

# HUU-AY-AHT FIRST NATIONS

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## **Report of Executive Council on Support for Timber Harvest on HFN Treaty Settlement**

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**For consideration at the session of the  
Huu-ay-aht First Nations People's Assembly  
on Saturday, November 17<sup>th</sup>, 2012**

Prepared By: Connie Waddell, Executive Director

Date: October 22, 2012

## **BACKGROUND**

The following Citizen's Motion will be presented by John Jack for consideration of the Assembly:

**WHEREAS** it is in the interest of the Huu-ay-aht First Nations to maximize revenues in order to maintain or improve service delivery; and

**WHEREAS** the revenues generated by stumpage taxes as well as access to profits from HFN Forestry are beneficial;

**THEREFORE** be it resolved that the HFN People's Assembly supports and authorizes the adoption of the laws and processes necessary for the creation of an economically, socially and environmentally sustainable timber harvest on Huu-ay-aht Treaty Settlement lands.

## **DISCUSSION**

Huu-ay-aht First Nations does not have an analysis of the level of Treaty Settlement Lands timber harvest that is economically, socially and environmentally sustainable.

A preliminary analysis prepared by Forest Ecosystems for Huu-ay-aht six years ago estimated the sustainable harvest of all Treaty Settlement Lands at between 30,000 and 58,000 m<sup>3</sup> per year. However, this analysis was preliminary and is out-of-date.

The process and laws will be in place shortly for the Huu-ay-aht Government and Huu-ay-aht citizens to consider whether or not to approve an applicant's request to harvest timber on Treaty Settlement Lands. The steps are as follows:

- Step 1 - Applicant analyzes the area proposed by the applicant for timber harvest.
- Step 2 - The Applicant applies for a forestry tenure to Executive Council in accordance with the *Land Act* and regulations.
- Step 3 - The application, including the proposed forest tenure document, is reviewed and considered by EC in accordance with the *Land Act*.
- Step 4 - If Section 27 of the *Land Act* applies (see below), the People's Assembly must approve the granting of the forestry tenure at a regular or special session of the People's Assembly .

### **People's Assembly approval requirement**

- 27** The approval of the People's Assembly is required for a disposition of an interest in Huu-ay-aht Lands under section 10 or 11 if
- (a) the interest is in a parcel with an area greater than 10 hectares,
  - (b) the term of the interest, including any renewal or option to renew, exceeds 49 years in total, or
  - (c) the appraised fair market value of the interest exceeds \$ 1 000 000.

The proposed motion does not specify the nature and timing of any follow-up action to be taken. It is therefore a resolution which records the general views of the People's Assembly on this matter.

## **OPTIONS**

There are three options:

Option 1 – Approve the motion.

Option 2 – Approve the motion with amendments.

Option 3 – Not approve the motion.

## **IMPLICATIONS**

The financial, social, economic and environmental implications will depend on the motion passed and any action taken by Executive Council.