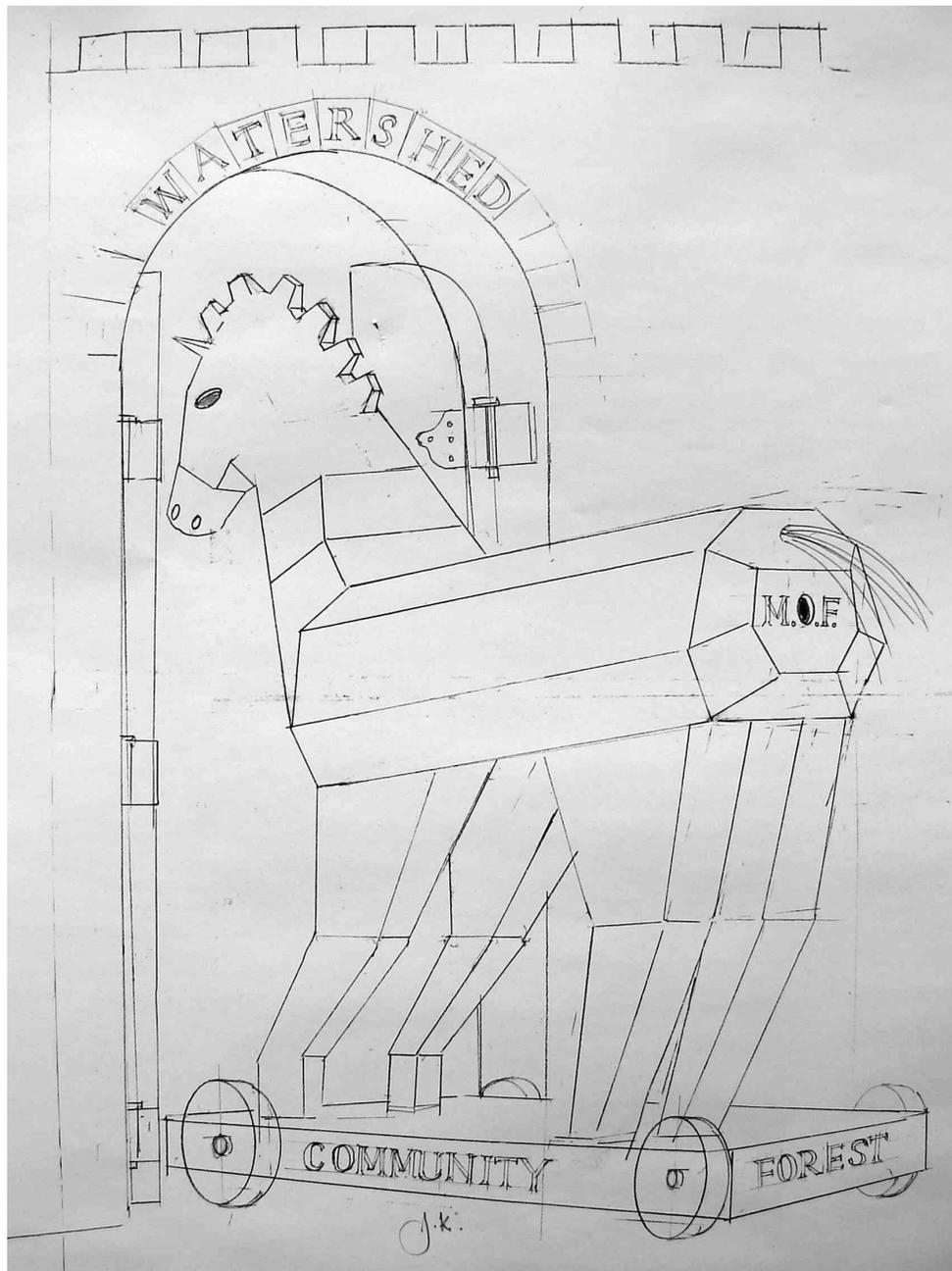


“THE COMMUNITY” FOREST TROJAN HORSE

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

A CASE HISTORY (2003 – 2008)

By Will Koop
May 20, 2008



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)
SCRD – Sunshine Coast Regional District

FOREWORD AND ACKNOWLEDGEMENTS

This case history report about the Sunshine Coast Community forest, “*The Community*” *Forest Trojan Horse*, was finalized and released ahead of schedule. A much shorter version of the present document was intended to be part of an upcoming report on the history of community forest tenures and commercial logging in British Columbia’s (B.C.’s) community drinking watersheds. Though a functional part of that anticipated document, this expanded version has since taken on a life of its own.

This document also marks the first appearance in a series of future reports by the B.C. Tap Water Alliance introduced under a renewed caption and theme of *Watershed Intelligence*. In the mid-1990s, two members of the Friends of the Watersheds, the author and Ross Muirhead, co-wrote and published two issues of *Watershed Intelligence* (Spring, 1995, Winter 1996). The Friends of the Watersheds’ was formed in the mid-1990s to re-protect Greater Vancouver’s (recently renamed “Metro Vancouver’s”) legislatively protected drinking watersheds. When the B.C. Tap Water Alliance was formed in February 1997, its Coordinator (this report’s author) was still an active member of the Friends.

The aim of *Watershed Intelligence* was to inform and educate the public and its administrative and political representatives about the Capilano, Seymour and Coquitlam watersheds through a creatively investigative approach. The same goal is intended here, but now aimed at a larger provincial perspective and audience, namely the protection of BC’s drinking watersheds. Because of the publication’s attractive and compelling title, it has decidedly been resurrected to fill an important niche.

Many activist residents on the Sunshine Coast kindly provided me with information and contextual insights and will go unnamed. I would like to thank both the Gibson Museum and Archives, and the Sechelt Public Library Archives for access to their records. Thanks also to the Sunshine Coast Regional District for permission to view some of its records, and to the Sunshine Coast Conservation Association for access to its records, information and advice.

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.

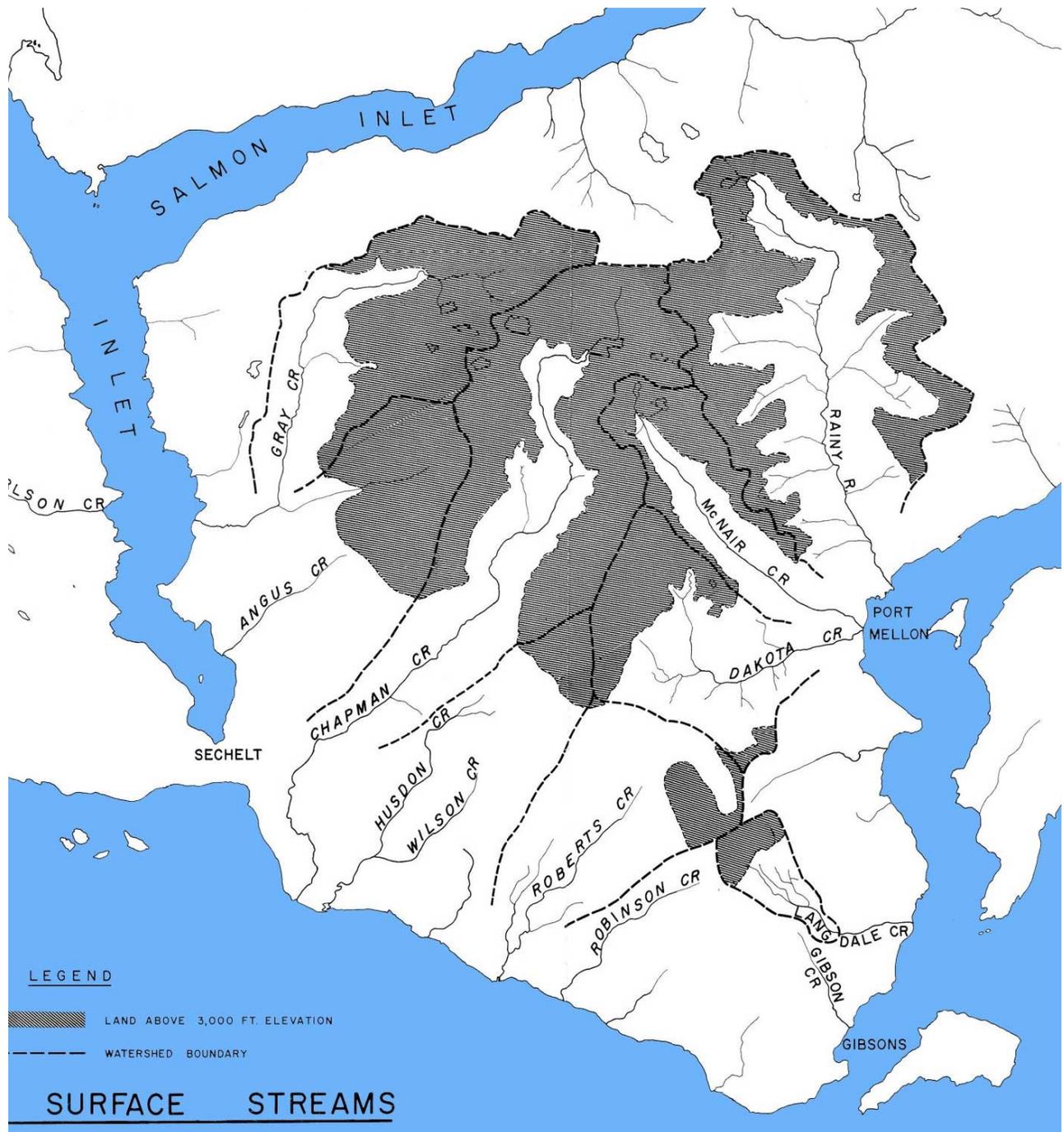
Recommendations

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.



Copy of location map (with added blue color, showing ocean area) of southeastern segment of the Sunshine Coast Regional District boundary, showing creek areas. Source: 1968 Dayton & Knight Ltd. report, *Sunshine Coast Waterworks Survey – Report on Water Supply*.

OPENING QUOTATIONS

Asked if the new organization [the Sunshine Coast Forest Coalition] is being set up to counter the activity of organizations like the Sunshine Coast Resources Council, which is pushing for a community forest on the Coast, Bakewell agreed that it was. ([Sunshine Coast Forest] Coalition to fight for forestry, Sechelt Press, March 15, 1995)

Sunshine Coast (B.C. Liberal Party) MLA Harold Long: *Today in the galleries I have three friends and constituents from the Sunshine Coast. I want to introduce in the House today Mr. Cam Reid, the mayor of Sechelt; Ray Parfitt, the city planner for Sechelt; and another friend, Kevin Davie, who is the chair of the Sunshine Coast Forest Coalition. I'd like this House to make them very, very welcome. (Hansard, Legislative Assembly, March 10, 2004, Afternoon Sitting)*

What Did We Do? Concept was developed and presented to District of Sechelt Council. Local MLA was kept informed. Meeting was held with Minister De Jong. Maintained a low profile... Recommendations... Build credibility in community and government. (Power Point presentation by Kevin Davie, Anik Consulting Ltd., Sechelt, B.C., Annual meeting of the B.C. Community Forest Association, April 15-17, 2004)

There was a direct invitation to the District of Sechelt. The minister [of Forests] has already tipped his hand that he would like the District of Sechelt to get a community forest," said Hemphill in an interview after the meeting. "They're well aware of the history down here. The divided opinions won't be a shock to anybody." (Coast Reporter, April 22, 2005. Greg Hemphill, Sechelt District Forest Manager, Ministry of Forests)

*Critical questions regarding community forests include: 1. What is community? It is a powerful notion and often self-defined. I use the municipal model.... There are potential weaknesses of community forestry. On the whole it has been extremely successful, but it is only one tool in a toolbox. It is important to take a cool unromantic view of it and not to overlook things. There must be adequate public participation. Potential weaknesses include: 1. Low levels of public participation. (Paul Mitchell-Banks, panelist at the November 4-6, 1999 conference, *Forest Tenure Reform: A Path to Community Prosperity?* Workshop Summary, page 40)*

*The Ministry of Forests has offered several CFAs [Community Forest Agreements] located in socially contentious areas such as local watersheds as a strategy to access timber that was previously inaccessible. There are concerns about the manner in which the community forest program is being implemented and administered by the Ministry of Forests, and people fear that the 'community' aspect of community forestry is being eroded to the point that the CFA is beginning to look like just another industrial license. (Lisa Ambus, *Great Expectations for Community Forests in B.C.*, June 9, 2006, published on the Dogwood Initiatives website.)*

Dan Bouman, Executive Director of the Sunshine Coast Conservation Association told the Local, "What's happened here is that the Community Forest is attempting an activity that promotes logging in the community watershed. We are not surprised at this because the so-called "community" forest is and always has been primarily about forcing logging on the public in the Chapman and Gray drinking watersheds." (Community Forests Embroiled in Watershed Conflict, The Local newspaper, March 13, 2008)

1. History of Sunshine Coast Community Opposition

When the SCRD [Sunshine Coast Regional District] was first formed forty-one years ago on January 12, 1967, the new directors, anchored through long-held common public concerns, rallied together passionately to protect the new District's drinking water sources. As described in an article in the Coast News, the new Directors at an April 28th meeting in 1967 "saw fit to seek the preservation of Chapman creek watershed for area domestic use". Other articles in the Coast News indicate that their concerns for such protection had already been heralded a year earlier, even before the formation of the Regional District with preliminary visionary plans to supply bulk fresh water from Chapman Creek to villages and communities from West Sechelt to Gibsons.

The concerns about watershed protection were not limited to Chapman Creek, but to all the drinking water sources in the SCRD's newly formed boundaries. For instance at a Board Meeting on September 25, 1969, it was "Moved by Director Gilker, Sec. by Director Peterson that past correspondence regarding the preservation of Chapman Creek Watershed and others be studied and presented to the Board with a view to ensuring full protection of the watersheds throughout the area." By February 8, 1972, the SCRD Water Committee "discussed the proposal to obtain the function of preservation of watershed areas and decided to recommend to the Board that the Minister of Municipal Affairs be requested to grant this function." (Letter to the editor, The Local, by Will Koop, BC Tap Water Alliance, January 10, 2008)

Even prior to the formation of the Sunshine Coast Regional District (SCRD) in January 1967, local village and area Water Board representatives throughout the newly established political boundaries of the Sunshine Coast formally advocated for local government control and opposition to logging activities by forestry giant MacMillan Bloedel in the Chapman Creek watershed, and also against other logging proposals and ventures in Sunshine Coast community drinking watersheds. At the time, the Chapman (previously called Mission Creek), a 6,250 hectare watershed (area defined above the water intake), was the source of drinking water for its licensed distributor, the Sechelt Waterworks Company, a water license held by the company since 1929 for the Town of Sechelt. Between October, 1968 and early 1971, the newly formed SCRD Board negotiated the takeover of the Sechelt Waterworks Company under its new function as a collective Regional Water Board for greater and efficient control over water distribution. As evidenced through the formation of the Greater Vancouver Water District in 1926, drinking, or consumptive, water use was the cornerstone or prime directive of regional government function.

As recommended in a report presented to Gibsons Council by engineering consultant J.J. Dayton in November, 1965 (who soon would establish the engineering consulting firm of Dayton & Knight), Chapman Creek was fated to become the SCRD's primary drinking water source.

After five years of wrangling by the SCRD with the provincial government to gain legislative protection over Chapman Creek, in the early 1970s the SCRD applied to the Ministry of Lands for a long term *Land Act* lease agreement as a means of obtaining independent protective control over the Chapman watershed which the government promptly denied. Following a second similar request in 1993 it was denied again. The SCRD desired the same perpetual protection granted to the Greater

Vancouver Water District by the provincial government in 1927 and 1942 for a lease of Crown lands over the District's three watershed sources, the Capilano, Seymour, and Coquitlam, legislation specifically established by the provincial government for such requests one hundred years ago in 1908.

In August of 1974, after years of repeated entreaties by the SCR D, the Chapman Creek watershed was granted protective powers as a Watershed Map Reserve under the *Land Act* by the provincial Community Watersheds Task Force (1972-1980). The *Land Act* legislation for such reserves provides protection over the boundaries of a defined watershed area from all logging proposals (its legal term, "dispositions"), and is commonly used by the B.C. government for interim and perpetual protection of Crown lands. For instance, all the Ecological Reserves created since the early 1970s were, according to internal government correspondence in 1990, initially all *Land Act* Map Reserves – in 1990 Environment Ministry staff encouraged the Map Reserves to achieve permanent protection through Order-in-Council Cabinet decisions.

Ignoring this protective status in Chapman Creek as Watershed Map Reserve, the Ministry of Forests wrongly allowed logging to continue, a period of continued destructive road building and logging over the subsequent decades. By 1975, following a two-year investigation by an inter-governmental committee for the Community Watershed Task Force into water quality on Chapman Creek, the government established an area of protection at the headwaters of Chapman and Gray Creek locally known as the Tetrahedron, a separate Reserve within an already established Watershed Reserve over Chapman Creek. That inner Reserve was quietly dismantled by the Ministry of Forests in the late 1980s prior to International Forest Products acquisition of the Jackson Brothers Logging company chart area.

All the provincial Watershed Reserves were later conveniently called into legal question by the provincial government following a controversial Supreme Court decision (Nelson, B.C.) in July 1997 by Justice Paris, where critical government *Land Act* files concerning Bartlett and Mountain Chief Creeks were apparently shredded to make it appear to the Court as though the two Watershed Reserves in question near the town of Silverton were never established, despite corroborating, ample evidence to the contrary. Following the decision, provincial government staff with the Ministry of Environment and Forests then stated and wrote that the Ministry of Forests could freely issue logging and road permits in the Chapman and Gray Watershed Reserves at its own behest.

The 1990s witnessed an intense, extended and pitched battle by SCR D residents, activists and politicians to put an end to the logging to protect the two sources of drinking water, the Chapman and Gray Creek (Category 2) Watershed Reserves (Gray Creek became a Reserve in 1987). This occurred during the Ministry of Forests and Environment's formal public planning proceedings from 1990-1998 through an Integrated Watershed Management Plan (IWMP). Government records reveal that the Ministry of Environment originally proposed an IWMP for the Chapman five years previous in 1985. However, after years of delays when the IWMP came into effect in 1990, the government bodies responsible for the review never explained to the SCR D public the reason for the IWMP: it was directly related to the status of the two watersheds as Watershed Reserves. What was left unexplained was that if the IWMP process recommendations by the government for timber or other commercial resource management extraction were not formally accepted by the SCR D public (the designated holder of the Reserves) during this process, the function of the Reserves as protective entities, which the Ministry of Forests continued to ignore, would remain in force.

And, what made the situation even more incriminating was the fact that the words *Land Act* “Reserve”, “Map Reserve”, or “Watershed Reserve” never appeared in the text or glossary of the three draft and final IWMP documents, as was apparently the case in all other IWMP processes for other BC Reserves. As documented in Koop’s 2006 book, *From Wisdom to Tyranny: A History of British Columbia’s Drinking Watershed Reserves*, the Ministry of Forests was on a defiant path to ignore and bury the Reserves.

Eventually finalized in 1998 after undergoing two draft documents in 1994 and 1996 (it was initially intended to be completed by the end of 1990), the IWMP was never signed because the SCR D rejected the document’s controversial recommendations for commercial forestry and newly proposed gravel mining following a public referendum on May 2, 1998.

Near the beginning of the planning review process, the SCR D threatened two separate legal actions against the government in 1991 and 1992. A year before the first legal threat, the SCR D Board passed the following resolution, which included a recommendation for the Board’s legal counsel:

Watershed. THAT the verbal report by Director J. Gurney on the Integrated Watershed Management Planning Committee be received;
AND WHEREAS there is no evidence that the recommendations by the Ministry of Forests in 1974-75 for remedial action in the Chapman Creek area have been undertaken;
THAT the Regional District staff undertake to video tape the sections of road outlined in the 15 year old Ministry of Forests report, graphically pointing out that nothing has been done, and the situation is now much worse;
AND THAT the Regional District call upon the Ministry of Forests to take the remedial action they recommended 15 years ago;
AND THAT copies of the letter and video be sent to the Minister of Forests, Minister of Environment and Minister of Municipal Affairs;
AND THAT this issue be referred to the Regional District solicitor for comment on compensation;

AND THAT this issue also be referred to the Ombudsman for comment with respect to compensation for damage to our watershed caused by logging in the watershed area.
(Minutes of the regular Board meeting, May 24, 1990)

On March 28, 1991, the SCR D Board carried and recommended:

THAT a letter be sent to B. Mountain, District Manager, Ministry of Forests, advising him that the Regional District is still not in receipt of a firm commitment from the Ministry of Forests with respect to further remedial action to stabilize the detrimental effects of past logging activities in the watershed; and unless a written commitment is received within two weeks the Board will bring forward Motion No. 1131/90 to reconsider obtaining an injunction to stop any logging and logging related activities on the Chapman and Gray Creek watersheds.

Two months later on May 23, 1991, the SCR D entertained a follow-up motion:

THAT the Regional District pursue a court order which would require the parties responsible to undertake the reclamation of the Chapman and Gray Creeks watershed areas;

AND THAT compensation be sought for damages to the Regional District water system.

