

Valhalla Wilderness Society

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July 11, 2019

SUBMISSION TO THE BC GOVERNMENT REVIEW PROCESS ON THE *FOREST AND RANGE PRACTICES ACT*

A Response to the Discussion Paper and Questions on Public Forest Management in BC

The Valhalla Wilderness Society (VWS) has been intricately involved in forest, wildlife and watershed management for over 40 years. The Society supports the direction envisioned by the government's Discussion Paper on this issue, namely: a shift from industry self-regulation to government oversight; adapting forest management to climate change; better public access to information and public input.

However, if the government has any real intentions of implementing reforms, it will have to reduce the Allowable Annual Cut (AAC) — because protecting domestic watersheds and fisheries requires more forest protection; mitigating climate change requires protection of our old-growth humid and wet forests; protecting our wildlife such as Mountain Caribou requires protecting more forest — and this is what much of the public has been wanting for decades.

Yet we know how adamantly the government refuses to reduce the AAC, even when a major species such as Mountain Caribou is being annihilated, and even when risk to homes and lives from landslides is at issue. A succession of BC governments has refused to protect domestic watersheds, which amount to only 1.5% of BC's land base.

However, with BC's last two fire seasons each being the worst ever, many homes burned down, thousands fled the fires, small communities such as Peachland were saddled with \$24 million in costs to get treated water after clearcuts, roads and landslides wrecked their water; with climate-change-influenced beetle infestation wiping out forests, and catastrophic flooding in Grands Forks, we do have one hope for real change: perhaps the BC government will start to count, and publicly acknowledge, the cost to the taxpayers and future generations for the damage that "de-regulated" logging has been doing. The government taking back oversight from the logging industry will mean nothing if the government, itself, is motivated by profit goals indistinguishable from those of the logging companies — so much so that it would allow logging to wipe out the Mountain Caribou, and pretend not to know that old-growth forests are carbon stores.

The government would have to recognize, in its actions, that these are no longer the days when there was infinite forest to cut. Many areas have been "logged out", massive parts of BC are carpeted with clearcuts and roads. If the Ministry keeps signing logging permits without consideration of the last 60-80 years of impacts from previous logging permits, there is no hope for BC but a course of maximizing our own disasters.

VWS TOP PRIORITY RECOMMENDATIONS FOR FRPA CHANGES

1. End the logging of old-growth forests 250 years or older. This is critical to address the dual crises of climate change and species loss that threaten the future survival of humanity.
2. At one time logging companies had to create 5-year plans that showed the public the location and size of cutblocks, and the year when logging would take place. Through the Ministry of Forests and

logging companies the public had access to this information until it was shut down by the FRPA, disenfranchising the public from any say in the management of Crown land. Five-Year Plans and access to this information should be restored.

3. Provisions for protecting slope stability and watersheds, such as those in the old Forest Practices Code, should be restored. It was once against the law for companies to cause landslides in the course of logging operations. Now neither the provincial nor the federal government investigate landslides that impact fisheries and other riparian values. It should be made illegal for companies to cause landslides and if they do they should be fined heavily and remediate the damage such as to salmon streams and their productivity.
4. Consumptive-use watersheds should be a distinct category, identified in the FRPA and in logging plans, and protected *under law*, not under *guidelines*. This category should have increased protective measures.
5. The BC Auditor General's report on grizzly bear management highlights the danger to grizzly bears from the province's plethora of logging roads, due to poaching, human-bear encounters and displacement from critical habitats. Mountain Caribou are also being annihilated, in part because of the impacts of resource roads on predator-prey balances. Companies should have to close and decommission their roads when they have finished logging, in areas where these species are at risk.
6. Waste volumes rose substantially under the FRPA while fines for it declined. This requires stronger regulation.
7. The mandate for environmental stewardship and wildlife management that was transferred to MFLNRO should be restored to the Ministry of Environment. MOE should also be restored to its former status as a separate ministry, independent of the Ministry of Forests, instead of being mostly disassembled and under the authority of MFLNRO.

WATERSHEDS

The shabby truth of watershed protection in BC — whether under the old Forest Practices Code or the 2004 FRPA, or any other law claimed to protect water — boils down to a recent statement by a BC Supreme Court judge, Justice Mark McEwan. When the Glade water users in the West Kootenays sought a Judicial Review for what they said was improper decision-making to log their watershed, he stated:

“Do you have a right to clean water? I'd suggest you don't ... there just is nowhere in the law where you can look and say, there it is — there's my right to clean water.” (Valley Voice, June 20, 2019)

At first the water users sought an injunction to delay the logging while they sought relief under the Drinking Water Protection Act; but a judge denied the injunction, saying that damage to the residents' water was speculative. Then Judge McEwan heard the case for a judicial review and denied it unless the petitioners, a very small watershed protection group, put up a \$15,000 bond to recompense the logging companies for court costs in the injunction case. The petitioners were thus blocked from access to protection under the DWPA. The fact is that all the legal rights to resources belong to logging companies and the province and its laws have demonstrated this powerful industry bias for decades. The residents of the Slocan Valley know this all too well.

