Guidelines for Managing Cedar for Cultural Purposes

Coast Forest Region

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NOTE: For the purposes of this paper and in respect of interpretation of the referenced provisions of the Forest Act and Free Use Permit Regulation, the references to "traditional and cultural activity" are statutory and regulatory references only, and are not to be read or interpreted as a recognition or admission in law that any particular cultural and traditional uses of cedar referred to are in any manner y representative of practices integral to any First Nation culture qualifying for recognition and affirmation as aboriginal rights pursuant to section 35 of the Constitution Act, 1982.

1.0 Introduction

Western red cedar (Thuja plicata) and yellow cedar (Chamaecyparis nootkatensis) are considered to be important forest resources to First Nations and to the forest industry in the coastal region of British Columbia. Many First Nation groups in the coastal region have used and continue to utilise red and yellow cedar for traditional and cultural purposes. These *Guidelines for Managing Cedar for Cultural Purposes* (Guidelines) are intended to guide the management of cedar for traditional and cultural use in the context of forest planning in the Coast Forest Region.

The Guidelines have been developed to:

(a) ensure a consistent approach is undertaken across the Coast Forest Region when working with First Nations regarding the management of cedar for traditional and cultural purposes;
(b) provide guidance when considering First Nation's cedar interests and assessing the current supply of available cedar; and
(c) assist in the development of results or strategies for managing cedar for traditional and cultural purposes in forestry operational planning.

The recently enacted *Forest and Range Practices Act* and Regulations define a government objective for cultural heritage resources and factors for consideration by a licensee when developing results or strategies as part of the development of Forest Stewardship Plans (FSP). These Guidelines provide information that could be considered in the development of results or strategies for cedar as a cultural heritage resource. The Guidelines may also assist in assessing cedar supply as part of the Timber Supply Review (TSR) process leading to the allowable annual cut determination by the Chief Forester as well as in developing objectives in strategic planning processes.

These Guidelines were designed to provide a flexible approach that may be considered in the development of appropriate cedar management strategies that reflect the interests of local First Nations and relate to the specific characteristics of a particular planning area.

2.0 Policy & Legislation

The following provincial policies and legislation guide the management of cultural heritage resources, including cedar for cultural and traditional purposes, in the context of forest planning:

2.1 Free Use Permits

Section 48 (1) (g) of the *Forest Act* allows a district manager or forest officer authorised by the district manager to issue a Free Use Permit (FUP) to a person who requires Crown timber to undertake a traditional or cultural activity and which is not for sale to others. Stumpage is not payable on FUPs.

The district manager or authorised forest officer may issue a FUP to a person as a member of a group eligible to harvest timber for traditional and cultural activities, up to a maximum of 50 cubic metres. The district manager or authorised forest officer may issue a FUP to a person as a member of a group for a volume exceeding 50 cubic metres and less than 250 cubic metres where that person has applied and can demonstrate to the satisfaction of the district manager or forest officer that the timber is to be used for the construction of a longhouse, community hall, or other similar structure.

As defined in Section 1 of the Free Use Permit Regulation a "traditional and cultural activity" is any activity that:

(a) has historically been carried out in British Columbia by members of a group to which the person carrying out the activity belongs;
(b) is carried out for traditional or cultural purpose of the group; and
(c) is not carried out for profit, for a commercial purpose or for the purpose of constructing a residential building or a structure associated with a residential building.

Some examples of traditional and cultural uses of timber particular to First Nations include: totem poles, dug-out canoes, longhouses, and firewood required for a community cultural event.

2.2 Timber Supply Review

Determining the allowable annual cuts (AACs) for public forest lands in British Columbia is the responsibility of the Province's chief forester. This responsibility is required by legislation in Section 8 of the *Forest Act*. It states that the chief forester shall specifically consider the following factors:

(1) The rate of timber production that may be sustained from the area taking into account:
   - the composition of the forest and its expected rate of growth;
   - the time that it will take the forest to become re-established;
   - silviculture treatments, including reforestation;
   - standards of timber utilisation; and
   - constraints on the amount of timber that may be produced due to use of the forest for other purposes.

