

Fraser Public Advisory Group (Fraser PAG) Meeting #19 Minutes: Priority Indicator Development

September 9, 2008

1. Call to order

Keith Chapman, called the 19th, meeting to order of the Fraser Public Advisory Group at 5:38 p.m. on September 9, 2008 at the Pantry Restaurant, Chilliwack, BC. Keith circulated the meeting sign in sheet.

2. Registration of FRASER PAG Members

The following members were present:

Chief Andy Alex, Union Bar FN	Sharie Conroy, Hatzic Valley, Durieu, McConnell Creek Ratepayers Association	Jean Warkentin, Norrish Creek Resident
Jim Baker, Boston Bar	Bruce Edwards, Hatzic Prairie	
John Bowles, Harken Towing	Al Stobbart, Inch Creek Hatchery	

Members Absent:

Chief Clem Seymour, Seabird Island Indian Band	Keith Warrenner, Fraser Valley Regional District	Mary Sandy, Esh-kn-am
Chief Sidney Douglas, Cheam Indian Band	Kerry Grozier, District Manager, MOFR, Observer	Mike Peters, Ministry Tourism Culture and the Arts
Don Harris, Douglas First Nation / In-SHUCH-ch FN	Lloyd Forman, Boston Bar Resident	Shawn Gabriel, In-SHUCK-ch First Nation
Gordon Sherwood, Cacuse Point Resident	Martin Edwards, Shxw'ow'hamel First Nation	Steve Dillen, 4WDABC

Others Present:

Jillene West, Facilitator	Keith Chapman, Teal	Dave Allen, Forester, Chehalis Indian Band, Observer
John Pichugin, Teal		

3. Documents Distributed to Members:

1. Fraser PAG Meeting #19 Agenda
2. Fraser PAG Meeting #18 Minutes: *FPAG Representation & SFMP Review*
3. FVPAG Priority VOITs – To be Reviewed (September 9, 2008)

4. Health and Safety

Jill reviewed health and safety items and asked members to put forward any health and safety issues.

5. Additions to the Agenda for Meeting #18

Jill West asked the group to look at the Agenda for Meeting #19 and asked for any proposed revisions. Bruce Edwards enquired about the travel allowance. Jill responded that will be added to the Agenda as next order of business. No additional Agenda items were put forward.

6. Travel Allowance

Keith Chapman asked John Pichugin to address the Travel Allowance. John Pichugin explained that a Travel Allowance update is not feasible at this time. Teal's internal travel rate, on which the FPAG rate is based, has been frozen. Teal like the rest of the forest industry is in a tough time right now. Teal regrets that the current rate will hold for 2008 and reviewed in January 2009. John added that he would do his best.

7. Introductions – New Members

Keith Chapman welcomed Observer, David Allen, Forester, Chehalis Indian Band. Keith introduced himself and asked the Members at the table to introduce themselves. Everyone at the Table introduced themselves.

8. Previous Meeting Minutes

Keith Chapman asked the group to put forward any revisions to the meeting minutes from meeting #18 (July 22, 2008).

Bruce Edwards commented that the Minutes say that the voice recording of the meeting is destroyed once the minutes are ratified. It would be useful to keep the recording for the record indefinitely. Keith Chapman that the old voice recordings do not serve much purpose after the minutes are ratified, the external auditor is extremely unlikely to sit down to a 3 hour recording. Keith Chapman asked the Table for any comments.

Al Stobbart commented that recordings do not often pick up all of the conversation. I like a hard copy on paper to be the official record. Keith Chapman asked the Table for more comments. Bruce Edwards motioned that the voice recordings be kept. Chief Andy Alex 2nd, in favour (6), Opposed (0), Abstain (1). The motion was carried and voice recordings will be maintained for 3 years.

Jill asked for any more changes. Bruce Edwards commented that in section 12, 2nd paragraph of the minutes mentions a Member who was not present at the meeting. Keith Chapman explained that the Member's concern was being cited by Al Stobbart. Keith can change the sentence to read to that effect.

No further changes were put forward. Jill asked for a motion to adopt the Minutes as revised. (N/A) 1st, Bruce Edwards 2nd. All in favour, none opposed.

