

**OLD GROWTH MANAGEMENT AREA (OGMA)  
AMENDMENT POLICY  
- SKEENA REGION –**

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## Scope and Application

The Skeena Region consists of the Kalum, Nadina, North Coast, and Skeena Stikine Forest Districts. The following geographic areas, with their applicable land use plans, are within this region:

- Atlin Taku (LRMP)
- Bulkley (LRMP)
- Bulkley Valley (SRMP)
- Bulkley TSA Recreation Access Management (SRMP)
- Cassiar Iskut - Stikine (LRMP)
- Central and North Coast Order
- Cranberry LUP
- Dease Liard (SRMP)
- Kalum (LRMP)
- Kalum (SRMP)
- Kispiox (LRMP)
- Kispiox (SRMP)
- Kowesas Watershed (SRMP) not yet completed
- Lakes (LRMP)
- Lakes North (SRMP)
- Lakes South (SRMP)
- Morice (LRMP)
- North Coast LRMP
- Central Coast LRMP
- Nass South (SRMP) not yet approved
- West Babine (SRMP)

This policy is designed for areas with spatially located and legally established Old Growth Management Areas (OGMAs) within the Skeena Region. Replacement or amendment of OGMAs beyond the scope addressed within legally established objectives will be guided by this document.

## Background

Section 93.4 of the Land Act, under the Land Use Objectives Regulation, provides the authority and framework to the Minister responsible for the Land Act, to make Orders to establish objectives for the purpose of the *Forest and Range Practices Act* – in this case Old Growth Management Areas (OGMAs). OGMAs were previously established under Section 3 (Resource Management Zones and Objectives) or Section 4 (Landscape Units and Objectives) of the *Forest Practices Code of British Columbia Act*. The definition of an OGMA may vary, however the overall intent is to preserve representative areas of old growth forest across the landscape. Where OGMAs are amended they must be replaced so that both biodiversity and timber supply are maintained. Legal establishment of OGMAs defines their boundaries and how they are to be

managed by holders of agreements under the *Forest Act* and the *Forest and Range Practices Act*.

Amendments to OGMA's may be necessary for several reasons:

- Field confirmation of forest condition and boundaries may not have been done when the original OGMA was established or the scale used may have been too small for operational accuracy.
- Timber harvesting within OGMA's may be necessary in order to address forest health issues and/or to recover economic value from damaged timber.
- The original selection of an OGMA may not have accounted for operational impacts to timber harvesting. For example the location of an OGMA may limit access to timber beyond the OGMA.
- New or improved data or information (increased operability, new and/or more accurate vegetation inventory, BEC, TUS or wildlife mapping) may warrant adjusting OGMA's to improve their usefulness.
- To capture multiple resources (e.g. Wildlife habitat, First Nations' cultural and heritage values, etc.)

Small operational adjustments (typically less than one hectare in size) to an OGMA's boundary to account for a rasterized OGMA polygon, initial OGMA mapping errors or to address harvesting safety concerns are not considered amendments. MOFR approval and the identification of replacement areas are not required for adjustments.

## **Purpose of the Policy**

This policy provides guidance to proponents requiring amendments to existing OGMA's. It is intended to ensure the conservation of old forest while allowing operational flexibility to occur. Licensees must maintain old forest according to the specifications in the applicable Land Use Order.

This policy was developed to ensure that due consideration is given to the amount of old growth retained across the landscape over time. This policy acknowledges the influence of natural disturbance agents as part of biodiversity, and also recognizes the need to adhere to identified timber supply impacts as determined through regional land use plans or as otherwise specified in government regulations and / or policy.

Proponents of OGMA amendments are responsible for providing information on the OGMA to be amended and its replacement area/OGMA, adequate to adjudicate the amendment, to the Agency responsible for approval of the amendment.