In the second action in November 1992,

THAT the Sunshine Coast Regional District solicitor be instructed to seek an injunction, based on the 1974 Ministry of Forests report, to halt all logging in the Chapman Creek drainage area until the Integrated Watershed Management Plan process is complete (Board Minutes, October 15, 1992)

The SCRCD's B.C. Supreme Court injunction application in late November, 1992 against the Ministry of Forests' extreme mismanagement of the Reserves was postponed due to negotiations with the government and Interfor. By May 20, 1993, the SCRCD took a renewed interest in the injunction after Interfor gave notice of a logging proposal in the Chapman watershed, and then the matter was held off again a week later. By June 8th, the SCRCD threatened the injunction again, and more out-of-court discussions continued. The injunction was finally put aside on June 21, 1993, after "an out-of-court agreement which will see a 15-hectare cutblock in the lower Chapman watershed logged in return for preservation of a "significant portion" of the upper Tetrahedron Plateau... Interfor also agreed not to seek any new cutblocks in the watershed until after a new management plan is completed" (*SCRCD, Interfor negotiate Chapman trade*, Coast News Weekender, June 24, 1993). Another condition in the out-of-court agreement was for Interfor to act as a lobbyist for the SCRCD to help it acquire from the provincial government a long-term lease of crown lands in the watersheds, a condition that Interfor never diligently pursued.

Eventually, after seemingly unending skirmishes during the IWMP years, the SCRCD held a referendum on May 2, 1998 on the IWMP final document's recommendations, where 88 percent of the voting public rejected the government's proposals for more logging and the initiation of gravel mining. Despite this almost unanimous public vote, and the constant following entreaties and private meetings by the SCRCD with the provincial government to protect the watersheds and to grant the SCRCD control over the watersheds to do so, the NDP government initially ignored the SCRCD. Later, that government showed conciliatory interest in early 2001 through efforts negotiated between the SCRCD and the Sechelt Nation Accord process. When the B.C. Liberal Party administration came into power in the Spring of 2001, it stood fast and stubbornly held its position against the SCRCD's determination to protect its two watershed sources, and refused to acknowledge or honor the Accord process, that is, until recently, in March 2008, under legal threat from the Sechelt Indian Band.

A critical milestone on the protection of the watersheds by the SCRCD was the meeting at the Sechelt First Nation Long House in the town of Sechelt on March 25, 2001, where an agreement was signed by NDP Minister of Forests and Sunshine Coast MLA Gordon Wilson (the author of this report attended the ceremony). The agreement allowed the SCRCD and the Sechelt Nation to come to an Accord over the two watersheds, whereupon the provincial government would then hopefully agree to honor the Accord. Upcoming Sunshine Coast B.C. Liberal MLA candidate for the May 2001 election, Harold Long, also attended the Long House meeting, where he witnessed the ceremony, speakers and signing. The Accord was first drafted in late 2002, where it was agreed by the two parties to protect the Watershed Reserves. The Accord was first signed in September 2003, and finally ratified by the two parties (including all SCRCD member village, town, district and area representatives) on October 1, 2005.

In September 2003, a *Watershed Accord* was signed between the *shishálh* Nation and the SCRDR, for the purpose of protecting community water drinking resources in the *ts'úkw'um stulu* (Chapman Creek) and Gray Creek watersheds. This agreement commits both parties to “sharing of responsibility and the decision-making processes in respect of the shared management of the watersheds” and “for the sharing of the costs, expenses and liabilities from the shared management of the watersheds.” Working together, the SCRDR and the *shishálh* Nation are seeking the authority to review all applications for industrial, commercial, recreational or other activities within the watershed, and the right to approve or disapprove of such activities if they may impact the potable water supply.

In October 2005, a further *Joint Water Management Agreement* was established to co-manage these watersheds. This Agreement created a Joint Water Management Advisory Committee (JWMC), which includes equal representation from the SCRDR and the *shishálh* Nation. (*A Strategic Land Use Plan for the Shishálh Nation*, draft, January 2007, page 34)

On the morning of May 22, 2002, in a small corner in the Victoria Legislature’s cafeteria, three representatives from the SCRDR, the Sechelt Nation and the Sunshine Coast Conservation Association presented B.C. Liberal and Sunshine Coast MLA Harold Long with a thick 5,000 signature petition document from SCRDR residents to protect the Chapman and Gray watersheds. The author of this report happened to be in the vicinity of the Legislature at the time, and was given permission to attend, witness and photograph the meeting. The reason why these representatives appeared in Victoria to personally hand MLA Harold Long the petition were twofold:

- the B.C. Liberal Party Cabinet, through the Minister and Ministry of Forests, was ignoring the Accord process;
- and, secondly, Harold Long had consistently evaded meetings about this matter with his concerned constituents on the Sunshine Coast.

The petition was to remind Long and the B.C. Liberal government majority of their duty to protect the two Watershed Reserves and to provide the SCRDR with administrative control over the watersheds for their complete protection. However, what actually transpired afterwards were secret discussions which involved the MLA, the Minister and Ministry of Forests, and others, to work against the Watershed Accord.

A tense battle between Sunshine Coast taxpayers and the provincial government promises to heat up next week when angry residents present the legislature with a petition demanding control of the community’s water supply.

Nearly 6,000 residents have lent their names to a drive organized by groups who claim the [B.C.] Liberals can’t be trusted to protect the Chapman and Gray creeks watersheds after recently approving logging in the area following a 10-year moratorium.

“The government is making cuts so deep that we feel that there is no accountability, no agency that has the mandate now or ability to monitor or enforce standards in the area,” said Linda Williams, who heads one of the groups which form the Sunshine Coast Conservation Association.

Sunshine Coast Regional District chairman Don Murray will present the petition to local Liberal MLA Harold Long next Wednesday, along with Sechelt Indian band Chief Garry Feschuk and a representative of the Sunshine Coast Water First Committee.

Williams said the recent decision to end the moratorium saw the watersheds placed back in the working forest, at the mercy of the government.

Long said he’ll present the petition, but feels the community would be better off working with the ministries of forests and environment to protect the water.

He says logging can be done without affecting the water and feels the number of names reflects a motherhood issue of clean water, not self-management of the supply.

“I will take it to the legislature. We just see it a tad different,” he said yesterday.

“They say watersheds. I guess the Sahara Desert’s a watershed – but a poor one.” (*Residents gird for water battle*, The Province newspaper, May 24, 2002)

Mainly due to the Accord, and the SCR D's strong resolution to protect the Watershed Reserves, on May 23, 2003, some four months before the signing of the Accord, International Forest Products (Interfor), the forest licensee which obtained the Chart area in Chapman and Gray Creeks from Jackson Brothers Logging in early 1990, announced that it was voluntarily withdrawing its commercial forestry license (Chart area) from the two watersheds (see Appendix A for a press release). Amidst the politics by the B.C. Liberal Party government to ignore the Accord process, it was just prior to and during Interfor's period of retreat when the concept for a Community Forest Tenure License to log in the SCR D's Watershed Reserves earnestly began.

2. The Community Forest Application before the District of Sechelt

Just over a year after the formation of the B.C. Community Forest Association in March 2002, and five days after Interfor announced its withdrawal from the SCRCD's two Watershed Reserves, two interrelated proposals were presented on May 28, 2003, at a Special Meeting by District of Sechelt Council.



First, the Sunshine Coast Forest Coalition (through coordinator Kevin Davie of Anik Consulting) and the Sechelt Indian Government Nation presented a “softwood industry community economic adjustment initiative proposal” (“to define a corporate governance structure for a Community Forest”, Item 3.2). Information provided to Sechelt Council stated that loan and funding arrangements for the proposal was to be accomplished through two government agencies: the federal government’s Western Economic Diversification; and the Sunshine Coast arm of the British Columbia Futures Development Corporation.

A May 26 report to Sechelt Mayor and Councilors described that the Sunshine Coast Regional District had “explored creation of a community forest during 2001 and 2002”. However, the SCRCD “cancelled the initiative, as it was not able to bridge the competing interests that it was to serve.” The report also recommended three alternatives for Sechelt Council to “submit an application for a grant ... to define a corporate governance structure for a Community Forest.”

The Sunshine Coast Conservation Association’s website summarized that it:

has been an active supporter of community forestry for the Sunshine Coast since its inception in 1997. Our former director Dr. Colin Campbell, for example, was very involved with the Sunshine Coast Regional District in 2001 in promoting the idea of a community forest. This initiative was not successful largely because of a lack of support from the Ministry of Forests.

Under a section called *Policy Implications*, the May 26th report identified how “part of the project will be to engage in community dialogue before proceeding, to ensure the project meets community goals.” This “community dialogue” failed to occur before the first application of September 2004, and afterwards. Part of the *Project Elements* in an attached Draft Letter of Expression of Interest to the Minister of Forests’ Advisory Group, was “to identify and negotiate available timber,” and under *Project Work Program*, to “identify accessible [unallocated] timber.”

Normally, the Ministry of Forests would consider community forest proposals through provincial forest land “take backs”. These are lands removed from allocated timber license holders, part of a program established since the 1997-1998 Jobs & Timber Accord to provide tenure lands for community forests. Unlike the “take back” scenarios, in this case Interfor had voluntarily abandoned its tenure from the two watersheds. As a result, the community watersheds’ lands were under internal re-consideration by the Ministry of Forests, despite the SCRCD’s and the Band’s objections to future logging which had ironically forced Interfor’s retreat.

In District of Sechelt's Report Item 3.3, dated May 27, 2003, was a proposal to "enter into a partnership with the Sechelt Indian Band and local businesses to operate a community forest," identifying that such a "proposal supports the concept of regional cooperation." The Sunshine Coast Forest Coalition was an integral member of the proposal, as identified in a draft May 26, 2003, letter to Forests Minister De Jong:

Please accept this as an expression of interest, by the District of Sechelt, the Sechelt Indian Band and the Sunshine Coast Forest Coalition, for a Community Forest Tenure.

1. Description of Community. The District of Sechelt and the Sechelt Indian Band are situated in the center of the Sunshine Coast Peninsula. The Sunshine Coast has a population of approximately 30,000 and is a forest dependent community.... The Sunshine Coast peninsula is home to the most valuable as well as fastest growing timber species in B.C.. While local forests are an important economic source of direct forestry income, they are also required for: Recreation; Non-timber Forest Botanical; Community Water Supplies; Spiritual; and First Nations traditional use.

4. Public Involvement. A vision of Community Forest is one of economic and social benefits and consultative involvement of the Sunshine Coast Community. Community outreach in both the development and later the management planning stages will be important in guiding the vision in developing the Forest Management Plan.

5. Legal Entity. The Community Forest will be a legally incorporated entity made up of community shareholders. An experienced forestry operation expert will manage the various administrative and operational requirements using contractors within the community. A Board of Directors will be responsible for the direction of the corporation and responsible to shareholders. Community input will be sought yearly and representation on the Board of Directors is envisaged.

Conclusion. The proponents of this expression of interest have broad community support as well as from the industry. Other local governments will be invited to participate as well as community groups.... Once we have received some funding and a favourable response from Government, we will seek the necessary expertise to draft an action plan and begin community outreach. (Signatures in draft letter: Sechelt Mayor Cameron Reid, Sunshine Coast Forest Coalition Chair and Coordinator Kevin Davie, and Sechelt Indian Band Chief Garry Feschuk)

About a year and a half later, the B.C. Ministry of Forests published a News Release, *Sunshine Coast Gains Community Forest Opportunity*.

SECHELT – MLA Harold Long and Minister of State for Forestry Operations Roger Harris today extended an invitation to Sechelt to apply for a community forest agreement, bringing economic benefits and control of local forest resources to the Sunshine Coast.

"Communities have asked for greater control of their local resources, and this government has listened by following through on our Forestry Revitalization Plan," said Harris. "A community forest tenure will allow Sechelt to make decisions about its forest resources to meet the economic, social and environmental needs of the community."

“We are thrilled the provincial government is providing this opportunity – it is a great fit for our community,” said Sechelt Mayor Cameron Reid. “A community forest tenure will allow us to derive revenues from our local forest resource while managing that resource in a way that reflects our community values.” (September 17, 2004)

3. The Sunshine Coast Forest Coalition

Dear Sirs: Among the objectives of the Sunshine Coast Forest Coalition is the protection of the Working Forest Land Base. (Letter to the Environmental Assessment Office, Victoria, from Kevin Davie, Chair, Sunshine Coast Forest Coalition, April 3, 1998)

Claude Boivert's Question: After reading the [Coast] Reporter, the proposal seems to be drawing a fair bit of flack with regards to the [Chapman and Gray] watershed being included in the proposal. Is the SCRD going to insist the watershed be removed before giving their blessing, or do you sense they may see this as an opportunity to gain a measure of control over the area? (This last point seems to be vigorously contested in the press by the Sunshine Conservation Association.)

Kevin Davie Answer: The Sunshine Coast has a history of people who rightfully or wrongfully oppose change. We think that a Community Forest Tenure has more management control over forest resources than either B.C. Timber Sales or other licensees because it is an area based tenure. Not only that, the directors are appointed by a publicly elected body and the public itself. (Sechelt Community forest website questions, March 15, 2005)

D. Bakewell: *My name is David Bakewell. I live at Roberts Creek here on the Sunshine Coast. Mr. Chairman and members of the Select Standing Committee on Aboriginal Affairs, your published terms of reference invite persons to present their views on the Nisga'a agreement-in-principle. My opinions are influenced by some 50 years of working on projects related to forest tenures, industrial wood supplies, land uses and forestry policies, and associations with forest workers and forest-dependent communities. I am the interim chairman of the Sunshine Coast Forest Coalition, which is a voluntary organization with some 550 paid-up private members and 50 companies and businesses. Today I am expressing my own opinions, which are necessarily not those of the coalition.*

Will the advent of unknown aboriginal settlements add to the insecurities of investment in B.C., which is already clouded by uncoordinated policies and programs like the Commission on Resources and Environment -- commonly known as CORE -- or the protected-areas strategy or the timber supply reviews?

In conclusion, I submit that the Nisga'a agreement-in-principle removes a significant tract of land from the working forest, does not secure the right of fair compensation for existing licensees and tenure holders, provides no long-term support or protection for forest workers affected by the land transfers, entrenches in the constitution new levels of bureaucracy -- with resulting added cost to the Crown and industry -- and does not provide certainty at the level required. The Nisga'a AIP needs appreciable review and amendment to make sure that it's fair, explainable, feasible to implement and provides finality. Furthermore, the Nisga'a AIP should not contain precedents which cannot be fulfilled in any other treaty negotiations. (Transcript of Proceedings, Hansard, Select Standing Committee on Aboriginal Affairs, Sechelt, October 15, 1996)

In the matter of the May, 2003 Sunshine Coast community forest application are two important questions: what is the Sunshine Coast Forest Coalition (SCFC), and what are its objectives and aims? The answers to the questions, provided below, provide an interesting perspective.

According to newspapers articles in early 1995, the SCFC was formed sometime in late 1994, and only became public knowledge in March 1995 during a promotional period by the Coalition. A review of local newspapers (see Appendix B for a reference list of Sunshine Coast newspaper articles) indicates that nothing was publicized or advertised about the SCFC before March 1995.

Approximately 100 people attended the Saturday afternoon meeting held in the Roberts Creek hall (“first meeting of the Sunshine Coast Forest Coalition”). Displays of maps indicated the local forests being considered for protection. Canadian Women in Timber were selling t-shirts and bumper stickers, and a banner declared, “Sunshine coast loggers: A benefit to everyone since 1880.”

Speakers included MLA Gordon Wilson, Liberal candidate Cam Reid and Port McNeill mayor Gerry Furney, who is head of the B.C. Coalition of Coalitions.

The Coalition started in February [1995], and now numbers 375 members: 7 forest companies, 21 other businesses, 50 individuals and 276 families. Its bank account stands at \$26,000. (*Forest Coalition seeks to protect jobs*, Sunshine Press, June 12, 1995)

Another account in a March 2001 written submission to the Sunshine Coast Regional District (SCRD) by SCFC Chair Kevin Davie about the “Working Forest” suggests that the SCFC was already formed sometime in 1992. In yet another written presentation on June 29, 2002 by Kevin Davie to University of B.C. Faculty of Forestry Professor George Hoberg, who was in charge of a provincial public review over the *Results Based Code* for the Ministry of Forests, Davie states the coalition “is a community-based, non-profit society established in 1993.”¹

A new organization is being set up to counter what forestry proponents say is a growing bias against their industry. But the Sunshine Coast Forest Coalition has not attained the free-to-grow stage, and in the meantime, it has received the promise of support from Coast forest companies.

Professional Forester David Bakewell said the fledgling organization has had its name approved, and is now seeking society status, and is also looking for a storefront location in Sechelt. Once the doors open, the SCFC will act as an advocate organization for forest companies on the Coast. “The idea is to start an education program for politicians and the public at large for all this bafflegab about forest politics” [said Bakewell].

Asked if the new organization is being set up to counter the activity of organizations like the Sunshine Coast Resources Council, which is pushing for a community forest on the Coast, Bakewell agreed that it was. (*Coalition to fight for forestry*, Sechelt Press, March 15, 1995)

A May 3, 1995 newspaper advertisement about National Forest Week in the Coast Independent newspaper included the names of six regional forest industry sponsors. The companies listed most

¹ Under the title heading of the Sunshine Coast Forest Coalition logo, is the following subtitle logo: “Sustainable Forest Resource Management, Protected Working Forest Landbase, Sustainable Communities.”

likely indicate the “Coast forest companies” referred to by Bakewell in the quote above supporting the newly formed SCFC: International Forest Products, MacMillan Bloedel, Fleetwood Forest Products, Terminal Forest Products, Howe Sound Pulp & Paper, and Canadian Forest Products.

In the above mentioned letter to Hoberg in June 2002, Davie states that his coalition is:

active in discussing and promoting forestry issues to the public through our partnerships with the local Chambers of Commerce. Our goals include: Protecting the Working Forest Landbase.... The Sunshine Coast Forest Coalition requests that all remaining forestland outside of currently protected Parks Protected Areas, etc, be declared Working Forest.

Davie elaborated in his letter that “we cannot accept that Forestland be subjected to further designations, planning initiatives, withdrawals or uncertainty.” The implication of the Coalition’s position statement was that Crown land forests within the community drinking watersheds were to remain in its self-interested definition of the Working Forest land base. Davie also stated in his letter to Hoberg under the title, Consultation Process:

The current public consultation model is reactive and subject to unnecessary delays. Local governments and the public believe they are an approval agency and not advisory. This results in delays and raises expectations that each specific concern will be addressed in their favour.

Whatever the date of origin, the SCFC was modeled after other forest industry-based coalitions initiated in the early 1990s in association with the B.C. Council of Forest Industries (COFI), coalitions specifically formed by B.C.’s collective forest industry companies to oppose local environmental issues on the protection of B.C. provincial forest lands.

And for an annual fee, the group is open to any individual, organization, or corporation interested in “multiple use of the forests,” organizing member of the coalition, Dave Bakewell said.

Modeled after the Soo and Fraser Valley Coalitions, the Sunshine Coast Coalition was sparked as a direct response to combat organized pressure to halt forestry activity in areas like the Sechelt Inlet and Mount Elphinstone, Bakewell said. (*New resource coalition raises eyebrows*, Coast Independent, March 13, 1995)

As described in a 2003 report by the B.C. Tap Water Alliance, *The Working Forest: “End of the Commons”*, COFI contracted international public relations firm Burson-Marsteller in January, 1991 to organize a comprehensive scheme in order to counteract and neutralize the growing influence of environmental concerns and campaigns in B.C. that focused on destructive clearcutting practices of provincial forestland ecosystems. In turn, drawing from its international clientele experiences, Burson-Marsteller advised COFI to initiate the formation of something it named as “the B.C. Forest Alliance”, an organized “Citizens Advisory Board”, to which the Share B.C. movement was also closely tied. Among its many functions, a Citizens Board would primarily help front and conceal forest company executives from the many media spotlights and draw attention to more popular and prominent B.C. citizens to secure public support. For instance, in the early 1990s, Vancouver Mayor and Chairman of the Greater Vancouver Regional District Gordon Campbell had been successfully wooed as a Director of the B.C. Forest Alliance. Later, when Campbell became B.C. Premier in late

May 2001, he openly maintained his allegiance to the forest industry complex by hiring Michael Morton, the former executive director of Share B.C., as his press secretary. That association sent a chill and very clear message to the ‘environmental community’.

As stated in local newspaper articles (referenced in Appendix B), the SCFC opposed ongoing environmental issues, such as the protection of the Tetrahedron, Mt. Elphinstone, and local drinking watershed areas from commercial logging. The SCFC was also very critical of and confrontational about alternative forester Merv Wilkinson, a Vancouver Island logger, when he was invited to speak on the Sunshine Coast concerning the application of alternative forestry practices near Mt. Elphinstone.

Eco-forester Merv Wilkinson returns to the Sunshine Coast June 15, 16, and 17 for what organizers describe as a weekend of entertainment, education and inspiration. Wilkinson has practiced sustainable logging for more than 50 years at Wildwood, his Vancouver Island wood lot, which has become renowned as a showcase for selective harvesting practices. (*Eco-forester back on Sunshine Coast*, Sunshine Press, June 5, 1995)

The Sunshine Coast Forest Coalition says it’s planning a visit to “eco-forestry” advocate Merv Wilkinson on Vancouver Island as a “fact-finding mission” on the subject. Bakewell said he doesn’t know what to expect from the visit. “I’ve never met the man or listened to him.” He added coalition members are hoping to have a private visit with Wilkinson, “without a bunch of people ranting and raving in the background.”