9. Field Trip

Keith Chapman briefly reviewed the plans for the Field Trip. The 27th seems to work best for most people. The Field Trip itinerary may change from the Sowaqua drainage to another location (Ladner Creek) with active logging and less driving time overall. The itinerary and directions to May Trucking's office will be sent out next week.

10. Indicator Development: #5-7 Human & Community Safety.

Keith Chapman pointed out the document "*FVPAG Priority VOITs – To be Reviewed (September 9, 2008)*" in the meeting package and put a copy on the overhead screen. Keith reviewed the current status of the wording for Indicator **5-7 Human & Community Safety** as it finished off at the last meeting. Teal made an administrative tweak to include the words "*...that can be attributed to harvesting and roads*" in the Objective and Indicator statements. Keith asked the Table for discussion.

Sharie Conroy commented that she has a few concerns. We already have flooding problems. It is hard to quantify the flooding problem without monitoring gauges to track the relationship between harvesting and flooding. Sharie described a recent rain event (100 mm) and how the stream changed about 4 feet in level which is a lot of water! Our concern is the amount of logging on that side will make Belcharton flood faster or more often than without harvesting. Sharie added that despite the Hydrology assessment report for the area, she feels that the hydrology impacts from harvesting will lead to more rapid fluctuations in water levels and more flooding. How do you show that logging will not lead to more flooding when we are already flooding? Harvesting will only add more water to the valley. There are certain times when this water cannot get out.

There was some discussion of the Hydrology report for Durieu Ridge and the proposed amount of harvesting. Keith Chapman reminded the Table that there will be a limit to how much the layperson or PAG can understand about the science and rationale behind certain professional documents. The proposed Indicator wording is built around retaining the right professionals to give Teal the best answers to how to protect life and property.

Al Stobbart commented that in the Pitt River watershed the natural variation is so great that to pick up the minor variation created by the low % of active harvesting is very difficult. In the main stem of the Pitt River we had a low of 50 cubic feet per second as a low in January to a high 4 days later of about 27, 000 cubic feet per second. To measure the effect of adding 10 cm of rain on ten hectares [i.e. ~1000 cubic meters or 35, 300 cubic feet of water) of harvested cutblock would be impossible given the kind of variation we are talking about. Even 100 cm of rain would not make much more of a difference in this case.

Sharie Conroy responded that I guess we will see. But how do we deal with flooding? Jill West commented that the only way to track so that one can identify the presence of increased water due to harvesting would be to have a vast

history of data on these streams prior to harvesting. It is impossible to get the kind of historic data that would be required in order to track very minor changes to the watershed.

Jean Warkentin asked if there is someone that monitors streams etc for what is happening. Keith Chapman responded that there is no one specifically watching these streams nor metered gauges to rely on.

Jim Baker commented that this is the Geotech's responsibility. When we worked in the woods we had rain gauges to track how much rain we had on site and if we got over 70 mm in 24 hrs we would shut down. There are some records that are exhibited in the creeks themselves. The stream has been carved by historic water heights and floods which let geotechs know what is typical for the area. You cannot control Mother Nature. I often don't trust the geotechs myself. Jim described a situation where he was worried about a road slope in which the geotech was not worried and how the geotech came to change his mind when the slope failed.

Sharie Conroy commented that it may be a concern for Teal Jones. If there is a flood how would we identify who or what is responsible. We don't want any more water coming down in order to protect the community from more flooding. From both sides – Teal and the Community - how do you determine who or what caused any increases in flooding events or damage?

Jill West responded that we are starting to talk about two different things 1) How do we prevent the damage or flooding in order to protect life and property and 2) what do we do when there are events or damage. The Indicator deals with protecting life and property.

Sharie Conroy commented that there needs to be the concept of local knowledge in here as with Sites of Special Significance.

Keith Chapman responded that this will fit into all of our Sites of Special Significance Indicators (i.e. Indicator #5-8: Field Reviews, #5-9 Stakeholder Issues, and #5-10 Stakeholder Confidence). Local residents can bring up their concerns, have an opportunity to review them in the field, have their "Stakeholder Issue" tracked and resolved to a consensus agreement at meetings to review the plans with the professionals. These indicators track the relationship between stakeholders and Teal in recognizing and dealing with stakeholder concerns.

