

Old Growth Management Submission

**Gregory Utzig, M.Sc. P.Ag.
Nelson, BC**

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I am a Conservation Ecologist and Professional Agrologist who began my career with the Ministry of Forests in 1973. At that time old growth forests were abundant throughout the province. Over my career I have watched them disappear at an alarming rate, with equally alarming consequences.

In 1974, along with another research forester, we proposed establishing an Ecological Reserve to protect a small unique stand of old growth Cedar-Hemlock forest in the Salmo area. We were ridiculed by the local Forest Ranger and our proposal was ignored. In the later 1970s I was leading the BEC Mapping program for the then Nelson Forest Region. My crews sampled some of the most spectacular old growth stands growing along the Columbia River north of Revelstoke. We had to move quickly though as they were being bulldozed into piles and burned in preparation for flooding by the Revelstoke Dam. With later analysis we found that these were some of the most productive forest sites in the interior of British Columbia. Meanwhile the old growth forests behind the dam had been described as decadent, near worthless, forest stands in the forestry impacts assessment for the dam project. About that time I began to see studies indicating that old growth harvesting was beginning to impact Kootenay mountain caribou herds.

In the 1990s and early 2000s following the CORE Process I was employed as a consultant by the BC Ministry of Environment to assist with the implementation of the Kootenay Boundary Land Use Plan. I watched as the negotiations over implementation of the Forest Practices Code Biodiversity Guidebook and KBLUP continually reduced the potential protection of old growth forest stands. In spite of abundant research indicating that old growth forests were essential for conservation of various aspects of biodiversity. I watched as the infamous 1/3 drawdown clause was implemented in KBLUP, allowing 45% of the region to be managed for 250 years with virtually no old growth retention. I can remember one planning meeting where a frustrated MoE biologist ask a forester; %explain to me how I am supposed to cram a 50cm woodpecker into a 25cm tree?+

In the early 2000s I was involved as a consultant on various projects attempting to map sufficient old growth forests to maintain mountain caribou populations in the Southern/ Central Selkirk and Purcell Mountains. At that point it was already clear that old growth harvesting was having severe impacts on caribou herds. Around 2005 I was assigned to the Provincial Caribou Science Team and involved in establishing further habitat mapping. Even though there was minimal old growth habitat remaining, old growth areas that the Caribou Team mapped as essential habitat were excluded to allow further harvesting of old growth. In 2019 the South Selkirk and South Purcell Caribou Herds were designated as extirpated. with clear evidence that significant loss of their old growth habitat was a major contributing factor.

During the last 5 years I have worked with a group of Professional Biologists to ensure conservation of old growth forests in the Kootenay Region. Over the course of our work we have discovered that in this region, BC Ministry Staff and industry Professional Foresters have not even implemented the weak conservation measures in the KBLUP regulations. Our investigations, later confirmed by Ministry analysis, has shown that Old Growth Management Areas (OGMAs) established to conserve old growth often don't even contain old growth. We have also found that industry foresters are illegally moving OGMAs to younger stands. or in one case a cleared powerline right-of-way. so their companies can harvest the old growth in the OGMAs.

Most of my work over the last decade has been concentrated on investigating the potential impacts of climate disruption on the ecosystems of the Kootenay Region. This work has demonstrated the increased importance of old growth forests for their potential role in both mitigation and adaptation to our changing climate. Unfortunately this work has also demonstrated the increased risks to old growth stands themselves, whether from wildfires, pests or drought.

The mismanagement of old growth forests in the Province of BC is a travesty. A priceless resource has been squandered, resulting in loss of irreplaceable habitat value with devastating consequences for species like mountain caribou. With today's further risks posed by climate disruption, the loss of genetic resources and carbon storage associated with old growth forests may have even more dangerous consequences. The situation is so dire at this point the only ethical and scientifically defensible action is to place a moratorium on all old growth harvesting, until which time a management regime can be implemented that will provide sufficient conservation of the remaining old growth stands to guarantee the future of fully functioning forests in BC. A management regime that is commensurate with the value of old growth forests to the maintenance of biodiversity in British Columbia.

