# “THE COMMUNITY” FOREST TROJAN HORSE

## THE SUNSHINE COAST COMMUNITY FOREST PROPOSAL AND PROBATIONARY LICENSE IN TWO WATERSHED RESERVES

## A CASE HISTORY (2003 – 2008)

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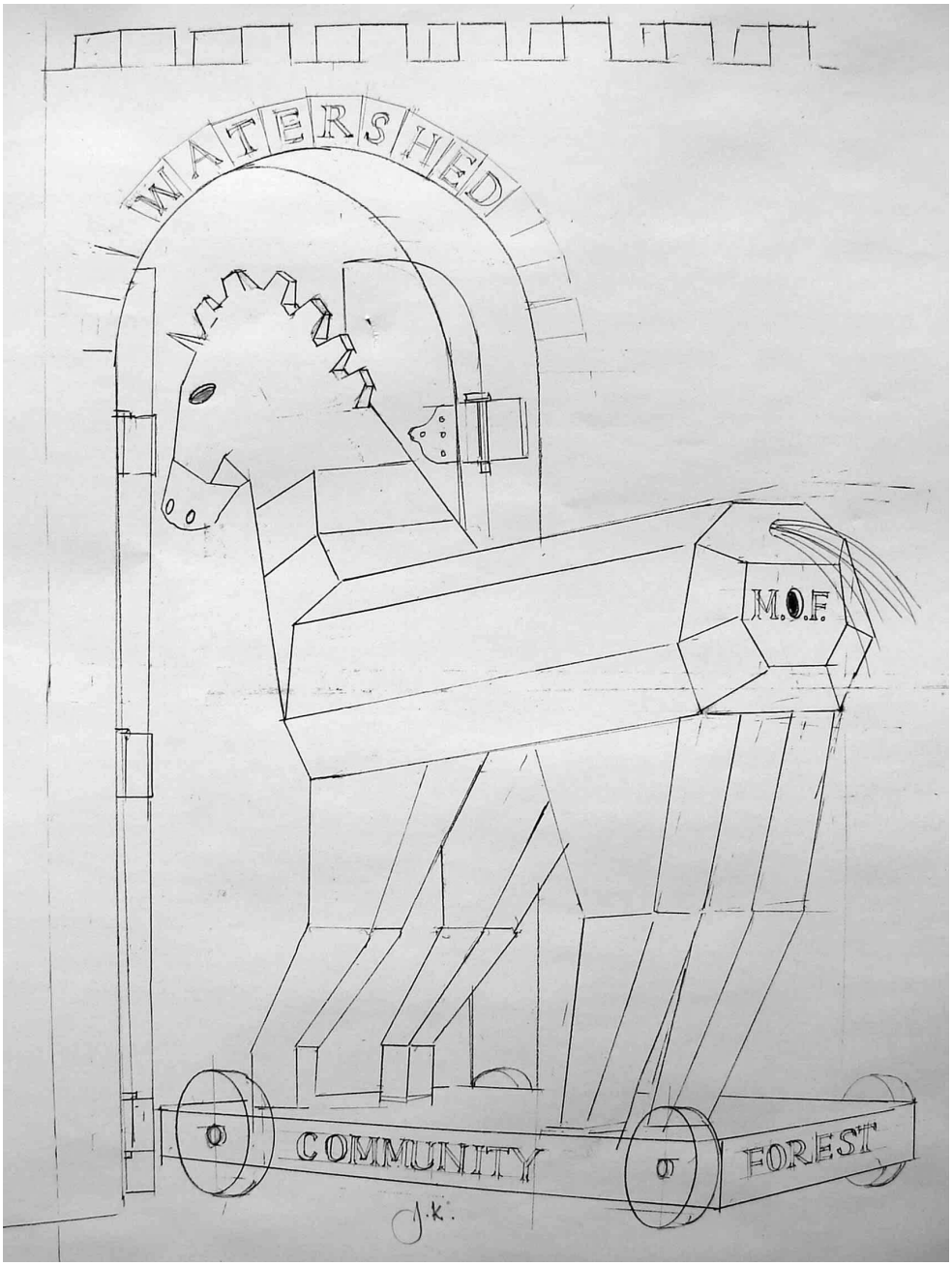


Drawing by John Keates, December 2007: inspired from a ‘meeting of minds’.

