
A Working Forest For British Columbia

Consultation Report

Prepared for

**Ministry of Sustainable Resource Management
Province of British Columbia**

Prepared by



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EXECUTIVE SUMMARY

Introduction

The Ministry of Sustainable Resource Management is proposing to implement a Working Forest Initiative (WFI) for British Columbia to deliver on the government's New Era Commitment to:

“Establish a working forest land base, to provide greater stability for working families, and to enhance long-term forestry management and planning”.

On January 22, 2003 the Minister of Sustainable Resource Management released the public discussion paper, “A Working Forest For British Columbia” that describes the elements of the ministry's WFI proposals. This report summarizes comments on the WFI that have been received from the public, stakeholder organizations, First Nations, local governments, and community and other groups. Almost 2,700 written submissions were received, most of these from individual citizens. Over 130 organizations that collectively represent thousands of individual members provided input. Meetings were held with key stakeholder organizations as an additional means of receiving comment on the WFI.

Comment received on the WFI is summarized in the body of this report according to general ‘sectors’ of common interest. This Executive Summary identifies main ‘themes and messages’ that emerged through the consultation process.

No Consensus

There is no consensus among the interests that provided input to the WFI on whether or not the WFI should proceed. The general public, First Nations, environmental organizations, recreation interests and some community interests strongly oppose the WFI. Only a handful of general public respondents voiced support for the WFI. A main concern among these interests is that the WFI will lead to loss of government control to manage Crown forest land in the broader and longer-term public interest on a sustainable basis.

Other business interests including ranching and agriculture, tourism, mining, and oil and gas generally support the idea of designating a land base for securing commercial resource activity, but fear that the WF, as proposed, will detract from certainty for their sectors.

The forest industry and a number of local governments support the WFI, believing that it will make an important contribution to revitalizing BC's forestry-based economy.

Most Common Perceptions

Many individuals and organizations that provided input are concerned that the WFI will:

- represent the transference of increased property rights to forestry companies,

- create a government liability to pay compensation to companies if Crown land is ever removed from the WF to accommodate other requirements,
- prevent or constrain government's future flexibility to dedicate Crown land for parks / protected areas, conservation purposes, or other purposes that might be incompatible with timber management,
- result in a reduction in the amount of existing park land as part of a 'no-net-loss' arrangement in situations where government decides to remove land from the WF designation,
- involve a relaxation of forest stewardship standards and forest licensee responsibilities for protecting non-timber resource values – with the result that other values like drinking water, biodiversity, fish, wildlife, recreation, etc. will be damaged,
- lock BC communities and forest workers into primary resource / commodity forest product dependency and a continued downward trend of job loss and socio-economic instability,
- establish a hierarchy of resource sector importance, with the forest sector on top, to the detriment of other sectors such as tourism, agriculture, mining or oil and gas,
- open the door for increased sales / privatization of public forest land,
- over-ride or compromise existing and future Land and Resource Management Plans or other locally-developed land and resource management plans,
- mean that allowable annual cut levels will automatically be increased to unsustainable levels in the WF designation,
- impact negatively on existing or future tenure rights that are granted in the WF to other sectors, and
- result in Crown land decisions that lack transparency and accountability because, as a result of proposed changes to the *Land Act*, they will be made through Order-in-Council or ministerial order, rather than by the full legislature.

Many respondents that voice these concerns believe that the government is too closely aligned with the forest industry on this matter and that the WFI is biased towards the economic considerations of one sector. There is widespread concern that future generations will be negatively impacted by the WFI.

Additionally, many individuals and some stakeholder organizations believe that the consultation process on the WFI was inadequate. Many respondents recommend greater opportunity for public awareness and open debate on the WFI.

Impact on First Nations' Interests and Rights

First Nations that responded strongly oppose the WFI proposals. They think it will over-ride their aboriginal rights and title and constrain opportunities to address land claims through treaty settlements. They believe that government has failed its duty to consult properly with them and accommodate their interests. These concerns are echoed by a number of citizen respondents and also some other stakeholder organizations.