## **Discussion**

Amendments to OGMA's are approved by the District Manager within the Ministry of Forests and Range. It should be noted that objectives established for OGMA's do not apply legally to harvesting or road construction activities that are not subject to a Forest Stewardship Plan, or range plans prepared under the Forest Range and Practices Act. However, the purposes for which flexibility might be applied can provide a framework to Ministry of Forests and Range (MOFR) officials as they issue and administer these tenures.

OGMA objectives do not place any legal limits on the following activities:

- First Nation traditional use;

- Mineral exploration and development
- Oil and gas exploration and development
- Commercial and non-commercial recreational use;
- Gathering of non-timber forest products;
- Any other uses for which a lease or license is issued under the *Land Act*, and
- Activities exempted under FRPA.

## Maintenance/Enhancement of OGMA's

The following principles will result in enhanced OGMA contributions to biodiversity management as OGMA areas are amended over time. Amendments should result in a similar or greater degree of achievement of old growth objectives over the land use plan area, as measured by indicators that are consistent with these principles:

- Minimize the impact to the timber harvesting land base where an area of equal ecological value, within the same general area, can be substituted,
- Old Growth management is a strategic land use planning objective and OGMA area establishment will rely on strategic level inventories and information.
- Stand level attributes (e.g. site series, crown closure, snag presence) will be used as criteria or indicators of old growth value, provided this information was collected and used in the initial establishment of the OGMA's.
- Land Use Plans are expected to consider the effect of protected areas on Old Growth retention and land use plans will specify the targets applicable to the amount of OGMA within each LU for the HLP area
- Subject to Section 25, 26 and 27 of the *Forest and Range Practices Act* harvesting within an OGMA due to a forest health issue is only permitted when there is a significant threat to the health of the adjacent forest
- Multiple resource values should be captured by OGMA's where possible to reduce timber supply impacts (e.g. co-locate within community watersheds, UWR's, WHA's, Scenic Areas, Traditional Use areas, sensitive areas, etc.).
- OGMA's will strive for full ecological representation.
- OGMA's will strive for a balanced geographic distribution.
- OGMA's with a higher ratio of area to perimeter are preferable.

## Amendments to OGMA's

There are two types of amendments (Minor Amendments and Significant Amendments) available to amend an OGMA. Each amendment type has unique criteria that may be applied and specific approval mechanisms.

### Minor Amendments

- No other significant resource values have been identified within the OGMA to be amended (e.g. First Nations values, wildlife habitat for red or blue listed species, rare ecosystems, etc.)
- Minor amendments do not materially change the original Order or its affect on forest and range tenure holders
- As per Section 93(6) of the *Land Act* public review is not required because the proposed amendment is "not significant"
- Information sharing with First Nations is not required although it may be undertaken at the discretion of the proponent of the amendment

- Approval authority is delegated to the MOFR District Manager.
- Area of the amendment is consistent with the area/percentage limits defined below:

**Table 1**

| Size of OGMA                       | 1 – 200 ha                                     | 201 – 1000 ha                                 | > 1000 ha          |
|------------------------------------|--|---|--------------------|
| <b>OGMA minor Amendment limits</b> | Up to 10% or 10 ha of OGMA (whichever is less) | Up to 5% or 25 ha of OGMA (whichever is less) | Up to 2.5% of OGMA |

*\*Note: the above criteria only apply where applicable legal Orders do not specify size criteria*

- a minor amendment can be submitted to the MOFR District Manager in advance of, or in conjunction with, the submission of a cutting permit and/or road permit application

### Significant Amendments

- size of amendment exceeds the limits defined for a minor amendment (as defined in a legal Order or, where no legal Order is in effect or is silent on this subject, as per the area/percentage listed in Table 1) **or**
- A First Nations’ concern or value associated with a specific OGMA is known
- OGMA to be amended overlaps with other important values such as wildlife habitat, rare ecosystems, cultural and heritage, and recreation.
- As per Section 93(6) of the *Land Act* public review is required
- Information sharing with First Nations is required
- Approval authority is delegated to the MOFR District Manager
- Amendment to be submitted at the proponent’s discretion to the MOFR District Manager, with a 90 day approval time frame to facilitate the 60 day consultation period required by FRA Agreements.