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## Abbreviations

COFI – (British Columbia) Council of Forest Industries
ILMB – Integrated Land Management Branch
Interfor – International Forest Products
IWMP – Integrated Watershed Management Plan
MLA – Member of the (provincial) Legislative Assembly
SCCA – Sunshine Coast Conservation Association
SCCFDC – Sunshine Coast Community Futures Development Corporation
SCFC – Sunshine Coast Forest Coalition
SCPI – Sechelt Community Projects Inc. (Sunshine Coast community forest)

# INTRODUCTION

The following case history is a controversial account about an initially secretive proposal by one party of Sechelt Community Projects Inc. (incorporated via the District of Sechelt on September 20, 2004) to include commercial logging in the Sunshine Coast Regional District's primary and secondary water supplies, the Chapman and Gray Creek Watershed Reserves, in a "community" forest license agreement. Three of the central players behind this mischief were: the Mayor of Sechelt, Cameron Reid, a strong political supporter of the B.C. Liberal Party and a former Sunshine Coast RCMP sergeant; his consultant, community forest operations manager, and Sunshine Coast Forest Coalition chairman Kevin Davie; and administrators with the Ministry of Forests and Range.

Contrary to key, consistent advice given to Mayor Reid and his community forest train by its former partner, the Sechelt (Shíshálh) Indian Band, and contrary to formal majority public ("community") opposition and an official Accord between the Sunshine Coast Regional District and the Sechelt First Nation, the Sunshine Coast Watershed Reserves were included by these "community" forest proponents in their application, through the consent of the Ministry of Forests. Despite continuous public opposition to this controversy by the Regional District, the Sechelt Indian Band, community associations and the Regional District public, the community forest directors marched stubbornly and arrogantly ahead until March 2008, when the issue came to a prompt, explosive end.

The particular historical accounts of this community forest process do not necessarily represent or pattern the other community forest processes in B.C. In this respect, this report is not meant to blemish or embarrass the many volunteers and advocates in B.C. who have dutifully devoted much of their recent life to implement this new form of community tenure governance. Though some elements of this controversy are reflective elsewhere, particularly when sensitive forest lands like drinking watershed sources and the public contest of them enter the fray, the nature of this account and its circumstances have their own specific quality. At its heart is a long-fought, localized struggle to protect drinking water against those who have and wish to continue to exploit it. In this instance, it is all about power and dominance by the forest industry collective to prevent another long-fought for precedent in a recent list of re-protected drinking watershed sources of Metro Vancouver (1999) and Greater Victoria (1994).

In addition to its numerous, continued complaints and appeals to the provincial government, the B.C. Tap Water Alliance wrote some seven years ago in a public review to the Forest Stewardship Council (FSC) B.C. Regional process that it welcomes the community forest tenure as an important, necessary and legitimate process – on one condition. Namely, stay out of community drinking watersheds.

> Alternative logging practices should not be conducted in domestic watersheds
> As an example of our concern, we submit a brief examination of the Creston Valley Forest Corporation (CVFC), established in 1997 to log Arrow Creek, the primary surface water supply for the communities of Creston and Erickson. We have reviewed the submission to the FSC by Jim Smith, the manager of the CVFC mentioned above, who is seeking FSC support for logging in Arrow Creek. Under Smith's comments for principle 9 of the
> FSC draft, regarding High Conservation Value Forests (HCVF's), is the following quote:
> I am concerned that blanket restrictions on logging in certain HCVF's (watersheds, etc.) may compromise the intent of the HCVF. In the case of [domestic] watersheds, logging should be allowed where it can be demonstrated that management actually maintains, protects, and/or enhances water resources.