(2) The short- and long- term implications to the Province of alternative rates of timber harvesting from the area.
(3) The economic and social objective of the Crown for the area, region and Province - as expressed by the Minister of Forests.
(4) Abnormal insect or disease infestations, and major salvage programs planned for the timber on the area.

The timber supply review process involves the analysis of current forest inventories and identifies a sustainable rate of harvest based on a number of forest management assumptions.

It is not a planning tool but can provide information on the current inventory of cedar and predict how the inventory changes over time with current forest management practices. It can also provide information on how timber supply is affected by implementing certain constraints that limit harvesting or change silviculture regimes in ways not covered by current forest management practices.

A copy of the *Forest Act* is available at
http://www.for.gov.bc.ca/tasb/legsregs/minfor/minfact/mofa.htm

2.3 Strategic Planning Process

Strategic land use planning processes result in the establishment of objectives for resource management on Crown land. Two key strategic planning processes are currently underway in parts of the Coast Forest Region:

Land and Resource Management Plans (LRMPs) are plans that cover a large area and state generally what the land use goals for the area will be. They are developed through discussions facilitated by the government, but with participants from industry, recreational, environmental, First Nations and other sectors of the public. Land use objectives that apply to certain areas covered by the plan may be legally established as a result of an LRMP. Government establishes Land Use Objectives under the *Land Act* and under the *Forest Practices Code Act* of British Columbia.

Landscape Unit Plan objectives are more specific than LRMP objectives. They may relate to a single stand or watershed, and usually involve much more specific objectives. For example, to date landscape unit planning has been used to identify "old growth management areas" – stands of trees necessary for protecting representative samples of old growth forest to ensure biological diversity is protected. An order establishing provincial non-spatial old growth objectives effective June 30, 2004 will guide the landscape unit planning process. A copy of the Order is available at:
http/srmwww.gov.bc.ca/rmd/oldgrowth/index.htm.

Objectives set through strategic planning processes provide direction to forestry operational planning processes. Objectives may be set for resource values such as cultural heritage resources, cedar and or old growth.

2.4 Forest & Range Practices Act and Regulations –Operational Planning

The *Forest and Range Practices Act* (FRPA) legislation and regulations were recently enacted and provide a legal framework for the development of Forest Stewardship Plans (FSP). FSPs replace forest development plans under the *Forest Practices Code* as the new form of operational plan. FSPs are required to identify results and/or strategies to address a range of objectives set by government. Objectives may be set through strategic land use planning processes, by regulation and by Ministerial Order pursuant to the *Government*

Actions Regulation. Key aspects of the legislation and regulations that may be relevant to cedar management are outlined below.

Forest Stewardship Plans
The *Forest Planning and Practices Regulation* provides details on the content and planning requirements for Forest Stewardship Plans. The *Forest Planning and Practices Regulation* also includes objectives set by government and in some cases default results or strategies for a number of resource values.

Cultural Heritage Resource Objectives and Factors
The *Forest Planning and Practices Regulation* outlines the objectives set by government with which results or strategies included in Forest Stewardship Plans must be consistent. Section 10 outlines the objective set by government for cultural heritage resources which 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*.

Section 12 (1) of the *Forest Planning and Practices Regulation* indicates that:
> a person who prepares a Forest Stewardship Plan under Section 5 (1) (b) of the FRPA, may consider the factors set out in the Schedule when specifying results or strategies for established objectives.

Under Section 4 of the Regulation the following factors apply to a result or strategy for the objective set out in Section 10:

(a) the relative value or importance of a particular cultural heritage resource to a traditional use by an aboriginal people;
(b) the relative abundance or scarcity of a cultural heritage resource that is the focus of a traditional use by an aboriginal people;
(c) the historical extent of a traditional use by an aboriginal people of a cultural heritage resource;
(d) the impact on government granted timber harvesting rights of conserving or protecting a cultural heritage resource that is the focus of a traditional use by an aboriginal people; and
(e) options for mitigating the impact that a forest practice might have on a cultural heritage resource that is the focus of a traditional use by an aboriginal people.

Review and Comment
Under the review and comment Section 21 (1) of the *Forest Planning and Practices Regulation* a person who publishes notice under Section 20 must, during the period specified in the notice:

(d) make reasonable efforts to meet with First Nation groups affected by the plan to discuss the plan or amendment.