The trip is being organized by coalition member and woodlot owner Bill Wright, who runs Witherby Tree Farms on the Sunshine Coast. Following the visit, the group will be writing a report on what they find out, including which practices may be applicable to the Coast, said Bakewell. (*Forest coalition plans Wilkinson visit*, Coast Independent, October 9, 1995)

Merv Wilkinson’s ecoforestry spread is a nice place to visit, but you wouldn’t want to base a whole industry on it. That’s the verdict from the Sunshine Coast Forest Coalition.... Local coalition members including Kevin Davie, manager of Clowhom, Bill Lasuta of Interfor, and Dave Bakewell and Bill Wright of Witherby Tree Farm, went to Wilkinson’s 137-acre operation to check it out, but came away “firmly convinced” the techniques used there wouldn’t be suitable for the Sunshine Coast, said Bakewell in a press statement. (*Coalition finds flaws in eco-forestry example*, Coast Independent, November 6, 1995)

A radical plan to give each citizen a woodlot and strip forest tenure from some of the timber giants is being dismissed as “ridiculous” by a local timber lobby group. Small woodlots, Bakewell argued, would create a vast amount of waste that large pulp mills, which currently use almost all wood byproducts, couldn’t utilize. And the timber needed to feed today’s hungry mills would no longer be sufficient to keep them running, resulting in layoffs and significant impacts to towns dependent on timber. “We went through an era where we had thousands of these so-called peckerwood mills. It’s one of these ideas like ‘every hippy would like to farm.’ We’ve gone through that age, you can’t turn the clock back 30 years.” (*Woodlots for the people ‘ridiculous’ idea*, Sunshine Press, May 20, 1996)

In addition to its open rejection and application of Merv Wilkinson's sensitive logging approach on the Sunshine Coast, the quote from the March 15, 1995 newspaper article above regarding the SCFC's opposition to a 'community forest' proposal is both revealing and fascinating, given the fact that the SCFC would curiously become a central lobbyist for such on the Sunshine Coast eight years later.

An April 26, 1995 article in the Sunshine Press, *Community forest urged by Dunster*, described how professional forester Julian Dunster made a pitch to the Sunshine Coast Resources Council on the local creation of a community forest, and what sort of policy and practices a community forest ought to have. "Community forests should not preclude logging," said Dunster, "but a careful community forest operation carries out logging to preserve the biological and cultural legacies needed to ensure the healthy future of the whole forest ecosystem, and not just the timber component."

Two prominent representatives of the SCFC often appeared in the local newspapers: professional forester and engineer David Bakewell, and B.C. Institute of Technology forester Kevin Davie. In Bakewell's professional career as a forestry consultant, and as a previous executive with the C.D. Schultz Company in the 1950s and 1960s, the records indicate that since the early 1950s he was, and remained, a strong, consistent political advocate against the protection of drinking watersheds in B.C. The author of this report has provided summary information of the C.D. Schultz Company and Bakewell dispersed in some of his reports (available on the B.C. Tap Water Alliance website). For instance from accounts in Koop's first report of 1993, *Wake Up Vancouver*, from 1953 to 1956 the C.D. Schultz Company unsuccessfully attempted to scuttle Greater Vancouver's three legislatively protected watersheds by promoting the application of sustained-yield logging to Water District administrators and politicians. Confidential documents found at the Vancouver Archives by the author in 1991 relate how C.D. Schultz executives maintained a secret agenda and a tightly controlled element for its highly controversial undertakings by, for instance, preventing a series of three newspaper articles from being published in the Vancouver Province newspaper in October 1953, and by re-editing controversial phrases and words in an intended final report to the Water District in November 1955. That two-volume report was kept from release until a year later.

More recently, some 18 years after logging earnestly began in the Greater Vancouver watersheds since its protective legislation was amended by the Social Credit Party government in 1967, in September of 1985 Bakewell authored a 23-page report for the Greater Vancouver Water District to establish a Demonstration Forest, *Demonstration Watershed in the Lower Seymour Valley*. As described in Koop's 100-page, December 1997 report, *Seymourgate*, the Seymour Demonstration Forest was eventually established in August of 1987 through the aid of professional foresters to initially counteract the area from becoming a regional park. The Demo Forest consequently became a serious public relations platform/program to log in B.C.'s drinking watersheds. It was heralded by Dan Jepsen (a former forester with the Greater Vancouver Water District, and then an administrative representative with the Association of B.C. Professional Foresters) as the world's premier demonstration forest. (I happened to be in Jepsen's office at the Association's headquarters to interview him when I overheard him saying so to a forester from Australia). Over a period ranging from five to ten years, the Seymour Demonstration Forest's operating and promotional program received serious financial support from COFI (\$302,000), the B.C. Ministry of Forests (\$530,000), the Canadian federal government through Forestry Canada (\$375,000), and logging profits from the Greater Vancouver Water District (\$4.3 million). As later discovered but largely unknown to Greater Vancouver citizens and activists, the Greater Vancouver Water District had become a corporate

member of COFI in 1982.

By April 1986, following recommendations from a forestry conference held at the Capilano (extension) College in Sechelt on January 23, 1986, the SCRD, under its Economic Development Commission, formed a Forest Advisory Committee. During this first meeting, a member volunteered a list of eleven possible resource people for the committee's consideration, one of which included Bakewell, who at that time ran a private consulting business from West Vancouver. Bakewell appeared shortly thereafter at the June 25, 1986 meeting and became a steadfast, long-time member of the Committee until about the public announcement of the Sunshine Coast Forest Coalition by the local newspapers in early 1995. Bakewell's ongoing participation with the Forest Advisory Committee over a period of some ten years, and his move to live in the Roberts Creek area sometime in late 1991, provided him with status and a platform as a local player to Sunshine Coast residents by the local media.

In 1995, Kevin Davie became another central spokesperson for the SCFC. Newspaper articles in the mid-1990s state that Davie was a former Manager of International Forest Products' Clowhom operations camp at the head of Salmon Inlet, the company that had newly acquired logging rights in the Chapman and Gray Creek Watershed Reserves. Interfor was also a principal corporate member of COFI and a financial donor for the operations of the B.C. Forest Alliance through COFI. In an October 30, 1995 Coast Independent newspaper article, *Reid meets with forestry coalition*, was information that described how the SCFC's offices were also a "networking point for Canadian Women in Timber", the association that was a sister branch of the Share B.C. movement.

In early May 1991, R.W. Fechtner, Interfor's vice president of Forestry and Logging, provided two written submissions to the Greater Vancouver Water District's public review of logging in its three watersheds, wherein he stated that "the logging operations in the watershed are a model for the Industry". Fechtner's wife, Pat Fechtner, who represented Canadian Women in Timber, also provided two written submissions in May 1991 that supported continued logging in the Greater Vancouver watersheds. In fact, there were many other submissions by professional foresters, forest company executives, and members of the Share B.C. movement that also stated that logging continue in these watersheds that provided potable water to about fifty percent of B.C.'s population. As Bill McCloy, the spokesperson for the COFI, stated in his submission to the Greater Vancouver Water District:

There are over 80 community watersheds in B.C. that are also an important source of timber to the forest industry.... The GVWD watersheds, like all watersheds in the province, must be considered within the context of an overall Land Use Strategy.... we cannot afford single-use designations.

Robert (Bob) Sitter, the former CEO and president of Interfor, the company that had retreated from the two Watershed Reserves, would later become a director of Sechelt Community Projects Inc., the Sunshine Coast community forest.

In the November/December 2003 issue of the *Sunshine Coast Connector*, a newsletter published by the Sunshine Coast Community Futures Development Corporation (SCCFDC), was an announcement of Kevin Davie as a new director. The issue included some additional background information about Davie as a partner in a helicopter selective logging company, and as a Rotarian Director with the Sechelt Chamber of Commerce. An article described that Davie was a Softwood

Industry Community Economic Adjustment Initiative coordinator for the Sunshine Coast, part of a \$60 million fund “to 30 Community Futures organizations across the province impacted by the softwood lumber dispute.” The same article described that SCCFDC executive director Al Mulholland had stated that a cut of the allocated funding of almost \$2 million from the softwood dispute for local project proposals was earmarked for the Sunshine Coast Community Forest initiative.

In a May 20, 1996 Coast Independent newspaper article, *Forestry, environment second to health, taxes*, former Sechelt RCMP staff sergeant and then B.C. Liberal Party candidate Cam Reid admitted that not only was he a member of the SCFC since the summer of 1995, but he was also a member of the B.C. Forest Alliance. His admission was recorded in response to a question at a public provincial election candidate meeting, where Reid was running for the B.C. Liberal Party.

In the above mentioned October 30, 1995 article, *Reid meets with forestry coalition*, was a photograph showing Reid smiling and shaking hands with SCFC representative Kevin Davie (middle of photo). In the November 2002 B.C. municipal elections Cam Reid was elected as Mayor of the District of Sechelt. This background information about Mayor Reid’s stated political affiliation is intriguing and relevant to the application process for the community forest, particularly the later publicized details that involve the District of Sechelt as a community forest partner secretly endorsing logging in its two Watershed Reserves.

Another forest industry professional, Peter Moonen, would also become a director of the Sunshine Coast community forest. A May 6, 1991 Vancouver Sun newspaper article, *Pro-logging body accused of trying to mislead public – Organization’s name similar to logging foe*, reported that Moonen, communications specialist for forestry giant Canadian Forest Products Ltd., had created the Western Canada Watershed Committee-Society, a “pro-logging organization run from the offices of a major forest company”. The title of the new organization almost matched the word-for-word title of the well-known environmental organization, the Western Canada Wilderness Committee. This tactic was purportedly meant to confuse the public during the beginning of the protracted, heated public battle to re-protect the Greater Vancouver drinking watersheds from future logging.

Moonen’s brochure for the new organization called

on people to join the organization to help fight for high-quality drinking water. It says the best way to protect the quality of Vancouver’s drinking water is to ensure watershed forests are “managed”. It makes no mention of logging, except to say that logging wasn’t to blame for the murky brown water that ran out of city taps last winter.

Moonen was quoted as saying:

“Many falsely blamed clearcut logging (for water quality problems) and now call for a halt to forest management in our watershed. We think that’s wrong-headed and short-sighted.”

Said Western Canada Wilderness Committee director Joe Foy:

“I’m all for free speech. I think people should be able to say they support logging in the watershed, but they should stand behind what they say openly and identify themselves.”

The public relations cloning mechanism to confuse the public on mirroring the Western Canada Wilderness Committee concerning a public campaign to protect Greater Vancouver's drinking watersheds could also have been considered as a similar tactic in the creation and operations of the Sunshine Coast community forest. For what it's worth, given the later shenanigans, it's an entertaining possibility, whereby the original conceptions and goals of community forestry may have been reframed to suit the aims of conventional forest management practices and objectives, i.e., "business as usual".

The Western Canada Watershed Committee was apparently still functioning in 1993. The Coast News Weekender published a letter from Moonen under his Committee's name on April 15, 1993, *Selective arguments cloud Chapman*, where Moonen advocated logging in community watersheds. In a May 10, 1993 follow-up article in the Coast News, *Chapman letters spark misrepresentation charge*, were quotes questioning Moonen's group:

In the letter (April 15), Peter Moonen of the watershed committee says logging should be allowed in the Chapman as it has in the Greater Vancouver watersheds and states that so far in debates on the issue, "everyone is using information which supports only their point of view."

Meanwhile, another letter writer has questioned not only that position, but the legitimacy of the watershed committee in the first place, which he says is directly tied-in to Moonen's employment in the communications office of Canadian Forest Products.

Loys Maignon, a Gibsons resident who teaches ecology as a cultural program at the University of British Columbia, said he first began to wonder about the committee because "I'd never heard of this environmental group," and began to do some phoning.

In the letter, "(Moonen) presented himself as an impartial voice bringing out the facts," says Maignon.

But as a communication officer at Canfor involved in a group with no environmentalist representatives, "Mr. Moonen is very much the opposition," says Maignon.

Meanwhile, Peter Moonen says the watershed committee is a legitimate group, first formed because "a lot of information being made available to the public was not complete," and says it has nothing to do with either CanFor or the wilderness committee.

"I wouldn't say we're a mainstream environmental group," he says, but adds there's no "nefarious purpose" involved."

According to website information from the B.C. Ministry of Forests and Range, Moonen is vice-president of Thinwood Forestry Ltd. on the Sunshine Coast at Port Mellon, a company that "specializes in custom veneers from local softwoods and hardwoods for use in variety of products ranging from flooring and window-frames to musical instruments." Moonen also ran Peter Moonen Communications, under which he co-authored a report funded by Forest Renewal B.C. for the Sunshine Coast Community Economic Development Partnership and Community Futures Development Corporation, and prepared for the Sunshine Coast Regional District in March 2002 for a development proposal for a Wood Innovation Centre. The Wood Innovation Centre concept was

modeled on the Wood Enterprise Centre in B.C.'s town of Quesnel. Moonen is also the special projects coordinator of the Canadian Wood Council. In the July-August 2007 volume of *Artistry*, the Sunshine Coast newsletter for the Arts, Moonen is cited as the co-president of the Southcoast Value-added Co-operative. The advertisement on page three cites:

Sechelt Community Projects Inc. (the Community Forest Project) is inviting any interested students, professionals, hobbyists and artisans to show their creativity in using the wood that grows here. The Project will make available, free of charge, any wood, bark, needles or roots that a participant requests for a suitable endeavour.

What made the Sechelt community forest proposal distinctly different from other ventures in B.C. that involved logging proposals in community watersheds were local forest industry politics and players, principally driven by a corporate forest company with controversial logging rights in the SCRD's drinking water and its association with both the SCFC and the Ministry of Forests. There are no internal memos or written accounts available (as yet) about this transition period, but it may be assumed that arrangements were made behind closed doors prior to Interfor's announced retreat from the SCRD's drinking watersheds in May, 2003 for a deal that involved the SCFC to re-include the watersheds in another logging venture, a scheme that would involve "community-based forestry", despite the community's historic opposition to such. There is another possible, more foreboding and nefarious reason behind the inclusion of the community Watershed Reserves in the community forest application, namely to help scuttle or test the Watershed Protection Accord between SCRD politicians and the Sechelt First Nation.

It was likely known to these Sunshine Coast forest industry players that the Ministry of Forests had granted a small number of community forest licenses in highly contested drinking watersheds in south-eastern B.C., i.e., the Creston Valley, Kaslo, and Harrop-Proctor groups, who were all active members of the B.C. Community Forest Association. The possibility for the SCFC to create another precedent to log in community drinking watersheds via Community Forest tenure was likely a temptation that could not be passed up.

Well after the public became aware of the community forest application and the proposal to log in the two Watershed Reserves, the SCFC advised the Town of Gibsons in a letter dated September 9, 2005 by acting chair David Bakewell, that Kevin Davie had been "relieved of any responsibilities in the SCFC". The SCFC's response letter followed a complaint to the Town of Gibsons made two months previous on July 19, 2005 by the Sunshine Coast Conservation Association executive director Dan Bouman (see section 6 for more details), complaining that Kevin Davie may have been in a conflict of interest during the community forest application process, as he was an active member and chaired the SCFC. According to Bakewell's written response, the SCFC had foreseen possible conflict of interest concerns and had to distance itself from Davie: "In early 2005, the Directors of the SCFC foresaw that unfounded allegations would arise if Mr. Davie assisted with the Sechelt Application." According to a recent interview with Dan Bouman, Davie nevertheless remained Chair of the SCFC.

According to an account from Roberts Creek resident Hans Penner, who had been a planner with the District of Sechelt from 2002-2005, Davie was provided office space in the District's Hall to write the community forest application. Penner doesn't recall the exact dates when Davie was salaried for

his time at the Hall, probably sometime in late 2004 or early 2005, but he recalls Mayor Cameron Reid frequenting Davie's office. Of interest, Penner vividly recalls hearing the District's mapper from his room down the hallway, surprised after printing out a map in Davie's community forest application, exclaiming aloud something like, "Heh, you've got the community watersheds in your application!"

4. In the Name of “Community” - The 2004-2005 Application Process for a Probationary License and the Defiant Inclusion of the Watershed Reserves

Brad Benson asked how the community has been involved in the Sechelt Community Forest Application process to date, and will be in the future.

Response: (Ministry of Forest’s District Manager Hemphill) Noted that the Province requires the applicant to show documentation of community involvement in their application for a community forest, but that the Province does not dictate how that involvement take place. (District of Sechelt Meeting Notes, Community Forest Public Information meeting, January 29, 2005)

We are writing to inform you that the Shishalh Nation cannot, at this time, offer our support for the Sunshine Coast’s community forest plan.... The Shishalh Nation has concerns about logging in the watershed. It appears that most of the lands contemplated for the Sunshine Coast community forest plan are in the community’s watersheds. (Letter from Chief Garry Feschuk of the Sechelt Indian Band to Mayor Reid and Council, District of Sechelt, March 14, 2005. The letter was copied to Minister of Sustainable Resource Management George Abbott, Minister of Forests Mike de Jong, the Sunshine Coast Conservation Association, and the B.C. Tap Water Alliance.)

THAT the SCRD Board is strongly opposed to the granting of any community forest tenure in the Chapman/Gray watershed and that this opposition be strenuously and vigorously communicated to the Ministry of Forests and to all Governments on the Sunshine Coast. THAT the SCRD could consider supporting a Community Forest Application that excludes the community watershed and that is derived through a clear and transparent process.... (Correspondence sent to the Ministry of Forests, Sunshine Coast Forest District, with a copy of resolutions by the Sunshine Coast Regional District, May 17, 2005.)

The Shishalh Nation supports the District of Sechelt in its effort to obtain a license for a community forest tenure by we do not support logging in the watersheds in our territory.... To this end we have negotiated a watershed accord agreement with the Sunshine Coast Regional District. Our support for the Sunshine Coast Community Forest Application is based on our understanding that the approval of that application will not allow logging in our watersheds. (Sechelt Indian Band Chief Stan Dixon, to Cameron Reid, Mayor, District of Sechelt, June 28, 2005)

While the consultation process has been somewhat prejudiced by individuals and groups who are not in agreement with this application, it is important to know that the final application contains letters of support from local government and the business community on the Sunshine Coast.... A Community Forest License will give our community the ability to manage our local forest resources. More importantly, it will give us the ability to manage the activities in that portion of the Chapman Creek drinking watershed that we will control. (Letter from Mayor Cam Reid, District of Sechelt, to Ministry of Forests District Manager

Greg Hemphill, May 18, 2005, regarding the final application for a Probationary Community Forest License.)

For your information attached please find a letter from the Sechelt Indian Band regarding the above reference application. Obviously the watershed issue continues to prejudice the outcome of the District's Community Forest application. The District of Sechelt respectfully requests that if the Minister supports the position of the Sechelt Indian Band and the Sunshine Coast Regional District, it is incumbent upon the Ministry of Forests to propose an alternative area to the Chapman/Gray watershed area and amend the probationary offer accordingly. (Letter from the District of Sechelt to Ministry of Forests District Manager Greg Hemphill, June 29, 2005.)

We can't crack the champagne yet but we're getting closer. (Ministry of Forests email from Gary Gwilt, Tenures Forester, Coast Forest Region, to Kevin Davie, Brian Smart and Brian Kukulies, February 16, 2006)

This management plan for the Sechelt Community Forest Tenure has been written as a requirement for the issuance of the Probationary Community Forest Agreement (PCFA) license. The timing of the license application has fallen within an official transition period for plan requirements by the Ministry of Forests and Range (MOFR)..... This management plan is accurate and complete, but is not intended to convey to the Government or the public the specific operational procedures that will be adopted by the licensee. It was requested by the MOFR not to include public involvement in the development of this plan, as the FRPA-based FSP [Forest Stewardship Plan] review process is to include a public involvement process. (Sechelt PCFA Management Plan, March 6, 2006. According to the Forest Practices Board, this Management Plan is in error, as there is "no" mandate for a "public involvement process" for Forest Stewardship Plan 60-day review periods.)

28. Miscellaneous

28.1 Freedom of Information

Whether or not the Freedom of Information and Protection of Privacy Act applies to the Company, for so long as the District of Sechelt is a member of the Company the Directors will cause the Company to make Company documents available to the public where that Act would require that they be disclosed if it did apply to the Company. (District of Sechelt's Probationary Community Forest Agreement Application, March 11, 2005, Appendix B, Corporate Documents, Articles of Sechelt Community Projects Inc.)

There are two critical issues in the case of the Sunshine Coast community forest application and Probationary tenure processes. The first involved the relationship and accountability actions by the District of Sechelt, the central sponsor and local government party in the community forest, with its former partner the Sechelt Indian Band. The second issue relates to the responsibilities of the community forest with the local public, "the community". The Sunshine Coast community forest proponents and directors made numerous transgressions on both of these issues.