> The point that we are seriously concerned about is that the FSC will be facilitating a precedent to log in domestic watersheds.
>
> The FSC text does not provide proper distinctions or clarifications on general forestry tenures from tenure operations in domestic watersheds. Rather, the text almost seems to treat managers applying for FSC approval under the same umbrella, in this case for some managers who either have a forest licence approved by the provincial government to log in a domestic watershed (despite the fact that the granting of the licence was contentious), or an operator who is a private landowner of a domestic watershed. This renders the FSC guidelines, from our point of view, quite vague. It would be more appropriate for the FSC guidelines to separate applicants who are logging in domestic watersheds.
>
> **Recommendations**
>
> It is our position that there should be no logging in domestic watersheds, and that the FSC should not support so-called alternative logging tenure applications and practices for certification in domestic water supplies. We believe that it is not in the public's greatest interest and good to meddle with domestic water supply forests. To simply "enhance" them as your text states overlooks the fact that these forest stands are of such high conservation value that they simply should not be logged.
>
> Rather, the FSC should help British Columbians to reenact provincial legislation to protect domestic watersheds from agricultural and industrial activities. Associated with this is the long term process needed to rehabilitate domestic watersheds that have been degraded by diverse, and in some cases, prolonged industrial practices. In doing so, we will develop consistent standards and achieve public confidence to help in alternate forestry practices that will lead to the long-term protection and integrity of our forests - and the protection of our domestic water supply sources. (*Submission by the B.C. Tap Water Alliance Regarding the Forest Stewardship Council's (FSC's) Second Draft for Regional Certification Standards*, September 10, 2001)

By all accounts, the origins and initiatives behind this recent logging agenda in community drinking watersheds are contrary to the descriptive qualifier of "community" forestry – it is what may properly be referred to as "anti-community". The missing element in the community forestry construct is the necessary right to reserve a drinking water watershed source area for intact single use, as was the tradition since the late 1800s not only in BC, but also throughout Canada and the United States.

Instead of "communities" constantly battling against the provincial government appointed landlord politicians, administrators and their forest industry clients, communities now battle amongst themselves, against those supposedly and ironically acting in the "community's" interests. This also would include a clever underhanded strategy to make local and Regional District ("third order") governments as incorporated logging partners in drinking watersheds. The names have simply been changed to protect the guilty. In no uncertain terms, it is the provincial government that is directly at fault for precipitating and invoking these new controversies, through a sleazy history of pushing development in highly sensitive watersheds that were formerly off-limits to logging and access.

## Conclusion

Community forest tenure in British Columbia is a recent phenomenon, ten years old. In the wider context, it came about as part of a global movement that sought to reshape and revolutionize the manner in which commercial logging ventures and incorporations manage public (and some private) forestlands, including the distribution and processing of timber, and the redirection of profits to community shareholders – hence, the virtuous social focus on "community control".

In B.C., elements of this concept were considered during the first and second Sloan Commissions on forest resources (1944-45, 1955-56) and then sidelined. Following an important period from the 1950s to 1970s, when the B.C. Forest Service wholesaled, reassessed and allocated timber licenses, no provincial Crown lands were left or considered for the community forest tenure. By the late 1980s, nearing the end of the mismanaged and widespread rapid slaughter of public forestlands by, predominantly, large Canadian and foreign integrated forest corporations, the concept of community forestry was actively re-considered. In the 1990s emerged several prominent spokespeople and academics which helped steer the fundamental concepts of community forestry into fruition, eventually leading to the introductory legislation enacted by the New Democratic Party administration in 1998. In 2002 came the formation of the B.C. Community Forest Association.

These social and alternative-minded advocates and processes, however, failed to consider and stipulate an important condition, namely how community watersheds, as recognized protected and sensitive forest land entities, should not fall to the axe in this new community vision.

At the hub or heart of the community forest formation and function are mechanisms meant to value and seek public approval and input from local or regional residents, otherwise referred to as "the community", which includes comprehensive disclosure of information to that community. In B.C.'s introduced legislation on community forest tenures, the definition of "community" was not well or carefully defined, as it should have been. That definition was hung out to dry, shackled to a long chain of complex sordid tales in B.C.'s controversial forestland and resource use decision making policies and practices. Unquestionably, the difficulty British Columbians have and now face is in overturning this ill tradition, to establish legislated, meaningful public input on decision processes for managing and operating public and private forest lands.

