide input to independent forest audits for the management unit. The Local Citizens Committee may nominate one of its members to serve on the planning team for a Forest Management Plan, and a representative may also serve on the multi-disciplinary team for insect pest management planning.~~
- (b) The Local Citizens Committee will be supported by MNR, which will act as the secretariat.**
- (c) The Local Citizens Committee will be established and operate according to the following terms of reference:**

Composition and Formation:
The Local Citizens Committee shall be a standing committee. Membership shall be by appointment by the MNR District Manager. The majority of appointments shall be drawn from nominations from interest groups that are directly affected. The main interests represented on this committee should include:

 - (i) local business;**
 - (ii) tourism industry;**
 - (iii) anglers and hunters;**
 - (iv) native communities;**
 - (v) forest industry;**
 - (vi) naturalists;**
 - (vii) municipalities;**

- (viii) trappers and other resource users;
- (ix) other Crown Land recreationists;
- (x) forest industry trade unions;
- (xi) woods workers;
- (xii) small independent loggers;
- (xiii) Chamber of Commerce or Economic Development Officer member
- (xiv) other interest groups; and
- (xv) the general public.

Purpose:

The purpose of the Local Citizens Committee is to participate as an integral part of the forest management planning process by:

- (i) Ensuring that all local interests are effectively communicated to all others involved in timber management planning;
- (ii) Increasing the effectiveness of the public consultation process, by participating in its implementation, and in the consideration of any additional formal public consultation opportunities that would be useful, in the context of local circumstances and needs;
- (iii) Participating in the development, identification and description of planning objectives, strategies, problems and issues
- (iv) Participating in the development of the values map(s)
- (v) Promoting integration of all interests by participating in the evaluation of trade-offs to be made during the planning process and the resolution of problems, differences and conflicts as early as possible in the planning process;
- (vi) Assisting in monitoring the performance of the implementation of the Forest Management Plan; and
- (vii) Providing advice to the District Manager when discretionary decisions must be made (e.g.: the categorization of plan amendments).

Input to the Planning Team and to Insect Pest Management:

- (i) The Local Citizens Committee may nominate a representative of the Committee to serve as a member of the forest management planning team.
- (ii) Other members of the Local Citizens Committee may attend planning team meetings as observers.
- (iii) Joint meetings of the Local Citizens Committee and the planning team shall be held at agreed upon stages of the planning process.
- (iv) The planning team and representatives of the Local Citizens Committee shall attend public Information Centres.
- (v) The member of the Local Citizens Committee who serves as the representative on the planning team shall be invited to serve on the district or regional Multi-Disciplinary Committee, which produces the District insect pest management program.

Procedural Matters:

The Local Citizens Committee shall develop its own rules with respect to any procedural matters required to meet its responsibilities during the Forest

Management Planning process and Plan implementation. These matters include such things as frequency of and attendance at meetings and Information Centres, and circulation of information among members of the Local Citizens Committee.

Disbursements and Support:

- (i) Members of the Local Citizens Committee shall be reimbursed by MNR for reasonable out-of-pocket expenses in connection with their participation.**
- (ii) The LCC member serving on the planning team shall be provided a reasonable per diem fee for attendance at planning team meetings.**
- (iii) Each MNR District Manager shall provide to the Local Citizens Committee any information required by the Committee. This information will be provided as it becomes available, in order to ensure achievement of the Local Citizens Committee purposes. Without limiting the generality of the foregoing, each Local Citizens Committee will be provided with the following materials for the relevant Management Unit, in summary form and at a time no later than the invitation to participate:**
 - Background information;**
 - Data describing other non-timber resources; and**
 - Data describing the forest resource.**

Reports and Records:

- (i) All documentation produced by the Local Citizens Committee shall be available for review by interested persons. In particular, the Local Citizens Committee shall prepare a report concerning their activities during the Forest Management Plan preparation; the problems and issues addressed by them; and their assessment of the effectiveness of the Committee structure and recommendations for change, if any, and an assessment of the co-operation provided to the committee by the Ministry. This report shall be summarized by the LCC and provided as follows:**
 - in an early version for inclusion in the Preliminary Plan Summary to be distributed at the First Information Centre;**
 - in final form for inclusion in the Draft Plan Summary if necessary for the final Plan;**
 - as part of the Forest Management Plan Summary;**
 - the full report of the Local Citizens Committee shall form part of the supplementary documentation of the Forest Management Plan**
- (ii) Forest Management Plans shall contain a brief statement on the first page reporting generally the Local Citizens Committee's agreement or disagreement with the Plan and indicating that the Local Citizens Committee's report is available in the Supplementary Documentation to the Plan.**

- (d) **In addition, the Local Citizens Committee is to participate in the development of contingency plans, provide advice on Forest Management Plan amendments and participate in the examination of annual compliance records.** Local Citizens Committees are to be given the opportunity to provide input to independent forest audits for the management unit.

Regional Advisory Committees

Rationale: To serve and protect the public interest, in accordance with Bill 110

35. (b) Each Regional Advisory Committee shall be chaired by the appropriate MNR Regional Director ~~or designate~~; who will represent the Ministry. The MNR Regional Director may appoint a co-chair from among the committee members.

Provincial Forest Policy Committee

Rationale: To serve and protect the public interest, in accordance with Bill 110

36. (a) The Ministry of Natural Resources shall maintain a Provincial Forest Policy Committee to advise the MNR Deputy Minister on provincial forest policy and other related matters brought to the committee by the MNR Deputy Minister.
- ~~(b) The Minister of Natural Resources shall appoint members to this committee and the committee shall be chaired by the Deputy Minister, or designate.~~
- (b) The Provincial Forest Policy Committee will be supported by MNR, which will act as the secretariat.
- (c) **The Terms of Reference and operations of** ~~for~~ the Provincial Forest Policy Committee **are described below** ~~will be provided by the Deputy Minister and will include:~~
- ~~(i) membership;~~
 - ~~(ii) term of appointment;~~
 - ~~(iii) frequency of meetings;~~
 - ~~(iv) roles of committee members;~~
 - ~~(v) reimbursement of expenses for attendance at meetings; and~~
 - ~~(vi) operational procedures for the committee.~~
- ~~(e) The committee shall keep a summary of meeting discussions that shall be available to the public upon request.~~

Purpose:

- (i) Review the appropriateness of policies at a provincial level for timber management as well as those resources which influence or are impacted by the management of the forest resources;**
- (ii) Determine the inter-relational effects of the policies; and**
- (iii) Act as a standing Advisory Committee to MNR on the matters referred to in (i) and (ii).**

Formation:

- (i) The Minister of Natural Resources shall appoint members to this committee and the Deputy Minister of Natural Resources will chair the committee.**
- (ii) The Minister of Natural Resources shall appoint members to this committee from industry associations, unions, chambers of commerce, recreation groups, environmental groups, native organizations, and other groups, as well as representatives of foresters, trappers, municipalities and other interested individuals.**
- (iii) Individual members shall be appointed to this committee for a three year term with sufficient re-appointments for an annual turnover of one third of members commencing in the fourth year of the establishment of the committee.**
- (iv) The committee will establish operating procedures.**
- (v) The committee shall meet at least twice annually.**
- (vi) The committee shall keep a summary of meeting discussions that shall be available to the public upon request.**
- (vii) The committee members shall receive expenses for their attendance at meetings.**

Provincial Forest Technical Committee

Rationale: To serve and protect the public interest, in accordance with Bill 110

- 37.(a) The Ministry of Natural Resources shall maintain a Provincial Forest Technical Committee to advise the MNR Assistant Deputy Minister, Forests Division, on ensuring implementation manuals are kept current in respect of scientific knowledge and management practices, by acting as a review board for proposed changes and recommending priorities for work on new or existing implementation manuals. The committee may also advise on other technical matters brought to the committee by the Assistant Deputy Minister, Forests Division.
- (b) The Deputy Minister of Natural Resources shall appoint members to this committee and the committee shall be chaired by the Assistant Deputy Minister, Forests Division, ~~or designate.~~
- (c) The Provincial Forest Technical Committee will be supported by MNR, which will act as the secretariat.
- (d) ~~The Terms of Reference will be provided by the Assistant Deputy Minister, Forests Division for the Provincial Forest Technical Committee~~ **are: and will include:**
 - ~~(i) membership;~~
 - ~~(ii) term of appointment;~~
 - ~~(iii) frequency of meetings;~~
 - ~~(iv) roles of committee members;~~
 - ~~(v) reimbursement of expenses for attendance at meetings; and~~
 - ~~(vi) operational procedures for the committee.~~