When responding to review and comment under Section 22 (1) a person who publishes a notice under Section 20 (1):

(a) must consider any written comments received under Section 21 that are relevant to the plan; and
(b) is not required to consider comments in respect of :
    (i) areas described in Section 14 (1) (b), (1) (c), (3) (a) or (4);
    (ii) results or strategies that relate to areas referred to in subparagraph (i).

Resource Features

Section 3(1) of the *Government Actions Regulation*, provides that subject to subsection (2) of the *Regulation*, the Minister may identify the following as a resource feature:

(f) a cultural heritage resource that is the focus of a traditional use by an aboriginal people and that is not regulated by the *Heritage Conservation Act*.

Section 3(2) of the Regulation states that:

The Minister may make an order under subsection (1) if the minister is satisfied that the resource feature requires special management that has not otherwise been provided for under this regulation or another enactment.

Section 3(3) of the Regulation states that the identification of a resource feature under subsection (1):

(a) may be by category or type, and may be restricted to a specified geographical location and;
(b) must be sufficiently specific to enable a person affected by it to identify the resource feature in the ordinary course of carrying out forest practices or range practices.

Forest Planning and Practices Regulation, Section 70 (1) states that:

Unless exempted under section 91(5), an authorised person who carries out a primary forest activity must ensure that the primary forest activity does not damage or render ineffective a resource feature.

A copy of the *Forest & Range Practices Act* is available at
http://www.for.gov.bc.ca/psearch/fpcfind.htm

A copy of the *Heritage Conservation Act* is available at
www.archaeology.gov.bc.ca

2.5 Aboriginal Rights & Title Policy Consultation Guidelines

The Ministry of Forests' *Aboriginal Rights and Title Policy* (January 2003) outlines MoF's approach to First Nations consultation and accommodation. A copy of the *Aboriginal Rights & Title Policy and Consultation Guidelines* is available at: http://www.for.gov.bc.ca/haa/Policies.htm

The MOF meets its legal obligations to First Nations by carrying out consultation processes on proposed operational plans and administrative decisions where First Nations have aboriginal interests (asserted aboriginal rights and/or aboriginal title that in most instances have not been established or proven through a court process) within the area under the decision. A key objective of this process is for First Nations to specify their aboriginal interests in the area proposed for development, and how these aboriginal interests may be potentially infringed by the proposed decision.

Where aboriginal interests and potential infringement of such interests are identified, measures appropriate in the circumstances, to accommodate or address those issues need to be identified. In making an operational or administrative decision, the delegated decision makers must consider the information provided and the measures taken to address those potentially affected aboriginal interests.

In the context of operational plans, as proponents, licensees play an important role in explaining the FSP, objectives, and results or strategies to First Nations. They are also responsible for gathering information about First Nation's interests, including information on cultural heritage resources, in the plan area and identifying possible measures to address issues in the context of their proposed plan.

The delegated decision maker will consider the information and the adequacy of consultation prior to making his/her decision.

3.0 Guidelines for Managing Cedar for Traditional & Cultural Purposes

In the context of forest planning and management decisions, the management of cedar for traditional and cultural purposes may be a relevant consideration depending upon the First Nation and the location of the proposed development.

The proposed process as outlined below includes three steps that may be considered when developing short and/or long term strategies for managing cedar for traditional and cultural purposes:

(1) assessment of cultural cedar needs;
(2) analysing cultural cedar supply; and
(3) management considerations.

Prior to initiating the three steps outlined in detail below, information should be gathered regarding any specific objectives that may already have been set by government to guide the management of cedar in the area in question. For example, specific objectives may be set for cultural heritage resources such as cedar through strategic land use planning processes. Measures may be in place to ensure access to cedar for cultural use through the establishment of Old Growth Management Areas. An opportunity also exists for the Minister to establish a cultural heritage resource as a resource feature under the *Forest and Range Practices Act*, which could restrict forest practices that may impact those resource features. In certain areas, there may be specific stocking standards established for cedar. The Chief Forester may also have provided direction in a specific management unit to assess cedar inventories and ensure availability for cultural use.

It may not be necessary to carry out each of these steps in every planning context, and in the order suggested. For example, information generated through a timber supply review process or a strategic planning context may be available and used in operational planning.