The forest tenure application process for the Sunshine Coast community forest areas near Sechelt through Sechelt Community Projects Inc. (SCPI) involved the partner participation and consent of the Sechelt Indian Band government. Following a request in February, 2005 by the Sunshine Coast Regional District to the Ministry of Forests through public pressure to extend the public input period for the community forest application, Sechelt Nation Chief Garry Feschuk sent a letter, dated March 14, 2005, to the District of Sechelt Mayor and Council. In that letter the Sechelt Nation clearly and formally stated that the community forest proposal was not going to include the two Watershed Reserves of Chapman and Gray Creeks.

Re: Minister of Sustainable Resource Management George Abbott's November 3, 2004 letter to the SCRDC and the Community Forest Tenure Program

We are writing to inform you that the Shishalh Nation cannot, at this time, offer our support for the Sunshine Coast's community forest plan.

We cannot issue a letter of support of the province's latest proposal because we do not feel that we have enough information about the location of the proposed operating areas. The Shishalh Nation has concerns about logging in the watershed. It appears that most of the lands contemplated for the Sunshine Coast community forest plan are in the community's watersheds. The Shishalh Nation will not make any definite decisions about the province's current offer until we have specific information about proposed operating areas.

Prior to this, there are no records recovered by inquiring members of the Sunshine Coast Conservation Association or other public activists about what transpired between the Sechelt Indian Band and the District of Sechelt, or with the Ministry of Forests on this highly controversial subject. Through private inquiries and probing analysis, SCRDC residents confirmed that the Sechelt Indian Band had clearly stated to the District of Sechelt from the outset of the application process in 2004 that the Chapman and Gray watersheds were off-limits. In a more recent interview with newly elected Chief Garry Feschuk (March 31, 2008), he confirmed that this was the case, that when SCPI made its original application to the Ministry of Forests, the two watersheds were not to be included.

This makes complete sense, as the Band and the SCRDC had been on a protracted path since 2001 to protect the two watersheds in their two Accord processes signed in 2003 and 2005 (see section 10). However, when the Band signed on to the Accord processes, the provincial government declined to sign on or acknowledge the two parties. From what obviously transpired behind the scenes, the District of Sechelt, through the consent of Mayor Reid, in its powers under Sechelt Community Projects Inc., disobeyed and betrayed the Band's explicit directions and objection as its partner in 2004-2005, and subsequent years to 2008 after the Band had pulled out. Instead, Reid helped include the two Watershed Reserves in SCPI's tenure area considerations and negotiations with the Ministry of Forests and Range.

Since the formation of the Sechelt Indian Government on June 24, 1988 at a ceremony in the town of Sechelt with provincial government Cabinet members (initiated through 1986 federal Bill C-93), the Band became the first B.C. First Nation to become a member of a local government, or Regional government, body.

Formerly, under the Indian Act, the Band was required to seek the Minister of Indian Affairs' permission for any undertaking. Now, the Band will be a legal entity, own its own lands in fee simple, and will be able to enter into legal contracts, invest money and make laws

regarding zoning, education, social services, health and safety.

Under this form of self-government, the Band retains the full status of other municipalities, as well as controlling such services as education and health. (*Free at last – Sechelts independent!*, Coast News, June 27, 1988)

SCRD Chairman Peggy Connor is obviously delighted to welcome Ben Pierre who will sit on the Sunshine Coast Regional Board as the first representative of the first Indian Band in Canada to achieve independence. Pierre joins former SIB Chief Stan Dixon who was elected as a member for Area C. (Description under a photograph of Connor and Pierre in the Coast News, November 14, 1988)

Since late 1988, the Sechelt Indian Band has had a participatory vote on all issues raised at SCRDRD Board meetings, which included issues and matters related to the SCRDRD's drinking watershed sources. In fact, it was mainly through this public representative process that the Band became deeply concerned about the Chapman and Gray Creeks.

Nothing was forthcoming, publicly, about the possibility of the two Watershed Reserves included in the community forest proposal until serious rumors surfaced sometime in early January, 2005.

According to Kevin Davie, a representative of the Sunshine Coast logging industry and forestry consultant to the District of Sechelt, the project has "maintained a low profile" and has included closed door meetings with MLA Harold Long and Minister of Forests Mike de Jong. Davie explains that this strategy aims to "build community support from the silent majority" and "increase the [timber] cut through intensive forest research and innovations in harvesting." The SCCA is very concerned about this "low-profile" strategy and the complete lack of public input in developing the vision of the community forest particularly worrisome when you consider that the District of Sechelt has been working on the concept for over two years.

Another concern with the Sechelt initiative is the fact that the exact location of the community forest, although uncertain, may include the Chapman Creek watershed and sensitive ecosystems on Mt Elphinstone. In a recent local television interview, Sechelt Mayor Cam Reid maintained that "we don't know where the community forest will be, but it [the watershed] could be part of it." (*The Sechelt Community Forest: Off on the Wrong Foot?* Sunshine Coast Conservation Association newsletter, Issue 10, January 2005)

In fact, as was later documented by the Sunshine Coast Conservation Association, the community forest representatives had failed to discuss the matter with "the community". The matter began to first seriously erupt following a five-hour long meeting sponsored by the District of Sechelt on January 29, 2005 at its District Hall, where direct questions posed by the public about the possible inclusions of the community watersheds in the community forest were left denied, deflected and unanswered. Given the fact that the community forest application deadline with the Ministry of Forests was scheduled for March 12, 2005, the community forest was in for a bumpy road ahead.

As the District of Sechelt scrambled to meet a March 12 deadline to apply to the province for a community forest licence, regional politicians were alarmed to learn the Chapman and Gray Creek watersheds would likely be part of the tenure.

Sechelt mayor Cam Reid said the district would not log in the watershed. “We’re saying our plans would protect the watershed,” said Reid. “We’re very cognizant of the concerns in the watershed and feel we can provide assurances with our logging and forestry plans to protect that.”

At the Sunshine Coast Regional District’s community services meeting Feb. 24, where Sechelt councillor Barry Poole and forestry consultant Kevin Davies outlined the plans for the community forest, several regional directors voiced their opposition to including the watershed.

Adrian Belshaw, director for Roberts Creek, called the prospect of a community forest tenure in the watershed “extremely alarming.”

“The SCRD board is on record opposing tenure in the Chapman watershed,” said Belshaw. “This community is united against logging in this area ... it’s not criminal now, but it should be criminal.”

John Marian, director for Halfmoon Bay, agreed. “It’s utterly distressing Sechelt would have the nerve to contemplate a logging tenure in the watershed,” said Marian. “You’d better sharpen up your conflict resolution skills. You’ll need them big time.”

And Celia Fisher, director for Elphinstone, questioned whether the Ministry of Forests was “setting you up for failure” by including the watershed in the community forest.

Poole said the District of Sechelt told the Ministry of Forests they didn’t want the watershed and other contentious areas to be part of the community forest. “They said, we want you to have the watershed,” said Poole. “We decided, if we have to take on the watershed, maybe it’s not a bad idea for us. At least this would put the issue of forestry in the watershed under a corporation here on the Sunshine Coast rather than the provincial government.”

Davies said if the watershed lands don’t go into the community forest, they would likely be logged through B.C. Timber Sales. “Isn’t it better that we control it?” said Davies. “I’d sure like our watershed under local management, rather than B.C. Timber Sales with headquarters in Campbell River and Victoria.”

Dan Bouman, executive director of the Sunshine Coast Conservation Association, said a community forest would not protect the watershed. Bouman said environmental groups are planning to write to the government saying the Sechelt community forest proposal does not have public support. If the community forest includes the watershed, Bouman said, “instead of having a fight between the community and Interfor, it will be between the community and the District of Sechelt.”

The SCRD voted to ask the Ministry of Forests to extend the deadline for the community forest application to allow more public consultation. (*Community forest creates controversy – Chapman watershed*, Coast Reporter, March 4, 2005)

Kevin Davie’s remarks – that logging in the community watersheds would be better handled if under the control of “the community” rather than through the provincial government’s B.C. Timber Sales or Ministry of Forests – is a standard fallback or set response statement made by other B.C.

community forester proponents logging in community watersheds, meant to convince the public of its ethical merits. That statement has been repeated, time and time again:

The logging of watersheds, old growth stands, critical wildlife habitat, and important scenic areas has been the flashpoint of many environmental battles in BC. This is especially true in Creston, with its Arrow Creek watershed supplying the town, the orchard industry and the Columbia Brewing Company. The water is a highly valuable resource and the community opposed industrial logging of the watershed for nearly thirty years.

After the Kootenay/Boundary Land Use Plan was complete in 1996, Arrow Creek remained within the timber harvesting land base. That meant it was to be logged. In a smart move by the Forest Service, the Minister made volume available for a community forest, which gave the community control over the logging of its own watershed. The Creston Valley Forest Corporation was formed to hold the licence. It consists of a unique mix of community organizations: Town of Creston, Regional District of Central Kootenay, Lower Kootenay Indian Band, Creston Area Economic Development Society and the East Kootenay Environmental Society.

The company chose to practice a very gentle, ecosystem-based style of forest stewardship. It uses all partial cutting systems, which are designed to protect specific community values.... This gentle approach has built trust in the company's ability to protect water. All of this wood is incremental to the industrial system; in that, without this type of approach no harvesting would be allowed! The result is community control and support for logging versus confrontation. (Letter to the editor, Nelson Daily News, by Jim Smith, operations manager, Creston Valley Forest Corporation, May 1, 2003)

Jamie Killackey, a forestry consultant, pointed out the substantial forest tenure in the Chapman watershed that is held by B.C. Timber Sales. He said he'd rather see those areas become part of the community forest. "I'm surprised to see the area still held by BCTS. I'm a lot more concerned about their actions in the watershed," Killackey said. (*Community forest draws criticism*, Coast Reporter, April 22, 2005)

In response to your Letter to the Editor in the June 24, 2005 issue of the The Coast Reporter, you are reminded in our meetings with your association, the public and in Probationary Community Forest application, Sechelt has made efforts to protect our community watersheds through gaining greater local control of this land base. We have committed to zoning areas within the watershed application for mature timber attributes, which would mean no logging for an estimated 100 to 150 years.

Therefore, it is premature to request the removal of the watersheds from our application. If we were to withdraw these areas from our application, and the Watershed Agreement should fail or be delayed, this would leave our watershed areas vulnerable to open market logging activities, rather than under community control. If it is truly your association's position that our watershed should be protected, we encourage you to work with us to achieve this goal. (District of Sechelt Mayor Cameron Reid, to Jay Forsyth, Director, Sunshine Coast Conservation Association, June 27, 2005)

On March 11, 2005, the District of Sechelt submitted a draft community forest application to the Ministry of Forests. The matter was raised in the Coast Reporter in two separate articles published on March 18, 2005:

This week the District of Sechelt submitted its community forest license application to the Ministry of Forests, over the objection of many citizens' groups and other municipal governments.

The major contentious issues seem to be the inclusion of the Chapman and Grey creeks watershed in the license, the lack of detailed information and not enough public consultation.

Everyone is on record that they like the concept of community forestry. But the details, including the location of the community forest, are crucial to its success.

This community has spent years fighting to protect the watershed from being logged. We're still in that fight now with another logging outfit. Does anyone remember the December meeting at the Seaside Centre with AJB Investments?

It's pretty clear that having local control of a community forest and the watershed will be far more beneficial in the long run than giving it up to some corporation, but when so many groups, who should be in fully support of this application are voicing such concerns, isn't it prudent to step back for a while and review your plans?

We hope that the District of Sechelt has seen the opposition and will use these 60 days to have meaningful public debate and to hold meetings with the Sechelt Indian Band, Town of Gibsons and the Sunshine Coast Regional District. It's important to have true public consultation, not just in an attempt to put the public's fears to rest, but also to truly listen to community input.

If the existing public opposition continues or increases once the District of Sechelt reveals the full details of the plan, it might be wiser for the District of Sechelt to say "no thanks" to the offer of a community forest which includes the watershed, rather than attempt to ram through this community forest against the wishes of its neighbours. (*More discussion needed*, Coast Reporter opinion)

The District of Sechelt's application for a community forest license is drawing increasing criticism from other municipal governments and from citizens' groups.

The biggest issues are the inclusion of the Chapman and Grey creeks watershed in the forest license, the lack of detailed information about the proposal, and insufficient community consultation.

Stan Dixon, the newly elected chief of the Sechelt Indian Band, said many people are in favour of a community forest, but the District of Sechelt has not provided enough information. "Somehow they've got it in their heads Sechelt has got to have a community forest, and they'll get it by hook or by crook," said Dixon at a Sunshine Coast Regional

District Meeting March 10. “We’re supposed to be involved, but nobody told us anything. We were supposed to have a meeting with [Sechelt mayor] Cam Reid. That never happened.”

Reid said the district submitted its application for a community forest license to Greg Hemphill of the Ministry of Forests last weekend, but Reid asked Hemphill to consider it a “draft application.”

“I assured him a final application will be submitted at the end of 60 days, and he agreed,” said Reid.

Reid said those 60 days will give him time to address the concerns of the SCRD, meet with the Sechelt Indian Band, and address other community concerns. Reid said the entire application, except for confidential financial details, would be made public on the District of Sechelt web site.

As Coast Reporter went to press Thursday, Reid had released only the governance section of the application. That document lays out the structure of a new corporation to be called Sechelt Community Projects Inc. (SCPI). Initially SCPI would have a board of seven directors, with five appointed by the District of Sechelt, and two community members, elected at annual public meetings, who would serve two-year terms.

The directors named so far are Ray Parfitt and Joni Heinrich, both senior staff of the District of Sechelt, Kevin Davie, a forestry consultant, and Bruce Smith, a business consultant. Donald Lidstone is named as legal advisor until the first meeting of the board.

Adrian Belshaw, director for Roberts Creek, said the District of Sechelt has not been candid about its plans. “They have not taken into any kind of consideration the SCRD’s opposition to industrial activity in the watershed. I find this absolutely despicable,” said Belshaw.

Gibsons mayor Barry Janyk said, “I would expect that a true community forest application would not be cloaked in secrecy in order to just make a deadline. There are concerned stakeholders and if you are seeking their support you should provide them with all the information.” (*Application submitted despite opposition – community forest*)

When the Sunshine Coast Regional District learned of the contents in Sechelt District’s draft application, where the two Watershed Reserves had been included in the overall 11,800 hectare proposal, the poop literally hit the fan. In the face of public outrage and condemnation, Sechelt Mayor Cam Reid stated that,

His council plans to “earn the trust of this community” during the next 40 days. That’s what’s left of the 60 days that have been granted to the district by the Ministry of Forests to compile a “more detailed plan” for the proposed community forest.

“This is an opportunity we may never have again, but it brings with it some challenges. We have to gain the public’s participation and trust as we develop the long-term plan,” said Reid.

“We were able to negotiate for more area to protect the watershed. We recognize it’s important and that the community doesn’t want us to go there,” said Sechelt mayor Cam

Reid. (*Land base officially identified – community forest*, Coast Reporter, April 1, 2005)

In truth, the matter of Mayor's Reid's statement concerning community "trust" was nothing other than empty words. Reid's façade was made more transparent during and following the April 19, 2005 community forest public meeting.

5. “The Community” Meeting and Showdown, April 19, 2005

On Tuesday April 19, 2005, the B.C. Liberal Party government dropped the writ with the Lieutenant Governor, marking the official start of the provincial election campaign. The Party had enjoyed a four-year long majority government, with an unprecedented 77 out of 79 provincial seats, during which time it shamelessly sliced and diced environmental legislation and regulations for its inter-corporate sponsors. That same morning Premier Gordon Campbell announced, through his campaign speechwriters, that the coinciding sunny weather was a good omen for the re-election of his Party, and that a vote for the B.C. Liberals translated to “moving forwards instead of backwards” (a not-so-subtle criticism of the New Democratic Party’s previous 10-year administration, 1991-2001). “Keep B.C. Moving Ahead,” was also the stand-by slogan of the Party’s predecessor, Social Credit, in 1966, when the “invasion” into protected drinking watersheds was just underway, and when the dramatic increase in the liquidation and slaughter of B.C.’s vast old growth forest regions by forest corporations was also unfolding.

That same evening, in a newly constructed Seaside Centre community hall in Sechelt, Mayor Cam Reid, a staunch B.C. Liberal supporter, and a previous unsuccessful third runner up B.C. Liberal Sunshine Coast candidate in 1996, was determined to move ever more “backwards”. In addition to his position as Mayor, Reid was also the financial agent for B.C. Liberal Sunshine Coast candidate Maureen Clayton who did not publicly mention the watershed controversy during her campaigning, and who nevertheless signed the 2003 public petition against logging and mining in the watersheds.

Residents jam-packed the hall, where people gathered to view and discuss large maps that displayed the Chapman and Gray community Watershed Reserves in the proposed Forest License Tenure (refer to B.C. Tap Water Alliance website, for meeting photos and public quotations).

Outside the community hall, the public was given copies of a new press release by the Green Party, *Sunshine Coast Green Party calls for immediate withdrawal of Sechelt’s proposed Community Forest application*:

Gibsons - Adriane Carr, Green Party candidate for Powell River-Sunshine Coast, is calling today for the immediate withdrawal of the District of Sechelt’s Sunshine Coast Community Forest application submitted in late March.

The Green Party is fully in favour of a Community Forest but the present application was not completed with due public consultation, nor does it honour the wishes of residents to protect drinking water quality, says Carr. We support a community forest that works for everybody.

Carr is proposing a new process to develop an application for a Community Forest that encompasses all untenured provincial forests on the Sunshine Coast and is legitimately based on input from residents, First Nations, small business-people and local governments.

Carr says that, if elected, she will insist that the Community Forest exclude the Chapman and Gray watersheds and other coastal watersheds that supply drinking water. She will also ensure that sensitive areas such as Hidden Grove, the proposed 1,500 hectare Elphinstone park, endangered species habitats such as marbled murrelet nesting habitat, also be excluded

from the Community Forest.

Drinking watersheds such as Gray-Chapman need the same, full protection as the watersheds of Vancouver and Victoria, says Carr. There, logging and industrial activities are prohibited to ensure healthy drinking water. Inclusion of drinking watersheds in a Sunshine Coast Community Forest plan compromises water quality because all land in a Community Forest is part of the working forest and included in timber available to be cut sooner or later.

Carr says she supports a Community Forest that provides opportunities for small businesses, full partnership with First Nations, and is based on sustainable forestry practices guided by the Forest Stewardship Council (FSC), i.e., according to ecological principles and not one forced to fit artificial cutting quotas set by the Ministry of Forests. This is an incredible opportunity for us. Major forestry companies have left the coast, and we can create an inclusive Community Forest from Port Mellon to Egmont, Carr says. A Green Party concept for a Community Forest is designed with future generations in mind, to provide sustainable economic opportunities without compromising other key values, says Carr.

Sparks flew at the lengthy community meeting, as briefly reported in the newspapers.

About 100 people crowded into the Seaside Centre to hear details of the community forest plan and to question the panel, which included Reid, District of Sechelt planner Ray Parfitt and forestry consultants Kevin Davie and Brian Smart.

The location for the proposed community forest includes large parts of the Chapman and Gray Creek watersheds, and for many at the meeting, that was a deal-killer, despite assurances from Sechelt mayor Cam Reid and his consultants that there would be no logging in the watershed in the short term.

But in response to a request to postpone the application even further, Greg Hemphill, district forest manager for the Ministry of Forests, said the provincial government has a “sense of urgency” to complete the application process. “We took volume back from major licensees [Canfor and Interfor] and compensated them. . . there’s other proponents who would like to get their hands on this,” said Hemphill. “The question is, are you better off to have some management control, or to leave it to the provincial authorities to chart it to other corporations?”

An audience member responded, “sounds like a threat.”

And Hemphill suggested the public opposition to the community forest might not hurt Sechelt’s chances of having its application approved. “There was a direct invitation to the District of Sechelt. The minister has already tipped his hand that he would like the District of Sechelt to get a community forest,” said Hemphill in an interview after the meeting. “They’re well aware of the history down here. The divided opinions won’t be a shock to anybody.”

Dan Bouman, executive director of the Sunshine Coast Conservation Association, questioned the lack of support from the Sunshine Coast Regional District and the Sechelt Indian Band for Sechelt’s community forest application.

Reid replied that discussions with the regional district and the band are ongoing. “We would like agreement and we would like support. We are working on that,” said Reid.

John Marian, regional director for Halfmoon Bay, slammed Reid for acting unilaterally, disregarding the watershed accord between the SCRDC and the Sechelt Indian Band, and being “disrespectful of the vast majority of people dependent on that watershed.” “You have no support from the SCRDC, despite claiming on TV, Cam, that you did. . . Where’s your credibility, Cam?” said Marian.

Reid replied, “I’m not asking you to trust me. We’re setting up a corporation and we’re setting up partnerships. The plans will not be done by me.” Reid was on the hot seat all night, but appeared unswayed by the criticism. (*Community forest draws criticism*, Coast Reporter, April 22, 2005)

The Sunshine Coast Conservation Association’s April 22, 2005 press release summarized the events of the April 19th public meeting.

Sechelt, BC. – In a crowded public meeting on April 19 in Sechelt, an overwhelming number of community organizations and residents voiced their continued opposition and frustration with the District of Sechelt’s application for a community forest licence. The controversial application, only released to the public after it was submitted to the Ministry of Forests, proposes logging in the Sunshine Coast’s drinking watersheds despite a repeated call by community associations, the Regional District and the Sechelt Nation to remove the watersheds from the application.