Sharie Conroy commented that their community is not yet comfortable with the report for the area and still have about 4 concerns.

Jean Warkentin asked if there is any accountability for forest companies to have these assessments and incorporate the recommendations from these assessments. Jill West responded that companies are accountable if they do not seek out the proper professional expertise where needed and also if they do not adequately follow the advice of these professionals whether something happens or not. If an event happened where something significant happened or had the potential to affect life and property, there would be an investigation and the plans would be checked against how that plan was implemented in the field. Also the forest company's plan would be checked against the recommendations in the professional reports. If there is a deviation from between the assessment recommendations and what happened in the field, the company or individuals could become liable. Professional accountability depends on having proper professional recommendations and accurately implementing them. Professionals can be held accountable. Professional Foresters are accountable to the public and part of this is to practice within their expertise, identify and seek outside expertise when necessary, be assured that the hired professional is within that person's area of competence. The Professional Forester must follow that professional's recommendations or have very good reasons for doing anything else. [See the Association of BC Forest Professionals at http://www.abcfp.ca/about_us/abcfp_overview/about_abcfp.asp , and regarding the practice of forestry in BC: http://www.abcfp.ca/regulating_the_profession/practicing_in_bc.asp].

John Pichugin added that there are 4 Professional Foresters sitting at the table tonight. The Association of BC Forest Professionals has a code of ethics for Professional Foresters to follow. Part of this code is a responsibility to the public of BC since we are operating on public lands. We have to answer to the Association for our actions and that we are operating with integrity and within our scope of practice. If I don't feel comfortable making an assessment, I have to call in a professional and follow that person's advice. One thing I would like for our Field Trip is to look at the things that Professional Foresters have to consider before a company can start cutting. Before any harvesting we have to ensure that all forest resources are adequately identified and managed such as Visual Quality, stream and fish assessments, terrain stability, hydrology, First Nations' Cultural Heritage Features and referrals, Species at Risk, wildlife, soil disturbance, permanent roads, etc. There is a long list of things that we need to cross off on our due diligence checklist. Teal needs to remain profitable but also has a responsibility to manage the land. If a Forester operates outside of the code of ethics they can be brought up on a review or discipline case and potentially be penalized or lose the right to practice.

John Pichugin added that they have halted the planning work in the Hatzic area due to the market situation for forest products. Teal has not finished with any of the planning and assessment work there. I can understand that Hatzic is really concerned about our activities on the hill. As we get closer to a better market we will do more of this work and pick up where we left off and have more meetings with your community.

Sharie Conroy said that she understood this. We don't know if it will be two drops of water, two gallons or much more that will cause more flooding. We are currently dealing with problems that have been attributed to forest practices. But the practices were what were considered good and legal practices in their day. No one is accountable for those events stemming from those practices. What happens if these current practices and laws fail? We need to be confident that no damage will be done.

John Pichugin responded that he has the same goal – to be confident that no damage will be done.

There was some conversation about the recommendations in the Hydrology report.

Sharie Conroy said that her community wants to address some of the remaining questions regarding the Hydrology report.

Jill West reviewed the current Indicators that help with communities and planning in their areas (i.e. Indicators #5-8, 5-9, 5-10 & 6-10).

Bruce Edwards said that community input is significant. Bruce suggested that communities would be more comfortable with professionals that they know are meeting the requirements involved when you consider forestry and public safety and property damage. Bruce suggested that the Indicator be changed to include “professionals acceptable to the community”. We have to have confidence with the professionals.

John Bowles asked if there is evidence that logging increased the amount of water running off the hillside in heavy rainfall. Keith Chapman responded that there was.

Jill West reminded that the task at hand is to develop an Indicator around this. We have a Value and an Objective and we are working on a way to measure, in a tangible way, the progress to that objective. I suggest that we work on this Indicator to get it to a point that we can call our best. We may not get it perfect right now but we may have a “light bulb” moment where we can plug in a better Indicator around this. We will continue to meet and we can come back to this.