- ~~(e) The committee shall keep a summary of meeting discussions that shall be available to the public upon request.~~

Purpose:

The Provincial Technical Committee will:

- (i) Ensure that implementation manuals are kept current in the light of advances in scientific knowledge and management practices.**
- (ii) Act as a review board for proposed changes, emanating from either a field or a policy level to implementation manuals, and to set priorities for work on existing or new implementation manuals. Deal with any other matters identified by the Deputy Minister.**

Formation and Membership:

- (i) The Deputy Minister of Natural Resources shall appoint members to this committee.**
- (ii) One member will be appointed from each professional discipline required, in the opinion of MNR, for the management of the forest resource and of non-timber resources of the province.**
- (iii) Where possible, membership shall include knowledgeable members of the public.**
- (iv) The term of appointment of the committee members will be initially for a three-year period with a year-by-year renewal provision to be exercised at the discretion of MNR.**

Responsibilities:

It is the responsibility of this committee to:

- (i) Establish interdisciplinary teams as required to:
 - Review results of monitoring programs;
 - Review individual implementation manuals;
 - Obtain input from recognized experts (both internal and external to MNR) during the review of the implementation manuals; and
 - To bring recommendations before the committee.**
- (ii) Bring to the Provincial Forest Policy Committee proposed changes to guidelines and manuals with a supporting rationale for the proposed changes and an implementation strategy. The Provincial Forest Policy Committee will give its advice to the Minister.**
- (iii) The committee will establish operating procedures.**
- (iv) Committee members shall receive expenses for their attendance at meetings.**
- (v) The committee shall keep a summary of meeting discussions that shall be available to the public upon request.**

Inventory, Information and Management Systems

Rationale: MNR accountability

40. **(a)** MNR shall ensure that information management systems necessary to support forest management planning, which enhance the capability to systematically

collect, store, update and retrieve information, continue to be developed. Values information will be generally available to the public.

- (b) A five-year action plan will be submitted to the Provincial Forest Technical Committee for review and comment within one year of the approval of the EA extension. The action plan will include the proposed program developments, deliverables and deadlines. Annual reporting of accomplishments and progress will be included in the Provincial Annual Report on Forest Management.**

Forest Ecosystem Classification System

Rationale: MNR accountability

- 41. MNR shall continue the development of the Ecological Land Classification program through the following initiatives:
 - (a) ensuring appropriate interpretation manuals are available to assist in application of the Ecological Land Classification in forest management planning;
 - (b) continuing to improve inventory and mapping technologies;
 - (c) maintaining the classification program for the entire Area of the Undertaking; and
 - (d) continuing to provide for technology transfer and training programs
 - (e) A five-year action plan will be submitted to the Provincial Forest Technical Committee for review and comment within one year of the approval of the EA extension. The action plan will include the proposed program developments, deliverables and deadlines. Annual reporting of accomplishments and progress will be included in the Provincial Annual Report on Forest Management.**

Growth and Yield Program

Rationale: MNR accountability

- 42.(a) MNR shall continue to implement a provincially coordinated program to obtain further information on forest growth and yield as influenced by site, forest structure, silvicultural treatments and natural events.
- (b) A five-year action plan will be submitted to the Provincial Forest Technical Committee for review and comment within one year of the approval of the EA extension. The action plan will include the proposed program developments, deliverables and deadlines. Annual reporting of accomplishments and progress will be included in the Provincial Annual Report on Forest Management.**

Full-tree Harvest and Full-tree Chipping Studies

Rationale: MNR accountability

43. (a) MNR shall continue to investigate, through a long-term study, the effects of full-tree harvest and full-tree chipping on long-term forest productivity.
- (b) **A five-year action plan will be submitted to the Provincial Forest Technical Committee for review and comment within one year of the approval of the EA extension. The action plan will include the proposed program developments, deliverables and deadlines. Annual reporting of accomplishments and progress will be included in the Provincial Annual Report on Forest Management.**