Of the Sunshine Coast’s 30,000 residents, 23,000 are dependent on the Chapman/Gray Community Watersheds, including the 8,000 residents of the District of Sechelt. “Clearly the District of Sechelt is not interested in what the community has to say about their own so-called community forest” said Dan Bouman, Executive Director of the Sunshine Coast Conservation Association (SCCA). “Community Forestry could be a great opportunity for the Sunshine Coast. It is very troubling to see how a few individuals at the District of Sechelt and the Ministry of Forests are trying to exploit the idea of community forestry merely to gain industrial access to controversial areas, like our drinking watersheds” added Bouman.

Low-profile closed-door approaches to developing a community forest application are completely inconsistent with the Ministry of Forest requirements which state that applicants “must contain proof that there is a high level of community awareness of the application and strong support for the application from a broad cross-section of the community.” Similarly, the BC Community Forest Association’s guidebook states: “Community participation is the cornerstone of community forestry” and that “behind closed doors—back room deals are not acceptable”.

It was shockingly evident to participants at the community hall meeting that the proponents acting for the community forest proposal were not going to bend to any opposition whatsoever concerning Sechelt Community Projects Inc.’s controversial inclusion of the two community watersheds. This arrogant disregard or bypassing of public or “community” opposition would later be reviewed and

considered by the Community Forest Advisory Committee as a shortcoming or failure in the Sunshine Coast community forest application processes.

It was not long after this embarrassing public meeting that the community forest lost its support from its partner, the Sechelt Indian Band, and the consequent dissolving of this partnership since its initiation in early 2003.

6. The Sunshine Coast Conservation Association's Letter to the Forest Minister's Community Forest Advisory Committee (CFAC)

It is important, said Hemphill, that the Ministry know not only how to responsibly use the land, but also where to use it. He added as a general remark: "The environment has got to be the highest priority for the Ministry," in respect to wildlife, fish and water quality. Hemphill said it is his job to restore faith in the forestry department and show the public they can do a good job. (New district forest manager selected, Coast News article, November 2, 1992.

Under the Jobs and Timber Accord, the government committed to design and pilot a new community forest tenure to increase the direct participation of communities and First Nations in the management of local forests and to create sustainable jobs.

The development of the community forest project has been guided by the Community Forest Advisory Committee (CFAC). This multi-stakeholder advisory committee is made up of individuals with experience and knowledge in the area of community forestry. The CFAC includes representation from communities that currently operate a community forest, COFI, UBCM, IWA, First Nations, academia, and the environmental caucus. One of the underlying principles the CFAC established was that this tenure be designed to ensure broad community support and representation of a broad section of community interests. (B.C. Ministry of Forests formal response to 'Forest Tenures Resolution B19' from the Union of B.C. Municipalities made at its 1998 annual conference)

The Sechelt CF [Community Forest] area takes up available provincial forest areas in and around Sechelt, including a few contentious areas, most notably the Chapman Creek community watershed. Environmental groups have been attempting to have the watersheds removed from the provincial forest and although they see the benefits of community control over the forest operations, they believe including the area in a CF may compromise their preservation objectives. The Sunshine Coast Conservation Association, which is an umbrella group for conservation organizations on the lower sunshine coast, has been aggressive in attempting to stop the Sechelt CF from proceeding.

A key issue was a letter CFAC [Community Forest Advisory Committee] received directly from the SCCA, which challenged the level of community support for the application. District of Sechelt has expressed concerns about the investment made to date, the tactics of the enviros opposing the CF, and the prospect of more requirements to move beyond the application stage. Mayor Cameron Reid has been actively engaged throughout the CF process and expect he would like to meet with the new Minister to introduce himself, talk briefly about their proposal and the issues they face, and to get a positive signal from MOF, that we want the CF to proceed. (Email from Ministry of Forest's District of Sechelt Manager, Greg Hemphill, to Ministry of Forests staff, a backgrounder "to support Minister Coleman's proposed meeting with Mayor Reid of the District of Sechelt and Chief Dixon of Sechelt Indian Band", July 20, 2005)

“Only when we can develop a project with a solid business plan aimed at achieving our community’s goals will an application go forward,” said Reid.

Sechelt received a grant from the federal Western Economic Diversification Fund to complete the planning necessary for a Community Forest application. This work includes public consultation and development of a Community Forest project governing authority, forest management, stewardship, harvest and re-planting plans. (District of Sechelt Press Release, Public Workshop to examine potential for a Sunshine Coast Community Forest project, January 18, 2005)

The Sunshine Coast Conservation Association’s (SCCA’s) executive director, Dan Bouman, filed a six-page letter of concern (with attachments) on July 5, 2005 to the Minister of Forests and Range’s Community Forest Advisory Committee (CFAC) regarding the community forest’s June 16, 2005 application to the Minister of Forests for a Probationary community forest agreement.

I am writing on behalf of the Sunshine Coast Conservation Association (SCCA), representing over 25 community and conservation groups on the Sunshine Coast. The purpose of this letter is to bring your attention to some serious concerns with the District of Sechelt’s (DoS) application for a Probationary Community Forest Agreement (PCFA).

It appears that the applicant may have:

- Restricted public involvement
- Left out significant and available information
- Misrepresented the level of public support.

The SCCA is a strong supporter and advocate for community forestry and have made persistent and constructive attempts to communicate our input to the applicant, to no avail. The SCCA has an interest, as does CFAC and many BC communities, in a fair open and legitimate application process. A “community” forest license should never be imposed against the will of the affected public. The awarding of Community Forest License should represent a culmination of consensus building and cooperation. We respectfully submit for your consideration the following points of information and perspective.

In its letter, the SCCA detailed the Sunshine Coast “community input” fiascos in 2005 by the community forest proponents (see appendix for the details). Of notable interest, Bouman wrote “one of the [six] letters of support from the community” attached in the June 16, 2005 community forest application “was from the Sunshine Coast Forest Coalition chairman who is also the consultant hired by the District of Sechelt to prepare the application”, and “no letter of support was received by any First Nations representative, regional government, community association or conservation association.”

CFAC held a meeting on July 7, 2005, in Richmond City at the Airport Marriot Hotel to evaluate the District of Sechelt’s application for a Probationary Community Forest Agreement. Laid out in a July 15, 2005, two page summary, the CFAC rejected the application for a number of reasons, one of which included its lacking pretext and abounding deficiencies for “community involvement”. The CFAC (as explained in an earlier, yet unpublished, section of a future report on community forest

tenures) reports directly to the Minister of Forests and Range, who at the time of the application was the new Minister Rich Coleman, who replaced outgoing Minister Mike DeJong.

A. Community Involvement

1. The application failed to give full, frank, and complete disclosure of the positions of various community interest groups. The committee appreciates that it would be impossible to expect unanimous support from all interest groups but must be informed of the reasons – pro and con – of all stakeholders in order to do a proper evaluation.
2. In particular, the committee was aware of a lack of First Nations support, opposition from conservation groups [with no apparent attempt to engage their concerns], and allegations that the community process had lacked openness, transparency and full disclosure.

B. Administrative Authority and Structure

1. This section was grossly lacking in detail and specifics and therefore inadequate. The structure is fine in principal but needs detail on the election/appointment of the Board, the inclusion of a conflict resolution procedure, and a proper auditing procedure.

C. Stewardship and Management Objectives

1. The stewardship plan lacks details. There is no preliminary five-year management plan showing goals, activities and measurable outputs, no calculation of AAC given the proposed constraints, no plans to meet non-timber objectives other than vague general statements, no inventory data is provided and no maps of the area.
2. The business plan is almost entirely lacking. There are no cash flow, profit and loss statements nor a balance sheet – no risk analysis – no attempt to link the management plan, extended rotations and intensive forestry to the reality of revenues and costs.

D. Community Forest Land Base and Volume

1. The land base was not clearly identified. There was no Ministry letter confirming the land base and there was evidence of controversy surrounding the water shed inclusion.

The committee's conclusion was that this proposal was inadequate for consideration at this point.

The amended July 23, 2004 provincial *Community Tenures Regulation* states, under Part 1, Community Forest Agreements, Applications, and Evaluation of Applications:

An application for a community forest agreement under section 43.2 (1) of the [*Forest*] Act must ... [include] ... (v) documentation of community awareness and support for the proposed community forest agreement, including a summary of the submissions received during, and the results of, a public review of the application conducted by the applicant.

An application under section 3 must be evaluated by considering the following: (c) whether the application documents community awareness and support for the proposed community forest agreement; (d) whether the proposed plan for the management of forest resources (i) is suitable for managing the resources known to be present on the community forest agreement area, (ii) is appropriate to achieve the goals of the community and the government with respect to forest resource management; (f) the results of a public review of the application, including any actions taken or proposed to be taken by the applicant in

response to concerns raised during the public review; (g) whether entering into a community forest agreement would be in the best interest of the community and the public.

Four days following CFAC's decision, the SCCA's executive director Dan Bouman gave a presentation on July 19, 2005 to Gibson's Town Council concerning the SCCA's concerns and the findings of CFAC. Bouman presented information to Council about the shortcomings of the community forest application, including a "flawed public process", and how the Joint "Watershed Management Agreement" about to be signed between the Regional District and the Sechelt Indian Band was already being ignored and mocked (Minutes). As a result of Bouman's information, Gibson's Council appropriately rescinded its recent July 7, 2005 resolutions to both support the community forest application and to become a "full partner in the new Community Forest Corporation", a decision that took an anticipated wind out of the community forest sails.

As recorded in a July 20, 2005 email by Ministry of Forests Sunshine Coast District Manager Greg Hemphill to Ministry staff (see quote above), Hemphill, as the Ministry's local sheriff, was intent on wanting "the Community Forest to proceed" by including the two community Watershed Reserves. Hemphill, who just recently retired from government, blamed the application process hold-up on "the enviros", referencing their persistent "tactics" against the community forest as "aggressive". However, Hemphill failed to include or state in his email objections by the Sechelt Indian Band and the Regional District concerning the "contentious area" of the watersheds. In reality, an 'aggression' was perpetrated by the community forest proponents, with the aid and consent of the Ministry of Forests, responsible for stirring up public criticism and media attention by including the community drinking watersheds in the proposal.

Responding to concerns and issues raised, the District of Sechelt's Mayor Cameron Reid provided Gibson's Council with a partial "clarification" letter on September 6, 2005. Regarding the Watershed Management Agreement between the Regional District membership and the Sechelt Indian Band, Reid carefully stated:

The District of Sechelt has only viewed a draft of this agreement. Once the Sunshine Coast Regional District and the Sechelt Indian Band have finalized the agreement, Sechelt will fully review the Agreement and its impacts for the Community Forest Project.

Some three weeks later, on October 1, 2005, the District of Sechelt, through its councilor and Regional District representative and chair Ed Steeves, participated in an historic ceremony. All members of the SCRDC, including the District of Sechelt, signed the Joint Watershed Management Agreement with the Sechelt Indian Band. The Agreement was an extension to, and a fulfillment of, the Accord signed in September, 2003, to protect the Chapman and Gray Creek Community Watershed Reserves. The fact that the District of Sechelt did sign the Agreement, with the Mayor and the community forest proponents dubiously intent on dishonoring it, reveals the façade and double standard by District of Sechelt's Mayor. Attempting to distance itself from the Agreement and its obligations, public comments were later made by Mayor Reid that the District of Sechelt wasn't actually a signatory to the Joint Agreement, because, as the Mayor disingenuously argued, Councilor Ed Steeves never represented the District – he only represented the Regional District as its Chair.

7. The ‘Empty Public Input Rationale’ and the Minister’s ‘Direct Award’ Override Decision

A community forest is a forestry operation managed by a local government, community group or First Nation for the benefit of the community.

The community forest agreement was created in response to calls from communities for greater control over their local forest resources. The original agreements were given a “pilot” designation to allow government a fixed period in which to assess the program’s success. In Sept. 2004, Government instituted the community forest agreement as a bona fide form of tenure, no longer issuing “pilot” agreements; instead issuing “probationary” agreements.

In July 2004, government deposited a community tenures regulation, which allows the Minister of Forests to directly invite a community to apply for a probationary community forest agreement. The direct invitation will be extended, for example, where there is likely only one applicant in the area where the tenure is available, or where a community currently holds another form of tenure and wishes to convert it to a community forest. Direct invitations to apply will also be made to communities that have a critical need for the opportunity or where a long-standing land use conflict can be solved. (Excerpts from Community Forests in B.C., Background, by B.C. Ministry of Forests, March 5, 2005)

I am requesting that a decision or announcement regarding the District of Sechelt’s Community Forest Probationary License application be postponed until the surrounding controversial concerns are appropriately addressed.

In October, the Sunshine Coast Regional District – the purveyor of water – and the Sechelt Indian Band in whose traditional territory the application centres, signed a “Joint Watershed Management Accord” in the Sechelt Longhouse. This was attended by representatives of all levels of local government. The application before you makes no mention of this Accord. The granting of this license without addressing this Accord would clearly be in contravention of the spirit of the government’s “New Relationship” with First Nations.

I believe that by bringing the parties together, local governments and the community can reach a consensus on the Community Forest application. I am on the public record stating that I am in favour of the concept of the Community Forest, but that the consultation process was not adequate in this case. (Nicholas Simons, MLA, Powell River/Sunshine Coast, letter to Minister of Forests and Range, Rich Coleman, December 8, 2005)

The current Ministry of Forests standard for logging companies, such as Sechelt Community Projects Ltd., that operate in community drinking watersheds, requires that they must not have an adverse affect on public water treatment plants “unless this unduly restricts the flow of timber”. This is the only legal water quality standard that Sechelt Community Projects Ltd. must comply with in its “community” forest operations in our watersheds.

Under the new Forest and Range Practices Act (FRPA), the Ministry of Forests and Sechelt Community Projects Ltd. will not have any legally enforceable obligations to inform or consult with water users (the community) or water license holders (the Sunshine Coast Regional District) when planning industrial activities in the Chapman and Gray Watershed Reserves.

The Sunshine Coast Conservation Association is concerned that this “community” forest license has been granted without meaningful open review of these issues or any real consultation with the community about its most precious resource: water. (Our Community’s Precious Water, Sunshine Coast Conservation Association website, 2006)

By December 2005 the unforeseen prolonged ‘delays’ in processing an approval for the Probationary Sunshine Coast community forest agreement were apparently becoming downright irritating for a staff member within the Ministry of Forests’ Regional headquarters office in Nanaimo.

I’m counting the days. I have the week off between Xmas and New Year. I might risk getting a lump of coal under the tree though if we don’t get some community forests up and running.

I have received formal comments from the Community Forest Advisory Committee and **am preparing the briefing note to go to the Minister for decision** [bold emphasis] to move forward. I have discussed the status with both Kevin Davie and Ray Parfitt. You may want to talk to them. (Email from Gary Gwilt, Tenures Forester, Coast Forest Region, to Joni Heinrich, Director of Corporate Services, District of Sechelt, December 8, 2005)

Sunshine Coast District Forest Manager Greg Hemphill wrote to Tenures Forester Gary Gwilt five days later urging him that, as far as his District Office was concerned, there were “no conflicts” remaining in the application. It is evident in Hemphill’s email that he, as a statutory decision maker under the *Forest Act*, had simply brushed off the matter relating to both the Watershed Reserves and the Watershed Accord for the Minister of Forests’ Briefing Note:

Thanks for your work keeping this thing moving forward, may want to point out that there is [sic, “are”] no conflicts between the area proposed for the Community Forest and interest areas identified by Sechelt FN [First Nation] for their tenure. In terms of the mixed message from Sechelt in correspondence they previously stated a position that other reallocation tenures should not progress until their interests were satisfied. In terms of apportionment and tenure issuance, we believe consultation has taken place, however would point out that further consultation will take place when an FSP [Forest Stewardship Plan] is developed. (Greg Hemphill email to Gary Gwilt, regarding the Sechelt Probationary Community Forest Application Briefing Note for the Minister, December 13, 2005.)

Some six months previous, Hemphill wrote in an email to Ministry of Forests staff involved in community forest reviewing, that the Sunshine Coast community forest “controversy is a result of MOF reallocation strategy, i.e. putting Sechelt into the community watershed” (July 12, 2005 email).

The December 13, 2005 Minister's Briefing Note draft described under Section 4, *Discussion*, that:

Section 6 of the Community Tenures Regulation states that the Minister may direct the Regional Manager to enter into a PCFA [Probationary Community Forest Application] if the Minister is satisfied with the application and, in his opinion:

- (a) on the balance of possibilities, it is unlikely that any other person would submit an application;
- (b) entering into the agreement is in the public interest.

The Ministry and Community Forest Advisory Committee agree that there are two main concerns with this application: the adequacy of the community support and whether it adequately addresses the impacts of logging on non-timber values.

Community involvement and broad spectrum of support are two criteria used in evaluating the application. It is clear that the community is aware of the application as demonstrated by the newspaper articles, letters and information from meetings. There appears to be support for the concept of a PCFA but there is unresolved opposition to the inclusion of the Chapman and Gray community watersheds in the agreement area.

The Sunshine Coast Forest District has endorsed the inclusion of these high profile watersheds with the expectation that the District of Sechelt will develop a long term, community-based, forest management solution. The District of Sechelt has committed to no harvesting in these watersheds during the five year term of the PCFA to allow time to prepare a strategy.

Critical in Gary Gwilt's summary of community opposition to logging in its Watershed Reserves in the Minister's Briefing Note is his honest portrayal of the Sunshine Coast Forest District's position, namely that it, on behalf of the Ministry of Forests and Range government, "has endorsed the inclusion of these high profile watersheds" in the tenure application.

The Briefing Note goes on to state:

Correspondence from the [Sechelt Indian Band] Chief and Council however, shows opposition to logging in the watersheds within their territory.... The Band has been informed that future operation planning will address their concerns. It is felt that the general comments would not preclude issuance of the PCFA.

The District of Sechelt has been building community support for a CFA since the government created an expectation for a tenure opportunity during the "pilot" phase of the program.... The objectives of the community forest program ensure that an agreement is in the public interest.

About a month later on January 9, 2006, Gary Gwilt responded to a letter sent to Greg Hemphill on November 25, 2005 from the Sunshine Coast Regional District. The Regional District demanded an answer on whether the Sunshine Coast community forest's "resubmission" was "subject to full public review?" Gwilt stated that the:

Ministry of Forests and Range received the [initial] application in June 2005. An initial evaluation identified some deficiencies. In particular, the proponent was asked to provide more detail on the level of community support. There was **NO EXPECTATION** [bold, capitalized emphasis] that the proponent would engage in a new public review process prior to submitting a revised application.

In other words, the Ministry of Forests was refusing to have any further “community” input on the Sunshine Coast community forest’s second controversial application proposal.

On February 15, 2006, Minister of Forests and Range Rich Coleman wrote to the Coast Forest Region’s Executive Director Cindy Stern:

I understand that the District of Sechelt have submitted an application that meets your requirements. I have reviewed the application and feel that the prescribed requirements of the Community Tenures Regulation have been satisfied.

The District of Sechelt has created a limited liability company, Sechelt Community Projects Inc., to acquire and hold the Community Forest Agreement.

In accordance with Section 43.51.(1)(b) of the Forest Act, I hereby direct you to enter into a PCFA with Sechelt Community Projects Inc. (Letter copied to Deputy Minister Doug Konkin, Director of Resource Tenures and Engineering Branch Jim Langridge, and Sunshine Coast Forest District Manager Greg Hemphill.)

How did Forests and Range Minister Coleman come to the conclusion, as stated in the December 2005 Briefing Note that the community forest application was in the “public interest”? Despite the overwhelming public opposition and SCRD/Sechelt Nation Accord, it is not defined or explained anywhere. The Minister’s decision to approve the Probationary License was made through his overriding discretion of Part 1, Section 6, of the *Community Tenures Regulation*, for a *Direct Award*, whereby the Minister may directly award a community forest license, if “in the opinion of the minister, entering into the agreement is in the public interest.” The Minister made his final decision in isolation against the wishes of “the community”.

On May 29, 2006, the Sunshine Coast Conservation Association forwarded a letter to Forests and Range Minister Rich Coleman, requesting that he respond to ongoing concerns about the lack of public input and government response in the Sechelt Community Forest.

It has come to our attention that your Ministry intends to grant the District of Sechelt a Probationary Community Forest Agreement (PCFA) in an official ceremony on May 31, 2006.

We wish to draw your attention to the fact that the approved District of Sechelt application contains a clear commitment to undertake a public consultation process around a draft forest management plan prior to the granting of a Probationary Community Forest License. No such consultation has taken place. In fact, we have learned that a forest management plan was submitted by the proponents and approved by Sunshine Coast Forest District Manager, Greg Hemphill, without any consultation or even public knowledge that this part of the process was underway.

We note that Mr. Greg Hemphill was aware that this formal obligation of the proponent to public consultation was not met. What is the rationale for this decision to allow the PCFA to be established without the terms of the application being met?

In closing we wish to state that we continue to be very alarmed that the District of Sechelt appears to have the support of your Ministry in preventing any meaningful public discussion of the proposed “community forest” or any genuine consultation with affected public stakeholders. Many community members feel that this forest license has been improperly imposed on them.