Al Stobart moved that the Indicator be ratified as it is. We have worked two years on this. The Indicator is not going anywhere in these discussions. We have put a lot of effort into this. We need to move on.

Jill West asked for any ‘seconds’ from the Table.

Chief Andy Alex said that he has the same concerns that Sharie has. Sharie is concerned that water is rising and that they can't handle more water. We are here to work on this. Chief Andy Alex asked Sharie if there is any evidence of logging in the past few years where the water is rising?

Sharie Conroy responded that there is a strong history of negative effects of logging in the area.

Bruce Edwards commented that there at least 4 different points in the valley and surrounding area that are monitoring rainfall. One could determine if there is good agreement in the rainfall between these stations to determine whether one part of the valley gets more or less rain than another when compared to the long rain data record at the monastery.

John Pichugin commented that Teal is monitoring weather data in the Norrish Creek watershed [see Teal's Norrish Creek weather station at: <http://www.wunderground.com/weatherstation/WXDailyHistory.asp?ID=IBCMISSI3>]

Keith Chapman called for a 30 minute meal break.

After the break, Keith re-convened the meeting. Keith noted that before the break, there was a motion to adopt the indicator as it currently reads. At a certain point we will need to move onto our other priority Indicator. Keith asked for anyone was interested in seconding this motion.

Jean Warkentin second.

Bruce Edwards motioned to amend the Indicator. There was a discussion at the table on where to go with the second motion. Keith suggested that the Table hear out what the amendment is about and then move on from there. Bruce suggested adding the wording that “professionals acceptable to the affected community” replace the word “professionals” in the Indicator.

John Pichugin responded that as a Professional Forester, he has a responsibility to the Public and to his employer. As a person who signs plans, I would be outside of my professional ethics if I would have the professional selection be vetted by the public. I have to make sure that this professional is qualified. I need to do my due diligence in respect

of the professional in terms of that persons' competence with the task at hand. There was a discussion regarding the issues with the community selecting professionals.

Jill West commented that Teal is willing to have the community meet with the professional and review the report and address stakeholder concerns. Teal has committed to doing this in the indicators mentioned tonight. Teal would be concerned that they may be held up by a community veto on their professionals.

Bruce Edwards said that the professional needs to be acceptable to the community.

Al Stobbart asked Bruce E. who in the community is qualified to pick professionals?

Bruce Edwards responded that the community would not be required to pick the professional but rather review the person that Teal wants to apply to the task and allow the community to comment on the selection or raise reasonable objections. We want to do this in order to reduce risk and provide comfort to the community.

Jill West commented that there is a problem with this proposed amendment. It is a huge issue in itself – to respond to the parameters of the professional selection with the community to arrive at a mutually agreeable selection. The problem is that there could be a situation where a mutually acceptable professional cannot be selected because the community is vetoing the recommended professionals put forward.

John Pichugin said that he is having a difficult time understanding what is being communicated here. When we go to hire a professional person to do an assessment – I am relying on that professional's expertise. I will be going to the community to ask for input, for the community to be part of any recommendation in the report. There is a process already there for this to happen. It appears that you are saying that this process for dialogue between Teal, professionals and the community will not work. I don't understand.

Bruce Edwards responded that there are two parties involved here: Teal who stands to profit from its activities in the area and the community which has the potential to be hurt by these activities. My concerns relate to protecting the community. If the community accepts the professional, they would have more buy in to the work of this professional.

Jill West suggested how about wording the Indicator to allow for community "input" into the selection of professionals? This would allow for community input without giving them a 'veto'. Teal has stated that they cannot allow a veto. It is their license, their liability, and the professional's liability.

Bruce Edwards responded that would be good for the community but Teal could say thanks for your input, we are going with person "X" anyway. Is there any precedence for a logging company paying damages for impacts down slope?

David Allen responded that there have been damages assessed against logging companies - Maybe not related to streams but in regards to other issues.

Bruce Edwards commented that he had information that companies could be held liable, but the province has a lot of lawyers which would limit the ability to pursue a case.

Jill West commented that there is nothing that the FPAG can do or say to this statement made by a third party lawyer none of us know in relation to the justice system of BC. Let us move on to something that is relevant to the FPAG. I understand your concerns, and they are valid. However they have nothing to do with this table or Teal's CSA certification etc. Let's move on.