Tending and Protection Improvement Programs

Rationale: MNR accountability

44. (a) MNR shall continue to ensure that tending and protection programs are conducted in accordance with current scientific knowledge applicable to Ontario's forests by maintaining policies and procedures that ensure proper and safe use of registered and approved products, and by collaborating with research partners engaged in tending and protection research initiatives.
- (b) **A five-year action plan will be submitted to the Provincial Forest Technical Committee for review and comment within one year of the approval of the EA extension. The action plan will include the proposed program developments, deliverables and deadlines. Annual reporting of accomplishments and progress will be included in the Provincial Annual Report on Forest Management.**

Data Systems and Analytical Methodologies

Rationale: MNR accountability

45. MNR shall continue to maintain and further develop methodologies for use in forest management planning which:
- (a) address social and economic considerations in developing prescriptions and making forest management decisions;
 - (b) investigate and address biological diversity and landscape management analyses;
 - (c) capture, store and provide access to spatial information using geographic information system technology;
 - (d) continue to incorporate the use of geographic information system technology in the development of models and tools; and
 - (e) ensure staff are trained in the use and application of the methodologies and technologies developed.

- (f) A five-year action plan will be submitted to the Provincial Forest Technical Committee for review and comment within one year of the approval of the EA extension. The action plan will include the proposed program developments, deliverables and deadlines. Annual reporting of accomplishments and progress will be included in the Provincial Annual Report on Forest Management.**

Professional and Technical Training Programs

Rationale: MNR accountability

- 46. (a) MNR shall ensure comprehensive professional and technical training programs are maintained so that the knowledge of those persons involved in the planning and implementation of forest management activities is continually upgraded.
- (b) Specific training programs will be developed for Local Citizen Committees relating to Forest Management Planning, their role and responsibilities.**
- (c) A five-year action plan will be submitted to the Provincial Forest Technical Committee for review and comment within one year of the approval of the EA extension. The action plan will include the proposed program developments, deliverables and deadlines. Annual reporting of accomplishments and progress will be included in the Provincial Annual Report on Forest Management.**

Public Education on Forest Management

Rationale: MNR accountability

- 47. (a) MNR will continue to participate in public education regarding the management of Ontario's forests directly and in partnership with stakeholders, and supporting organizations in the administration and the delivery of educational programs.
- (b) Every three years or upon each significant revision of the Forest Management Planning Manual, whichever occurs sooner, MNR will update the brochure which outlines the forest management planning process in a simplified form. The brochure will be available for general public distribution in English, French and native languages.**
- (c) A five-year action plan will be submitted to the Provincial Forest Technical Committee for review and comment within one year of the approval of the EA extension. The action plan will include the proposed program developments, deliverables and deadlines. Annual reporting of accomplishments and progress will be included in the Provincial Annual Report on Forest Management.**

Administration of this EA Approval

Phase-In Provisions for this EA Approval

Rationale: To serve and protect the public interest, in accordance with Bill 110

48. The extension and amendments of this EA Approval shall come into force on the latter of May 19, 2003, or the date of the final decision by the Minister of Environment and Energy to approve the extension and amendments. **The term of this approval is 15 years with extension based upon satisfactory review of the Five-Year EA Report and the Independent EA audit.**

Rationale: A minor amendment to an FMP does not warrant the incorporation of potentially significant changes and workload.

49. The terms and conditions of the extended and amended EA Approval shall be phased in as follows:
- (a) The Forest Management Planning Manual shall be amended as follows:
 - (i) MNR shall propose amendments to the Forest Management Planning Manual by incorporating the forest management planning related terms and conditions of this EA Approval within 2 months of the latter of May 19, 2003, or, the date of the final decision by the Minister of Environment and Energy to approve the extension and amendments of this EA Approval; and
 - (ii) Those proposed amendments to the Forest Management Planning Manual shall be subject to review and comment by the public in accordance with the *Crown Forest Sustainability Act*, and its regulations.
 - (b) Once the amended Forest Management Planning Manual takes effect, in accordance with the *Crown Forest Sustainability Act*, Section 68(10), the requirements of the amended Forest Management Planning Manual will be applied on a management unit by management unit basis with the initiation of the planning process for:
 - (i) the next **major** amendment to an existing forest management plan, with whatever modifications are necessary in the circumstances;
 - (ii) the next scheduled or unscheduled renewal of a forest management plan;
 - or
 - (iii) a contingency plan.
 - (c) All other Terms and Conditions shall come into force immediately, except as otherwise specified in these Terms and Conditions.