Appendix III contains a flow chart that outlines a process that could be considered when developing short and long term strategies for managing cedar for traditional and cultural purposes.

3.1 Cultural Cedar Needs

A first step in the process is to work with First Nations who claim a cultural and traditional use of cedar to gather information regarding cedar needed for cultural and traditional purposes.

This may be achieved by working with a First Nation in a community based process that would allow community members to articulate their uses for red and yellow cedar, identify their short and long term cedar needs by end use, identify some key characteristics of the cedar needed for traditional and cultural purposes (size, age and quality of cedar used), assist in determining feasibility of access to cedar, and generally address any additional issues that may arise. It may be appropriate to specify a timeframe for concluding this work.

First Nation's interests in cedar for cultural use may be identified as part of a broader information sharing or consultation process associated with a particular plan or decision making process. In addition, some First Nations may have already completed work on a cedar strategy that may be made available to the Ministry of Forests and licensees. Where information regarding current cultural cedar needs is unavailable, it may be appropriate to review existing information or records related to cedar use in a particular planning area.

In the context of Forest Stewardship Plans, information gathered from First Nation groups regarding cedar needed for traditional and cultural purposes is consistent with the following factors as laid out in Section 4 of the Schedule of factors to the *Forest Planning and Practices Regulation*:

(a) the relative value or importance of a particular cultural heritage resource to a traditional use by an aboriginal people;
(c) the historical extent of a traditional use by an aboriginal people of a cultural heritage resource.

A detailed description of the steps involved to assist in the assessment of cedar needs can be found in Appendix II of this document.

3.2 Analysing Cultural Cedar Supply

Based on information gathered from First Nations regarding their cultural cedar needs, the supply of cedar within a First Nations asserted traditional territory or within a planning unit should be assessed to determine if those cedar needs can be met. The cedar supply analysis could involve a review of the supply of cedar using forest cover information to determine the presence of cedar by volume and age class and producing summaries of area and volume with cedar meeting the cultural needs specifications in the inventory. A next step would involve spatial analysis where maps are produced showing the area, age class, and volumes of cedar that meet the cultural cedar needs within a First Nation's asserted traditional territory or within a planning unit. It may be appropriate to examine operational cruise data and/or scale information to assist in identifying where cedar meeting certain criteria can be found. For example, cruise information may assist in the identification of large, high quality old growth cedar trees needed for canoe building, as specific information about the quality of cedar may not be available from the forest cover information.

The results of this analysis may be considered in the development of management approaches, including results or strategies for cedar as a cultural heritage resource in the context of a forest stewardship plan. The analysis of cedar supply is consistent with some of the factors relating to the objective set by government for cultural heritage resources as outlined in Section 4 of the Schedule of factors to the *Forest Planning and Practices Regulation*:

(b) the relative abundance or scarcity of a cultural heritage resource that is the focus of a traditional use by an aboriginal people.

A detailed description of the steps involved to assist in analysing cultural cedar supply can be found in Appendix II of this document.

3.3 Considerations for Managing Cedar

A range of potential short and long term management approaches have been identified and could be implemented in the context of forest planning. Different approaches may be relevant depending on short term access issues versus long-term access. There may be situations where, as a result of the supply analysis, it is clear that the supply of cedar available can meet the needs through current management approaches. There may be other situation where short and/or long term stewardship measures for cedar may be appropriate. For example, where bark stripping of cedar trees is an ongoing use, ensuring that stands of cedar

meeting the age class and quality specification available in the general area may be a strategy to consider. In areas where monumental cedar (very large good quality cedar) needed for canoe building is rare, good quality monumental cedar may be mapped and included in retention areas. For the long term, recruitment of cedar to meet the specifications for canoe building may be an approach considered. If through the supply analysis it is determined that large good quality cedars are rare and require special management, the Minister has an ability to establish a resource feature that could ensure those features are not impacted by forest development activities. These options in no way limit the range of potential approaches or results or strategies that could be used to manage cedar for cultural and traditional purposes and are provided as examples only.

The potential management approaches outlined are consistent with factors relating to the objective set by government for cultural heritage resources as outlined in Section 4 of the Schedule of factors to the *Forest Planning and Practices Regulation*:

(e) options for mitigating the impact that a forest practice might have on a cultural heritage resource that is the focus of a traditional use by an aboriginal people.

