



WILDLANDS LEAGUE

A chapter of the Canadian Parks and Wilderness Society

January 10, 2021

Charlotte Bourdignon, R.P.F.
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Ministry of Natural Resources and Forestry,
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Via email:

RE: Review of Proposed Operations Kenogami Forest 2021-2031 Forest Management Plan

Dear Ms. Bourdignon,

Thank you for the opportunity to comment on the Proposed Operations for the Kenogami Forest Management Plan. We hope that you will find our comments constructive in tailoring the Kenogami Forest Management Plan to be a leading example of how to manage the footprint of forestry and logging roads in a threatened caribou range. Caribou are listed as a threatened species in Ontario and trends for disturbance and population in most ranges in the commercial forest across Canada are headed in the wrong direction with several ranges extirpated or in the process of disappearing. We consider this an emergency situation and expect to see actions commensurate with the crisis. Moreover, Wildlands League objects to the province allowing the deliberate targeting and clearcutting of known calving areas such as Meta Lake. These actions can only be understood as deliberately increasing the risk to boreal caribou across its range with an expanding roads and logging footprint. The focus of our comments is first on stopping the threats to boreal caribou in the Kenogami Forest by prioritizing the maintenance of large areas of intact forest and second, by requiring a conservation plan with measurable protected habitat that gives the species a chance to recover and the range restored while also refocusing operations elsewhere in the forest.

From a process point of view, we also object to the province using minimum comment periods and short deadlines while rolling full steam ahead with its open for business deregulation agenda. We are frustrated that this is also occurring at the height of the worst wave of the pandemic. Having a deadline on a Sunday does not signal good faith public engagement.

Also, we request confirmation that local MNRF staff acknowledge boreal caribou is a threatened species both under Ontario's ESA and Canada's *Species at Risk Act*. We've heard reports that staff are claiming it isn't a threatened species and that it is only a sensitive species.

Because of the level of existing and increasing disturbance in both the Nipigon and the Pagwachuan Ranges that overlap the Kenogami Forest, forest management activity must stay out of intact and currently occupied caribou habitat within the two Ranges. Until the population trend is improved and the province puts in place a conservation plan that actually protects habitat, Wildlands League opposes the expansion of forestry operations including roads into the remaining intact areas of caribou range.

In addition, MNRF must ensure that caribou management follows the most precautionary application of MNRF **Range Management Policy**¹. We believe that the Range Management Policy together with proper application of the Caribou Conservation Plan² provide flexibility in protecting caribou habitat to maintain or achieve a maximum of 35% disturbance at the range level while protecting caribou habitat features including nursery areas, winter and summer feeding, refuge habitat and travel corridors. Such an approach together with evidence of healthy caribou populations would meet the requirements of the federal *Species at Risk Act* and would meet Ontario's caribou conservation goal:

*To maintain self-sustaining, genetically-connected local populations of Woodland Caribou (forest-dwelling boreal population) where they currently exist, improve security and connections among isolated mainland local populations, and facilitate the return of caribou to strategic areas near their current extent of occurrence.*³

We consider this an initial formal communication on the Proposed Operations for the Kenogami Forest and we look forward to working with MNRF, Indigenous communities and stakeholders to find solutions and alternate harvest areas.

Thank you for your consideration. We remain willing to discuss our concerns and recommendations.

Sincerely,

Dave Pearce, M.F.C.
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¹ MNR, 2014. Range Management Policy in Support of Woodland Caribou Conservation and Recovery.

² MNR. 2009a. Ontario's Woodland Caribou Conservation Plan. Queen's Printer for Ontario, Toronto Ontario, Canada. 24 pp.

³ Ibid.

CPAWS Wildlands League has been involved in woodland caribou conservation for many years, having been immersed in caribou literature, negotiations and debate. Our assessment is that the majority of the scientific literature indicates that changes in predator-prey dynamics associated with road networks and timber harvesting makes caribou persistence or re-occupation a remote possibility in areas that have been previously logged.

Ontario also recognized the threats to woodland caribou when they were listed under Ontario's *Endangered Species Act, 2007* (ESA). Despite the recent lamentable exemption of Forestry from the ESA, the protection of caribou habitat and caribou should still be a requirement for forest operations in caribou range.

The risk of local extirpation requires that a precautionary approach be taken, especially in caribou ranges approaching or exceeding 35% disturbance. There should be no expansion of industrial disturbance and there must be a reduction in industrial disturbance through habitat restoration. We believe that only such an approach will meet the requirements of Environment Canada's Caribou Recovery Strategy, the full application of the ESA and provide caribou with the habitat they need to survive.

The Kenogami Forest overlaps both the Pagwachuan and Nipigon caribou ranges. Environment Canada's Recovery Strategy (2012) has identified a maximum of 35% disturbance as a threshold corresponding with a 60% probability of a local population being self-sustaining. According to the recent OMNRF caribou range assessments⁴ the Nipigon Range has surpassed 35% disturbance at 40% disturbed and Pagwachuan is approaching this threshold at 33% disturbance with an increasing trend.

Given the state of these two Ranges we are dismayed by the harvest plans proposed in intact forest and adjacent to known calving lakes. The case of Meta Lake is representative of these problems where a 1 km AOC with summer timing restrictions are the only restrictions on harvesting. Our position on the restrictions around harvesting adjacent to caribou nursery areas is summed up in our 2011 comments to PFTC on caribou (when direction for nursery areas still resided in the draft Stand and Site Guide).