Jim Baker asked Bruce Edwards if he had seen the logging plan and exactly how they are going to log it. Are we talking about high-lead systems [tower with cables for bringing felled timber to roadside] or helicopters or what? Before we can look into this argument too far, you may need to see what the plan is before trying to change it. There are so many things that can be twisted around here it isn't funny. It would be better to see the plans and go from there.

Bruce Edwards responded that we are talking about the particular Indicator and the policy surrounding this Indicator. I have moved to amend the Indicator and then we can consider the motion on the original Indicator.

Sharie Conroy commented that we have talked about process. We have talked about members of the community not comfortable with the plans and if they have concerns there is a process to deal with their concerns. How does that relate to this Indicator? I come from a different standpoint, that there needs to be a dialogue. It is important that people do not live in fear – and there are people that nervous. We need to be able to ask where the professional is coming up with the recommendations and ask questions. Hopefully that will be a meaningful dialogue with the professionals. The community needs to ask "why do you think *this* will happen or... can you explain how you came to this conclusion". As a last resort, we as a community can write a letter saying our concerns were not addressed.

Jean Warkentin responded that she agreed with what Sharie was talking about.

There was some discussion for and against including some cross reference between Indicator 5-7 and the other indicators that relate to Sites of Special Significance (i.e. Indicators 5-9, 5-9, & 5-10).

Al Stobbart commented that if the community has any information related to how qualified a certain professional is the community can relay that concern to John Pichugin who would be the first to act on it.

There was more discussion on the wording of the Indicator and the selection of professionals and how the community can play a role in the selection of qualified professionals.

Teal, John Pichugin, turned down the motion to amend the Indicator (as allowed under the Terms of Reference) to have the community select the professionals due to the conflict that would raise in respect of professional Forester's responsibilities. Teal would accept a motion to have the Indicator include a statement where the community can have input into the selection of professionals.

Al Stobbart offered to remove his original motion and then moved the new Indicator amendment regarding community input in the Indicator.

There was some discussion on the procedural issue of changing or amending existing motions before the Table.

Jill West asked for any seconds to Al Stobbart's motion. Jean Warkentin second. All in favour (5), Opposed (1), Abstained (1). Motion carried. Indicator was ratified as follows (changes at the meeting shown in bold):

Ind #	Value	Objective	Indicator	Target	Variance
5-7	Human safety, infrastructure and private & community property	Protect human safety, infrastructure, private and community property from any impacts resulting from slides, debris torrents, or flooding that can be attributed to harvesting and roads	Completion and conformance with site specific hydrological and/or terrain stability assessment reports from qualified professionals (selected with input from the potentially affected community) where human safety, infrastructure, private or community property is at risk due to slides, debris torrents, or flooding that can be attributed to harvesting and roads	100 % conformance with recommendations from qualified professional reports	Zero

11. Indicator Development: #1-15 Rare and Unique Trees & #1-20 Unique Biological Sites

Jill West asked Keith C to move onto the next priority Indicator: "Rare and Unique Trees" which has been unresolved since 2006. Keith reviewed some of the history around the Indicator and what research had been done regarding rare and unique trees in the DFA. Keith reviewed the proposal to roll the value of "Rare and Unique Trees" into the Indicator 1-20 for Special Biological Sites. Rare and Unique Trees would be a set of unique biological features that would be mapped in Geographic Information Systems (GIS) and be included in the inventory of other special biological sites that are not necessarily protected by legislation. Indicator 1-20 also needs some tweaks in order to have the Value, Objective, and Indicator statements align and agree with each other. Keith reviewed the proposed VOIT statements for the revised Indicator 1-20 and the proposed Indicator description text.

Dave Allen asked what was meant by "spatially track". Keith Chapman responded that, in respect of this Indicator, it means to record the spatial location and maintain that location in a Geographic Information System database – basically to map the feature for future information.

Dave Allen asked if this means also to protect the identified feature. Keith Chapman reviewed the Indicator description text (page 3 of the "FVPAG Priority VOITs – To be Reviewed (September 9, 2008) ").