Our organization and members remain committed to the concept of genuine community forestry and would cooperate fully in such an endeavor.

Coleman responded on July 14, 2006:

A Probationary Community Forest Agreement was signed on May 31, 2006. Additional public consultation was not a legal requirement for approval of the Management Plan and issuance of the licence. I understand the District of Sechelt has identified that their community forest corporation will continue public consultation while they formulate their own strategic plans for the community forest. They have identified that, in part, this will be accomplished through their Community Advisory Group. If you have not already done so, I suggest you express your interest in participating.

It is clear that the Minister of Forests and Range, who had been advised of the Sunshine Coast community’s steadfast opposition to logging in its drinking watersheds through his own advisory staff, and by public interest bodies, had contrarily granted authority to his staff to approve the Probationary Community Forest Agreement, merely providing lip service to requirements for community input and acceptance.

Your statement, during question period at the Legislature on October 26, 1005 (Hansard line 1239) regarding establishment of Community Forest Licenses clearly indicated that these licenses would not be imposed on communities that do not want them. While we do support the idea of community forests, this particular application does not enjoy our confidence or that of the people of the Sunshine Coast or any of the key stakeholders in the proposal area.

It appears to many people that the District of Sechelt believes that it already has the support of senior government and does not need to consult with the public, or any other body. (Letter to Minister of Forests Rich Coleman, from Dan Bouman, Executive Director, Sunshine Coast Conservation Association, December 18, 2005)

Minister Coleman’s politically provocative and indefensible position in granting the Probationary License through the Direct Award provision under Section 6 of the *Community Tenures Regulation* that included the two community Watershed Reserves would also afford valuable political assistance to another forestry company. In 2006, Western Forest Products applied for a road and logging permit in a highly contentious parcel of old growth Crown land in the Chapman Creek Watershed Reserve, which the Regional District formally objected to in February, 2006. Western’s application would become a troubling, thorny, and explosive issue in the summer of 2007 following a logging road blockade by local residents. The targeted, ancient old growth stands of mid- to high

elevation Western Red and Yellow cedar that had been identified in the 1990s IWMP to remain as critical, valuable intact stands for both forest hydrology and ecosystem function, were now evidently also up for grabs.

8. The Role and Fate of CFAC

In December 1997, some seven months before the July 1998 *Forest Act* amendment² that created the new community forest tenure, the Minister of Forests, David Zirnhelt, formed the Community Forest Advisory Committee (CFAC). On May 7, 2007, almost ten years later, the Minister of Forests and Range dissolved CFAC.

In its formation, CFAC's original seven appointed members were given a Terms of Reference and were to report directly to the Minister. According to former information provided on the Ministry's website in 2005, CFAC's role was to:

- Advise and assist the Ministry of Forests to assess individual community forest agreements.
- Evaluate new proposals for community forest agreements.
- Advise and assist the Ministry of Forests to evaluate the program and make recommendations for improvement of the program.
- Provide input into an annual report.
- Facilitate the exchange of information between community forest agreement holders, the Ministry of Forests and other agencies.

In a more descriptive statement about CFAC's role in the third bullet above, it was reported in the *Community Forest Agreement Program Annual Report* of 2000-2001 that CFAC "make recommendations regarding acts, regulation and policy as they relate to successfully implementing Community Forest Pilot Agreements (CFPAs) or to the offering of additional CFPA opportunities."

The Ministry also had flowchart information on its website which detailed each of the eleven steps taken by CFAC, the Ministry of Forests and the Minister of Forests in evaluating a community forest application.

1. Application or assessment report invited.
2. Regional Executive Director (RED) / District Manager (DM) receives application or assessment. Report & forward to CFAC with / without comments.
3. CFAC members review application or report individually, then hold conference call to discuss.
4. CFAC requires additional information? Yes/No.
5. CFAC requests additional written information or interviews with agreement holder / MOF staff.
6. CFAC receives / reviews additional information.
7. RED / DM forwards application to branches, other ministries or stakeholders for comment

² Bill 34, *Forest Statutes Amendment Act*, was followed by the December 4, 2000 *Community Forest Agreement Regulation*, B.C. Reg. 384.

as appropriate.

8. RED / DM receive comments from branches, other ministries or stakeholders.
9. RED / DM evaluate application or report, consider CFAC recommendations, other input. RED / DM prepare decision briefing note, letters to agreement holder / applicant cc to CFAC.
10. CFAC makes recommendation & forwards to RED / DM.
11. Minister makes decision, writes to agreement holder.

In a statement from CFAC in the first annual Community Forest Agreement report of 2000-2001:

All the members of the CFAC feel privileged to have been involved in working with the government's objectives, as outlined above, and we are proud of the product that has resulted from our work with the Ministry of Forests. We congratulate our elected provincial leaders for their continued support for this new form of tenure.

We are also confident that innovative forestry practices will be explored and communities will find their own optimum mix of timber and non-timber benefits.

These pilot projects will require some shepherding in their early years, and the committee is pleased to offer its ongoing involvement for that and other purposes as may arise. We know that these pilots will prove the value of the community forest agreement for both communities and the Province and look forward to the integration of this tenure into the overall forest tenure system of B.C. (Page 4)

The minutes of the CFAC meetings were never made public. During the nine and half years of its existence, CFAC approved a number of pilot, probationary and formal community forest tenures. However, according to confidential sources, CFAC began to run into rough waters during the Sunshine Coast community forest application processes in 2005, following.

In a July 20, 2005 email by Sunshine Coast District Forests Manager Greg Hemphill to Ministry of Forests' staff following CFAC's rejection of the Sunshine Coast community forest's application, is a curious statement about the future fate of CFAC:

At the time of the announcement [by Minister of State for Forest Operations, Roger Harris, on September 18, 2004, regarding the District of Sechelt's application], the application process was by default a carry over from the previous Community Forest Pilot Agreement program. Some work has been undertaken to refine the objectives of the CF program to be more business like and streamline the application process, however it's fair to say the process may still be considered overly onerous for direct invitation applicants. One of the issues which may come up is the continued role of the Community Forest Advisory Committee (CFAC).

What prompted Hemphill to suggest the possible discontinuance of CFAC? Was it Hemphill's idea, or had the suggestion emanated from engaging comments by frustrated Sunshine Coast community

forest proponents? Whatever its origins, it seems that Hemphill's comments about CFAC's possible future fate may have been the first recorded instance. Hemphill's concerns relate directly to the Sunshine Coast Conservation Association's six-page letter to CFAC (see section 6 above), and CFAC's independent role to critically assess the community forest application's shortcomings that specifically involved the community watersheds which Hemphill controversially approved of.

Some four months later, when the community forest's second application (that was not vetted by "the community") was being considered by CFAC and the Ministry of Forests, the District of Sechelt sent a letter on November 29, 2005 to Ministry of Forests Tenures Forester Gary Gwilt (*Re: Probationary Community Forest Direct Awards Application*). The letter contained a suggestion from the District of Sechelt's Mayor, Cam Reid, under point number two, that "CFAC should not be involved" in cases "where the (Ministry of Forests') District Manager has determined that the (community forest) applicant has the capacity to proceed". In point number three, the Mayor states that the "District Manager should have the same authority in decision making concerning Community Forest applications as he currently has in other small tenures such as Wood Lots." And finally, in point number four, the Mayor complains that the community forest "application" by CFAC "is too long."

Sometime in early 2006, the Ministry of Forests and Range contracted Meyers Norris Penny and Enfor Consultants Ltd. to conduct a formal, coordinated, and comprehensive review of its eight-year old Community Forests Program.

The main impetus for this review is that the CFP is transitioning from a pilot to an operational phase, and over its eight year life has engendered much learning and experience amongst its stakeholders. At this time, there is a desire within the Ministry and amongst stakeholders to review the needed parameters for a fully operational Community Forest Program. (Executive Summary, page 1, *Community Forest Program, Program Review*, June 2006)

The intent of this program review is to build on the pilot phase and experience of its stakeholders within a continuous learning environment, identifying Best Management Practices (BMPs), thereby strengthening the Program's contribution to good forestry stewardship and local economies. (Ibid, Page 8)

The Program Review contractors were provided open access to "various Ministry and non-Ministry documents" and conducted "in-person and telephone interviews with representatives of the eleven fully operational Community Forests in the Program, CFP applicants, BC Community Forest Association, Community Forest Advisory Committee and other stakeholders" (Ibid., page 11). Under a "Research Sources" summary data table, the report contractors conducted telephone interviews with four members of CFAC (Ibid.). In a footnote describing the "content analysis" of all the combined interviews, including interviews with Ministry of Forests's Tenures Officers:

The interview results were carefully reviewed, looking for commonalities of content themes, and assessing how closely or widely they diverge. The evaluator starts at a descriptive level and moves to an evaluative level; it is through the "compare and contrast" technique that the full range of viewpoints are understood and integrated into a conclusion.

Within the lengthy Terms of Reference for the Program Review document were 16 project topics. Under project number 14, was: “Evaluate the role of the Minister’s Community Forest Advisory Committee relative to the objectives of the BC Community Forest Association and recommend changes that may be warranted to improve its effectiveness in ensuring achievement of program objectives.”

Under the report section 4.3.4, *Community Forest Advisory Committee*, was report

Recommendation #32, to “Retain and resource CFAC” (page 75).

The report stated, that

It would appear that CFAC has been especially strong in ensuring that applicants and Program participants have plans that are consistent with the Program’s objectives and original spirit. This appears to have occurred mainly because of the longstanding participation of the current members and the institutional knowledge they carry through.

The Ministry re-focused as part of the Forestry Revitalization Strategy and the Community Forest Program is one of the few remaining Ministry programs that incorporates an explicit social development focus. Keeping CFAC as a repository of expertise and enthusiasm for community forestry to complement MOFR staff expertise will make an important contribution to the Program’s success in terms of achieving its objectives. CFAC’s role as a “champion” of the community forest concept is an intangible but very important in ensuring the Program is allowed to stay true to the spirit at its creation. This is especially important when there are a wide variety of communities involved with the Program, implementing different perspectives about the community forest concept.

Hence, CFAC should be involved in the review of applications for community forest agreements. They will be able to contribute valuable institutional knowledge about the intent of the program in their reviews, in addition to their subject area expertise.

While the BC Community Forestry Association provides important information to the Minister and MOFR staff, as well as to its members, its roles lie in advocacy, extension and education as it is a member based organization. It could not step into CFAC’s current role because it is neither a multi-stakeholder body nor appointed by the Minister.

Community forest operational expertise, especially in the area of financial and marketing management is a serious deficiency in the knowledge and skill sets of the CFAC and the Ministry. As mentioned in Section 4.3.1, much more attention needs to be directed at the business plans of applicants. There should be specific expertise in this area on CFAC and serious consideration should be given to contracting expertise to review business plans of applicants to better determine their viability.

The CFAC needs a modest secretariat service since its members should not be expected to provide minute taking and decision drafting services, distribution of materials and related clerical services as part of their contribution to support achievement of community forest objectives. The honorarium should also include allowances for travel costs to support reviews and meetings. (Page 76)

What was the outcome of the well-researched recommendations about CFAC's continued role? In a recent conversation on April 21, 2008 with one of the report authors, professional engineer and forester Mike Greig was quite surprised to learn of CFAC being disbanded. In fact, there isn't any information about it on the government's Community Forest website. The public affairs branch with the Ministry of Forests never issued a news release about CFAC's disablement, and an electronic search of B.C. newspapers failed to reveal information about the matter being made public: it seems as if the entire matter fell below public radar.

In a recent telephone call with Minister of Forests community forest tenure spokesman Ron Greschner on April 25, 2008, he confirmed that the Minister of Forests disbanded CFAC on May 7, 2007 in a dismissal letter some ten months after the Ministry received the report. In another discussion with Greschner on April 28, 2008, he provided summary information about why CFAC was dissolved. Apparently, from follow-up input discussions with both the B.C. Community Forest Association and CFAC, was a recommendation that CFAC's role was no longer necessary for various reasons: only four CFAC members remained, the legislation about community forests had substantially changed the conditions for the role of CFAC, and concerns about financing CFAC itself. Following the internal review, Greschner was ordered to prepare a Briefing Note for Forests Minister Rich Coleman about the dissolution of CFAC. The final Briefing Note was sent to the Minister on March 30, 2007, some five weeks previous to CFAC's termination.

The upshot of what unfolded by way of the Minister dissolving CFAC is the Minister's discretionary powers for Direct Award of community forest tenures. Under the Minister's discretion, there no longer exists a legal obligation mechanism for public consultation, as vetted through CFAC. No longer does CFAC decide if a community forest license is appropriate for or supported by "the community". This new, or rather old, policy leaves the door wide open for cronyism, and makes a mockery of "the community forest" initiatives. And, as seen from the unfolding of the Sunshine Coast community forest proposal controversies, the new directive within the Ministry of Forests and Range may have come about as a result of them.

9. The 2007 Board of Health Hearings and Community Forest Director Brian Carson

Following:

- the citizen blockade against Western Forest Products in early June 2007;
- the Sunshine Coast Regional District Board of Health Hearings in July and August 2007;
- and all the related, successive court cases from July to October 2007;

the Chapman and Gray community Watershed Reserves were clearly back on public radar.

Nine years previous in the early part of 1998 was the last time that the watersheds had received a similar level of widespread, intense public attention and resolve, leading up to the May 2nd Referendum vote. Nine years later, articles and letters in local newspapers appeared week upon week in the summer of 2007, streaming in fast and steady as melting snow in spring time. And, following the Western Forest Products controversy that had gained national attention where the company planned to log ancient (supposedly protected) forests on very steep and moderately inclined slopes in Chapman Creek, citizen groups and local activists had a heightened awareness and resurrected resolve to monitor the next phase of controversy in the two watersheds, namely the local community forest plans. Another momentum was created.

Some of the Sunshine Coast community forest directors kept keen watch on the Board of Health Hearings in July and August of 2007, and were becoming ever more privately concerned about the possible future fate of the community forest tenures in the two Watershed Reserves. For good reason: those watershed areas accounted for one half of their total Probationary five-year License.

Unbeknownst to local citizens at the time of the Hearings in July 2007, the primary reason behind the community forest directors' new concerns was that Sechelt Community Projects Inc. (SCPI) had just been nominated to sponsor the next annual conference of the B.C. Community Forest Association in the Town of Sechelt scheduled for the end of May, 2008. Earlier that month, at the Community Forest annual meeting in McBride on July 1-3, 2007, Sunshine Coast community forest operations manager Kevin Davie was voted to a prominent position as the provincial Association's vice-president. As a direct result, the stakes had now been raised by the Sechelt community forest directorship to demonstrate its operations and 'public acceptance' to the Association membership at the next annual meeting, therefore the collective eyes and ears of the Sunshine Coast community forest directors were now focused on the proceedings and outcome of the Hearings.

There were two interesting episodes concerning SCPI and the Watershed Reserves during the Board of Health hearings. The first occurred during Tom Watson's presentation on July 24th. Watson, a fisheries biologist and toxicologist with Triton Environmental Consultants Ltd., had conducted field assessments in 2005-2006 and co-authored the July 2006, 106-page *Chapman Creek Watershed Drinking Water Source Assessment* for the Sunshine Coast Regional District. Because Watson's study was isolated to the Chapman watershed, and not the Gray, he reported in a Power Point slide presentation that SCPI's tenure in the Chapman was a large block of timber on 2,250 hectares (just under a third of the total area of the Chapman watershed boundary above the intake) that "will not be logged for the next 5 years," because, as he stated, "there was a moratorium in place" (quotes are from a video recording).

About half way through his presentation, Watson stated, in context of summarizing his reasons why the Chapman watershed was “exhibiting advanced hydrologic recovery” following decades of logging, that his “greater concern” for the future “is the potential harvesting of a much greater area of forest represented by the SCCF [Sunshine Coast Community Forest] tenure”. During the question and answer session after his formal presentation, Watson emphatically stated that he had a strong “opinion” on the future logging proposals by the SCCF on the Chapman watershed, but was “not too comfortable”, because of legal liability (“I don’t want to be sued by anyone”), in discussing his thoughts on the matter before the Board and the attentive public. Despite some immediate anticipation by the public and the Board for greater clarification, Watson decided to say nothing more about the matter.

The second episode was Brian Carson’s presentation (August 9th), and a related previous outburst (July 24th). Carson is a Director of SCPI, yet registered himself in the speakers’ three sign-up sheet categories to the Board (pro-logging, anti-logging, and neutral) as a “neutral party”. Following his presentation, Carson was questioned by Gibson’s Mayor Barry Janyk about why he registered himself as a “neutral party”, what relationship Carson had with Western Forest Products as a previous contractor, and to state his present association with the community forest. Carson deflected the question of neutrality, stating that he was proud to be a director of the community forest, and said that he had no contracts with Western. However, Carson did write a joint report for Western Forest Products Ltd. and Ministry of Water, Land and Air Protection in 2002, *Haslam Lake – Lang Creek Water Quality and Quantity Monitoring Program – with Water Quality Objectives*.

Janyk then went on to quote Carson from an unidentified 2002 newspaper article, in which Janyk stated Carson was critical of logging in community watersheds. Janyk specifically asked Carson if he thought Western Forest Products’ logging and road building was “going to improve the situation of hydrology in the Chapman Creek watershed.” Carson answered by briefly stating that “I think it [your question] is a foolish question”. Murmurs were heard throughout the room after his remark – it was a strange and defiant comment. Janyk then asked, “Could you comment on the legal responsibilities for the water purveyor, the Sunshine Coast Regional District, versus the lack of authority to dictate the legal responsibilities within it?” Carson responded: “As I said, it would be very very fine if this Board would work with the ‘community’, and would work with the industry to make management as we would like it to be.”

About a week and a half previous, on the late morning of July 24th, just after the Health Board announced that it was going to promptly advise Western Forest Products on a Cease and Desist Order for its operations in the Chapman watershed, and following public cheering and clapping, Carson stood up and shouted, “You’re making a very big mistake!” His comment was caught on a video recording.

Carson, a private consultant under Carson Land Resources Management Ltd., holds a Masters degree in Soil Science from the University of B.C. He had been contracted from 1995-1998 by the B.C. Ministry of Environment through funding from Forest Renewal B.C. to conduct watershed restoration projects and assessments in the widely damaged and heavily-logged Chapman watershed. His restoration tasks were reported on a number of occasions in the local newspapers, a period during which the provincial government and the Sunshine Coast Regional District were busily hammering out and attempting to finalize the lengthy processes with the Integrated Watershed Management Plan of Chapman and Gray Creeks (1990-1998). As a Sunshine Coast resident, Carson had an earlier contract with the Regional District regarding its landfill site, and also

was an on-and-off member of the SCR D's Forest Advisory Committee (reported on in the Minutes of the Advisory Committee, and included in Carson's 1994 curriculum vitae to Environment Ministry).

As a contractor for the Ministry of Environment, on February 27, 1997 Carson sent an intriguing email to his boss Valerie Cameron, head of watershed management at Vancouver Regional headquarters. His internal comments, and his boss' response, are worth review:

Valerie. In spite of all the work of the IWMP am concerned that a political decision will be made to close the watersheds to logging. I believe that this [is] the wrong decision for a number of reasons and among other things makes a mockery of my last two years of work. As a concerned citizen (not as a WRP coordinator) I would like to "come out of the closet" and show the community my support for responsible forest management. I am considering writing a letter to the editor of our local paper stating my case. Do you think this will cause you any problems for you and the IWMP process? I have not even drafted the letter yet but I am still thinking. Cheers, Brian. (Brian Carson to Valerie Z. Cameron. Subj. Re. FW: Chapman WRP Sediment tour & misc. February 27, 1997. 12:46pm)

While I recognize your rights as a member of the community to express your opinion, in this case Brian I would strongly advise you not to take a partisan position by writing a letter to the editor, especially at this sensitive time when we are planning to sign off the IWMP so soon. Undoubtedly, a letter exposing the position you have stated below will be interpreted as a pro-industry lobby and will further erode any public confidence in the IWMP and WRP [Watershed Restoration Plan], possibly forcing the very political decision that you have expressed concern about. At the present time, the IWMP, after careful technical review and multi-stakeholder participation, is in favour of integrated resource management, and there is no concrete indication that this position will not be honoured. If, despite the recommendations of the IWMP after it has been signed, it looks like such a political decision is going to be made, that will be the time for the public to express opinions, as the decision will not be made without some warning. I feel that your best strategy is to do what you have been doing to this point - - describing the physical complexities of watershed management and communicating the technical aspects of the WRP program to all stakeholders, the SCR D, and the general public. By sticking to the technical issues, you will continue to give your position on watershed management credibility and will not place yourself into a compromising position in terms of your contract. Please call me directly if you would like to discuss this further. (Valerie Z. Cameron to Brian Carson. March 3, 1997. Cc. Neil Peters, Ron J. Henry. Priority: high.)

Some two months later on May 3, 1997, Globe & Mail reporter Bill Atkinson published a feature article in the newspaper's Science Section called *The Prince of Muddy Waters*, with a long interview on Carson's contract with the provincial government in Chapman Creek.

But now, eight years after he started his environmental mission, Mr. Carson's watersheds are ready to deliver drinkable water and usable timber. And he is convinced that logging need not affect water quality or flows, provided it is done with care. This achievement – gaining logging's economic benefits, while avoiding the unpleasant consequences of muddy water and degraded biohabitants – may be a world milestone in resource development.

