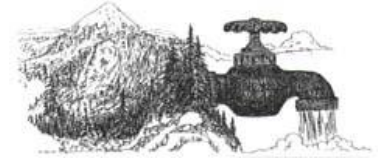


December 1, 2022
Hon. Katrine Conroy, B.C. Minister of Forests



Dear Minister Conroy:

Yesterday morning, November 30, 2022, I (Will Koop) forwarded a letter (attached) urging the Minister to promptly intercede by way of your statutory powers to cancel ill-planned and inappropriate logging proposals from B.C. Timber Sales' bidding process in the community of Avola at Roddy Creek.

I also stated that the Deputy Minister of B.C. Timber Sales, a Crown agency, had failed to reply to [an urgent letter forwarded to him on October 28, 2022](#), and had failed to subsequently answer repeated calls made to his Victoria office. A copy of yesterday's letter was also sent to the Deputy Minister.

Some two hours later, the Avola community property owners received a letter from the said Crown agency, signed by the Kamloops Business Area Timber Sales Manager for B.C. Timber Sales (attached). Mr. Jason Stafford references the October 28, 2022 letter, stating that his letter of response was written on behalf of Deputy Minister Manwaring.

As a committed advocate for the property owners, I find the Deputy Minister's response letter shocking, evasive and nonsensical. For these and other reasons explained below, I urge the Minister to ignore the Deputy Minister's pathetic letter and to step up to the plate and cancel the said bidding process. To do otherwise, or to do nothing, with the October 28 relevant appeal information before you, would principally infringe upon the legal liability themes of "irreparable harm" and "nuisance."

1. The Kamloops Timber Sales Manager

You will note that directly underneath Mr. Jason Stafford's signature he failed to include his professional credentials as RPF (registered professional forester) with the Association of B.C. Forest Professionals. Was it left off on purpose? This province's RPFs have a sworn oath to uphold a professional code of ethics when dealing with the public, especially in this case as a public servant. Mr. Stafford's letter reveals a glaring lack of ethics both in his failure, on behalf of the Deputy Minister, to answer the concerns addressed in the October 28, 2022 letter, and for his and his Deputy Minister's 'brushing off' said property owners.

According to his Association's Annual Reports of 2016 and 2019, Mr. Stafford was assigned to the organization's Standing Investigations Committee. If so, in this instance he has failed to properly 'investigate' a letter of response.

2. Common Law

The nine-page October 28, 2022 letter to Deputy Minister Manwaring provides a running narrative with explanatory photos on the dangers and liabilities to said private property and pollution of the water supply, not only stemming from the pioneering of the Roddy Creek Forest Service Road, but from proposed logging and road pioneering in cut-block AM9HM.

Adding to the letter's information was the independent hydrology report provided to the property owners, in which lidar stream data was conducted in September 2021 over planned cut-block AM9HM, which later demonstrated in the final report a network of stream structures located along a very steep forest slope directly above their property.

A direct, logical question was asked in the letter: **“why” would “competent and caring professional foresters and engineers” “even consider or authorize by professional seal such logging and road access plans directly upslope of, and adjacent to, our property and water source?”** Mr. Stafford failed to respond to this overarching question. Instead, the insinuation introduced that “market pricing” and BCTS’s contributions “to the rural economy” trumped such concerns.

On the subject of provincial forest resource economics, I wrote [in Chapter 2.2 of my 2013 Big Eddy report](#) on the findings of the B.C. Forest Resource Commission Commissioner Justice Gordon Sloan from his 1945 final report, *Report of the Commissioner Relating to the Forest Resources of B.C.* From the evidence provided during the Commission Hearings, Supreme Court Justice Sloan wisely wrote the following:

The perpetuation of the forest-cover for purposes other than the production of timber fall into a special category. I refer for instance to watershed protection and other multiple forest uses. A tree is a plant and to secure an economic return from the soil producing its growth the tree must be harvested. At the same time it must be kept in mind that a tree may be of more value in place in the forest than when converted into lumber.

A sustained yield policy, perpetuating our forest stands, will not only provide a continuity of wood supply essential to maintain our forest industries, primary and secondary, with consequent regional stability of employment, but will also ensure a continued [intact] forest cover adequate to perform the invaluable functions of watershed protection, stream flow and runoff control, the prevention of soil erosion, and of providing recreational and scenic areas, and a home for our wild bird and animal life.

Mr. Stafford also insinuated that the cut-block boundaries of AM9HM and its access road “are consistent with legal requirements, higher level planning, and Forest Stewardship objectives.” If Mr. Stafford is right, which I sincerely doubt, then something is blatantly awry and obviously needs fixing. In his argument of “extensive planning and stakeholder engagement,” ask Mr. Stafford if he is willing to publicize BCTS’s file records on this “engagement,” so that the public can scrutinize what he means by this.

For argument’s sake, let’s conduct a role reversal, and pretend transfer of the property owners’ shoes onto the feet of Mr. Stafford, or even the Deputy Minister himself, or anyone else for that matter. Would Mr. Stafford, now the Roddy Creek property owner, finding himself situated below a pending threat, do nothing, say nothing, protect nothing, knowing of said plans to log out Roddy Creek? I sincerely doubt it. It’s seemingly easy for the Timber Sales Manager or for the Deputy Minister to ignore the plight of the property owners and hide behind government’s immunity skirt.

