

Regulations

Planning

1. The definition of “forest resources” in the act refers to all flora including mushrooms. Why is harvesting defined in the regulation only as pertaining to timber? The harvest of mushrooms and birch syrup are two obvious omissions.
2. Section 6(e) Do Fish and Wildlife plans exist?
3. Section 18 and 19(f) When a licensee contributes to the Elijah Smith Forest Renewal Fund, should he not be relieved of the reforestation obligation implied? Furthermore, if the area is declared free growing without any silvicultural applications subsequent to harvest, should the permittee also not be entitled to a refund of all or part of the contributions to the Elijah Smith Forest Renewal Fund?

Tenure

1. Section 2(8) 20,000m³ total harvest or annual cut?
2. Section 4(1)(c) The volume issued should allow for reasonable growth expectations where planning and investment have taken place in anticipation of developing markets i.e. biofuel.
3. Section 10(2)(a) The Elijah Smith Forest Renewal Fund contributions are designed to achieve reforestation goals. The additional application of security funds to meet this need is unjustified.
4. Section 10(3) When conditions have been complied with, refund of security should be automatic. The Licensee should not have to apply for a refund of what is rightfully his property.

Stumpages & Timber Marking

1. Section 2(2) The definition of “forest resource harvesting” is inconsistent with the definition of harvesting in the planning regulation.
2. Section 12(4) “Annual rent will apply as a credit to stumpage payments” – What does this mean? What is the intent and purpose?

Annual Allowable Cut

No Comment.

Interim Harvest Limits

1. The arbitrary assignment of harvest ceilings does not take into account the emerging biofuel market. There is no indication if this ceiling does or does not include the fuel wood / fire kill harvest or the potential harvest of deciduous species for biofuel.
2. The ceilings being applied have no scientific credibility
3. To suggest Whitehorse, with all its conflicting resource users, has a ceiling of 10,000 m³, when several other similar or larger land bases, with fewer conflicting values, have a ceiling of 5000 m³ is nonsensical!

Roads

1. Section 4(2)(e) This section provides for the de facto public use of forest resource roads. In the interest of public safety and operational security, license holders must have the unfettered right to control access to active logging operations. This is a significant safety and liability issue.

Silviculture

1. The requirement for reforestation implies that deforestation has taken place. Often, in harvesting, this is not the case. A diameter limit or selective cut for coniferous saw logs will commonly leave a substantial residual coniferous stand in place in addition to an intact deciduous stand.
2. 5(1)(d) The protection of these values, as important as they may be, has very little to do with the practice of silviculture.
3. 10(1) It would be more appropriate for government to bear the responsibility for public notice.

Fees

1. The calculations pertaining to fees are confusing and difficult to follow. We seem to be acquiring an immense amount of fees and permits for very little industry.