The following article and interview from the January 2020 issue of Earth Island Journal summarizes my recent experiences with old growth management in the Kootenays ò ò

Available at: <https://www.earthisland.org/journal/index.php/magazine/entry/unclearcut>

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(Un)Clearcut

David Moskowitz

22-27 minutes

(Un)Clearcut

In British Columbia, a complex forest management system leaves old growth vulnerable to logging.

All photographs by David Moskowitz

WHEN I FIRST CAME OUT TO INSPECT this cutblock, they had just finished carving the road in. I thought it was a lost cause, said Greg Utzig, a semi-retired conservation ecologist, and long-time resident of Nelson, British Columbia. It was a hot sunny day in the Redfish Creek watershed, north of the West Arm of Kootenay Lake in the Kootenay Mountains.

Stepping off the end of the road into the trees was a welcome relief. Guarding the entry to the forest was a massive yellow pine. Claw marks on the tree trunk and the well-worn tracks of a bear's habitual route greeted us along with the rich smell of vanilla emanating from the tree on the warm day. Wandering farther into the forest we saw massive western larch and Douglas firs mingle with western red cedar and western hemlocks. The forest floor was littered with wildflowers. Utzig noted that forest like this is especially ecologically valuable today because it's very rare to find intact low-elevation old growth anymore, especially on a drier site like this

south-facing stand.

The fact that this stand of trees still exists is testimony not to British Columbia's forest management practices, but to the efforts of a few citizens, like Utzig, who for decades have been investigating commercial logging operations in the public forests around them. But beyond this small patch of ancient trees protected by their efforts, across British Columbia, the timber industry proceeds largely unfettered, leaving an ever-expanding maze of logging roads and clearcuts in its wake.

SPANNING SOME 360,000 SQUARE MILES · an area nearly four times as large as the United Kingdom · British Columbia is massive. The province stretches across 17,000 miles of coastline, and includes thousands of coastal islands and about a dozen major mountain ranges. About 65 percent of the province is forested and includes globally unique coastal and inland temperate old-growth rainforests that support a diversity of wildlife, including at risk species like the spotted owl and marbled murrelet on the coast, and mountain caribou in the interior.

No one knows exactly how much of British Columbia's forests were old growth when European colonization began. Even today, neither the government nor the timber industry has an exact handle on how much old growth remains. But, after a century of industrial logging, a recent estimate from researchers at the University of Victoria suggested as little as only 5 percent of province's forests are still old growth.

That 5 percent is globally significant. Old growth temperate rainforests of the Pacific Northwest comprise one of the most effective carbon sinks of any terrestrial ecosystem on the planet. In addition to their ecological importance, these forests are a vital cultural resource for First Nations.

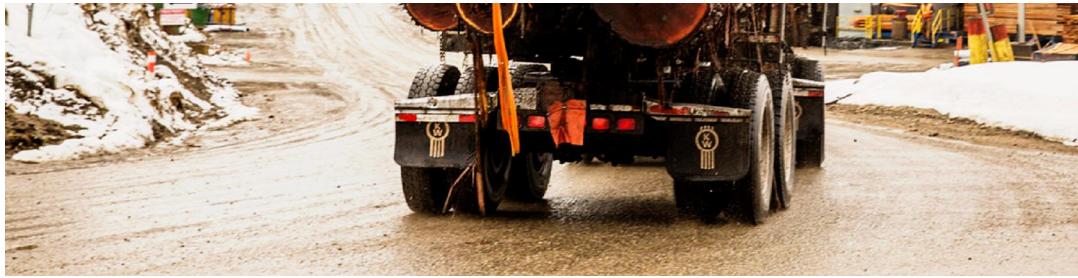
The province does have some protections in place for old growth

forests, but the complicated laws and regulations are filled with loopholes and, along with lax enforcement, have failed to effectively limit old growth logging, even in areas where almost none remains. According to reports by both conservation organizations and the government, in at least some parts of British Columbia, the provincial government is allowing more logging of old growth forests than it should under existing legally-binding management plans.



