



Summary of the Canadian Forestry Regulations and Standards

One hundred years earlier, Canadian forests were viewed as boundless sources of resources that could be taken without any planning or concern for the future. However, by the 1950s an awakening of forest values led to the gradual development of forestry and environmental regulations which recognized that public forests needed to be managed for sustainability. In recent decades, Canada and its provinces have become world leaders in sustainably managed forests, through the development and implementation of numerous regulations and standards. Since 1990, less than half of 1% of the forest lands in Canada have been changed to a non-forest land use. In addition, Canada is also a world leader in forest certification with 200 million hectares of forest having a long-term forest management plan.

In 2021, the National Council for Air and Stream Improvement (NCASI) released "[Canadian Forestry Regulations and Standards](#)", a document that compiled all federal and provincial legislation and regulations in Canada and outlined sustainable forest management certification and company-specific forest management planning in Canada.

This summary is an overview of the NCASI's document on Canadian Forestry Regulations and Standards for the purpose of introducing readers to the complex and extensive rules and requirements that govern forestry operations in Canada. We need to fully acknowledge that federal and provincial governments and forests industries have made substantial commitments to sustaining forests and their values for future generations.

<p>Federal Legislation & Regulation:</p> <p>The forestry sector in Canada is responsible for following a set of federal legislation and regulations</p>	<ul style="list-style-type: none"> • Canadian Environmental Assessment Act • Canadian Environment Protection Act • Fertilizers Act and Regulations • Fisheries Act • Forestry Act • Migratory Birds Convention Act • Pest Control Products Act and Regulations • Species at Risk Act 		
<p>Provincial Legislation & Regulation</p> <p>Each province has its own legislation, regulations, guidelines, and standards related to forest management</p>	<p>Province</p>	<p>Acts</p>	<p>Regulations</p>
	BC	17	17
	AB	11	17
	SK	12	8
	MB	12	25
	ON	13	17
	QC	10	21
	NB	14	15
	NS	11	19
	NL	8	17



<p>Sustainable Forest Management Certification</p> <p>Third Party, Sustainable Forest Management (SFM) certification systems are applicable to lands across Canada</p>	<p><u>Canadian Standards Association (CSA)</u></p> <p>13,349, 358 HA</p>	<p><u>Forest Stewardship Council (FSC)</u></p> <p>48,425,579 HA</p>	<p><u>Sustainable Forestry Initiative (SFI)</u></p> <p>121,950,670</p>	
<p>Company-Specific Forest Management Planning</p> <p>Forest Management companies in Canada are required to develop yearly operating plans. In addition, they must produce longer-term management plans. Both plans must be approved by the provincial government.</p>	<p>100 Year Planning Horizon</p>	<p>25 Year Planning Horizon</p>	<p>5 Year Planning Horizon</p>	<p>Annual Operating Plan</p>

Federal Forestry Regulator Landscape:

Overview:

- Natural Resources including forestry-related operations are presided over by the provinces (except on federal lands i.e., military and national parks)
- On federal lands, forestry operations are governed by the Forestry Act (1985) and related Timber Regulations.
- All forestry operations in Canada are subject to federal legislation, including:

Federal Legislation:

<p><u>Canadian Environmental Assessment Act, 2012 (CEAA)</u></p>	<p>Protects the environment from negative effects which are the result of human activities (i.e., forest management)</p>
<p><u>Canadian Environment Protection Act, 1999 (CEPA)</u></p>	<p>Protects the environment and human health from the impact of pollutants. Under the CEPA, chemical substances are analyzed to see if they meet the requirements of a toxic substance. This determines which chemicals can be involved in forest management.</p>
<p><u>Fertilizers Act, 1985</u></p>	<p>Controls which fertilizers can be used for agricultural operations. Under this Act, fertilizers or supplements can't be</p>



	sold or imported unless they have been registered and meet Canadian standards.
Fisheries Act, 1985	This Act is the main piece of Canadian legislation regarding fisheries management. Forestry management is influenced by this act through riparian streamside areas, especially potential pollution and/or impacts on fish habitat.
Forestry Act, 1985	Applicable to forestry development and research under the jurisdiction of the federal government. (i.e., military lands and national parks)
Migratory Birds Convention Act, 1994	Instituted to put in place a treaty between Canada the United States. The focus of this act and related regulations, is to ensure the conservation and protection of migratory birds and their nests.
Pest Control Products Act, 2002	Regulates pest control products to prevent unacceptable risks to individuals and the environment. Related to forestry through pest control products being used to prevent damage to forestry products.
Species at Risk Act, 2002	This Act was implemented to protect at risk wildlife species in Canada. It's a critical part of Canada's biodiversity preservation strategy.