Size and Name of the Working Forest Designation

There is a range of viewpoint on what lands should be placed in the WF designation. Some interests think that a smaller land base comprising only lands that are suited to permanent commercial timber management should be designated as WF. Other interests believe that a larger land base, not unlike the current Provincial Forest land base, should make up the WF. Those that support the idea of a larger WF area believe that these lands should be managed on an integrated and inclusive basis, without giving any one sector a priority over others. Lands that 'work' for forestry and other values and uses (e.g., mining, agriculture, tourism and recreation, conservation) could be then identified through participatory and integrated planning processes and described as 'sub-designations' or 'zones' within the broader land base.

Related to the question of size of the WF designation is the name "Working Forest". Many suggestions were received to re-name the designation to a more neutral label (e.g., "Crown Resource Lands", "Forest Resource Lands", "Sustainable Resource Lands", "Working Landscape", etc.) that conveys the ideas of inclusiveness and balanced integration.

Future Land Use Decisions-making in the Working Forest

The WFI proposal to establish a consistent and transparent decision-making process for determining the "highest and best use" of WF lands is the main thing that makes the WFI different from what already exists under the current Provincial Forest mechanism for securing the province's forest land base. The forest industry believes that this new decision-making system should rigorously assess the social and economic costs and benefits of proposals to use WF land for non-forest purposes, and recommends that the decision-making rules should be set out in law to ensure that they are clear and are followed consistently. Environmental interests and many citizen respondents are worried that tough new decision-making rules for determining highest and best land use will make further land protection and conservation more difficult to justify.

Resource Targets

The forest industry strongly supports the idea of quantified resource targets for timber, but wants targets to be established for timber volume and timing of target attainment, in addition to area-based targets. The forest industry also wants targets to be based in law, rather than policy.

The public and a number of other interests are concerned about resource targets. It is feared that they may be interpreted to represent a guarantee to the forest industry that government may not

be able to back away from should resource management priorities change. Some individuals and organizations believe that targets will overly constrain future planning processes that need the freedom to establish their own direction. Environmental organizations think that economic-oriented resource targets will prevent the implementation of ecosystem-based planning. Many interests argue that if measurable targets are established for timber, they must also be established for all other resource values.

Crown Forest Lands In and Around Municipalities

The Union of BC Municipalities generally supports the WFI but recommends that the province should consult with individual local governments as a basis for finalizing WF boundary decisions in and around municipalities. Comment from local government suggests that government may wish to consider the WF issues within a somewhat broader context, for example, by also consulting with local governments on WF deletions; establishing protocols for local government involvement in further Crown land planning in the WF; and clarifying the role that local government's Official Community Plans may play in influencing Crown land management and disposition decisions in the WF.

Some local governments, through their submissions on the WF public discussion paper, have already made their wishes clear respecting WF designation on Crown land within their boundaries. For example, the Islands Trust makes a case for excluding Crown forest land in the Trust area from the proposed WF designation.

Future Land Use Planning in the Working Forest

A number of public members and organizations raise concerns that future land use planning in the WF to determine specific resource management objectives and strategies will be biased towards timber management because: (1) government intends that the forest industry will lead the planning processes, (2) the industry will be in charge of collecting resource data that is used in the planning processes, and (3) there will be few opportunities for public and stakeholder involvement in these processes. A number of interests stress the need for balanced and participatory planning processes with public interest oversight by government. Environmental organizations advise that ecosystem-based management principles should be applied in all future Crown land planning processes in the WF.

Implementation Planning

A number of organizations that represent sectors of interest want a continuing role to further develop the WF policy and implementation procedures. Ranching and agriculture, tourism, environmental organizations, the forest industry, trapping representatives, and local government have specifically requested ongoing involvement in shaping the WFI.

INTRODUCTION

This Report

The Ministry of Sustainable Resource Management is proposing to implement a Working Forest Initiative (WFI) for British Columbia, to deliver on the government's New Era Commitment to:

“Establish a working forest land base, to provide greater stability for working families, and to enhance long-term forestry management and planning”.

On January 22, 2003 the Minister of Sustainable Resource Management released the public discussion paper, “A Working Forest For British Columbia” that describes the elements of the ministry's WFI proposal.

This report summarizes comments on the WFI that have been received from the public, stakeholder organizations, First Nations, local governments, and community and other groups. Input on the WFI is organized in the following sections according to groupings of common interests and perspectives.