Greg Utzig stands in an Old Growth Management Area filled with young trees growing on rocky terrain with little economic value to the timber industry. Ground-truthing of many OGMA's reveals that many of these protected forests are not actually old growth.





Logging is a primary driver of the economy across much of British Columbia. The province plans to continue logging old growth forests for the next three decades. A number of mills in the province currently process only old growth logs.





While low value trees are often included in OGMAs, stands of highly valuable and true old growth interior rainforest are often left out. These trees are an example. The marks on the cedar tree made by a timber cruiser indicate that this stand has been assessed for its economic value by a logging company.

In 2018, the [West Kootenay EcoSociety](#) (WKES), a small environmental group in the Kootenay Mountains of southeastern BC, filed a formal complaint with the province's Forest Practices Board, the government entity charged with investigating wrongdoing in BC's forestry sector. Based on the EcoSociety's analysis of publicly available data, which Utzig helped prepare, it appeared that the province had permitted more old growth logging in numerous areas in the Kootenay Lake and Arrow Lake portions of the Kootenay mountains than it was allowed by its own already limited conservation strategy for this region. The analysis found that the province's primary method of tracking and conserving old growth forests was riddled with problems, making the system essentially worthless. WKES called for a moratorium on all old growth logging there while the issue was reviewed.

Following the complaint, the Ministry of Forests, Lands, Natural Resource Operations and Rural Development did its own analysis and discovered that the problem was even worse than WKES's initial investigation suggested. It also discovered that there was apparently no legal mechanism in place to compel companies to stop logging old growth. So, it politely asked the timber companies to stop cutting old growth while the matter was being investigated

further, or at least report on their plans to cut it. When asked about the success of this request in June of 2019, Tara DeCourcy, the forest ministry's district manager for the Kootenay Boundary region, said that, to the best of her knowledge, it was being honored by companies. But she admitted that the province still did not have a systematic way to monitor logging activity.

IT'S NOT HARD TO DOCUMENT OLD GROWTH LOGGING in British Columbia, where 94 percent of the land is owned by the province, and over half of this is forested. About 40 percent of all the forests in the province are included in the timber harvest land base made available for logging by timber companies. In a number of places, nearly all of the logging going on today is of primary, previously uncut, forests.

Harder to understand, or evaluate, is whether all this continued logging is legal. A maze of overlapping jurisdictions, complicated management plans, legal documents, and closed-lipped government bureaucracies obfuscate the details.

The province's authority to decide how its natural resources are used is tenuous to begin with. By international law, and affirmed by Canadian federal courts, about 95 percent of this sprawling province remains the unceded territory of the First Nations of this place. Because of this, legislation and regulations direct government and corporations to consult with the First Nations on whose territory resource extraction is occurring. In practice, however, the colonial provincial government has historically awarded land tenures to logging and mining corporations with little to no regard to the stated interests of First Nations.

The area at issue in the WKES complaint, for instance, is in the traditional territory of the Ktunaxa, Okanagan, and Sinixt First Nations, which have all been largely excluded from forestry and other resource-extraction land-use plans in the past. The Ktunaxa

Nation Council has been negotiating with the province for co-management of their territory but declined to comment for this story.



The narrow ravine running down this mountainside in the Kootenay Mountains is protected as an Old Growth Management Area (OMGA). All of the remaining low- and mid-elevation forest in the image, including as yet uncut stands of old growth, remains available for logging.

At the heart of the province's opaque forest management system is the Forest Practices Code of British Columbia Act, adopted in the mid-1990s. This legislation included guidelines for the protection of old growth forests across the province. Based on the act and its associated Biodiversity Guidebook, the province developed a Landscape-Unit Planning Guide that provided procedures for identifying Old Growth Management Areas (OGMA) across BC. Theoretically, these are areas of land containing old growth forest that are supposed to be set aside for protection.

However, the BC government also has a separate directive that biodiversity management should cause minimal or no interruption to the timber supply for logging. This has resulted in the location of

many OGMA in places with minimal or no commercial timber value, such as areas that are too steep to safely log.

