



Canadian Association of Forest Owners

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Response to the Environmental and Regulatory Reviews June 2017 Discussion Paper

Executive Summary

The Canadian Association of Forest Owners (CAFO) is very supportive of the federal government's overall goals of regaining public trust, protecting the environment, advancing reconciliation with Indigenous peoples, and ensuring that good projects go ahead and that resources get to market. While CAFO agrees with many of the environmental assessment and regulatory processes to achieve those goals, there are several areas that CAFO suggests further attention and consideration. Overall, CAFO supports increased enforcement and assessment but urges caution in the application of such approaches and mechanisms as they could be used as a method to indefinitely delay or halt activities. Further, CAFO highlights the need to both consider and protect the knowledge of forest landowners and include forest owners in a partnership with the government and indigenous peoples.

Where we Agree

With regards to collaboration, forest owners are very interested in working with the federal government on both monitoring and compliance, subject to the addition of incentives to carry out such work. CAFO strongly supports the notion of partnering and establishing a collaborative committee to advise on fish and fish habitat protection. Further, forest owners are interested in the use of tools like certification and conservation agreements to build partnerships, specify roles and provide incentives to encourage them to work with the federal government

In terms of regulation, CAFO fully supports the notion of a single government agency being responsible for impact assessment and for coordinating consultations with Indigenous peoples for federally designated projects. CAFO also agrees with the concept of "introducing an advocate to support landowners in regulatory processes" and would like to learn more about this and explore how we might guide the ~~creating~~ **creation** and operation of such an advocate.

Finally, CAFO agrees with the development and enforcement of standards and **codes of practice** and encourages a careful examination of Forest Certification schemes, with a view as to how they might be used in the management and protection of fish habitat.

Our Concerns

CAFO urges caution in the application of approaches and/or mechanisms that can be used as a method to indefinitely delay or stop activities. For example, CAFO is concerned with the development of a complaint mechanism for works on unscheduled navigable waters. Such a mechanism has the potential to be used to prevent other activities, such as timber harvesting on private land. CAFO also advises caution on use of consensus on the assessment process, which could be used as a delaying mechanism.

It is CAFO's view that Government should not create another layer of enforcement and decision making through an additional authority granted to Indigenous peoples. The involvement of Indigenous peoples is both obvious



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and necessary however CAFO members already deal with federal, provincial and often municipal governments. There is a great potential to seriously impact business by adding more decision making and enforcement layers. CAFO suggests that a mechanism be put in place that will allow Indigenous peoples input to be integrated into one of the existing current government jurisdictions.

Our Suggestions

First and foremost, CAFO emphasizes the need to both **consider and protect the knowledge of forest landowners** in addition to Indigenous peoples, so it too can be part of the consideration when making important decision about environmental impacts and the protection of fisheries and navigation. In addition, for those projects and activities near to or affecting their land, forest owners are also seeking a partnership role in development, including partnerships with the government and Indigenous peoples. Working with forest owners and developing ways to both use and protect proprietary information will also greatly assist in building both capacity and expertise.

Second, **non-published research** should be taken into account in addition to published research. This addresses the need for “greater transparency around science, data and evidence to support decisions and insuring Indigenous knowledge is sufficiently taken in to account” as well as the concern that “not all expertise, science, evidence and Indigenous knowledge is fully considered, and that the information presented by proponents is not adequately validated.” CAFO advises that unpublished research should be considered as part of the “best available science,” particularly in the absence of any other research.

When considering a **broader scope of assessment** that includes health, it should also be noted how the health of individuals is affected by having employment and a purpose to life. CAFO suggests that the impacts on forest owners and their livelihood should also be considered.

With regards to **enforcement**, CAFO suggests that incentives be included in this effort so that forest owners are encouraged to participate and comply.

Where We Can Learn More

CAFO is interested in learning more about what the federal government has committed to in the **UN Declaration on the Rights of Indigenous Peoples**, and how it could affect forest owners’ rights and use of their property. CAFO would also like to learn more about **Canada’s national environmental frameworks** in order to determine what the gaps are in the frameworks and to prioritize geographic areas that should be examined for regional assessments. CAFO is very interested in learning how the federal government intends to develop and strengthen these frameworks and how they will be used in developing regional assessments

Definitions

- “Early” engagement?
- “Best available” science?

About the Canadian Association of Forest Owners

A non-profit association representing the interests of owners of the largest tracts of forest land across Canada. Membership is open to owners of any size of forest. CAFO is part of a coalition of 450,000 individual woodlot owners, associations, farmers, families and companies that own and manage forest land in Canada.