3. Harms have Already Begun

In the absence of added proposed logging, the section of the Roddy Creek FSR within the boundaries of the planned AM9HM above said property, as shown in the October 28, 2022, letter, is already responsible for three flooding events over and onto said property since late 2021. The most recent and most troublesome flood event occurred on Saturday, November 18, 2022, whereby community and local volunteers were called in to help sandbag a diversion structure to prevent the flood waters from surrounding their home.

Sincerely,

Will Koop, Coordinator,

B.C. Tap Water Alliance (www.bctwa.org)

Cc: Property Owners

Sonya Furstenaus, Cowichan Valley, MLA

Peter Milobar, Kamloops / North Thompson, MLA

Rick Manwaring, Deputy Minister of Forests

Al Powelson, Executive Director, BCTS

Gerry MacDougall, Regional Executive Director, BCTS

Jason Stafford, Kamloops Timber Sales Manager, BCTS

November 30, 2022
Hon. Katrine Conroy, B.C. Minister of Forests



Dear Minister Conroy:

On November 22, 2022, I forwarded an email to you (cc'd to three parties) stating the following:

My name is Will Koop and am the Coordinator of the B.C. Tap Water Alliance (www.bctwa.org). Our non-profit organization, formed in 1997 which advocates the protection of public drinking water sources, [posted an October 28, 2022 letter addressed to Deputy Minister Rick Manwaring](#) by property owners near Avola, B.C.

In that letter they requested your Ministry to immediately cancel B.C. Timber Sales bidding process for a proposed cutblock and added road access located directly above their property.

I have learned from the said property owners that the Deputy Minister has failed to respond to their emergency request of one month ago and has also ignored their repeated phone call messages to speak with them regarding this matter. Because of the pressing nature of the property owners' concerns, I request that you advise the Deputy Minister to provide an immediate response. If the Deputy Minister remains unwilling to do so, we request that the Minister Herself should commence immediate communication.

We will be monitoring and reminding government of this pressing issue in the days and weeks to come, an issue that can no longer be ignored.

CC: Property Owners
Sonya Furstenaus, Cowichan Valley, MLA
Peter Milobar, Kamloops / North Thompson, MLA

With respect to the above email, I have not yet received a response by yourself or from another representative in your Ministry. Yesterday, I phoned your office, and once again left a voicemail message. I haven't received a return phone call.

I have also contacted the property owners, who stated to me this morning that your Ministry has still failed to contact them after sending the October 28, 2022, document to your Deputy Minister.

I state again, **it is vital that you apply your Ministerial privilege and powers to promptly intercede on behalf of the said property owners in Avola, B.C. to remove the proposed forest development plans** (indicated in the document link above) **from Kamloops Regional B.C. Timber Sales bidding process**. In doing so – preventing the wrongful issuance of a legal contract – you will not only take the proper remedy in preventing the cumulative waste of public tax dollars related to future damages and costs, and but also the added grief that will be extended to your Ministry staff and to the ongoing grief to said property owners.

As someone familiar in forest development and forest hydrology issues, and as someone who has inspected and documented the site at Roddy Creek, it is my judgement that both the layout route of the Roddy Creek Forest Service Road and the said proposed, abutting cut block and access road above the said private property should never have been, and were inappropriately, planned.

Will Koop.

CC: Property Owners
Sonya Furstenaus, Cowichan Valley, MLA
Peter Milobar, Kamloops / North Thompson, MLA
Rick Manwaring, Deputy Minister of Forests



CLIFF: 272508

November 30, 2022

VIA EMAIL: no4bc@hotmail.com
olson.l.beth@gmail.com

Nels Olson
Beth Patterson
4137 Messiter Station road
Avola, British Columbia
VOE 1C0

Dear Mr. Olson and Ms. Patterson:

On behalf of Rick Manwaring and Kevin Jardine, I write to respond to your letter of October 28, 2022, regarding your objection to BCTS cutblock AM9HM, in BC Timber Sales' Avola Working Unit, Kamloops Region, and to the added construction of secondary road CLAM94M.01 within AM9HM.

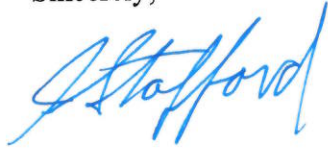
As part of the mandate of BC Timber Sales (BCTS), BCTS auctions timber which has been apportioned to it by the Minister. Through the auction of timber, BCTS gathers market pricing data to support the Market Pricing System of the Province. To perform this function, BCTS conducts its operations consistent with the principles of sustainability, while also being a key contributor to the rural economy of the North Thompson Valley.

Timber Sale Licence TA0030 and associated cutblock AM9HM have undergone extensive planning and stakeholder engagement. The forest planning and operational activities are consistent with legal requirements, higher level planning, and Forest Stewardship Plan objectives. Cancelling the auction of Timber Sales Licence TA0030 and the associated cutblock AM9HM would impact the role that BCTS performs for the Province; consequently, it is not possible to cancel the auction.

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Thank you for writing and sharing your concerns.

Sincerely,



Jason Stafford
Timber Sales Manager
Ministry of Forests – BC Timber Sales
Kamloops Business Area

cc:

Carla R. Conkin LL.B.

Rick Manwaring, Deputy Minister of Forests

Kevin Jardine, Deputy Minister of Environment and Climate Change Strategy

Jamie Jeffreys, Assistant Deputy Minister South Area

Al Powelson, Executive Director – BC Timber Sales

Gerry MacDougall, Regional Executive Director

Jason Stafford, Timber Sales Manager

Jordan Banks, Solicitor, Guild Yule