



MANITOBA ORDER IN COUNCIL

DATE: **March 29, 2024**

ORDER IN COUNCIL NO.: **55/2024**

RECOMMENDED BY: **Minister Economic Development, Investment, Trade
and Natural Resources**

ORDER

The Minister of Economic Development, Investment, Trade and Natural Resources is approved to enter into an Agreement with Louisiana Pacific Canada, Ltd. (LP), in substantially the same form attached as Schedule "A", to grant a short-term extension of the term of the Forest Management Licence Agreement between Manitoba and LP, dated September 21, 1994, from March 31, 2024 to June 30, 2024.

AUTHORITY

The Forest Act, C.C.S.M. c. 150, states:

Agreements with Canada and other provinces, etc., authorized

8(1) The minister, subject to the approval of the Lieutenant Governor in Council, may, on behalf of the government, enter into an agreement or arrangement with the Government of Canada, a province or state, a municipality or the owner or licensee of a forest for the protection, development or utilization of forest resources, including protection from fire, insects and diseases, for forest inventories, silvicultural research, watershed protection, reforestation, forestry publicity, and education, and, in respect of the construction of roads and improvement of streams on Crown forest land, improvement of growing conditions and management of Crown forest land.

Issue of forest management licence

18(1) Where the investment in a wood-using industry established or to be established in Manitoba is sufficient to require the security of a continuous timber supply, the minister with the approval of the Lieutenant Governor in Council may, subject to sections 11 and 12 and to such terms and conditions as may be imposed by the minister and such terms and conditions as may be prescribed in the regulations, grant a forest management licence to such an industry.

BACKGROUND

1. The Forest Management Licence Agreement between Manitoba and LP states: "Upon written approval by Manitoba of each ten year Forest Development Plan, ... and subject to the faithful performance by the Company of every condition agreed to be done or performed under this Agreement ... the duration of this Agreement shall be extended and the licence granted... shall be renewed for ten years, thus extending the term of this Agreement and the licence granted... to a period of twenty (20) years following the commencement of the said ten year Forest Management Plan so approved...".
2. LP submitted its Plan to Manitoba on December 19, 2019, and is otherwise in compliance with the terms of the Forest Management Licence Agreement.
3. Manitoba has been engaged in a consultation process with affected Indigenous communities, which has included a working group process with three First Nations. As part of this process, those First Nations conducted several studies and have provided to Manitoba reports of some of those studies outlining several concerns. Reports of several other studies, in particular reports of traditional knowledge and use studies, are pending.
4. The Forest Management Licence Agreement is set to expire on March 31, 2024, and its long term renewal is subject to an approved Plan. The short term extension is necessary to allow sufficient time for Manitoba to receive and consider the First Nation's reports and to work with them to implement proposed accommodation measures that address their concerns.

