

# Province of Saskatchewan

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Population: 1,161,365 <sup>1</sup>

Area: 65,228,439 ha <sup>2</sup>

Forested land within the province: 29,585,627 ha <sup>3</sup>

Ownership Forest Land <sup>4</sup>

Provincial: 26,862,337 ha (91%)

Federal: 1,314,205 ha (4%)

Private: 1,409,085 ha (5%)

Area of land under forest management plans allocated to industry: 5,271,039 ha <sup>5</sup>

Parks and protected areas: 1,684,582 ha <sup>6</sup>

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## 1. Description:

Saskatchewan is located in central Canada, bordered by Alberta on the west side, Manitoba on the east side, the United States to the south and the Northwest Territories to the north. Of the ten provinces, Saskatchewan ranks:

- fifth in total land area, making up 6.5 percent of the Canadian total;
- sixth in forest cover; and
- sixth in population at 3.1 percent of Canada's population.

The province of Saskatchewan's forested lands encompass a diversity of softwood, hardwood, and mixewood tree species. Softwood tree species include: Jack pine, white spruce, black spruce, balsam fir and tamarack. Hardwood tree species include: trembling aspen, balsam poplar, and white birch.

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Bureau of Statistics – Government of Saskatchewan, 2017

<sup>2</sup> Enterprise GIS (2017)

<sup>3</sup> Forested land within the province also includes treed wetlands. Data sources: Saskatchewan Forest Land – Enterprise GIS (2017), Forest Land Northern Provincial Forest – CanVec (2016), FMAs and TSLs – SFVI (2016), Forest Fringe Supply Area and Agricultural Zone – AgCan (2016)

<sup>4</sup> Cumulative of ownership of forest land considered as: Provincial, Federal, and Private. Ownership associated with Federal lands includes: First Nation Lands, Air Weapons Range, National Parks and Historic Sites, Urban municipalities, Parks, Representative Areas and other reserved lands. Data source: Enterprise GIS (2016/2017)

<sup>5</sup> Non-reserved timber productive (NRTP) forest within the commercial forest encompassing Timber Supply Areas associated with either a Forest Management Agreement or Term Supply Licence. Data source: Enterprise GIS (2016/2017)

<sup>6</sup> Includes: Federal Parks, Provincial Parks, Protected Areas, National Parks, Historic Sites, Recreation Parks, Recreation Sites, and Wilderness Parks. Data source: Enterprise GIS (2017)

Percentage of area occupied by each tree species category within Saskatchewan's forested lands:

- Softwood (59%)
- Hardwood (15%)
- Mixewood (12%)
- Treed wetlands (14%)

Saskatchewan's largest forest product export markets are the United States, China, and Indonesia. Total forest product export sales in 2016 were \$552 million.

## **2. Forest governance:**

### Public lands:

#### Permits, Plans and Licences

Harvesting in Saskatchewan's publicly-owned provincial forests for commercial purposes requires a licence. Saskatchewan uses three types of licences with varying rights and responsibilities for the licensee:

#### **• Forest Management Agreements**

A Forest Management Agreement is a 20-year agreement, typically with a larger forest company, conferring long-term harvesting rights for a specific volume of timber from a defined area, as well as responsibilities for long-term sustainable forest management including renewal obligations.

#### **• Term Supply Licences**

A Term Supply Licence is a licence with a term of up to ten years, conferring rights to harvest specified forest products as well as responsibilities for forest management including renewal obligations. A Term Supply Licence may be volume-based or area-based.

#### **• Forest Product Permits**

A Forest Product Permit confers the right to harvest specified forest products, for a term of one year or less.

Various levels of [forest planning](#), from the strategic to the operational, are based on the best available science and support informed decisions about forest use. Planning processes take into account social, economic and environmental values, with the health of the forest ecosystem as the primary consideration.

#### **• Land Use Planning**

A [land use plan](#) serves to facilitate the coordination of policies, programs and activities between existing uses within a given land base and additional land uses anticipated for the same area.

#### **• Forest Management Plans**

Twenty-year Forest Management Plans, renewable every ten years, describe how the licensee proposes to manage the forest. FMPs include long-term strategies for inventory, harvesting, renewal and access, as well as describing consultation undertaken and plans to

mitigate concerns raised. All forest management plans scheduled for renewal and implementation after January 5, 2015 are prepared in accordance with the [Saskatchewan Environmental Code](#) regulated Forest Management Planning Chapter and standard of the [Saskatchewan Environmental Code](#).

A requirement of a forest management plan is the inclusion of a formal process to identify strategic land use and resource management issues referenced in any relevant land use plan. Forest management plans must also meet the requirements of *The Environmental Assessment Act*, to the minister's satisfaction, where the plan is deemed a development under that Act.