Consultation Process

The Province's Working Forest (WF) policy proposals were developed by an inter-ministry team in the 2002/03 period. The Ministry of Sustainable Resource Management, Resource Planning Branch coordinated the work of the inter-ministry team. Informal consultation on the WF proposals occurred with selected organizations during this period, including contact with representatives from the forest industry, environmental organizations, tourism organizations and some First Nations. These consultations informed the development of a public discussion paper on the WF proposals, entitled “A Working Forest For British Columbia” that was released by the Minister of Sustainable Resource Management on January 22, 2003 with a request for interested individuals and groups to submit written comments by March 14, 2003. This deadline was subsequently extended to April 30, 2003 as a result of numerous requests to increase the timeline for input.

The public discussion paper was placed on the Ministry's internet website and hard copies were made available on request. A Ministry press release was issued to notify the public and organizations of the availability of the public discussion paper and the opportunity to comment. In addition, the Minister sent a letter to each local government and First Nation organization in the province and to key stakeholder groups to invite input.

A web-based response form was developed to enable individuals and organizations to submit comments directly by email. Written input was also invited by regular mail or fax. Comments that were submitted by email were posted on the Ministry's website where submitters indicated their willingness to have their comments made available for others to read on-line.

In addition to the opportunity to submit written input, opportunity was provided to key provincial organizations to meet with Ministry personnel to receive a briefing on the WF proposals and to provide verbal input. Meetings were held with the organizations listed in Appendix 1.

Summary of Government's WFI Proposal

The WFI proposes five "elements", as follows, designed to achieve the government's New Era Commitment.

Defining the Working Forest

- Cabinet would establish a legal designation over all Crown forest land in the province, comprising approximately 45 million ha. The designation would exclude protected areas and parks. Crown forest land in the provincial agricultural land reserve would be included. Government will consult with local governments to determine if Crown land within municipal boundaries should be included. All private land would be excluded, including private managed forest land.
- Cabinet would be empowered to define objectives and permitted uses for lands in the WF designation.
- The WF designation would replace the existing Provincial Forest designation that is the current mechanism for securing the province's forest land base.

Working Forest Policy Goals

Four broad policy goals would drive the establishment, management and administration of the WFI:

- Maintain and increase the economic and social benefits that flow from the Working Forest.
- Identify and provide additional certainty and access about those lands within the Working Forest that have specific priorities for timber and a variety of other values and uses.
- Assure that land use decisions affecting the Working Forest are supported by a consistent and transparent process that recognizes forestry and also addresses all other identified values.
- Assure that society's environmental goals are achieved in the Working Forest.

Land Use Planning and the Working Forest

- Land use planning would continue to be used to provide further certainty about access to the land base within the WF. Sub-categories of forest land use within the WF would be

established through planning processes to identify priority areas for timber management and investment, and other forest uses.

- Area-based access targets for natural resources would be interpreted from existing Crown land plans to guide future sustainable resource management planning and objective-setting in the WF.
- The private sector would have opportunities for significant involvement in future land use planning in the WF through sustainable resource management planning that is carried out by the forest industry.
- On the Central Coast, targets and objectives would reflect ecosystem-based planning concepts being developed through the LRMP for that area.

Information and Monitoring for the Working Forest

- Government would continue to develop an integrated land and resource data warehouse and registry of legal entitlements on Crown land to enable access to information needed for WF management purposes.
- Monitoring would be conducted to assess the effectiveness of the WF designation. Defining and tracking economic indicators would be the priority, and a more comprehensive set of indicators would be developed over time.
- Information gathering and monitoring would be done in partnership with the private sector.

Administering the Working Forest

- Authority for land use decision-making in the WF would continue to rest with the Legislature or Cabinet for major decisions, and the Minister (or the Minister's delegates) for more routine decisions. The existing responsibilities of the Minister of Forests to make decisions on land removals from the Provincial Forest would be transferred to the Minister of Sustainable Resource Management.
- Proposals to use WF lands for purposes that are inconsistent with the purposes and permitted uses in the WF would be analyzed using a consistent and transparent decision-making process to determine "highest and best" land use. Significant decisions would require greater analytical rigour (to assess social, economic and environmental implications) than would less significant decisions.

In addition to the above, it is clearly stated in the WF discussion paper that the Working Forest policy and its implementation will not limit negotiations with First Nations in the treaty process, nor will it affect the province's obligations to consult about or provide accommodation for any infringement of aboriginal interests.