One OGMA Utzig and I visited, about an hour away from Nelson, included a series of steep gullies with stands of small trees that were of low commercial value. The boundary stopped just short of stunning stands of old growth western red cedar. These longer-living stands, less prone to disturbance, are also more valuable ecologically due to higher preponderance of old-growth-dependent organisms such as a number of rare lichens, and greater levels of biomass overall. But they are of high value to timber companies as well.

In other instances, OGMA were established within park boundaries and other lands already off limits to logging, a process considered legal and encouraged as provincial legislation directs land managers and industry to look for ways to overlap conservation goals on the same piece of land.

British Columbia doesn't base retention targets for old growth on the total area of existing old growth forests in the province. Instead, it uses a complicated formula to establish retention targets for different types of old growth forest in the province's different biogeoclimatic zones based on estimated historical levels of such forests in each zone. For instance, in the area of WKES complaint, low elevation cedar-hemlock forests in the region were estimated to have had 30 to 40 percent old growth under natural conditions. Based on the province's formula, the legal targets for old growth retention for this particular forest type within OGMA should be 6.7 to 10.5 percent on average, according to Utzig.

But the province isn't even meeting these minimal standards. According to the forest ministry's own analysis the amount of remaining old forest is below the legal targets in over half of the management zones in the Arrow and Kootenay Lakes area. And in

a number of instances, as little as a quarter of the area intended to be preserved remained.

Timber companies are making decisions about which areas to log with no real-time oversight from the government.

These deficits are concentrated in low and mid-elevations where the most biologically rich forests, and commercially valuable lumber, is found.

To further complicate matters, in 2002, the pro-industry Liberal Party passed the Forest and Range Practices Act (FRPA). The law gutted the government's forest service and transferred almost all tasks associated with legal compliance in the forestry sector directly to the timber companies under the practice called professional reliance.+

Under professional reliance, licensed foresters hired by timber companies ensure logging operations are designed within the confines of provincial laws. In theory, individual foresters could be held accountable for breaches through complaints to the licensing body for Registered Professional Foresters. In practice, what this means is that, within the areas they are tenured to harvest in, the timber companies are making decisions about where to construct roads, which forest areas to log, and which to protect with no real-time oversight or systematic ongoing tracking from the government.

Under FRPA, the industry is allowed to adjust the boundaries of OGMA's on their own to accommodate their desired logging plans, as long as it offsets stands that will be cut down with protection of forests they identify as having similar or greater ecological value.

When Utzig reviewed the original logging plan for the Red Fish Creek site, it called for cutting the large stand of old growth trees in the center of the OGMA and moving the designation to adjacent lower grade forest parcels. One addition was an area that had been logged to clear the way for a powerline, another was a piece of

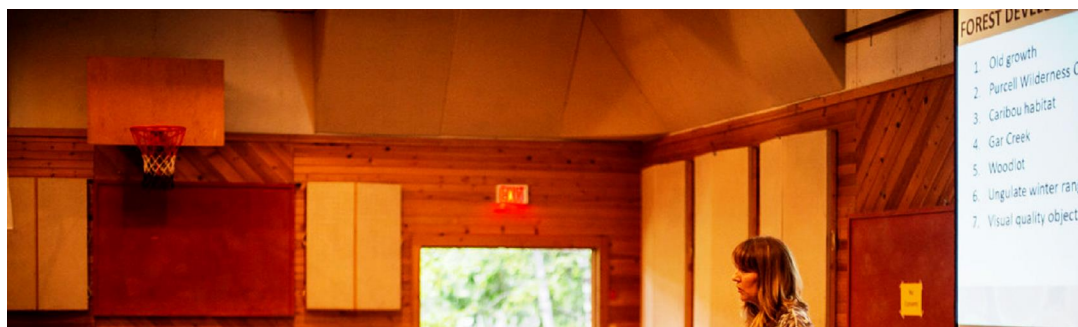
public land separated from the rest of the OGMA by a block of private property. Much of it wasn't actually old growth forest.