Jean Warkentin asked about how trails in her community – would they be Known Trails?

Keith Chapman responded that trails are tricky as anyone with a machete can hack out a route in the bush and call it a trail. Known trails are trails registered with the province of BC. For local community trails, they may fall into the some of the other Indicators for Sites of Special Significance (i.e. 5-9 Stakeholder Issues) where local values are raised by stakeholders during meetings with Teal on what priorities including trails they want to maintain near their communities. Keith suggested that Jean review Indicators 5-8, 5-9, 5-10, and 5-11 which are Sites of Special Significance Indicators and are very applicable to the Norrish community.

John Bowles asked whether access would be restricted if there was logging near a local trail. Keith Chapman responded that there would be some measures in place – either a sign describing the temporary trail closure and the danger of active logging.

Jean Warkentin asked about the visual quality in respect to trails. Jill West responded that these concerns would be part of all of the concerns with respect to harvesting near community trails.

Keith Chapman asked for any more thoughts on the proposed changes or any suggestions on Indicator wording.

Jean Warkentin commented that she liked that ‘caves’ are included in this Indicator. Keith Chapman commented that forestry can affect caves; removing the forest cover around the mouth of a cave can potentially affect the air temperature and humidity and, in turn, affect the animals and fungi inside the cave. Caves are also a safety issue for logging crews so they need to be identified.

Jean Warkentin asked what “Resource Features” are. Jill West responded that they are basically group of items listed in legislation that the government has said that they can produce “Orders” or legislation protecting them. It includes caves, karst [formations in limestone bedrock formed by water], recreation trails, recreation sites etc. It is something that the government can put a label on and then say this will be protected.

Sharie Conroy asked about trees with a unique form or a tree that is unusual like the hollow tree in Stanley Park that people used to drive through.

Keith Chapman responded that the term “unique form” can be included into the Indicator description.

Al Stobbart suggested “visually distinctive” for unique forms which the Table liked. This was included into the description.

Keith Chapman reviewed the revised wording for the Indicator description for 1-20. There were more suggestions on refining the wording for ‘distinctive trees’ and some other minor changes.

Jill West asked the Table for any motion to adopt the Indicator as changed.

Chief Andy Alex commented on how the Trans Canada Trail affected a marsh in Union Bar traditional territory. Chief Andy Alex also commented about the Golden Spruce in Queen Charlotte Islands/Haida Gwaii. These are examples of things that would be tracked.

Keith Chapman noted the time was up and asked for any more changes to the Indicator.

There was some more general discussion regarding trails.

Keith Chapman called again for any motion to adopt Indicator 1-20 as revised. John Bowles 1st, Chief Andy Alex 2nd, All in Favour (6), Opposed (0), Abstained (1). The Value of “Rare and Unique Trees” was moved from Indicator 1-15 to the revised indicator 1-20 Special Biological Sites and 1-20 was ratified as amended.

Ind #	Value	Objective	Indicator	Target	Variance
1-20	Rare or unique biological, ecological, geological, historical or cultural features within the DFA such as caves, mineral licks, rare and unique trees, unique wildlife habitat, Resource Features, etc.	Spatially track rare or unique features of ecological, geological, historical or cultural importance in a manner that recognizes their special qualities	Number of identified special features spatially tracked	Spatially track all identified special features (identified outside of OGMA, WHA, WHF's, etc)	Zero

Keith Chapman congratulated the FPAG Table on the two new ratified Indicators. We have been a long time at these Indicators. Keith thanked folks for being calm and courteous when dealing with these very important and often emotional issues.

Keith Chapman noted that the next meeting will be moved to align with the external 3rd party audit of Teal's SFMP. The auditor wants to come to the PAG meeting and speak for about an hour and meet with Members. The Auditor will be asking questions and gathering feedback from the FPAG Members.

The meeting was adjourned at 8:40 p.m.

Meeting Minutes recorded by Keith Chapman.

**The Next FRASER PAG Meeting will be held Tuesday October 28th, 2008 at the Pantry Restaurant
in Chilliwack.**

5:30 PM to 8:30 PM

***** Note that the FPAG Field Trip has been re-scheduled to Saturday September 27th *****

8:00AM to 4:00PM