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July 19, 2019

File Number: 0400-30; 4960-30

Via Email: FLNR.Minister@gov.bc.ca

The Honourable Doug Donaldson
Minister of Forests, Lands, Natural Resource Operations
and Rural Development
P.O. Box 9049, Stn Prov Govt
Victoria BC V8W9E2

Dear Minister Donaldson:

Re: Private Managed Forest Land Act (PMFLA) Consultation Feedback from Islands Trust Council

On behalf of Trust Council, I am writing to you in response to the call for comments on the *Private Managed Forest Lands Act*, to request that amendments be made to require forest practice standards equivalent to Crown forest lands, and allow local governments to regulate some forestry related activities.

On June 19, 2019 the Islands Trust Council passed the following resolution:

That the Islands Trust Council request that the Chair respond to the Ministry of Forests, Lands and Natural Resources Operations and Rural Development's consultation on the *Private Managed Forest Land Act* and request that the Act require standards that are equivalent to Crown forest land regulations and that Section 21 be amended to allow local governments to regulate, but not prohibit forest management activities.

Trust Council is concerned that the *Private Managed Forest Land Act* is at odds with the Object of the *Islands Trust Act*, which states:

The object of the trust is to preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.

The primary means to further the Object of the Islands Trust is by local trust committees through their land use planning policies and regulations authority. However, Section 21 of the *Private Managed Forest Land Act* restricts a local government's authority's, including local trust committees' ability to adopt a bylaw or issue a permit that would restrict forest management activities on land that is private managed forest land. Since the wording in the *Private Managed Forest Lands Act* is vague, these restrictions could apply to ancillary uses that support forest activities, such as worker accommodation, and log sorting and transportation.

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At present, local governments in British Columbia and local trust committees are unable to adopt development permit area bylaws on private managed forest lands to protect the environment, stream riparian areas, wetlands and other endangered and sensitive ecosystems. Development permit areas are a layer of regulatory control that establishes objectives for protection of certain features, and contain guidelines by which landowners can obtain a permit to undertake development. This allows local government to ensure sensitive ecosystems are protected during the development stage. These schemes currently exclude land that is in the Private Managed Forest Land Program due to Section 21 of the *Private Managed Forest Lands Act*. We are asking that this section be modified to allow local governments to work with private managed forest land owners to protect sensitive ecosystems, to regulate dwellings and accommodation (e.g. number, size, setbacks) for forestry and to regulate forestry ancillary uses (such as log processing and sorting).

The Islands Trust Council looks forward to working in cooperation with the Minister on reviewing the *Private Managed Forest Lands Act* and hopes to strengthen the ability of local governments to regulate forest management activities on land that is private managed forest land.

Yours sincerely,



Peter Luckham
Chair, Islands Trust Council
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cc: Islands Trust Area MLAs
Islands Trust Area MPs
BOKÉCEN (Pauquachin) First Nation
Cowichan Tribes
Halalt First Nation
Homalco First Nation
Klahoose First Nation
K'ómoks First Nation
Lake Cowichan First Nation
Lekwungen (Songhees) Nation
Lyackson First Nation
MÁLEXEŁ (Malahat) Nation
Penelakut Tribe
Qualicum First Nation
Scia'new (Beecher Bay) First Nation
SEMYOME (Semiahmoo) First Nation
shíshálh First Nation
Snuneymuxw First Nation

Skwxwú7mesh (Squamish) Nation
Snaw-naw-as (Nanosee) First Nation
SÁÁUTW (Tsawout) First Nation
Stz'uminus First Nation
SXIMEŁEŁ (Esquimalt) Nation
Tla'amin (Sliammon) Nation
Tsawwassen First Nation
Tseil-Waututh Nation
T'Sou-ke Nation
Wei Wai Kum (Campbell River) First Nation
We Wai Kai (Cape Mudge) First Nation
WJOLEŁP (Tsartlip) First Nation
WŚIKEM (Tseycum) First Nation
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Managed Forest Council
Bowen Island Municipal Council
Islands Trust Council
Islands Trust website