A detailed description of the steps involved for consideration when managing cedar for cultural purposes can be found in Appendix II of this document.

4.0 Roles & Responsibilities

The legal responsibility to consult with aboriginal groups rests with the Crown.

The forest industry must meet legislative requirements as well as contractual obligations and may supply additional information to assist the Ministry of Forests in meeting the Crown's duty to consult and if appropriate, accommodate First Nations.

5.0 Implementation

These Guidelines may be relevant for consideration in a range of forest management and planning processes. In strategic planning processes, an assessment of First Nation's interests with respect to cedar for cultural use and analysis of the cedar supply may result in the setting of land use objectives related to cedar management. Work is ongoing in this regard in the LRMP process on the Queen Charlotte Islands.

The Timber Supply Review process may provide an opportunity to analyse the supply of cedar in a particular management unit, assess current practices for cultural heritage resources and conduct sensitivity analysis in relation to cedar management approaches. The TSR process is not a planning process and cannot specify particular strategies for cedar

management. However, in the context of a tree farm licence (TFL) management plan, approaches to address cedar for traditional and cultural purposes may be identified.

In the operational planning process, licensees are required to include results or strategies in Forest Stewardship Plans that are consistent with the cultural heritage resource objective set by government. Cedar may be a cultural heritage resource that should be considered in the development of results or strategies. Licensees may wish to consider these Guidelines in the development of results or strategies for cedar where appropriate.

In terms of timelines, it is recommended that the process of identifying a First Nation's cultural cedar needs and reviewing the inventory for cedar that meets those needs begin as early in the planning process as possible. For example, licensee may wish to begin discussions with First Nations regarding cultural heritage resources within a FSP area prior to the draft plan being made available for the review and comment period. Timelines set for concluding the assessment work should be consistent with timelines for that particular planning process.

Ideally, the cultural needs analysis and cedar supply analysis will be produced for a particular First Nations asserted traditional territory. However, where a planning area includes only a portion of that territory, it may be appropriate for licence holders with operations within the First Nation's asserted traditional territory to collaborate on cultural needs analysis or cedar supply analysis. If this is not possible, the supply analysis and any or all management approaches may be applied on a proportionate basis relative to the planning area under consideration within a First Nation's asserted traditional territory.

There may be circumstances where the Ministry of Forests has gathered some of the information regarding First Nations cedar needs or has conducted some analysis related to cedar supply. This information will be made available to the licensees and can be considered in the development of results or strategies for cultural heritage resources as part of the Forest Stewardship Plans.

These Guidelines represent a tool that may be used to manage cedar for cultural purposes.

Appendix I - Acknowledgements

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Appendix II – Tables and Flow Chart

The following table describes Steps 1 to 10 as outlined in the flow chart attached:

Steps for Reviewing Cultural Cedar Needs

STEP	DESCRIPTION OF ACTION	FURTHER ACTION (AS REQUIRED)
1	First Nation (FN) has expressed concern about cedar for cultural & traditional use: • In consultation process? • Operational plan (Forest Stewardship Plan (FSP)Forest Development Plan (FDP)? • Administrative decision (Allowable Annual Cut (AAC)) determination; licence replacement? **Note: Several FN have already expressed this concern in recent consultation processes:** • **Some cedar assessment work already underway** • **In some cases there are interim measures agreement that references the need to assess cedar for traditional & cultural purposes**	
2	Review whether there is a strategy already in place through previous processes (i.e. AAC determinations FDP, other)	If YES, go to Step 13 If NO, go to Step 3
3	Initiate information sharing in order to determine the level of cedar needs. This may include letter to the respective FN and follow-up meetings.	
4	Request a summary of FN cedar needs & use from FN: • <u>Context (for traditional &cultural use)</u> • <u>Quantity by end use (prefer not to use m3)</u> - each FN will need to identify the intended end use of their cedar needs through discussions directly with First Nations • <u>Quality of cedar needed for uses</u> - Size of logs - Grade information - Length and diameter - Characteristics of ideal logs - Workable characteristics • <u>Access Considerations</u> - Within FN's asserted traditional territory - Preferred locations - Reasonable access - Slope, aspect considerations - Time of year - FN ability to access logs • <u>Timelines need to be identified:</u> - Short term- 5-10 years, long term up to 250 years	

