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Oral Submissions to the Forest Policy Review Process

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David Zirnhelt, Minister of Forests has stated that he hopes that this Forest Policy Review Process "will guide and stimulate informed public discussion on policy changes needed to promote an environmentally sustainable and economically vital forest economy."

In my submission, nothing short of new vision for how we allocate and use our forests in British Columbia is required to achieve these goals.

On a personal note, I was deeply saddened by some of the messages I heard from industry at the community workshop I attended. While their voices may have sounded like the majority, as they received at least 50 percent of the invitations to the workshop, they did not completely drown out the voices of those of us who would put people and communities, and the environment that sustains us, ahead of satisfying corporate interests.

I am here today, as many others are, to say that my vision for the future of does not involve propping up the unsustainable, volume-driven, timber-based forest industry status quo. I am here to say that it is time for change.

I am here to say that I am fundamentally opposed to the concept of "intensive zoning" as it has been presented in this process. My vision for the future does not involve further regulatory relief for industry when existing protections for non-timber values are already inadequate and the minimal *Forest Practices Code* protections for biodiversity and species at risk have not yet been fully implemented.

Furthermore, I remind you that even the most secure form of access to land, private ownership, does not guarantee a particular type of management. Full ownership gives the right to destroy biological diversity with impunity as well as the capability to enhance it. And even if security for industry did increase investment, this would clearly be investment in increased fibre production, not in protecting water soils or wildlife habitat. Finally, too often promises of about increased investment in silviculture to increase yields, have been more about justifying cutting more old growth forests today than investing in the future.

Less than 20 companies already control 80 percent of the cut allocated to licensees. Six of these control nearly 50 percent. My vision for the future does not involve further corporate control or greater rights for large forestry corporations.

So what forest policy changes are needed?

In my submission, change should be based on achieving the following:

First: social, economic and ecological sustainability. We must move towards ecosystem-based management that focuses on what to leave behind, not what to take, and that is based on what the ecosystem can sustain, and on maintaining options for future generations. This will mean move far beyond the 12 percent protected areas target.

The answer is NOT regulatory changes that reduce government oversight of corporate forestry; and lets not fool ourselves, this is what industry proposals for results based management are about, but rather ecosystem-based planning that ensures the continued existence of functioning forests. We need to look at mechanisms that increase, rather than decrease the accountability of forest managers to local communities and to future generations.

The current tenure system was designed to facilitate sustained yield management premised on old growth liquidation – it must change. We have significant mill overcapacity in relation to supply and a volume-driven economy based on liquidating our natural capital will not sustain BC communities into the future. Even based on government calculations of the long run harvest level which does not truly incorporate biological factors, there is no question that we are cutting more than can be sustained in the long term.

The allowable annual cut must be reduced significantly if we are to put ourselves on a path that is sustainable in the long term.

Second, forest policy change should prioritise diversity. Diversity provides stability in times of change. Diversity in the number and type of businesses operating in the forest sector, but even more importantly diversity in who controls the land base. We must undertake significant tenure redistribution if we wish to move towards a more sustainable future that is economically, socially and ecologically resilient.

I would echo and build on the recommendation of the 1991 Forest Resources Commission to say that the amount of allowable annual cut held by major licensees be reduced by at least 50 percent and the wood used to create a greater diversity of tenures, with the intention of creating new opportunities for communities, First Nations and other local tenure holders.

As a short-term measure we need to look at immediately at doubling or tripling the number of community forest pilots agreements and dramatically increasing the number of woodlot licences. These changes should come about without compromising wood available through the small business program, which itself should be expanded. Tenure redistribution should prioritise providing opportunities to communities and First Nations who have already developed innovative ecosystem based plans for area-based management of local natural resources.

We should not be daunted by the threat of having to compensate existing licensees where our elected government decides to reallocate public forest lands. Our government has power to legislate when and how compensation is payable. A precedent already exists in our *Forest Act*, where sections 60 and 80 set out situations where no compensation is payable. And here's a very pertinent example - in 1978 after the last Royal Commission, the decision was made to make perpetual tree farm licences into time limited licences – and the *Forest Act* was simply amended to provide that no compensation was payable in relation to the expiry of the perpetual licences and their replacement with time-durated TFLS.

I propose that the security concerns of industry can be met through fair compensation legislation. And fair does not mean guaranteeing industry profits for years to come. Fair may mean compensation for direct

investments like roads that can no longer be used and other out of pocket expenses, however, compensation should only be for vested rights, not proposals to log that are still dependent on future approvals. Fair should also mean that before being compensated licensees compensate communities for damage done to other values by their activities in the past. Further discussion of this point is required.

Diversity also means enhancing opportunities for new entrants and particularly value-added industries by broadening local access to wood through viable regional log markets.

Third, forest policy change must be instigated with full acknowledgement that aboriginal title continues to exist, as it has since time immemorial, over the forests of BC, and in a manner that fully lives up to the fiduciary obligations of the Crown to First Nations people. At a minimum this means government to government discussions with First Nations in relation to any tenure changes, meaningful, good faith consultation.

The Working Forest background paper proposes that we must "decide conclusively what lands are for what purposes" – with respect, this is impossible in light of the existence of aboriginal title, and it would be disrespectful to presume that we would have the right to make such a determination. It is time to begin the transition to a time where First Nations will be regaining control over their lands and resources. It is only a matter of time. We have a choice of approaching this transition honourably, or burying our heads in the sand. The choice made by the Westbank and others to begin logging on their territories is an indication of where the latter option will take us.

Fourth, forest policy change should be about increasing community self-determination. It should be based on meeting the needs of local people and communities, not those of corporate shareholders. It is time for increased local control – decisions about what will affect our lives should not be being made in corporate boardrooms, but rather by British Columbians, for British Columbians. This does not necessarily mean community forests in every community, but rather mechanisms to ensure that communities have a real say in forest management. It means reducing the scale of human impact on the forest.

As British Columbians, we have a choice to make. We can go down the path of propping up the status quo, a status quo that has not served forest communities, or the environment that sustains them. Or we can make choice to change:

- to abandon volume-driven timber management and move towards ecosystem based management;
- to significantly reduce the allowable annual cut;
- to enhance the opportunities for value-added industries by broadening local access to wood through viable regional log markets;
- to reduce corporate control of the land base by redistributing tenures to a diversity of tenure holders; and
- to empower communities to have a real say in what happens to the forests that sustain them.