With the release of this article, Carson had literally “come out the closet” and would later become a central provincial proponent for logging on B.C.’s drinking watersheds. Carson has had numerous contracts with B.C. Timber Sales for researching and writing Community Watershed assessments.

As a kick-off to his newly elevated platform, on January 10, 2002, the Vancouver Sun newspaper published an article by Carson, *Scientist Disputes Hume on Watershed Safety*, in response to Vancouver Sun columnist Stephen Hume’s January 2, 2002 article about Chapman Creek. As Carson wrote:

Stephen Hume has done all British Columbians a great disservice in his recent columns condemning forest harvesting activities in community watersheds.... But what about if watersheds are well-managed? Many studies confirm that properly located, designed, constructed managed and deactivated roads and sensitive forest harvesting need not have a measurable hydrologic or water quality impact on any watershed.... A large urban area like Vancouver with its diverse tax base apparently can afford to close off its watersheds to all other uses. But what about all the other small forestry-based communities up and down the coast? Revenue generation through appropriate forest harvesting is of primary importance to all of us in B.C.

Since 2002, Carson has made numerous presentations advocating forest management in drinking water sources.³ For instance, on October 24, 2005, Carson was a presenter at the B.C. Water and Waste Association’s conference in Kamloops, under the conference theme of *Source to Tap – What you Really Need to Know*. The B.C. Water and Waste Association is directly affiliated with the American Water and Waste Association (AWWA). Initial investigations by the author over ten years ago found that the United States forest industry made significant partnership inroads with key city and town engineering members of the AWWA beginning in the mid-1940s to help promote controversial logging proposals in thousands of U.S. protected drinking watersheds. The following quotation is from Carson’s presentation, which the B.C. Water and Waste Association maintains a link to in its website under its 18-member Drinking Water Committee:

Watershed management is important for delivering best quality raw water possible to any drinking water intake.... In the popular press and in the public eye, harvesting of timber is often considered to be a major affront to water quality. We can overcome this problem with good management. With informed planning, good road design and construction and sensitive forest harvesting, water quality degradation need not occur with logging operations.

3 Here are some examples. In a Forest Renewal research grant, *Assessing Soil Erosion from Roads and Mitigating its Potential to Degrade Water Quality in Coastal British Columbia*, 2002. In a website advertisement with Carson and Ministry of Forests & Range Stewardship and Integrated Resource Section staff member David Maloney, on “water quality effectiveness evaluation. In an Environment Canada website, under *The Management of Water*, is a Case Study – Powell River, British Columbia, with 2002 water quality data from Carson’s monitoring of Haslam Lake and Lang Creek, and report of 2004. Carson’s 2003, Watershed Assessment of Haslam Lake Land Creek Community Watershed. Carson was also involved as a project partner in developing a part of the results-based Forest and Range Practices Act called the Water Quality and Effectiveness Evaluation, with sites on the Sunshine Coast and proposed existing sites in the Greater Vancouver watersheds (*Proposal for Verification of Water Quality Effectiveness Evaluation Procedure for Period October-December*, 2006). In a Forest and Range Evaluation Program workshop held in Victoria in late February, 2007, Carson was involved in numerous Water Quality pilot projects in B.C. In his power point presentation at that workshop, Carson said there are two key questions: “Are forest and range practices effective in protecting water quality?; and, are forest and range practices increasing the risk of drinking water health hazards?” Carson also helped prepare the 47-page *Protocol for Evaluating the Potential Impact of Forestry and Range use on Water Quality*, for the Forest and Range Evaluation Program.

Carson has also been busy in the Town of Powell River's community watershed.

Brian Carson, a hydrologist from the lower Sunshine Coast, who has conducted many studies of the Haslam Lake-Lang Creek watershed, said if people abided by what he calls watershed hygiene, logging can take place without making any noticeable change to water quality. "In a community watershed there are lots of eyes watching to make sure things are done correctly," he said. The reason why there is angst associated with logging watersheds, he added, is because of things that happened in the 1970s and 1980s when loggers "really had no sense that water quality was even an issue. Now there's a recognition that kind of behaviour is not on." The way Powell River's watershed has been managed in the last 10 years is head and shoulders above the way management used to be, Carson said. "From what I'm hearing today from the directors of the community forest, they're committed. I'm confident that they will perform well for the community." (*Forest harvesting plans on display*, Powell River Peak article, June 6, 2006)

Back in late April, 1998, just before his contract with the government ended, Carson submitted a letter to the editor published in one of the local Sunshine Coast newspapers, just before the public referendum of May 2nd.

Should logging be permitted in Chapman watershed? A loaded question. Certainly the type of logging that occurred between 1960 and 1980 is not acceptable. However, the fact that severe watershed degradation occurred is no more a reflection on the forest industry than the society of the day that was hooked on forest revenues to fund these activities regardless of their environmental costs. If future logging were to be carried out with sensitivity such as outlined in the community watershed guidelines, there would be no measurable decline in water quality at the SCRD intake.

Who should have control over the watershed? This question, at first glance, is easy. Obviously we should. The problem is defining who "we" are. It appears some would like "we" to refer to the community when it comes to accepting assets and the province when it comes to accepting liabilities. We can't have it both ways. If we as a community demand that logging should no longer take place, we should be accepting that transfers of payments to our community must also be reduced. Less medical care, fewer highways, less recreation grants, exacerbating local unemployment.

Conversely, if "we" refers to the province, recognize that extracting revenues by logging

Logging in Watersheds

There is concern over the impact of logging in watersheds on drinking water quality. The Sunshine Coast has a long history of public opposition to logging in community watersheds.

Water Summit speaker, Brian Carson, who has conducted extensive water quality studies in various Sunshine Coast rivers, argues that good logging operations do not impact water quality. He states that, "water quality and timing of flows can be preserved by well-built roads, good maintenance and sensitive harvesting." However, other Summit participants expressed concern that it is impossible to know in advance whether an area will be well-logged or not, or profitable or not.

(Source: The 1st Sunshine Coast Water Summit, March 22-23, 2006. A Framework for Creating a Sunshine Coast Water Master Plan. Convener's Report Draft, page 11. Carson's presentation at the conference on March 22, "Watershed Management and Water Quality on the Sunshine Coast.")

within a community watershed must be done with care and sensitivity. Revenues must find their way back to the community, otherwise why should we take on any risk however small? ... In the event that the SCR D is required to spend millions of dollars on developing a filtration system, it will be because of future changes in Canadian Drinking Water Standards, not damage anticipated by future logging.

Not only is Carson, as a Director of Sechelt Community Projects Inc., now an avowed advocate for logging in the local community watersheds, but he has also stepped outside of that smaller Regional District circle into the larger domain as an advocate for such in B.C. forest industry politics.

10. March 2008 – The Deceptions, the Final Straw and the Big Boot

“The logic of carrying out this spacing in the watershed after what happened last summer is political dynamite,” said John Bebbington, who was acting as a spokesperson for the group (one of the 30 people gathered outside the Sechelt District’s municipal hall on Monday). (SLRP shakes up community forest program, Coast Reporter, March 14, 2008)

Questions remain for the Sechelt Community Forest about the implications of interim measures that will likely make their cut blocks in Chapman and Gray Creek watersheds off-limits to logging-related activity.... [Said Len Pakulak, Sechelt Community Projects Inc. board chair] we have to assume, at this stage, these two watersheds will be removed from the community forest. (Community Forest seeking replacement land from MOF, Coast Reporter news, March 21, 2008)

Fate, as often described by poets and authors throughout the ages, is sometimes a peculiar and strange thing in the complex unfolding of Human Destiny, catalogued and referenced in the Great Divine library. Given the pronounced public acrimony and attention against Western Forest Products’ road construction and clear-cutting activities from June to November, 2007 in the Chapman Watershed Reserve, and the subsequent keen public watch over the community forest’s next move, the so-called “community forest” directors were nevertheless apparently intent on testing the proverbial waters. And, what transpired in March 2008 on the Sunshine Coast is another benchmark in the encyclopedia of worldly fates.

10.1. The Open House

On February 28, 2008, leap year Thursday, exactly one week before a presentation by the community forest to the Regional District about its tree-thinning permit for Chapman Creek, the Sunshine Coast community forest held an Open House. About two power point slides made summary reference to proposed thinning projects, but no other specific details were forthcoming in contrast to the information presented the following week.

During the Open House proceedings, community forest chair Len Pakulak gave the District of Sechelt Mayor Cameron Reid three large ceremonious cheques for the District’s \$385,000 loan, loan interest, and 2007 year profit dividend.⁴ Reid then proudly stated:

We encourage the community forest to grow, and ask the community to provide more participation into the decisions that our Board is making. As the District of Sechelt, we stood at arm’s length and tried not to interfere with the Board, and believe me, that’s really hard to do. When we look at what they are doing, we have nothing but admiration and respect for what they’ve done. (District of Sechelt Mayor Cam Reid, audio/video transcript)

⁴ It is not known if the funds provided to the community forest were a loan or a line of credit. Questions remain as to the legitimacy and authorization of these funds.

The last half hour of the Open House was devoted to a public question and answer period. The first question/concern raised the looming shadow of the two community watersheds in the community forest. The presenter requested the community forest to remove the two watersheds from its tenure, saying:

I would like to approach the Ministry of Forests, and I would like you to ask them, on your time, to remove the watersheds from your tenure. You are all my neighbours and I respect what you do. You must also respect people on the Coast who feel very strongly about the watershed. So by removing that piece of the land from the watershed we could all be much happier. I think a real firestorm will come your way in that five-year time, and I know that will happen. I don't want to see it. I don't want to see us angry at each other.

Community forest's chair Len Pakulak responded:

It's not really our prerogative to re-allocate lands within our tenure. I do understand your concern, and we share it. There are some people who have come to the conclusion on less than scientific facts that logging doesn't belong in the watershed. I think we all need to recognize that just because of the lay of the land here on the coast, every forest is in a watershed. Every forest is in a watershed.

There are about 40 members of the B.C. Community Forest Association. It is very interesting to look through captions or sections of that website to identify, or at least to understand, why some of those members have taken out a community forest license "to protect" their watershed. So it is their belief – and I'm just telling you about it, you need to read their own words – they say and believe that their community is supporting their community forest to protect the watershed.

The Sunshine Coast community forest website provides a summary career backgrounder about Pakulak. A mechanical engineer, he was employed "at a senior level, of oil sands mining at Syncrude in Fort McMurray, Alberta, and in situ oil sands at Cold Lake, Alberta." As such, Pakulak was probably and somewhat familiar in maintaining company policy on controversies concerning the extreme despoliation of 'the environment' by tar sands development. In this sense, perhaps Pakulak had little problem in his, and the B.C. Community Forest Association's, rehearsed sophisticated response about "protecting the [community] watersheds" by logging them.

Llewellyn Gray, a Sechelt District resident, then rose to the microphone and challenged Pakulak's response statements.

Contrary to the statement that you made there, there is lot's of scientific data about the protection of the watershed. We've been working on it for a long time. We do support community forest, community foresters, but this was a bit of a love-in. There are Watershed Reserve boundaries, so it is a bit disingenuous to say that all of the Coast is a watershed. There are Watershed Reserve boundaries that have been ignored by provincial governments down through the years, and certainly by this process that the community forest came into being. Because at all the public meetings, most of the public was against it.

John Keates, another Sechelt District resident, requested the community forest to provide him with an answer to a simple question he had recently posed to Kevin Davie at a community forest

advisory Board meeting. He had asked Davie, the community forest operations manager, what percentage the two community watersheds represented out of the total community forest tenure area.

Mr. Davie told me at that time that he didn't know. That's on record, somewhere. It seems to be a very simple question, and I'm very concerned that I can't get an answer to that. Can anybody help me here?

Pakulak then quickly responded, "36 point seven percent (36.7%)." Keates then replied,

Just a supplementary question. So, why do you think then, that the person that runs your organization essentially didn't know the answer to that question, and said to us afterwards that it simply wasn't on the agenda?

According to two separate sources, the areas of both Chapman and Gray Creeks amount to just under or just over fifty percent of the community forest tenure. In a recent April 17, 2008 email from the Sunshine Coast Forest District, "based on the map information that we have", the "area of Chapman in the community forest agreement is 2,514 hectares and Gray [is] 3,155 hectares." Those figures add up to 5,669 hectares. The other source comes from a 2005 critique of the community forest Timber Supply Analysis by the Sunshine Coast Conservation Association.

The land base of the proposed tenure is made up of five separate and distinct areas, including portions of the Gray Creek drinking watershed, the Chapman Creek drinking watershed, and areas on the community's urban interface in West Sechelt, Wilson Creek, and Sandy Hook (Angus/Burnett).

In the Conservation Association's critique, which examines the community forest's existing data and rationale for annual logging rates (in cubic meters) from a document by community forest contractor and former Ministry of Forests staffer Brian Smart, is a table that lists the gross hectares for each of the "five separate and distinct areas" within the Sunshine Coast community forest. The Chapman Creek area is 3,063 hectares, and the Gray Creek area is 3,047 hectares, for a combined total of 6,110 hectares. The table states that the total gross operating area for the community forest is 11,807 hectares, meaning that the combined community watershed areas represent 52 percent of the total. When the Ministry of Forests' data for the two watersheds is used for the 11,807 total, that figure comes to 48 percent.

The conclusion here is threefold. First, community forest chair Len Pakulak's answer from John Keates' question about the community watersheds is off the mark by quite a substantial margin. Second, no matter how you analyze it in isolating separate area data as a percentage from either Chapman or Gray Creeks, there is no data that supports the figure of 36.7% stated by Pakulak. And, thirdly, it appears that the community forest directorship may either be embarrassed in revealing the true statistic from the combined watersheds in its overall tenure holdings to the public, or that it simply cannot perform a simple mathematical task.

10.2. The Presentation and the Aftermath

In the early afternoon of March 6, 2008, a week after the Open House, Kevin Davie, the vice-president of the B.C. Community Forest Association and Sunshine Coast community forest Operations Manager, appeared before the Sunshine Coast Regional District Infrastructure Services Committee with the community forest's silvicultural contractor Jamie Killackey.

The community forest's request to appear as a delegation had been done only recently, calling for the Regional District's secretary to amend the original Committee Agenda outline. There they presented the Committee with the community forest's tree spacing proposal (Stand Management Prescription), a "written overview of the Juvenile Tree Spacing Plan for the Sunshine Coast Community Forest" (Committee Minutes), with funding approval from the provincial Forest Investment Account on cutblock 92G042-716. The proposal, part of the community forest's Prescription Management Plan, necessitated the removal of 75 percent of the 14-year old second growth tree stems for thinning (some 3,000 trees per hectare thinned to about 700 trees per hectare), with the aim to emulate "a naturally mature forest" at "approximately 500 stems per hectare".

A newspaper article described the details leading up to the March 6th meeting:

According to reports the Stand Management Prescription was completed in mid February [by Ministry of Forests approval] and yet the Sunshine Coast Regional District, the purveyors of our water, was not notified of the plan until March 3. At that time, Community Forest Representatives requested a meeting with the SCR D's Infrastructure Services Committee to present their plan. (*Community Forests Embroiled in Watershed Conflict*, The Local, March 13, 2008)

The Regional District had received a copy of the community forest Prescription, along with a map showing the thinning areas. According to a March 8, 2008 community email news bulletin on the issue, "The letter from the Sechelt Community Forest to the SCR D was dated **February 20th, 2008** but **the date stamp (received)** by the **SCR D** was **March 3rd, 2008**." According to one of the District's planners, the faxed copy scaled map received by the District was illegible – it was impossible to accurately decipher the proper boundary lines where the thinning would occur within the Chapman watershed.

Unbeknownst to the Regional District Board, on March 5th, the day before the meeting, the community forests' thinning contractors had started to fell the young trees within the boundaries of the Chapman watershed, an area of some nine hectares in total. In doing so, the community forest apparently violated terms in its own Prescription Management Plan as it related to the interests of the Regional District, which states:

The SCR D is responsible for the delivery of water from the Chapman Creek Community watershed to the majority of the Sunshine Coast residents. The SCR D will be notified of juvenile spacing in the opening. The SCR D will be given the opportunity to provide comments on the proposed treatment.

The Sechelt Indian Band will be consulted prior to the Juvenile Tree Spacing occurring within the Chapman Creek watershed.

During the March 6th meeting, Regional Director and Gibsons Mayor Barry Janyk asked Kevin Davie about the terms in the Prescription Management Plan:

“What does this mean that the SCRD will be given the opportunity to provide comment and how are you going to take those comments into account?”

Davie said the SCRD’s comments would be taken into account in the planning of the proposed treatment, but did not elaborate how this would be done. (*SCRD won’t condone logging in watershed*, Coast Reporter, March 14, 2008)

The March 6th Committee Minutes recorded that the community forest directors stated to the Committee, “SCPI will not be actually logging in Chapman Watershed for a very long time.” The community forests’ presumed position was that the thinning procedure is not defined, technically, as ‘logging’, because the fallen “stems” were left on the ground to rot. It was probably thought that under such a pretext the community forest could get away with it, without the initial consent of the public. That was a calculated tactic, but, nevertheless a fateful error.

During the line of comments and questions, Regional Director and Roberts Creek representative Donna Shugar:

asked Davie to confirm that the whole reason for the spacing was to prepare the area for future logging. Davie told Shugar that it is the “SCPI’s mandate to manage the land for timber production.” By spacing the trees, Davie said it would be increasing the product value. However, in response to questioning from Gibsons Mayor Barry Janyk, Davie said that over time the stand would naturally space itself. (Ibid.)

Later, in the same newspaper article:

While Turnbull, Shugar and Janyk were the most vocal, the board as a whole told Davie that logging in the watershed ran counter to the work they had done in trying to protect the watershed.

“I object to your objectives in the watershed,” said Turnbull. “The community clearly doesn’t want logging in the Chapman watershed or any [community drinking] watershed.” She said the actions of the SCPI were putting the community in direct conflict once again.

As predicted, the “direct conflict” was about to quickly unfold on Monday morning, March 10th.

Following the community forest delegation, the SCRD Board Committee passed a firm recommendation, in line and consistent with numerous previous Board resolutions:

THAT Sechelt Community Projects Inc. be advised that the SCRD has no objection to the Juvenile Spacing Plan of those lands outside the boundaries of the Chapman Creek Watershed and that any stand management of the SCPI to enhance the stands merchantability within the Chapman Creek Watershed contravenes Board policy, previous Board resolutions and legal proceedings; and therefore the Board must oppose these plans:

AND FURTHER THAT a copy of these documents be provided to the Minister of Forests,

Minister of Agriculture, Drinking Water Protection Officer, Sechelt Indian Band, British Columbia Community Forests Association and the Ombudsman.

Adding insult to injury, the community forest presenters stated to the Committee on March 6th that the community forest had received approval for the thinning within a small part of the lower southeastern corner of Chapman Creek watershed from the Sechelt Indian Band “earlier this week”. As was discovered early the following week, that overarching approval statement from Operations Manager Kevin Davie was flatly denied by the Sechelt Indian Band. In other words, members of the public confirmed that the community forest directors had not only misrepresented the Band as party to the Chapman/Gray Watershed Accord, but it had also misled the other party of the Accord, the SCRD Board, two very serious, conflagrating matters.

Just after the Infrastructure Committee meeting ended, Roberts Creek resident Hans Penner made inquiries with Regional District staff at the front counter for a copy of the proposed thinning project schedule and the accompanying map to see the exact location of the project area. Penner had sat through the Committee meeting, and noted how little information about the thinning project was actually provided. In a later interview (March 31, 2008) Penner stated:

“Those were two things that were not given. They made the submission to the Board of Directors without giving them a proper plan showing the location. No details on location, or specific timing. That basically tells you what their intentions were. If you wanted to be honest about it, you would have given them the exact location of it.”

Penner then requested staff to inform him as soon as staff had received this information from the community forest.

By the next morning, Friday March 7th, Penner revisited the Regional District office where staff reported that the map information had not yet been received. Later, in a conversation with Bryan Shoji on March 31, 2008, Shoji confirmed that the Regional District “never did receive the map”. Shoji said that the map they did receive just showed the site, however “you had no idea where it was relative to the watershed.”

Penner then decided to continue on into the Town of Sechelt to visit the community forest office where he arrived shortly after 11 o’clock in the morning. The community forest clerk, who was there alone, did not know where the map and schedule information was filed and then telephoned the silviculture contractor Jamie Killackey, and handed the phone over to Penner. Jamie gave Penner directions to the thinning site located north of the SCRD office headquarters, and said to Penner “When you get just past the gravel pit you’ll hear the chainsaws.” Penner replied, “What do you mean you’ll hear the chainsaws?” Jamie then said, “Oh yah, they started on Wednesday.” “So, that’s how I found out they had started already,” said Penner. He never ended up receiving a copy of the map information that Friday, or thereafter.