STEP	DESCRIPTION OF ACTION	FURTHER ACTION (AS REQUIRED)
5	FN internal needs assessment completed	
6	Licensee/MoF follow up with FN - *may require follow-up letters/meetings if no information is received*	
7	Has FN provided information on cedar use/needs? • Licensee and MoF should communicate to ensure information received from FN is shared with licensees/MoF	If YES, go to Step 10 If NO, go to Step 8
8	If Step 7 is no, document efforts to obtain information of FN cultural cedar needs	
9	Summarise historical information such as: • Free Use Permit (FUP) information • Cedar provided by licensee for FN cultural use (i.e. not in a FUP) • Other local district or licensee knowledge of FN cultural use (i.e. received from other traditional territories)	
10	Use FN cultural assessment (and information in Step 9) to prepare summary of information gathering process and analysis of cedar needs: • Use FN needs assessment submission (if received) • Summary of past use (FUPs, licensee donations, local knowledge) to provide some guidance • Document information exchange efforts with FNs	Go to Step 11

The following table describes Steps 11 to 11E as outlined in the flow chart:

Steps for Analysing Cultural Cedar Supply

STEP	DESCRIPTION OF ACTION	FURTHER ACTION (AS REQUIRED)
11	Determine from the Needs Assessment • What is the supply analysis to focus on? • Examples: - Trees suitable for canoes - Trees suitable for bark stripping - Trees suitable for carving - Any specific accessibility requirements, etc.	
11A	Determine what information, summaries, or analyses already exist. • Examples: - Timber Supply Reviews - District work - Trees suitable for carving - Work done by licensees - Management Plans - Archaeological Assessments / Surveys - Ecological Classifications, etc. Roll up summaries by asserted traditional territory, where possible. Review results with the First Nation. Do they address the issue? Short or long term?	If NO, go to 11B If YES, go to 12A
11B	Complete non-spatial analysis of Forest Cover information of Cedar presence by volume and age class. Summarize info by category: 1. Timber Harvesting Land Base (THLB) 2. 'Reserved' areas: Old Growth Management Areas (OGMAs) ungulate winter range (UWR), Riparian, Parks 3. Inoperable 4. Tenure (include First Nation tenure) Build analysis to report for Cedar (Cw), Cypress (Cy), and Cedar/Cypress: 1. % of area & volume that is Cw, Cy, Cw/Cy leading 2. % of area & volume that is Cw, Cy, Cw/Cy secondary and minor 3. Age Classes 4. A summary of Cw, Cy, Cw/Cy reforestation efforts, etc. Roll up summaries by asserted traditional territory, where possible. Review results with the First Nation. Is the issue addressed? Short or long term?	If NO, go to 11C If YES, go to 12A

11C	Complete spatial summary of Forest Cover information. Summarize info by category: 1. Timber Harvesting Land Base (THLB) 2. 'Reserved' areas: OGMA, UWR, Riparian, Parks 3. Inoperable 4. Tenure (include First Nation tenure) Build maps to show for Cedar(Cw) Cypress(Cy), and Cedar/Cypress: 1. % of area & volume that is Cw, Cy, Cw/Cy leading 2. % of area & volume that is Cw, Cy, Cw/Cy secondary and minor 3. Age Classes 4. A summary of Cw, Cy, Cw/Cy reforestation efforts, etc. Roll up summaries by asserted traditional territory, where possible. Review results with the First Nation. Is the issue addressed? Short or long term?	If NO, go to 11D If YES, go to 12A
11D	Decide to pursue further analysis, stewardship, or some combination. Pursue further analysis. Pursue stewardship.	If YES, go to 11E If YES, go to 12A
11E	Pursuing further analysis. Examples of further analysis include: 1. Using operational cruise info to predict existence of Cedar >70 cm through to 250 yrs. 2. Compare inventory and scale production data to estimate grade distribution in unharvested areas. 3. Carry out a modeling approach to identify potential locations of monumental cedar within a specified landbase- field verification could be used to confirm the presence of large old growth cedars. **Note: These analyses are examples only. Differences in information availability will prevent these from being completed on every operating area.** Roll up summaries by asserted traditional territory, where possible. Review results with the First Nation. Is the issue addressed? Short or long term?	If NO, go to 11D If YES, go to 12A