Only one lone, public representative voice in the Legislature is recorded asking relevant and astute questions directed toward the NDP Minister of Forests, David Zirnhelt, regarding the definitions of terminology and legal applications during the discussion of the community forest Bill. Here is a short excerpt in that long debate from independent Sunshine Coast MLA Gordon Wilson on July 21, 1998 (who would soon join with the ruling NDP and, ironically, become its Forests Minister):

> **Gordon Wilson:** In rising to speak to Bill 34, the Forests Statues Amendment Act, 1998, there are three real issues that come to mind. The first and, I think, one of the more important is the notion of the Ministry of Forests moving into community forest agreements as such and the definitions that are established within the act with respect to how these community forest agreements are going to operate….
>
> I'd like to go back one step. What I understand we're doing here. . . . Section 1(1) of the Forest Act is amended by adding the following definitions -- and it talks about a community forest agreement. But I don't see -- unless I've really missed something here, in which case I'd be happy for the minister to enlighten me -- where we have a definition of community forest and

> what that means, what its tenure means, who controls it, who makes decisions on it or how its application is going to be handled. Is it handled through the regional office, district office? Where is a community forest defined, spelled out, in terms of the jurisdictional questions that are obviously going to arise from people who might determine community as a regional district? It might be a subset of a subset within a larger electoral district; it might be a subset of a forest district. So how is community defined, what is a community forest, and where can I find that definition? (Hansard)

In this case history study of the shady Sunshine Coast community forest application process and the awarding of a Probationary License ultimately through the Minister of Forests and Range's discretionary powers, public involvement and public disclosure were circumvented by the B.C. Liberal Party administration in order to include the highly contested drinking Watershed Reserves of Chapman and Gray Creeks. These Reserves, as legislated entities, continue to be ignored. In addition, this provincial administration has also excised the Community Forest Advisory Committee as a former oversight body which had been correctly critical of the Sunshine Coast application.

In line with efforts to avoid direct public input, and as another example of the limitations in the legislation and regulation of community forest tenures, the Board of Sechelt Community Projects Inc. disallows members of its own local advisory committee and the public from attending and monitoring its regular meetings. In other words, the decisions and comments by the Board are conducted in secret (in-camera), once again making serious mockery of the word "community".

As indicated from available, existing records the Sunshine Coast Forest Coalition and the Ministry of Forests are primarily responsible for engaging the goals of this public controversy to include the Chapman and Gray community watersheds in the community forest. As is known, the forest industry and the Ministry of Forests are old and keen allies in the ongoing controversies and public battles about logging in formerly protected and legislatively reserved drinking watersheds. Sunshine Coast community forest directors, such as Peter Moonen, Brian Carson, and former Interfor CEO Bob Sitter are advocates for logging in community watersheds, and the community forest's operations manager Kevin Davie was, or still is, the chair of the Sunshine Coast Forest Coalition.

Given the background information about the facts presented in this case history study, and the long-held public opposition to logging in the two community watersheds, there are important questions that need to be raised about the Sunshine Coast community forest tenure. One of them should ask what the ultimate objective for including the community watersheds were – was it a goal to possibly prevent another precedent from occurring to protect drinking watersheds in general? Was the community forest tenure being used much like a Trojan Horse to help ambush and divide the Sunshine Coast Regional District community and the larger provincial community forest context on the protection of community watersheds?

With the two Watershed Reserves now held in abeyance, or off-limits, as a result of the Sechelt Indian Band's Interim Measures, whither does the Sunshine Coast community forest go to from here? Unfortunately, the Sunshine Coast "community" has learned something very important, that it cannot trust its community forest directors and sponsors. What should happen, as opposed to what probably will, is that the community forest process should start afresh, with a new application process and foundation, with different directors, with proper public involvement and disclosure, and the end of secret community forest Board meetings. It is a struggle perhaps worth fighting for.