



Forest Management Branch
Department of Energy, Mines, and Resources
Yukon Government
Whitehorse, Yukon

April 10, 2023

RE: Proposed Changes to the Forest Resources Act and Regulations

Thank you for the opportunity to review the Recommended Changes to the Forest Resources Act (FRA) and Regulation. The Act and associated Regulations are important legislative tools for ensuring stewardship of ecological, cultural, and other values associated with Yukon's boreal forests. The Act and Regulations are critical in ensuring forest planning, management, and timber harvest operations avoid significant impacts to Yukon's forest ecosystems and biodiversity, and associated cultural, social, and ecosystem values, in addition to providing for Yukoners' wood products needs.

Outlined below are our major 'likes' of the proposed changes, and what we think is still missing and would improve stewardship of Yukon's forest resources for current and future generations.

What We Like in the Proposed Changes

Changing from two to one licence type for commercial timber harvesting and streamlining the tenures regime

We support the proposed change of the licensing regime from product-based, to timber type – i.e. greenwood vs deadwood. In our September 2020 comments on Issues to Consider for revision of the FRA we also recommended that section 23 of the Regulations state explicitly that the Director should develop separate standards and guidelines for greenwood and deadwood harvest given different biodiversity and ecological values, and associated best management practices, in unburned and burned boreal forest (Cooke et al. 2019¹).

¹ Cooke, H. A., Morissette, J., Cobb, T., and Reid, D. 2019. Fire and insects: Managing naturally disturbed forests to conserve ecological values. Wildlife Conservation Society Canada Conservation Report No. 12. Toronto, Ontario, Canada.

Expanding the collection of reforestation fees to green wood and dead wood

We support collecting reforestation fees on deadwood licenses as well as greenwood. Climate-change is driving increases in fire frequency and severity in northern boreal forests, and associated impacts on post-fire forest regeneration and composition (Reid et al. 2022²). More active management of successional pathways in recently burned forests, i.e. through reforestation, may be one tool to avoid widespread biome shifts from coniferous-dominated to deciduous-dominated forests or even shrub and grassland ecosystems. In addition to collecting reforestation fees, we strongly encourage Forest Management Branch to increase investment in research and monitoring, including through partnerships with academics and other researchers, to understand how different tree species might survive and grow well across a range of weather and site conditions, treating reforestation as a set of experiments in a changing world.

Introducing application fees for commercial morel mushroom permits

We are very pleased to see the addition of new regulatory and management tools for the harvest of mushrooms from Yukon's forests. We strongly agree that there should be a fee for permits and a commercial export royalty. We support the addition of a provision in the FRA to set up a separate authorization and regulation process for mushroom harvest. In our September 2020 comments we also recommended that morel harvest permit requirements include a harvest plan that demonstrates that activities, such as trail construction, use of off-road vehicles, camp construction, waste disposal, and activities near sensitive ecosystems (such as waterbodies and wetlands), will not have significant negative impacts on social, cultural, and ecological values. The proposed application fee is \$50 although it is not clear how this value was determined and whether it is sufficient to offset the administrative cost of dispensing morel permits, let alone the active monitoring of field activities and mitigation of impacts. Given the importance of this topic, and the range of types of mushroom pickers – generally separated by harvest for personal use vs harvest to sell – and the additional role of commercial buyers and exporters, we recommend this topic be the subject of a separate consultation to develop the details of the authorization and regulation process including: whether application fees should apply to both private and commercial pickers, and if different rates should be applied; who should be responsible for royalty fee and how will it be determined and collected; who will have power of enforcement; etc.

² Reid, K.A., Reid, D.G., and Brown, C.D. 2022. Patterns of vegetation change in Yukon: recent findings and future research in dynamic subarctic ecosystems. *Environmental Reviews* 30: 380–401 | [dx.doi.org/10.1139/er-2021-0110](https://doi.org/10.1139/er-2021-0110).

What is Missing from the Proposed Changes

Requirement for development, and regular review and update, of management standards and guidelines, and other operating procedures

Section 23 in the Regulations state that a Director ‘may’ develop management standards and guidelines. Existing ones are for management of riparian areas, protection of wildlife features, and road construction, among others. We strongly recommend that the Regulations should be amended to require the development of standards and guidelines, including for: wildlife trees; coarse woody debris retention; wetlands and riparian management; soil conservation, cutblock size, layout, and retention; among others.

Standards and guidelines for operating conditions should adapt over time with new knowledge, and as forestry practices changes and climate change drives changes in natural disturbance regimes and forests, and also as part of an adaptive management process. Thus, we also recommend the Regulations require regular (5-10 year) review and update of these standard operating procedures to account for new information, including from field-based monitoring and feedback in an adaptive management process. For example, new research by WCS Canada has provided recommendations for riparian buffers to avoid impacts to songbird habitat in old spruce forest (Cooke and Tauzer 2020³) and recommendations for cutblock size are pending analysis of a long-term study of snowshoe hare response to wildfire versus harvest openings in forests with stand-replacing fire regimes. We strongly recommend addition of standards and guidelines for cutblock size, layout, and retention levels. And, we recommend separate operating guidelines for greenwood and deadwood harvest given the unique ecological processes and biodiversity values in these different forest types.

Sincerely,

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3 Cooke, H.A. and Tauzer, L.M. 2020. Unique songbird communities in mature riparian spruce forest compared with upland forest in southern Yukon. Canadian Journal of Forest Research 50: 473–486 (2020) dx.doi.org/10.1139/cjfr-2018-0381