The following table describes Steps 12A to 13 as outlined in the flow chart:

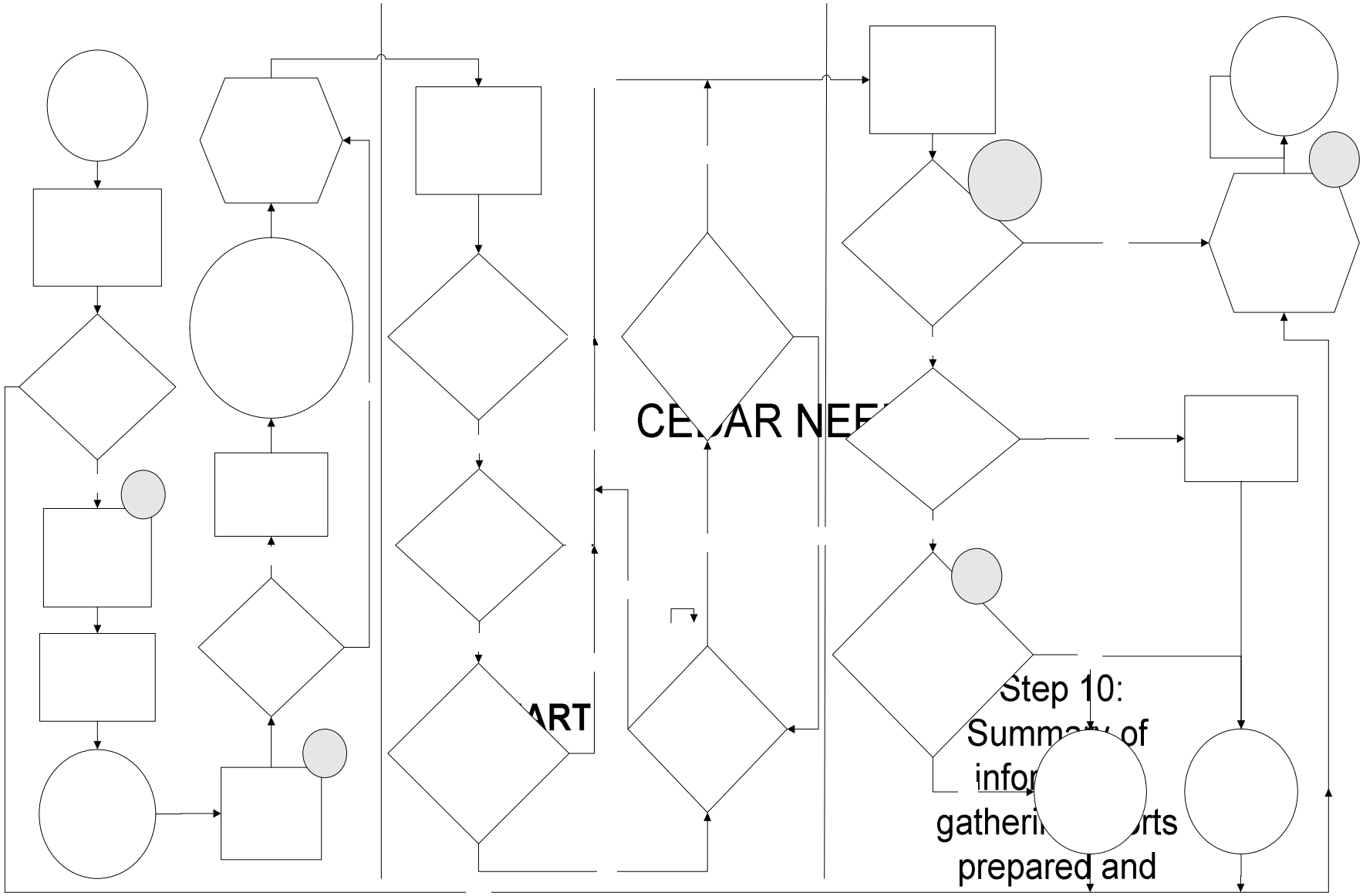
Steps for Cultural Cedar Strategies

STEP	DESCRIPTION OF ACTION	FURTHER ACTION (AS REQUIRED)
12A	Using information from FN need analysis (Steps 7-10) and supply analysis (Steps 11-11E), an in-depth comparison of cultural cedar availability should be made as to whether short term or long term needs can be met	
12B	Does the review in Step 12A show the cedar supply is available for both the **short and long term** within the FN asserted traditional territory	If YES, go to Step 13 If NO, go to Step 12C
13	Review complete. Prepare summary of short and long term cedar available **Note: this may require follow-up information sharing meeting with FN**	Go to Step 14
12C	Does the review in Step 12A show cultural cedar supply is available in the short term within the FN asserted traditional territory	If YES, go to 12 D If NO, go to 12E
12D	Does the review in Step 12A show cultural cedar supply is available in the long term within the FN asserted traditional territory	Go to 12G
12E	Does the review in Step 12A show cultural cedar supply is not available in the short or long term within the FN asserted traditional territory	If YES, go to Step 12F and 12G simultaneously If NO, go to 12F only
12F	**START OF SHORT TERM STRATEGY.** Consider the examples of short term options listed below to mitigate impacts in short term where cultural cedar supply is limited: • Can FN access cedar through existing tenure or proposed tenures • Can FN access cedar in operationally constrained areas such as Old Growth Management Areas (OGMAs), Wildlife Habitat Areas (WHAs), Forest Ecosystem Networks (FENs), Ripariam Management Areas (RMAs), Wildlife Tree Patches (WTPs)? Access to cedar in these areas should not compromise the intent of those management areas or the other values in the area. Discussions with MSRM, WLAP recommended. • Can FN access cedar in high retention/low intensity logging areas? Examples may include areas in special management zones or where non timber values have resulted in lower harvest levels (i.e. old growth stewardship areas) • Are areas or resource features identified that protect cedar for cultural and traditional use? Can rare features be inventoried	