“Their plan was so cynical,” Utzig said. “Who could really believe that what they were proposing to replace this [rich old growth] with was of equal or greater ecological value?”

Once Utzig threatened a formal complaint, Kalesnikoff, the timber company based in Thrums, BC, amended the cut plan and decided not to cut this central part of the OGMA. It did, however, log several sections on its periphery. To replace the gentler terrain with larger trees it logged, the company added several, inoperable steep-sloped gullies above the original OGMA boundaries.

These sorts of swaps are commonplace according to both the forest ministry and industry. In most instances, the province is informed about these changes months after the logging operation has ended. (In the area of the WKES complaint, the government has more recently asked companies to inform them before making boundary adjustments.) Evan McKenzie, one of the authors of the complaint, likened the situation to a classic example of what happens when you let the foxes guard the hen house.

INTERESTINGLY, IN ITS INVESTIGATION into management of these old growth areas in the Kootenays, the forest ministry found that, though there was a deficit of old growth in many places, there was a surplus of OGMA's in some of these same zones. This seeming contradiction comes from the fact that, as the ministry itself found, less than 20 percent of the forests protected within OGMA's were actually old growth.





Public sentiment in rural communities is deeply divided over logging. At a community meeting in Argenta, BC, residents expressed strong opposition to plans being presented by a local timber company for logging in the forests surrounding their community, which includes several OGMA^s.



There is a long history of betrayal and mistrust with government and industry, Sylvan Dempster, a woodworker in Argenta, BC, says. The logging company has the power and the people don't.

DeCourcy says there are some documented examples of outright illegal logging inside of OGMA^s in the southern Kootenays, but this is not the primary reason for the discrepancy. It appears that some of the forest included in OGMA^s may not have been old growth in

the first place. In other areas, old growth might have been logged after the OGMA was established under clauses that allow industry to cut in OGMA following wildfires or forest disease outbreaks. And in others, timber companies could have moved the boundaries of an OGMA to log old growth and replaced it with forests that were not old growth.

Since the province has left it to industry to monitor its own activity, understanding what went wrong often proves to be very challenging. McKenzie concludes: "Old growth conservation within OGMA has been an illusion."

But not everyone agrees that the system is broken. Gerald Cordeiro, forest development manager for the timber company Kalesnikoff, says the OGMA system is "generally working pretty well." During a phone interview following my field trip with Utzig, he said that Kalesnikoff has "some flexibility" when it comes to old growth management, which allows them to work within OGMA, making minor adjustments to their boundaries when it makes sense for road building, planning cut blocks in adjacent forest lands, and dealing with insect and forest disease outbreaks.

Asked about the two logging operations I visited, he confirmed that the company had withdrawn its plans to cut part of the lower elevation OGMA due to the rare nature of the habitat.

"Government and industry are consistently setting aside the poorest forest, the smallest trees, as old growth protection areas."

As for the second OGMA area, where Kalesnikoff had logged old growth Engelmann spruce forest and replaced the area with a brush covered hillside and a creek already protected as a riparian corridor, he said, "We are comfortable that what we added was equal or better" than what was removed.

Cordeiro said that Kalesnikoff was abiding by the province's request to notify the forest ministry "anytime we have one of these small

incidental overlaps+with an OGMA while review of current systems failures is underway. %Anytime we see a reason to take out large chunks [of old growth] we refer that to [the] province before we go to layout.+

BECAUSE THE PROVINCE ITSELF DOESN'T TRACK old growth logging, it is hard to pin down where else British Columbia is failing to meet its own mandates for old growth retention. But reports from all over the province suggest problems extend well beyond the sites I visited.

A study initiated by the Ktunaxa in Elk Valley in southeastern BC, another portion of their traditional territory, found a significant deficit in low elevation old growth forests similar to what was uncovered in the WKES complaint.

On Vancouver Island, the province recently claimed that over one-sixth of the island still remains protected as old growth. But pressed for data to back this assertion up, the government could produce nothing. Jens Wieting, a forest protection campaigner working for Sierra Club BC on Vancouver Island, said his group tried to account for the 520,000 hectares the province claims is protected. %We couldn't find it,+he said.