RESPONSES TO SOME OF THE KEY QUESTIONS ASKED BY GOVERNMENT

Q: How should the Province identify opportunities and priorities for adapting forest

management to a changing climate, such as mitigating the effects of beetle infestations, drought and fire?

VWS response: 1) pay more attention to climate science. 2) Undertake more positive actions that mitigate the *causes* of climate change, not just the *effects*, because BC logging is a major contributor to carbon emissions. 3) Stop collaborating with forest industry propaganda that distorts climate science: for instance, outrageous claims that portray logging as mitigation for climate change should cease and the government should confront honestly the role of BC's humid and wet forests in adsorbing and storing carbon.

Q. What factors should be considered in the planning of forest operations to reduce the risks of wildfire around your community?

VWS response: It will be necessary to repudiate false claims by the logging industry that clearcut logging is fire protection. Even selection logging for commercial purposes is not fire protection because it takes the bigger trees and leaves the smaller ones that burn faster. Clearcuts are very prone to fires. Escaped slash burns can no longer be afforded. Tree cutting to remove fire hazard must cut the small trees and leave the large ones.

Q. What information on the condition of resource values such as species-at-risk habitat do you think is necessary to support the planning process?

1. Inventory and cost accounting for repairs of damage done to watersheds, slope stability, stream channels, fish, with recognition of whether forest clearing and road building was a contributory factor.
2. Up to date research on the carbon storage of forests.

In what ways should the Province strengthen government oversight and industry accountability regarding forest and range activities to better address the challenges of climate change and the interests of all British Columbians?

VWS Response: Some time ago the Ministry of Environment released a report on the cost of repairing damage to watersheds and fisheries, much of it due to logging practices. Since the FRPA became law, such information has been suppressed. In the interest of transparency, MFLNRO and MOE should release such information to the public.

Inventory and cost accounting for the impacts of climate change — forest loss to fires and insect infestations, homes burned, number of evacuations and evacuees — as well as accounting for how the BC forest industry contributes to climate change through carbon emissions, are needed. It is crucial that these figures be publicly released so that the public can understand the need for change.

According to a recent report by former government forest ecologist Dr. Jim Pojar, just the logging and slash-burning practices of forestry alone produces higher gross carbon emissions than any other sector in B.C. In 2007 these logging practices produced almost 50% greater emissions than B.C.'s energy sector including transportation, mining, oil and gas, and stationary combustion emissions combined. Though forestry emissions have increased substantially due to reduced logging waste assessments and minimal penalties, they are still shockingly not subjected to a carbon tax.

BC and Canada have been operating on a widespread fallacy that the carbon stored in forests continues to be stored in wood products after the forest is logged. Based on this claim, the BC wood products industry, under the slogan "Tackle Climate Change — Build with Wood", has been marketing internationally the

use of BC wood to build high-rise buildings, even skyscrapers. This has the support of both BC and Canadian governments, and has fueled growth in the forest industry, with even universities acquiring wood high-rises to embellish their “green” image.

However, a report on research at Oregon State University (Law, et al., PNAS, 2018) compared the carbon impacts of various forestry practices, including the carbon balance of high biomass, long-lived forests versus turning them into wood products. Amongst the findings:

- ◆ Temperate forests with high carbon densities that live for hundreds of years hold carbon more than twice as long as wood products.
- ◆ In high biomass forests, creating new forest, reforesting clearcuts, lengthening the harvest age, and protecting forest on public land could increase net carbon balance in ecosystems by 56% by 2100. The latter two actions contributed the most.
- ◆ The benefits of replacing fossil fuel-intensive construction material with wood have been overestimated by at least an order of magnitude.

The pursuit of growth in the forest industry is directly connected to the AAC, and maintaining a high AAC has shaped many guidelines and regulations under the FRPA, as it did under the old Forest Practices Code. It is notorious that provincial forestry staff have, in the past, used their computers to calculate what degree of regulation will give them the AAC desired by the government. We know for a fact that this happens. If humanity is to survive climate change and species loss, environmental protection will have to drive the provisions of a reformed FRPA.

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