Differences Between the WFI and Existing Mechanisms for Securing the Crown Forest Land Base

The WFI represents an increased commitment to securing the province's Crown forest land base for forest-related purposes and activities, compared to existing mechanisms for doing so. The main differences between what is proposed under the WFI and what is now in place are listed below. Appendix 2 provides a more detailed comparison.

Smaller Land Base – the WF designation would cover lands of particular interest to forest management. The existing Provincial Forest designation comprises a substantially larger land base, including Crown forest lands plus large areas of non-forested lands that are of no interest to future forest management.

Different Decision-maker – Decision-making authority for land deletions from the designation will be transferred from the Minister of Forests to the Minister of Sustainable Resource Management.

Resource Targets – MSRM will develop area-based resource targets for each timber supply area and tree farm license in BC. The targets will be interpreted primarily from existing Crown land plans that define approved land use goals and objectives for Crown forest land. The targets will represent policy guidance to future sustainable resource management planning processes, and as an indicator for measuring long-term WF effectiveness. Currently, no resource targets exist for forest resources other than those that might have been developed in strategic land use planning processes, such as the resource targets defined by the Cariboo Chilcotin land use plan.

Decision-making Process – Proposals to use land in the WF for purposes that are incompatible with approved WF uses and activities will be consistently required to go through a comprehensive and transparent decision-making process aimed at confirming 'highest and best' land use. The process will involve an economic, social and environmental analysis that is commensurate with the significance of the proposal. Currently, there is no specific requirement for this type of decision-making process.

Working Forest Monitoring – A monitoring program will be established to assess WFI effectiveness in achieving its goals. Indicators will be developed for the purpose of measuring and reporting on effectiveness. Currently, there is no commitment to monitoring the effectiveness of existing policies and mechanisms.

RESPONSE TO THE WORKING FOREST INITIATIVE

Government's proposed WFI generated a significant response. 2,692 written submissions were received in total. Although most of these submissions were from individual citizens, 133 organizations, collectively representing thousands of members, also provided written comment. Organizations that submitted comments represent First Nations, local governments, community groups, resource industry interests, outdoor recreational organizations, environmental organizations, labour unions, and resource management professionals (see Appendix 3).

About 92% of the responses from individual citizens came from BC residents, with the remainder coming from residents of other provinces and countries.

Approximately 97% of all respondents (individuals and organizations) oppose the WFI. Roughly 1% of respondents express their support for the WFI. This figure includes a mix of individual citizens, forest industry respondents and local government organizations. The rest of the respondents are of mixed opinion or it is not clear from their responses where they stand on the WFI.

The following sections in this report summarize the comments received according to groupings of common interest. The names of individuals or individual organizations that supplied comments are not identified in this material unless attribution was needed to make a particular comment clear. Within the groupings, comment is generally organized according to the amount or level of input that was received on particular topics.

PERSPECTIVES OF THE GENERAL PUBLIC

The response from public members that submitted comments on the WFI is overwhelmingly negative – almost all of the citizen responses indicate strong opposition to the WF proposals. Only a handful of individuals voice support for the WFI, and a small number has mixed views. Citizen comment on the WFI is summarized below.

Transfer of Control and Rights to Corporations – It is widely perceived that the WFI will mean a “sell off” or “give away” of vast areas of BC to corporations as part of a privatization agenda. The concern is that corporations (especially multi-national corporations) are not concerned with, nor accountable for, managing these lands in a sustainable manner. Short-term financial benefits may ensue, but at a very high cost to future generations. The public strongly supports maintaining government control and oversight of Crown forest land. Public respondents to the WFI reject any movement towards increased privatization.

A number of submitters perceive the government to be too closely aligned with the forest industry on this issue, and see the WFI as a reward to government’s corporate supporters. There are worries that government is failing its responsibility to protect the public trust.

Compensation to Corporations – Many public respondents are very concerned that the WF designation, timber targets and enhanced timber investment zones will be interpreted to represent “guarantees” of continuous land access to timber companies. It is feared that if the government ever wants to remove land from the WF or to use land for another purpose, companies will have to be compensated – either financially, or with an equivalent amount of forest land as part of a “no net loss” policy. There is a concern that the WF designation will be irreversible because the public could not afford the large amounts of compensation involved. Corporations are perceived to be the only beneficiaries of the WFI.