5-Year EA Report and Monitoring of this EA Approval

Rationale: To serve and protect the public interest, in accordance with Bill 110
MNR accountability through independent review of Five-Year EA Report

50. (a) In the sixth year following the extension and amendment of this EA Approval, and every five years thereafter, MNR shall prepare a report (the “Five-Year EA Report”) on the ongoing operation of this EA Approval. The report shall be provided to the Ministry of Environment and Energy **and the Environmental Commissioner** and made available to the public.
- (b) The report shall include the following:
- (i) a discussion of the overall effectiveness of this EA Approval in meeting the purpose of the undertaking, to provide a continuous and predictable supply of wood for Ontario’s forest products industry;
 - (ii) a summary of the most recent five-year report on the state of the forest as required by the *Crown Forest Sustainability Act, Section(22)*;
 - (iii) a discussion of the environmental, social and economic benefits realized from implementing the undertaking;
 - (iv) a description of the implementation of the forest management planning process including the number of forest management plans, contingency plans, plan amendments, disposition of requests for individual environmental assessments and a discussion of related public consultation;
 - (v) a summary and discussion of contributions to and expenditures from the Forest Renewal Trust and the Forestry Futures Trust;
 - (vi) identification of the upcoming forest management plan preparation schedule, and where to obtain the most current schedule;
 - (vii) a discussion of significant initiatives related to the implementation of this EA Approval;
 - (viii) a description of the number, type and disposition of amendments to this EA Approval;
 - (ix) a description of where the public can obtain a current copy of the consolidated terms and conditions of this EA Approval, as amended;
 - (x) a discussion of specific issues and problems related to implementation of this EA Approval and the manner in which they have been addressed to date; and
 - (xi) a description of actions to be taken to improve the overall implementation this EA Approval.
- (c) **Upon receipt of MNR’s Five-Year EA Report, the Environmental Commissioner shall establish an independent Environmental Assessment Audit to review and analyze both compliance and effectiveness of all terms and conditions of the Environmental Assessment as well as components (i) to (xi) of MNR’s Five-Year EA Report.**
- (d) **The EA Audit team shall have appropriate multi-disciplinary skills, including a Registered Professional Forester.**
- (e) **The Environmental Commissioner, as a result of the independent EA Audit, shall make recommendations to the Minister of Environment and Energy with respect to both the extension of the term of the EA approval and any necessary amendments to the EA terms and conditions.**
- (f) **The EA Audit Report shall be completed and made available to the public within six months of the submission of MNR’s Five-Year EA Report.**

Proposed new T & C

Rationale: The people of Ontario need assurance of a long-term sustainable wood supply. Better forecasting of future mill supplies coupled with better information on silvicultural effectiveness and costs are needed across woodsheds and regions. The Forest Accord wood supply balance and regional wood supply strategies also need to be managed at the provincial level.

Long Term Wood Supply

- 53. (a) MNR shall develop a five year wood supply strategy to address the projected wood supply shortages identified in the 2001 State of the Forest Report.**
- (b) The strategy will be prepared within one year of the approval of this EA extension and submitted to the Provincial Forest Policy Committee for review and comment.**
- (c) The strategy will address:**
- (ii) Regional wood supply shortfalls**
 - (iii) Species and product shortfalls**
 - (iv) Community implications**
 - (v) Utilization opportunities**
 - (vi) Intensive forest management opportunities**
 - (vii) Silvicultural effectiveness**
 - (viii) Growth and Yield improvements**
 - (ix) Implementation costs**
 - (x) Implementation schedule**
- (d) Accomplishments and progress will be reported annually in the Provincial Annual Report on Forest Management.**