	and located by GPS? • Can FN access cedar from neighbouring FN? Have previous arrangements or understanding been made where a FN with available cedar can supply short-term amounts of cultural cedar? • Can FN access cedar from licensees operating areas prior to harvesting? • Can FN access cedar from protected areas (Parks)? This will require clear communication between the various agencies such as Ministry Water land and Air Protection (WLAP) and/or Parks Canada • Can cedar be acquired from other sources, including log dumps, and current licensee operations? • Can the short term strategies temporarily bridge the gap until further analysis can be done through the Timber Supply Review process to assess long term supply issues and then develop long term strategies as appropriate.	
12G	**START OF LONG TERM STRATEGY.** Consider the following options as examples available to mitigate impacts in long term where cultural cedar supply is limited: • Can FN access cedar through existing or proposed long-term tenures? In some instances, FN have access to a long term tenure arrangement where cultural cedar can be managed • Can FN access cedar in operational constrained areas such as OGMAs, WHAs, FENs, RMAs, WTPs, etc.)? Access to cedar in these areas should not compromise the intent or the other values in the area. Discussions with MSRM, WALP recommended • Will recruitment by growing site or establishment of 2nd growth cedar stands assist in a long-term strategy? Some other thoughts to consider: a) Is there a need to reforest with more cedar? b) plan for longer rotations? c) encourage silviculture treatments (i.e. thinning) to produce a desired objective? d) develop specific management practices that could produce the cultural products FN wish to have in future? • Can FN access cedar in high retention/low intensity logging areas? Examples may include areas in special management zones or where non timber values have resulted in lower harvest levels (i.e. old growth stewardship areas)? • Can FN access cedar from protected areas (Parks)? This will require clear communication between the various agencies such as WLAP and/or Parks Canada • Are areas or resource features identified that protect cedar for cultural and traditional use? Can rare features be inventoried and located by GPS? • Are areas identified in an AIP or is a treaty settlement nearing completion?	
13	Review complete. Prepare summary of short and long term cedar available for decision-maker	Go to Step 14 END

	Note: this may require follow-up information sharing meeting with FN	

Appendix III – Cedar Needs Business Process



Step 1: FN expresses