Provincial Legislation & Regulation:

Province:	Regulatory Landscape:
British Columbia (BC)	<ul style="list-style-type: none"> • Home to Canada's largest forest industry • Regulations for forestry in BC are extensive and complex • Primary law governing forestry in BC is the Forest Act, 1996 • Through this Act, the government is able to designate land as timber supply areas and determine "allowable annual cut" • Every 10 years, allowable annual cut is reviewed
Alberta (AB)	<ul style="list-style-type: none"> • The Forests Act is the primary law in Alberta that regulates forest management. It serves as the foundation for Crown forest tenure in the province • Through the Forests Act the government has the ability to make policies and regulations that govern logging methods, wood utilization standards, timber quotas, and forest management agreements • Forest practices are predominately regulated by guidance documents: <ul style="list-style-type: none"> - Alberta Forest Management Planning Standard - Alberta Timber Harvest Planning and Operating Ground Rules Framework for Renewal
Saskatchewan (SK)	<ul style="list-style-type: none"> • Under the Environmental Assessment Act, forestry in SK must receive environmental assessment approval



	<ul style="list-style-type: none">• The requirement is met when a Forest Management Plan's prepared based on the Forest Management Planning standard• Two main laws that govern SK forestry: the Forest Resource Management Act, 1996 and the Environmental Assessment Act• Forest Resources Management Act – serves as a framework for forest land in SK to be used sustainably (while also meeting the need for economic, social, and cultural opportunities, and protecting and strengthening the health of forests in the province)
Manitoba (MB)	<ul style="list-style-type: none">• There are a number of forestry guidelines, standards, and manuals that serve as the framework for forestry in MB• The Forest Act, 2011 and the Environment Act, 2012 are the main laws governing forestry• In MB, certain forestry activities require extra approval through the environmental assessment process• This approval occurs under The Environment Act
Ontario (ON)	<ul style="list-style-type: none">• ON has a widespread list of legislation influencing forest management• Additionally, under the Crown Forest Sustainability Act the creation of 4 manuals is mandated• These manuals proceed a series of guidelines which provide the foundation for regulating and guiding Ontario's forest management operations
Quebec (QC)	<ul style="list-style-type: none">• QC is home to Canada's second largest forest industry (Behind BC)• QC's primary forest law was adjusted to formally adopt a management system that's ecosystem-based• Sustainable Forest Development Act, 2013 is the main law governing QC forest management• The Act's main focus is establishing a forest regime• This forest regime's purpose is to apply ecosystem-based management to sustainable forest development• Development comprised of ensuring biodiversity and ecosystem viability is preserved
New Brunswick (NB)	<ul style="list-style-type: none">• Forestry Regulations in NB are comprised of a set of primary legislation and guidance documents• The purpose of both is to assist in forest management• The Crown Lands and Forests Act is the main law governing forest tenure in NB.
Nova Scotia (NS)	<ul style="list-style-type: none">• Forestry in NS is unique compared to the rest of Canada• Private landowners are the majority, with only a few large-scale Crown forest tenure holders in NS• NS has a regulatory environment different then the rest of Canada



Newfoundland & Labrador (NL)	<ul style="list-style-type: none"> • There are 2 important Acts that provide the foundation for forestry-governing laws: the Forestry Act and the Environmental Protection Act • In NL, forestry operations must undertake an environmental assessment process for particular activities along with forest management plans
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Sustainable Forest Management Certification:

Background:

- Beginning in the early 90s, forest product customers have looked for independent assurance that they're buying products from sustainably managed forests
- Systems and standards were created to verify that forest companies are practicing sustainable forest management (SFM)
- This process is called forest certification
- By attaining forest certification, companies can provide third party assurance that the forests they manage have achieved the necessary requirements of a particular system or standard.
- In each of the 3 forest certification systems in Canada, it is required to:
 - 1) Follow relevant domestic laws and applicable tenure arrangements
 - 2) Recognize indigenous rights
- Canada is a global leader, containing the world's largest area of third-party certified forests