%There is no way to find out+if the province is meeting its legal mandate to protect old growth on Vancouver Island, Wieting told me. %The government is not reporting how much is left on a landscape unit level ò I think it's possible that they could find a way to show that they have met their targets. But this would be insufficient because it doesn't differentiate between big tree ecosystems and low-productivity forest. Government and industry are consistently setting aside the poorest forest, the smallest trees, as old growth protection areas. They consistently select the big trees for keeping available for logging.+

A recent evaluation of the status of old growth in the province's

Kispiox and Cariboo mountains by Darwyn Coxson, professor of ecosystem science and management at the University of Northern BC in Prince George, found that about 70 to 90 percent of the forests in these regions were historically old growth. They are a fraction of that today.



Due to climate change, old growth rainforests like these in BC may never grow back again in the same way after logging, making them a non-renewable resource.

As in other parts of the province, Coxson found remaining old growth forest there is largely contained in isolated patches, and that current management isn't providing adequate protection. We are at a critical threshold for the survival of old growth dependent species, he said.

In fact, the government has known about these problems with OGMA management system for a while. Back in 2012, a Forest Practices Board investigation had found that the government's lack of a coordinated and uniform approach for tracking and monitoring old-growth retention is a significant problem. In many management areas the government does not know the extent of OGMA incursions

or if licensees have appropriately replaced harvested areas with other areas having equal or better old-growth attributes. The investigation made a number of recommendations about how to fulfill the province's conservation obligations, including developing a better OGMA tracking system, a consistent standard for identifying old growth, and a better strategy to assess the effectiveness of old growth retention. To date, none of these recommendations has been fully implemented.

Fortunately, an example of how BC can manage its forests sustainably - the 2016 Great Bear Rainforest Order - exists within the province itself. The result of decades of work by First Nations, the provincial government, environmentalists, and industry representatives, the GBR Agreements cover more than 6.4 million hectares of land, which include the traditional territories of 26 First Nations. The agreement incorporates ecosystem based management - an adaptive approach to managing human activities that seeks to ensure the coexistence of healthy, fully functioning ecosystems and human communities - as the cornerstone of sustainable forestry practice. The order allows for logging in only 15 percent of the forest landscape, and over 70 percent of the remaining old growth in the region is strictly protected.

BC is currently working on developing amendments to FRPA in an effort to improve oversight and accountability, develop stronger landscape-level plans, and address climate change. The details are not public yet but the revisions are scheduled to be implemented in the fall of 2020. Given that the province has said it will continue to try to strike a balance between industry and conservation, environmentalists and conservation groups are skeptical that these amendments will fundamentally alter the current situation.

Meanwhile, old growth logging continues across the province.

THIS IS, OF COURSE, a story many people are familiar with - the logging of a globally unique rainforest, the disregard for the rights of Indigenous peoples and their traditional territories, dire impacts on biodiversity and global climate, and industry which runs amuck despite, or at times abetted by, government regulations. But it's not a story we typically associate with a wealthy developed nation in the northern hemisphere.

Looking over Greg Utzig's shoulder again as he compared maps of another designated OGMA with the landscape around us in the Monashee mountains, the reality of the situation settles in for me. Despite the fact that the forest on both sides of the road had been logged within the past decade, we are indeed in the middle of an OGMA. Just outside this ostensibly protected area's boundaries, the spray painted marks on the trunks of several towering cedar trees bear witness to the presence of timber cruisers who determine the commercial value of the trees, a precursor to logging. Further up the slope, the big trees give way to logged forest where ancient hemlocks had been felled and sent to the mill to be peeled for plywood.

One way or another, old growth logging will come to an end BC in the twenty-first century - either because the province stops the continued liquidation of these forests or because industry just runs out of trees to cut. The massive trees that I can still see around me mark the last remnants of a forest lineage that began at the end of the last ice age. You just can't replace forests like these, Utzig tells me. They are so rare and with climate change they just aren't gonna come back in the same way.

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