### Amendment Content Requirements

Subject to existing legal orders and/or strategic plan direction, all OGMA amendments will comply with this policy. As such all OGMA amendments will be supported by the following information:

- A hardcopy or printable electronic map (PDF format), at an appropriate scale, depicting the particular OGMA to be amended. If available, the OGMA identification number is to be identified on the map. If a number is not available, a suitable map inset or geographic reference must be provided to locate the OGMA in question.
- A hardcopy or printable electronic map (PDF format), at an appropriate scale, depicting the replacement OGMA or the area replacing the proposed area to be amended.
- All maps will have a label providing pertinent information such as the size of the OGMA, the area being amended, etc.
- A rationale, consistent with criteria listed in the ‘Rationale for Amendment’ section.
- The proponent must identify how the replacement area meets or exceeds criteria that were used in establishing the original OGMA area. Considerations for data to be included

in the rationale are listed in the “Key Criteria for Replacement Areas” and “Location of Replacement Area” sections below.

- Other digital and hardcopy maps showing overlap with other resource values as appropriate (wildlife habitat, visuals, etc).
- A written record of information sharing efforts with First Nations and affected stakeholders (where required)
- Digital maps and data are to conform to the digital data standards listed in Appendix 1.

## **Rationale for Amendment**

Valid reasons for amending an OGMA may include:

- Access issues that were unknown during the initial OGMA delineation, where no practicable alternative exists (OGMA is blocking access to timber that is outside an OGMA);
- Preserving First Nations traditional and cultural use (a replacement OGMA area may preserve a site);
- Addressing a compelling forest health issue (a forest pest/disease is established in an OGMA and it threatens to damage surrounding forests) ;
- Operational information that was not available when the OGMA was established
- New data and information provides an opportunity to further reduce impact on timber harvesting landbase;
- New data and information that would improve the usefulness of an OGMA (new resource inventories, wildlife mapping, etc.);
- Adjustments to the boundary so that the boundaries can be aligned with intended physical features such as roads, cut block edges, streams, ridges, etc.;
- Operational considerations

## **Replacement Areas for OGMA Amendments**

### **Key Criteria for Establishing Replacement Areas**

The proponent must assess whether or not the proposed replacement area meets or exceeds criteria that were used in establishing the original area. The criteria used to evaluate the replacement OGMA or replacement area should be commensurate with the original designation process and may include:

- Landscape Unit, ecological unit - BEC zone, variant, or site series (or surrogate) consistent with what was used in the original establishment process;
- Area (hectares) – Size of replacement area must be equal to or greater than the area of OGMA being modified;
- Age of stand;
- Interior forest condition (if original OGMA contained interior forest condition and is altered because of modification);
- Minimize fragmentation where possible;
- Stand level attributes; and
- High value wildlife habitat

The proponent’s judgement will be required to determine appropriate choices in different landscapes but key criteria will be those as described above.

## **Location of Replacement Areas**

The following are important considerations in the selection of replacement areas, in order of highest to lowest priority:

- Establish a replacement area by attaching the replacement area to the OGMA that is being amended (e.g. remove SE portion, add new area to the SW portion of the same OGMA).
- Find a replacement area that adjoins another similar OGMA
- Establish a new OGMA. Any new OGMA must be consistent with criteria used to establish the original OGMA being modified (e.g. interior forest conditions or high value grizzly bear, moose or goat winter range, First Nations site, etc.) and must be the same size or larger than the original OGMA being modified.
- The proponent's assessment of the replacement OGMA or replacement area is to be made in the context of cumulative impacts to fish, wildlife, biodiversity and to timber supply, and not strictly on an individual criterion basis
- Replacement Area should overlap with other resource value polygons

## **First Nations Information Sharing**

First Nations information sharing must be undertaken when a proponent proposes a significant amendment to an OGMA.

