



## **Friends of Carmanah/Walbran**

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### PROFESSIONAL RELIANCE REVIEW SUBMISSION

#### Submitted by Dr. Saul Arbess

The Friends of Carmanah Walbran are the central NGO engaged in the protection of the Walbran Valley in TFL 46, with the assistance of the Wilderness Committee, the Sierra Club of BC and the Ancient Forest Alliance.

#### Introduction

The Friends of Carmanah Walbran have been engaged in the protection of the Walbran Valley since 1991, a period of 25 years. Over that time, following the BC Environment Park Design Guidelines, we have created trails, including boardwalks, interpretive signs, temporary shelters and campsites in the Central Walbran, also known as the Special Management Zone (SMZ), Low Intensity Area(LIA) and Walbran Periphery SMZ 21, under the Higher Level Plan (2000). We have also offered guided trail walks over the years. There has been little or no infrastructure development by BC Parks since the creation of the Walbran portion of the provincial park in 1995; we have done so in its absence, devoting thousands of volunteer hours to this work.

We have been impacted in a dramatic and negative way by professional reliance in the Walbran Valley and the cooperation between the company, Teal-Jones, and FLNR to the detriment of all other values, other than logging. In meetings with FLNR, South Island Forest District, the idea of the public interest in general and those of specific and diverse interested stakeholders, appears to have been lost.

#### Examples of the Negative Impacts of PR in the Walbran Valley

##### 1. Conflating Ministry Objectives with Company Results

Ethan Krindle, Lawyer: Document-level review of Teal Cedar Products Ltd's legal commitments in the Walbran landscape unit

Jan.12, 2016

Overall, I conclude that Teal's FSP is consistent with government objectives for old growth, biodiversity and wildlife in the Walbran LU and SMZ 21. However, **this “consistency” is in most cases simply a repetition of the objectives themselves, almost verbatim, as intended results or strategies.** I do not know whether this sort of near copy/pasting of objectives into an FSP is standard practice in BC forestry – this may be a good question for an RPF, as it does seem to raise the question of whether the exact wording of an objective can really be considered as a “result” or “strategy” for achieving that objective. Presumably the objective and the result or strategy for achieving it should be two different things?

## 2. The Forest Practices Board Review

Forest Stewardship Plans: Are They Meeting Expectations? Special Investigation, August 2015

**Professional reliance, a cornerstone of FRPA, fails to solve the systemic FSP problems of consistency and measurability because license holders are under no obligation to accept the advice of these resource professionals.** The Board is very concerned that many of these current, problematic FSPs have the potential to be extended without a public review or correction of the problems. In the Board’s view, such extensions should not be permitted for any FSPs that do not meet the approval tests. Government needs to act immediately if these problems are going to be corrected in the next round of FSP approval.

The Board concludes: **1. A high proportion of the results, strategies and measures in FSPs are not measurable or verifiable and therefore not enforceable. All 43 sampled FSPs were signed and sealed by professional foresters and approved by government decision makers, yet had more than one result, strategy or measure that was not measurable or verifiable.** 2. In the Board’s opinion, many results or strategies in FSPs do not demonstrate consistency with government’s objectives. Results or strategies for those objectives that are simple and clear, or those with practice requirements, more often demonstrate consistency. 2 FPB/SIR/44 Forest Practices Board 3. FSPs alone continue difficult to understand, do not provide the type of information the public wishes to see, and often overlap with other FSPs that may have different results, strategies and measures. 4. The time between opportunities for full public review and comment on FSPs can be excessive. Most licensees chose to extend their FSPs, meaning that these opportunities may not occur for intervals of ten or more years.

## 3. Special Management Zone 21- Walbran Periphery

The Friends are intimately aware of logging activities in this zone since its inception and have watched the accelerated destruction and fragmentation of the old growth forest within it. What

is quoted below foreshadows a management regime that is now called Ecosystem-based Management.

VI Summary Land use Plan, Feb. 2000

4.3.1 Special Management Zone RMZ

4.3.1.1 Intent The intent of the Special Management Zone (SMZ) is to identify Crown land and coastal areas with regionally significant values or combinations of values requiring more comprehensive management objectives and strategies to minimize development impacts. SMZ units are not intended as future protected areas, and are available for a variety of extractive and non-extractive activities. **In SMZ units, management is to be based on the primary environmental, cultural and recreational resource values identified, and extractive and non-extractive resource use and activities are to be conducted in a manner compatible with the identified primary resource values.** At a minimum, all legislated requirements of the Forest Practices Code apply. Where necessary to maintain the primary SMZ values, specific resource management objectives may be identified which exceed normal Code requirements... **Resource management within SMZ units will be accompanied by active monitoring and evaluation, consistent with the principles and concepts of adaptive management. Forested SMZ units are intended to become vanguard areas for implementing the principles of sustainable forest ecosystem management.**

Also in July, 2000, VILUP was amended with the Higher Level Plan Order that strengthens the requirements in the SMZ:

Pursuant to section 3(2) of the Act, the following provisions are Resource Management Zone objectives: A. for Special Management Zones 1 through 14 and 17 through 22: **1. Sustain forest ecosystem structure and function in SMZs, by: (a) creating or maintaining stand structures and forest attributes associated with mature and old forests,** subject to the following: i. the target for mature seral forest should range between one quarter to one third of the forested area of each SMZ3 ; and ii. in SMZs where the area of mature forest is currently less than the mature target range referred to in (i) above, **the target amount of mature forest must be in place within 50 years; (b) retaining, within cutblocks , structural forest attributes and elements with important biodiversity** and (c) applying a variety of silvicultural systems, patch sizes and patch shapes across the zone, subject to a maximum cutblock size of 5 ha if clearcut, clearcut with reserves or seed tree silvicultural systems are applied, and 40 ha if shelterwood, selection or retention silvicultural systems are applied.

With PR and a lack of oversight, there is no way that any reasonable person would regard the Walbran Periphery SMZ 21 as having been managed in this way. What we see is a sea of, albeit smaller, clearcuts, devastated land and major erosion caused by logging in a manner clearly

priorizing the company against all other forest interests, in contradiction of the zone's objectives. Sustainability has become a hoax in the Walbran. The result is fragmentation of the forest into a series of patches, contrary to current environmental science that favours contiguous forest for the survival of the forest and all species dependent upon it, especially old growth dependent species.

#### 4. Cooperation Between the Ministry and Forest Companies

The nature of cooperation between the Ministry and the forest companies borders on collusion, in some instances, for example in the Walbran:

In order to facilitate logging in the Central Walbran , the SIFD issued an order in 2011: "Section 2. Repeals the Walbran LIA as a Travel Corridor(No.28) and repeals the associated Scenic Area." This allowed for further logging penetration into the SMZ, so that now clearcuts can be seen at the top of Walbran Falls, the highest value scenic views in the area.

The combination of this order, PR and the lack of staffing created a perfect arrangement for the company logging in the Walbran.

#### Conclusion

**The current system of PR has been a disaster to the values that VILUP and, in particular, SMZ 21, were to uphold. The Friends urge the government to return to and strengthen a system of government oversight with much more staffing for onsite inspections and control, together with imposing much higher fines for non-compliance in the public forests owned by the people of British Columbia.**