#### • **Annual Operating Plans**

Operating plans are prepared by forest management agreement, term supply licence and forest product permit holders for a period up to five years. The plans describe in detail how the licensee intends to conduct their forest operations and meet the requirements of any higher-level planning objectives.

#### Private lands:

Less than 1% of Saskatchewan's forests are privately-owned. Forest management on private lands, which mainly occurs in small, family-owned woodlots, is not regulated to the same extent as public lands by the Province of Saskatchewan.

### **3. Forest management legislation and regulations:**

#### Public lands:

[The Forest Resources Management Act, The Forest Resources Management Regulations and Saskatchewan Environmental Code](#) provide a legal framework for committing the government and forest users to undertake the essential components of sustainable forest management -- planning, monitoring, reporting, adapting -- while maintaining a focus on results. This means that the framework ensures forest health is protected, while remaining flexible enough to be successfully applied to the great variety of forest ecosystems in Saskatchewan.

The majority of timber in Saskatchewan is harvested by licence holders that are certified to one or more international certification systems. The Ministry of Environment (ministry) involves the forest industry in the development of policy and legislation to ensure the licensees are supported in maintaining the certification systems to which they subscribe.

Standards and guidelines specific to each Forest Management Agreement and area-based Term Supply Licence have been developed. A separate set of standards and guidelines was also developed for third party operators. The standards contain requirements to be followed by a licensee when undertaking forest operations.

The Forest Regeneration Assessment Chapter and standard of the [Saskatchewan Environmental Code](#) sets out two assessment periods: establishment and Free-to-Grow (FTG). The related processes for the collection of data to determine the regeneration success of harvested forest areas are also described.

#### Compliance monitoring, enforcement and penalties

Compliance programs are necessary to ensure compliance assurance and assess whether or not authorized activities are compliant with regulatory requirements established by the

Saskatchewan government to protect the environment, human health and safety. Forestry proponents are assessed for compliance with applicable legislation, licences, approved plans, codes and standards. The Forest Service Branch in the Saskatchewan Ministry of Environment utilizes three compliance assurance tools, typically based on size of activities and related environmental risks:

- **Compliance Monitoring**

Appropriate for low risk activities with a low impact on the environment.

- **Compliance Inspections**

Inspections are the primary compliance assurance tool for the Saskatchewan Forest Service Branch and are typically conducted at the site or facility level for compliance verification of moderate to high risk activities. The type and frequency of inspection is determined by numerous factors including the nature and risk of the activity; risk modeling and compliance planning, proponent compliance history and the available resources of the ministry.

- **Compliance Audits**

Audits are conducted for compliance verification of moderate to high risk activities that typically involve broader landscapes or regions or strategic long term forest management obligations.

Monitoring, inspection and audit results are documented and shared with the proponent and may trigger the need for increased education, additional compliance response, or if deemed appropriate, enforcement action against the proponent. Generally before any enforcement action is undertaken, the proponent is given an opportunity to gain compliance.

- **Compliance Education Opportunities**

Officers will indicate prior to a non-compliance occurring that such activities or practices may lead to a non-compliance if continued.

- **Voluntary Compliance Opportunities**

Usually based on self-reported, minor non-compliances, that can be rectified. The proponent indicated a path to rectify the non-compliance and a timeline in which it is to be rectified.

The enforcement tools chosen and the use of enforcement tools will depend on a variety of factors including impacts or risk of impacts to the environment, human health and safety, compliance history, and severity and frequency of the non-compliances. The ministry utilizes seven enforcement tools:

- **Warnings**

Warnings can be used when the proponent is engaged in low-to-moderate-risk activities where there is little or no effect on the environment or threat to human safety at the time of discovery. Failing to comply with the conditions of a warning may result in further enforcement action.

- **Orders**

Orders are issued where a warning has not been complied with or for situations where an activity has caused, is causing, or may cause, damage to the environment. Orders require a proponent to stop the activity and prevent further damage and/or remedy the damage that has occurred, and provide a deadline for compliance. A Stop Work Order is an example of an order.

- **Administrative Penalties**

Administrative Penalties are issued as a direct result of an investigation, or to pursue further enforcement action, when a licensee has not complied with a warning or order. Penalties mainly range between \$100 and \$10,000.

- **Prosecutions**

Saskatchewan legislation enables the laying of a charge. Significant fines can be levied by the courts against offenders. Individuals can be liable up to \$250,000 and/or imprisonment not to exceed five years; companies can be liable up to \$1,000,000. Additional conditions can be put on proponents by the court. [The Forest Resources Management Act](#) has a three-year limitation on prosecutions.

- **Seizures and Forfeitures**

Pursuant to [The Forest Resources Management Act](#), officers have the authority to seize forest products, manufactured products, infected materials or any other evidence required to prove a violation has occurred. Additionally, courts may order seized articles to be forfeited to the Crown.