Stand and site level direction for known caribou calving sites/nursery areas in suitable condition involves a timing restriction on forest operations within a 1 km radius of a known site. Harvesting is permitted at other times within the AOC. Most research indicates impacts on caribou from disturbance at a much larger scale than one kilometre. Some show a high probability of local extirpation between 4 and 13 km⁵ from human disturbance. Also, there is much research to show that predation of calves in a predator/prey mix altered by disturbance to be a principal cause of caribou population decline. Given this evidence, a 1 km timing restriction AOC is clearly too limited to meet the refuge habitat needs of caribou calves.

This inadequate direction was subsequently moved to the Landscape Guide where it has not change substantially. The inadequate protection of caribou habitat more generally

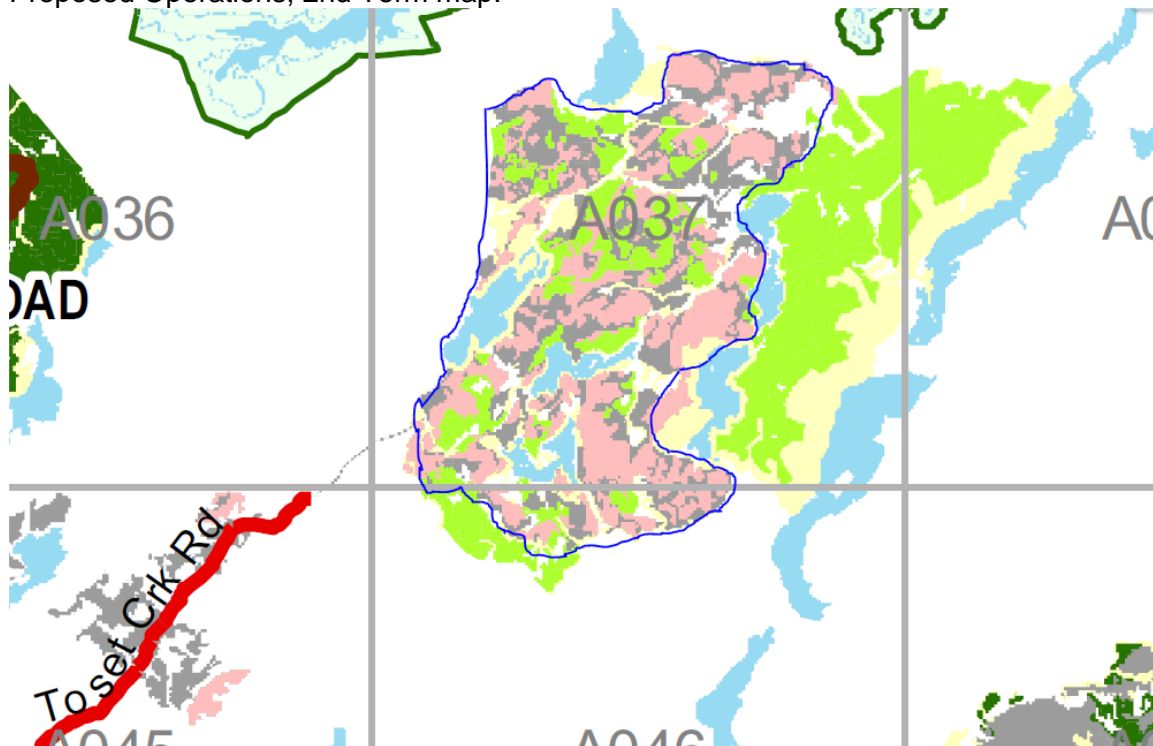
⁴ MNR, 2018. State of Caribou Ranges. Cumulative Impacts Monitoring 2018 Estimates.

⁵E.g. Vors, L., J. Schaefer, B. Pond, A. Rodgers, and B. Patterson. Woodland Caribou Extirpation and Anthropogenic Landscape Disturbance in Ontario. JOURNAL OF WILDLIFE MANAGEMENT 71(4):1249-1256; 2007.

has prevented us from ever supporting the caribou direction in the Boreal Landscape Guide, as the Guide on its own is insufficient to protect critical caribou habitat.

While we anticipate further opportunity to work on solutions for this FMU and caribou ranges, at a first step we have identified near term (A and B) DCHS blocks that should have harvest schedules modified in order to maintain options for developing a SARA compliant Caribou Conservation Plan on these ranges. The attached DCHS map has identified blocks for both deferral and restriction to the existing harvest footprint with red dots. We have identified DCHS blocks A1, B2, B3, B6, B7, B8, B9, B10 as blocks in which not to expand the industrial footprint through new road building or harvest.

To illustrate what we mean by 'restriction to the existing harvest footprint' consider the following image of a harvest block from the 2015 Lake Nipigon Forest FMP Summary-Proposed Operations, 2nd Term map.



Our recommendations would constrain the footprint of Block A037 to the proposed harvest carried forward to Term 2 (light green), Optional Harvest (beige) and Renewal and Tending areas (pink) within the existing footprint of the past harvest (grey) i.e. approximately within the blue line. This approach should apply to all proposed harvest within caribou ranges and especially to the DCHS blocks identified above.

Given the extent of disturbance and the current state of caribou ranges, there should be no expansion of the industrial footprint within caribou ranges on the Kenogami Forest.