At an emergency meeting with other concerned citizens later that afternoon, Penner updated the participants about the meeting at the Regional District and his subsequent inquiries, in particular the fact that the thinning inside Chapman had already begun two days previous. He brought with him his own map information that he had kept amongst many other documents from last summer’s skirmishes with Western Forest Products. Penner, a long-time community activist, was one of the appellants in the court and appeal cases about Chapman Creek in 2007. In the first court challenge

of early July 2007, he was one of the Watershed Five, a nickname attributed by the newspapers to the named appellants who manned a roadblock preventing Western Forest Products from entering Chapman Creek. After the emergency meeting on the afternoon of March 7th, a number of people drove out to the site where they discovered the community forest contractors thinning inside the Chapman watershed, and noted the exact location on the map Penner brought along. And, as the citizens there now understood, the Regional District Board had instructed the community forest not to do so after the fact. That led to events on Monday morning, March 10th.

On the morning of March 10th, three separate events were unfolding. A small group of citizens drove out to the thinning site at an early hour to set up a blockade. It was the second occasion in less than a year in which members of the public manned a blockade in the Chapman watershed. Another group of citizens gathered outside of the District of Sechelt, the Mayor's office, to protest the shenanigans and meet with the District's chief administrators who were directly connected to the community forest and, therefore, accountable to the public. And, thirdly, unbeknownst to these citizens, community forest Operations Manager Kevin Davie and chair Len Pakulak had been ordered to Victoria to attend an emergency meeting called by Agriculture and Lands Minister Pat Bell.

These three incidents were reported on in the local press later that week (*Community Forests Embroiled in Watershed Conflict*, The Local, March 13, 2008; *SLRP shakes up community forest program*, Coast Reporter, March 14, 2008; *SCRD won't condone logging in watershed*, Coast Reporter, March 14, 2008). The watershed issue was erupting again – once again, it was the physical actions and determination of local conscientious citizens to protect the Chapman watershed by stopping the community forest contractors that brought the matter to public attention and swift resolve.

Monday morning [March 10th] approximately thirty Sunshine Coast citizens gathered at the District of Sechelt municipal offices to protest the latest controversy involving the Chapman Creek watershed. Another small group of protesters set up a blockade approximately 5 km from the top of Field Road in Wilson Creek to hinder the contract workers who were cutting trees in the watershed.

Residents are asking why the Prescription Management Plan is being carried out, when the District of Sechelt Council passed a motion last year stating that no logging should take place in the Chapman creek watershed for at least 100 years. They are also concerned about what they see as a lack of consultation before the work commenced on March 5. According to reports the Stand Management Prescription was completed in mid February and yet the Sunshine Coast Regional District, the purveyors our water, were not notified of the plan until March 3.

According to John Bebbington, the concerned citizens want a letter from Community Forest stating clearly that the SCPI will not perform tree spacing within the watershed boundaries; and a map clearly showing the boundaries of the watershed where no tree spacing will take place, should accompany the letter. They want representatives of the District of Sechelt to support the resolution made by the SCR D requesting no spacing in Chapman Creek watershed. Until they are satisfied they see no alternative but to continue the blockade.

Dan Bouman, Executive Director of the Sunshine Coast Conservation Association told the

Local, “What’s happened here is that the Community Forest is attempting an activity that promotes logging in the community watershed. We are not surprised at this because the so-called “community” forest is and always has been primarily about forcing logging on the public in the Chapman and Gray drinking watersheds.”

The Local contacted Kevin Davie, Operations Manager of Sechelt Community Projects Inc., but according to Community Forest Administrative Assistant, Jacque Cunliffe both he and Board president Len Pakulak were out of town and unable to comment. (*Community Forests Embroiled in Watershed Conflict*, The Local, March 13, 2008)

As a result of what was falsely stated to the SCRDC by the community forest on March 6th, the Band contacted the provincial government through Agriculture and Lands Minister Pat Bell instructing him, as Cabinet’s chief point man on First Nations negotiations, to immediately enforce Interim Measures the Band already provided for the complete protection over Crown lands in the Chapman and Gray Creek Watershed Reserves.

The Sechelt (Shíshálh) Indian Band, along with three other First Nations in the Sunshine Coast area, was in negotiations with the Province since 2007 in a Sunshine Coast Strategic Land and Resource Plan. In January, 2007, the Band presented its first draft of the *lil xemit tems swiya nelh mes stutula Strategic Land Use Plan*. The translation of *lil xemit tems swiya nelh mes* means, “we are looking after our land, where we come from”. The document states:

The *shíshálh* Nation has also recently opposed proposed timber harvesting as part of the Community forest License for the *ts’úkw’um stulu* (Chapman Creek) watershed on the grounds that logging operations proposed in this area would further threaten the water supply. (Page 34)

We support the new co-management arrangements for the *ts’úkw’um stulu* (Chapman Creek) and Gray Creek watersheds that we have negotiated with the SCRDC, and look forward to opportunities to work with other interests to ensure that activity in these areas do not further impact the water supply. (Page 35)

In this negotiation process the Sechelt Indian Band had officially, and only recently, identified the two drinking watersheds as areas of primary protective concern to the Integrated Land Management Branch (ILMB) negotiators sometime in mid to late February, 2008. As a result of the Band’s related concerns to the government following the presentation by Kevin Davie on March 6th – where Davie falsely stated that the community forest had clearance from the Sechelt Band to conduct thinning within Chapman Creek – the two community forest representatives were promptly ordered to appear in Victoria early Monday morning, March 10th to meet with Minister Pat Bell.

What Davie and Pakulak were specifically told by the Minister in this private meeting is not known to the public, other than two things: that instructions were given to immediately cease the thinning project inside the Chapman watershed; and, from little stated in the newspapers, and from the Sechelt Indian Band, that the Chapman and Gray watersheds were being removed from Sechelt Community Projects Inc.’s Probationary License. In other words, the community forest was getting the big boot out of the watersheds because of the Sechelt Band’s Interim Protection Measures. This order from on high by the Minister must have been a humiliating experience for the community forest representatives, who were given orders by Bell to not only instruct the withdrawal of the two

watersheds to the other community forest directors, but to also instruct the silvicultural contractor and his sub-contractors to pull out of the Chapman watershed.

This episode of misinformation and mischievous opportunity by the community forest was evidently the final straw for the Sechelt Indian Band. The Band Council had endured many previous and embarrassing episodes by the Ministry of Forests, the District of Sechelt, and by community forest directors to include the two watersheds in the community forest license against the Band's specific advice and stated concerns. Linda Williams, a long-time chairman of the Tuwanek Ratepayers Association, recalls that these concerns by the Band for the watersheds' protection stem back to the early 1990s during the initiation of the IWMP days, some thirteen years previous, where the IWMP focused on 'industry first, water second'. This is reflected in an earlier newspaper article:

Trent Dixon, representing the Sechelt band on the regional board, indicated the band's outstanding land claims, which cover the Chapman and Gray Creek areas, could have the strongest impact yet on whether the IWMP will proceed in its present form to become a formal document.

Dixon declined further comment on the issue, saying the band will make its position clear at Monday's public hearing on the IWMP.

Dixon was one of the six regional board directors to vote in favour of suspending logging in the watershed. (*Sechelt Band land claims could affect watershed logging issue*, Coast News, February 28, 1994)

There was also something else that had evidently upset the Sechelt Indian Band, perhaps responsible for originally provoking its position to the provincial government for Interim Measures. Alan Blattler of International Forest Products sent a letter dated November 21, 2007 to Agriculture and Lands Minister Pat Bell. The letter, which objected, among other things, to the threat of possible Interim Measures by the four First Nations in the Sunshine Coast Strategic Land and Resources Plan, was signed on by five forest companies, which included the Sunshine Coast community forest (also described in Coast News article, *Community forest opposes SLRP*):

- International Forest Products Limited
- Sechelt Community Projects Inc.
- Terminal Forest Products Limited
- Western Forest Products Inc.
- and Weyerhaeuser Hardwoods Timberlands Division.

The fact that the Sechelt Indian Band's former community forest partner as represented through the District of Sechelt was signatory to that document must have deeply troubled its administrators. Third-hand information about the inner workings behind this letter reveals that community forest operations manager Kevin Davie had apparently authorized the community forest as participant signatory in Blattler's letter without consulting with or seeking authority to do so from the community forest directorship.

Appearing at a Regional District Board meeting on Thursday afternoon, March 13th, Minister Pat Bell's envoy, Bruce Sieffert, gave a general presentation on the negotiation process that involved placing the Chapman and Gray Creeks into interim protection. Sieffert is ILMB's point man in the

Sunshine Coast Strategic Land and Resource Plan. He also stated that provincial Cabinet was scheduled to make a decision on the Interim Measures sometime in June, 2008. Sieffert stated to the author how that decision could help determine the future fate of the two multi-tenured Watershed Reserves, providing a formal prohibition to logging via the *Forest Act*, and a concurrent prohibition regarding all *Land Act* dispositions.

In a discussion with Sieffert on March 31, 2008, he confirmed, from the government's files on the Sechelt Indian Band, that "the Sechelt people have been consistent about their concern about logging in the watershed." Sieffert went on to comment that the Sechelt Band had submitted a Part 13 request to the government, which pertains to measures under the *Forest Act* to assure no logging in the two watersheds.

Two weeks later, on April 15, 2008, the Sunshine Coast Conservation Association sent the Sechelt Indian Band a letter of thanks.

Dear Chief and Council,

We are writing today on behalf of the membership of the Sunshine Coast Conservation Association to say thank you for your recent initiative to protect the Chapman and Gray community watersheds by nominating this area for "interim protection" as part of the land use negotiations between the Sechelt First Nation and British Columbia.

It is apparent to us, and we hope it is apparent to everyone, that there are highly significant benefits for the entire Sunshine Coast community inherent in the reconciliation of British Columbia with the Sechelt Nation.

Again, we thank you for your consistent approach, over many years, to management and protection of this critical resource area which is so important to the daily lives of the vast majority of residents of the Sunshine Coast.

Copies of the letter were also sent to Premier Gordon Campbell, Lands and Agriculture Minister Pat Bell, Sunshine Coast NDP-MLA Nicholas Simons, the Sunshine Coast Regional District, the Powell River Regional District, the Town of Gibsons, the District of Sechelt, and to local newspapers.

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 Zirnheld, 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 Statutes 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.

APPENDIX A – INTERFOR’S WITHDRAWAL, MAY 2003

Sunshine Coast Conservation Association
Box 1969, Sechelt, BC

& Sunshine Coast Water First Society
1025-D North Road, Gibsons, BC

Joint Media Release

May 27, 2003

Interfor Withdraws From the Community Watersheds

In a welcome gesture of goodwill to the people of the Sunshine Coast, International Forest Products (Interfor) has informed the Sunshine Coast Regional District and the Sunshine Coast Conservation Association that it is dropping all logging approvals in the Chapman and Gray Community Watersheds and deactivating their road access. Following this sudden about-face, Operations Manager Gerhard Pokrandt (Interfor, Campbell River Division) expressed his hope that there will be better relations between Interfor and the communities of the Sunshine Coast than there has been in the past.

Resource use in the community watersheds has been controversial since the regional district was incorporated in 1967. In the intervening years, a solid consensus evolved that local governments should have authority over all land use activities in the community watersheds, for the purpose of protecting the public interest in a clean source of affordable drinking water. Below are some of the key events in the history of the watershed.

November 28, 2002. The Sechelt Indian Band and the Sunshine Coast Regional District sign an historic accord to pursue the establishment of a shared authority over all land uses in the Chapman/Gray community watersheds.

May 29, 2002. A 5000 signature citizen’s petition, opposing logging and mining in the Chapman/Gray Community Watershed and supporting community control, is delivered to MLA Harold Long and presented to the legislature.

May 2, 1998. Watershed Management Referendum - 87.6% of ballots say “no” to management of the Chapman/Gray Community Watershed by the Ministry of Forests under the Integrated Watershed Management Plan.

Patricia Braithwaite of the Water First Society: “We commend International Forest Products for responding to public pressure with this important initiative. As public interest advocates we are satisfied that the will of the public does prevail and cannot be ignored by any government, corporation or party.”

This concession marks a major change in direction and provides a new opportunity for the community to regain control of this vital resource. We urge the Sunshine Coast Regional District and the Sechelt Indian Band to act quickly and in concert to secure the public interest in the community drinking watersheds.

Contact information:

Angela Kroning, Sunshine Coast Water First Society (604) 886-8441

Daniel Bouman, Sunshine Coast Conservation Association (604) 886-8325

For background and historical information visit the SCCA website: www.thescca.ca current projects/submission to the Drinking Water Protection Plan Review Panel

Sunshine Coast Water First Society

Thank You

On the occasion of Interfor's withdrawal from the Chapman/Gray community watersheds, the Sunshine Coast Water First Society wishes to gratefully acknowledge the following for their efforts on behalf of the community's interest in affordable clean drinking water:

- Chief Gary Feschuk, the Sechelt Indian Band Government (SIBG) and the Elders of the Sechelt
- The current Directors and staff of the Sunshine Coast Regional District for working with the SIBG to achieve the Watershed Accord
- The past Board members of the Sunshine Coast Regional District (including representatives from municipalities of Gibsons and Sechelt) for having the vision to contest the issue and allow the public will to be documented.
- The Council of Canadians, Sunshine Coast Conservation Association, Tetrahedron Alliance, Twuanek Ratepayers Association, Elphinstone Electors Association, Roberts Creek Community Association, Group of Seven Community Associations
- All the other groups that comprise our diverse community, such as the Raging Grannies and the Earth Day Committee
- Many businesses and individuals that contributed to the cost of various campaigns
- Finally, the thousands of people that raised the issue of watershed protection in every possible venue, wrote letters, voted in the Watershed Management Referendum, circulated and signed petitions.

As public interest advocates we are convinced that the will of the public can prevail

APPENDIX B – THE SUNSHINE COAST FOREST COALITION – SUNSHINE COAST NEWSPAPERS CITATIONS

- March 13, 1995, Coast Independent, *New resource coalition raises eyebrows.*
- March 15, 1995, Sunshine Press, *Coalition to fight for forestry.*
- April 12, 1995, Sunshine Press, *Forest Coalition Critical.*
- April 17, 1995, Coast Independent, *Tetrahedron rebuttal*, letter to editor by David C. Bebb, Sunshine Coast Forest Coalition.
- June 12, 1995, Sunshine Press, *Forest Coalition seeks to protect jobs.*
- July 10, 1995, Coast Independent, *Forestry Coalition seeks consideration.*
- September 11, 1995, Coast Independent, *Sechelt chamber hosts forest industry speaker.*
- September 25, 1995, Coast Independent, *Forest minister approves release of timber reports.*
- September 25, 1995, Sechelt Press, *'Eco-terrorist' tactics decried*, letter to editor, D. Bakewell, Sunshine Coast Forest Coalition.
- October 2, 1995, Coast Independent, *All sides in on forestry issues debate.*
- October 9, 1995, Coast Independent, *Forest coalition plans Wilkinson visit.*
- October 16, 1995, Sunshine Press, *Foresters to tour eco-woods.*
- October 16, 1995, Sunshine Press, *Better go slow on ecoforestry methods.*
- October 30, 1995, Coast Independent, *Reid meets with forestry coalition.*
- November 6, 1995, Coast Independent, *Coalition finds flaws in eco-forestry example.*
- November 20, 1995, Coast Independent, *Role of logging in local economy discussed.*
- November 20, 1995, Sunshine Press, *Balancing jobs and parks.*
- December 18, 1995, Sunshine Press, *Timber review inaccurate*, letter to editor by David Bakewell, Sunshine Coast Forest Coalition.
- January 8, 1996, Coast Independent, *Forest board to investigate Mt. Elphie mushrooms.*
- January 22, 1996, Coast Independent, *Forestry facts?*, letter to editor by Craig Spence, Public Relations Consultant, Sunshine Coast Forest Coalition.
- January 22, 1996, Sunshine Press, *Timber lobby fears job loss if AAC cut.*
- January 29, 1996, Sunshine Press, *Working forest*, letter to editor by David Bakewell, Sunshine Coast Forest Coalition.
- April 22, 1996, Coast Independent, *Political stumping from Reid, Wilson, order of day as Forest Coalition meet.*
- April 22, 1996, Sunshine Press, *200,000 hectares uncounted*, letter to editor by David Bakewell, Sunshine Coast Forest Coalition.
- May 20, 1996, Sunshine Press, *Woodlots for the people 'ridiculous' idea.*
- May 20, 1996, Sunshine Press, *Resumed logging on Elphie an ethical choice.*
- May 20, 1996, Coast Independent, provincial election advertisement.
- September 2, 1996, Coast Independent, *Protection recommended for over 5,000 hectares on lower Sunshine Coast.*
- October 21, 1996, Coast Independent, *Committee hears local concerns.*
- February 16, 1998, Coast Independent, *Moore makes a case for forestry.*
- March 16, 1998, The Reporter, *Coalition seeks end to War in Woods*, letter to editor by Kevin Davie, Sunshine Coast Forest Coalition.

APPENDIX C: SELECT QUOTATIONS FROM THE CHIEF FORESTER'S AAC (ALLOWABLE ANNUAL CUT) RATIONALE FOR THE SUNSHINE COAST TIMBER SUPPLY ANALYSIS, JANUARY 1, 2002

[Note: The following assessment by the B.C. Chief Forester of the Chapman and Gray Creek Watershed Reserves is limited, or biased. It fails to reference the two watersheds as Watershed Reserves under the *Land Act*, fails to elaborate on what the Reserve legislation means regarding the Chief Forester's authority over these Reserves, and fails to distinguish the Reserves from his interpretation of his Ministry's powers under the Forest Practices Code. In this sense, the Chief Forester's interpretation of the "moratorium" and of the implications of Integrated Watershed Management Plan to his Ministry's authority is also deficient.]

Community Watersheds (pages 34-35)

The Forest Practices Code provides a definition and management considerations for community watersheds. A total of 23,860 hectares, or approximately 11 percent of the timber harvesting land base of the Sunshine Coast TSA is contained in 26 community watersheds.

A community watershed is defined under the Forest Practices Code as the drainage area that provides water for human consumption and that is licensed under the Water Act for a waterworks purpose or a domestic purpose, assuming the drainage area is not more than 500 square kilometres and the water licence was issued before June 15, 1995. This definition accounts for the majority of community watersheds in existence when the Forest Practices Code came into effect. Community watersheds not covered under this definition can be designated as such by the appropriate regional manager and a designated environmental official.

Operationally, watershed assessment procedures (WAPs) are conducted by hydrologists in community watershed areas to determine whether planned operations can be conducted without detriment to water quality resources. A WAP considers the cumulative effects of forest practices on the watershed hydrology. The assessment of hydrological impacts includes an assessment of the potential for the following processes to occur as a result of planned operational practices: changes to peak streamflows; accelerated landslide activity; accelerated surface erosion; channel bank erosion; and, changes to channel morphology. An evaluation of the interaction of these processes provides an indication of the sensitivity of the watershed to further forest development. Using the results of a WAP, forest managers can make recommendations concerning the level of further harvesting, if any, in the watershed.

A key component of watershed management includes calculation of equivalent clearcut area (EAC), which is the area that has been harvested, cleared or burned, with consideration given to the silvicultural system, regeneration growth and location within the watershed. In the timber supply analysis, the community watersheds in the TSA were grouped into a community watershed zone, and a forest cover constraint was applied which limited the amount of harvesting within each watershed to one percent of the productive forest area each year. This constraint was developed based on guidance in the Community Watershed Guidebook that indicates that in the absence of a completed Coastal Watershed Assessment Procedure, harvesting activity should be limited to 5 percent of the productive forest area over a 5 year period. The recommended constraint was

correlated to a one percent per year limit in the analysis.

District staff indicate that operationally, harvesting is guided by watershed assessments prepared in accordance with the Coastal Watershed Assessment Procedures. Harvesting is currently occurring in 14 of the TSA's community watersheds.

In its public input, the Sunshine Coast Regional District made note that it is opposed to logging in community watersheds, and in particular the Chapman Gray Creek Community watershed. District staff respond that a BCFS moratorium on harvesting in the Chapman Gray Creek watershed was lifted recently when an integrated watershed management plan completed by BCFS staff and stakeholders was completed. I am aware that the plan was not endorsed by the SCR. Harvesting practices in this watershed are governed by the measures of the Forest Practices Code. Related public input received from the Sunshine Coast Survival Network expressed the opinion that the cost of water filtration and increasing the distribution system is greater than any economic or social benefit to be gained from logging. In response to this latter point, I note that while assessment of economic and social benefits tends to be complex, in the absence of detailed supporting evidence, I consider it probably that the economic benefit of responsible harvesting to both the local communities and the province is greater than expressed in this opinion.

I have considered the information about community watersheds, and discussed information with district staff. I am satisfied that the level of constraint assumed in the base case reasonably reflects the constraints applied operationally in these areas, and as a result, I make no adjustment on this account.

Deferrals and Delays (page 42)

The Chapman/Gray Creek Community Watershed area, encompassing 7,990 hectares of timber harvesting land base in the Sunshine Coast TSA, was subject to a moratorium on harvesting while preparation of an Integrated Watershed Management Plan (IWMP) was underway to resolve resource management conflicts in the area. The IWMP was completed but not all agreed to by all stakeholders, and as a result relevant portions of the IWMP were not designated as a higher level plan. The deferral of development is no longer in place for the area. The Sunshine Coast Regional District is seeking management jurisdiction over the watershed. In the timber supply analysis, this area was included as part of the community watershed zone, and subjected to a forest cover constraint, as discussed under *community watersheds*.