- **Suspension or Cancellation of a Licence**

A licence may be suspended or cancelled in circumstances where a licensee has:

- failed to comply with terms of a licence;
- contravened [The Forest Resources Management Act](#) and [The Forest Resources Management Regulations](#);
- failed to provide information as required pursuant to [The Forest Resources Management Act](#) and [The Forest Resources Management Regulations](#); or
- become insolvent.

- **Licence Prohibitions**

A person convicted of a contravention of *The Forest Resources Management Act* may be prohibited from applying for and obtaining a licence for the longer of:

- any period to a maximum of three years from the date of conviction; and
- any period that the convicting judge may order to a maximum period of five years from the date of conviction.

Saskatchewan has public awareness programs that encourage the reporting of illegal forestry related activities including transport, wood harvesting, and damage to forest lands.

### Parks and protected areas

Public lands include Saskatchewan's parks and protected areas. The legislation governing parks and protected areas includes:

- [The Parks Act](#)
- [The Historic Sites Regulations](#)
- [The Recreation Sites Regulations, 1991](#)
- [The Parks Regulations, 1991](#)
- [The Park Land Reserve Regulations](#)

- [\*The Ecological Reserves Act\*](#)
- [\*The Representative Area Ecological Reserves Regulations\*](#)
- [\*The Provincial Ecological Reserves Regulations\*](#)

Private lands:

Private landowners rely upon general civic or commercial law to protect their property from trespass or timber theft or to enforce the terms of a business transaction.

**4. Timber processing legislation and regulations:**

The Forest Products Scaling Chapter and standard of the [Saskatchewan Environmental Code](#) provides standards and procedures for determining the quantity and quality of forest products harvested under authority of [The Forest Resources Management Act](#). [The Forest Resources Management Regulations](#) describe the manner in which timber must be scaled and volumes reported as well as the licensing requirements for persons scaling Crown timber. The scaling information is used to determine harvest volumes and for the collection of dues and fees.

[The Forest Resources Management Regulations](#) require that proper forms must accompany any vehicle transporting forest products. Copies of the forms are required to be left at the loading site and kept by the trucker and the receiving facility. A copy of the form is also to be submitted to the ministry. A person transporting wood originating from private land must provide information on the volume and source of the wood if requested by an officer.

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**5. Other relevant legislation:**

Provincial Legislation:

- [\*The Provincial Lands Act, 2016\*](#)
- [\*The Crown Resource Land Regulations, 2017\*](#)
- [\*The Provincial Lands \(Agriculture\) Regulations\*](#)
- [\*The Heritage Property Act\*](#)
- [\*The Heritage Property Regulations, 2016\*](#)
- [\*The Ministry of Environment Regulations, 2007\*](#)
- [\*The Wildlife Habitat Protection Act\*](#)
- [\*The Wildlife Habitat Lands Disposition and Alteration Regulations\*](#)

Federal Legislation:

- [\*Canadian Environmental Protection Act, 1999\*](#)
- [\*Canadian Environmental Assessment Act, 2012\*](#)
- [\*Fisheries Act\*](#)

- [Migratory Birds Convention Act, 1994](#)
- [Migratory Birds Regulations](#)
- [Navigation Protection Act](#)
- [Pest Control Products Act](#)
- [Pest Control Products Regulations](#)
- [Pest Control Products Incident Reporting Regulations](#)
- [Species at Risk Act](#)
- [Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act](#)
- [Transportation of Dangerous Goods Act, 1992](#)

## **6. Forest certification:**

The certification schemes active in Saskatchewan include Canada's National Sustainable Forest Management Standard (CSA) (CAN/CSA-Z804 or Z809), the Forest Stewardship Council (FSC) and the Sustainable Forestry Initiative ® (SFI) Inc. There are 1.9 million ha certified under the CSA certification scheme, 1.8 million ha certified under the FSC, and 3.4 million ha under the SFI certification scheme.<sup>5</sup> A total of 1.8 million ha are certified under both CSA and FSC. Without double accounting, the total area under one or more certification schemes is 5.3 million ha.

## **7. Public engagement in forest management:**

The requirements for information sharing are well described in [The Forest Resources Management Act](#) and the Forest Management Planning Chapter and standard of the [Saskatchewan Environmental Code](#). Public and Aboriginal information sharing requirements are addressed at all levels of planning, from the 20 year Forest Management Plan to the annual operating plans. Information sharing is carried out by the plan proponent. Results of the information sharing and responses to the concerns raised by the participants are reported to the government.

The Government of Saskatchewan has developed the [First Nation and Métis Consultation Policy Framework](#) which guides the development of consultation policies for the various provincial Ministries and Agencies.

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<sup>5</sup> [Certification Status Report, Saskatchewan-SFM-Year-end 2016](#). [www.certificationcanada.org](http://www.certificationcanada.org)