<u>Canadian Standards Association (CSA)</u>	<ul style="list-style-type: none"> • CSA's an independent, non-profit organization • Developed a national standard to certify sustainably managed forested areas • Continually improving forest management practices and engagement via a public participation process is required in this system • CSA standard requirements are based on Canadian Council of Forest Ministers (CCFM) SFM criteria and indicators • Under the CSA standard general certification requirements include: complying with relevant legislation, continual improvement in performance, and meeting or moving towards performance targets
<u>Forest Stewardship Council (FSC)</u>	<ul style="list-style-type: none"> • FSC's a non-governmental non-profit international certification and labelling system • FSC champions strong environmental, social, and economically forest practices • FSC forest certification system determines if forest operations are managing a forest area under FSC forest management standards • There are 10 principles for responsible forest management that the FSC certification system is based on



<p><u>Sustainable Forestry Initiative (SFI)</u></p>	<ul style="list-style-type: none"> • SFI's an independent non-profit organization committed to furthering sustainability via forest-focused collaborations (i.e., certification) • SFI standard is determined on a set of principles for SFM (used across North America) • To be SFI certified, requirements include: forest management plans that contain long-term sustainable harvest levels • Certification requirements include: investment in research, science, and technology that sustainable forest management decisions will be based on
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Company Specific Forest Management Planning:

Background:

- Forest management companies in Canada are required to produce annual operation plans, as well as longer-term management plans
- The provincial government is in charge of approving both
- The government must approve all plans and forest activities prior to any operations occurring
- Over forest resources, provincial governments have constitutional authority (i.e., development, conservation, and management)
- Forest management planning done by companies includes steps to fulfill regulatory requirements at both the federal and provincial levels in addition to fulfilling obligations under voluntary third-party sustainable forest management certification programs

<p>100 Year Planning Horizon</p>	<ul style="list-style-type: none"> • In forest management in Canada, the planning horizon is generally on a 100–200-year timeframe. • 100 years = one forest rotation (growth cycle) • Each province has its own individual system for long term plans, but in each province the government works closely alongside industry and the public in developing a particular system • Consulting with Indigenous communities is a requirement • Forest harvest, growth, yield, and regeneration are all part of the detailed analysis in the plans
<p>25 Year Planning Horizon</p>	<ul style="list-style-type: none"> • Forest Management Agreements (FMAs) or licenses – generally 20-25 years in length • FMAs are long-term renewable agreements for forest tenure • In an FMA, a company's given harvesting rights provided they manage the forests responsibly and pay a stumpage fee for removed wood • In these agreements, companies are permitted to harvest timber as long as they follow the annual allowable cut • This cut is approved by every individual provincial government



	<ul style="list-style-type: none"> • Forest tenures have requirements for forest management – values that include social, economic, and environmental factors (i.e., watershed and wetland protection, biodiversity, wildlife habitat, long-term stability of forest ecosystems, and recreation)
5 Year Planning Horizon	<ul style="list-style-type: none"> • Forest Management Plan (FMPs) or Forest Stewardship Plans (FSPs) – generally created every 5 years or every 10 years (maximum of 25 years) • Purpose is to deliver a strategic vision and to commit to conserving forest values • FMP/FSP describes forest management objectives and strategies (i.e., consideration for Indigenous rights, recognition of ecosystem services, public input, and consultation). • The public must be able to view them and they cannot encroach on Indigenous community requirements • FMPs/FSPs are required in a number of provinces to be created based on either regulations or regulatory guidance manuals • The majority of provinces require approval from a registered professional forester
Annual Operating Plan (AOPs)	<ul style="list-style-type: none"> • AOPs usually describe aspects including planning, harvesting, reforestation activities, and harvesting block and road building scheduled per year of activity • AOPs include highly detailed information related to designing harvesting blocks in a way that follows regulations related with maintaining riparian areas alongside waterbodies, and identifying and supporting habitat for at risk species and other wildlife • Forestry companies must submit formal activity reports • AOPs are monitored provincially and are also inspected • If federal or provincial policies and regulations aren't followed, fines, suspension of harvesting rights, or seizure of timber can occur.

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