The proponent is required to share information on the proposed amendment with First Nation(s) which has claimed or established rights and title on territory containing the OGMA to be amended, the replacement OGMA area and/or the replacement OGMA. Information sharing is to focus on providing the First Nations with the information necessary to assess the proposed amendment. Proponents are to use this information sharing as a means to understand and mitigate any spatial and/or temporal issues/concerns the First Nations may have with the proposed amendment as well as the replacement area or replacement OGMA.

## **Public Review and Comment**

The proponent will be responsible for notifying and addressing any comments or issues that arise from consultations with affected public and/or stakeholders (other forest licensees, tenure holders, etc.)

In addition significant amendments require a minimum of a 30 day public review period to allow the general public to identify any interests and/or issues they have with the proposed amendment. The Agency responsible for the OGMA amendment will initiate the public review process, commencing with a one week advertisement in the local newspaper. As a minimum, the advertisement will briefly describe:

- The OGMA or portion of an OGMA being amended;
- The replacement OGMA or replacement area being proposed;
- The process that individuals can follow to obtain more information about the proposed OGMA amendment;
- The process that individuals are to follow to submit comments/concerns about the proposed amendment.



### **OGMAs that Overlap with other Legal Objectives**

OGMAs may overlap with other legal objectives which must be considered and addressed by the proponent of an amendment to an OGMA.

### **Continual Improvement**

To maintain the ongoing consistency of this policy with regulation and application, periodic reviews and updating of these procedures should be conducted as required.

## Appendix 1 – Digital Data Standards for OGMA Notifications and Amendments

### Spatial Data Deliverables:

#### A. General:

1. The georeferenced spatial data is to be delivered in shapefile format.  
NOTE; ensure that all component files of the shapefile are included (especially metadata).
2. Each shapefile must completely cover the amendment area.
3. The spatial data will be supplied in Albers projection, NAD83, units metres. This may require a reprojection of the data, a datum shift, or both. The Albers parameters to use are those of the BC Government standard:

|                           |                         |
|---------------------------|-------------------------|
| Projection:               | Albers Conic Equal Area |
| Central Meridian:         | -126.0 degrees          |
| First standard parallel:  | 50.0 degrees            |
| Second standard parallel: | 58.5 degrees            |
| Latitude of reference:    | 45.0 degrees            |
| False Easting:            | 1,000,000 meters        |
| False Northing:           | 0 meters                |

Any datum shift must be performed using the Canadian National Transformation (CNT) matrix.
4. Attribute data will be supplied:
  - a) within the DBF file of the shapefile

#### B. Metadata File:

Each shapefile received should be accompanied by a shapefile\_name.txt metadata document that includes all of the fields listed below as a minimum. Additional key values and information can be obtained from the ILMB meta content web page:

<http://srmwww.gov.bc.ca/gis/arcmetadata.html>

The table should have two items (columns):

1. KEY: character, 16 wide (i.e.: KEY,16,16,C).
2. VALUE: character, 170 wide (i.e.: VALUE, 170,170,C).


There should be at least four records in the table, with key values of:

- TITLE - Short name for this data
- DESCRIPTION - What kind of data is it?
- SOURCE & CONTACT - Where did this data come from?
- RESOLUTION/SCALE DIGITIZED AT - example 1:20k vs. 1:250k
- PRODUCTION\_DATE - When was it first created as a shapefile?
- SUPPORTING INFORMATION/TABLES – Key query attributes


#### C. Polygon Features:

Shapefiles must be topologically clean. Each polygon must contain exactly one unique polygon label. All polygon boundary lines must be broken where they intersect and all endpoints must meet exactly.


OGMA Amendment Policy – Skeena Region

  
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