Future Forest Protection – Because of concerns about unaffordable compensation requirements, it is believed that the WF will effectively prevent the establishment of new protected or conservation areas. Many citizens support increases in forest protection, particularly protection of old growth, endangered forests, sensitive habitats, and low-mid elevation ecosystems. They point to recent scientific studies from UBC and the Province’s own environmental trends reports in support of the argument for increased forest land protection.

The WF proposal to introduce a requirement to justify new protected area creation based on “highest and best use” socio-economic criteria is also seen as a potential impediment to forest conservation because protected area values are not easily monetized. Many respondents referred to the WFI as an “anti-environmental” initiative.

Impact on Forest Ecosystems and Users – There is a concern that the WFI is biased in favour of the forest sector and that this will have far-reaching impacts on other resource values and users. The perception is that an emphasis on timber extraction and other industrial activities on Crown forest land will cause long-term damage to drinking water sources, biodiversity,

fish and wildlife habitat and populations, recreation and tourism resources, wilderness, air quality, cultural and heritage values, and forest aesthetics.

A number of individuals point out that the name “Working Forest” implies that forests are not already hard at ‘work’, providing many public benefits and functions such as water storage and filtration, erosion control, biodiversity, nutrient cycling, air purification, and global warming offsets. There are concerns that these important forest functions may be impacted by the WFI, and that forest management practices and harvesting rates that are believed to be currently unsustainable will become even more unsustainable.

Long-term Economic Implications – Because the WF implies a strong commitment to forestry, there is a fear that it will have negative implications for the future of other economic sectors. Many submitters point to tourism as a rapidly growing sector that could help diversify regional economies. People are worried that the WFI reinforces “old thinking” and will forever lock their regions and communities into primary resource dependency and continued reliance on a forestry paradigm that has proven not to work. There is significant interest in ensuring increased community control of forest land and encouraging greater diversification and value-added in the forestry sector. It is thought by many that the WFI is a “step backward” that will interfere with those objectives, and will perpetuate the structural problems in the industry that are causing job loss and community instability.

First Nations – Many people are concerned that the WFI will over-ride First Nations interests on the Crown land base, and make treaty settlements more difficult and expensive to achieve. A number of people believe that treaty settlement is the key to providing land base certainty for industrial land users, and that land claims should be resolved before a WF is designated.

Working Forest Transparency and Accountability – Many submitters express concern about the way that government intends to make WF decisions. Amending the *Land Act* to empower Cabinet to designate the WF and to decide WF objectives is thought to lack transparency and accountability. These individuals recommend that the WF should be established and managed through a statute that is debated publicly in the legislature.

Questionable Justification – A number of respondents wonder why the WFI is being proposed. They note that the public rejected the previous government’s proposal to establish a working forest. They do not feel that government has demonstrated that there is a particular problem with the current level of forest sector certainty of access to the Crown land base. Critics argue that existing long-term renewable tenure contracts, AAC allocations, compensation rights and recently introduced policy changes to free the industry from appurtenancy and cut-control requirements already provide the industry with exceptional certainty. It is believed that government has failed to provide compelling evidence that the WFI is needed, or that it will achieve the WF policy goals.

Many do not think that the WFI will achieve its stated stability goals because it does nothing to address the root causes of instability in the forest sector, which are thought to include: the US trade dispute, mechanization, log export, corporate consolidation, past over-harvesting, lack of tenure diversity, and lack of emphasis on value-added industries.

Forestry Conflicts – Some respondents raised the prospect that the WFI will re-ignite the “war in the woods” and ruin BC’s reputation abroad, and that these prospects will result in further forest sector de-stabilization. Some submitters raise the possibility of renewed market campaigns against BC forest products if the WFI proceeds.

Crown Land Planning – Concerns are raised that a strengthened role for industry to lead future sustainable resource management planning processes in the WF will bias the outcome of those planning processes and, moreover, that giving industry responsibility for monitoring and generating land and resource data that is used for planning processes and setting AACs is a conflict of interest.

Concern is expressed that the WF threatens to over-ride consensus-based land and resource management plans that stakeholders and communities have previously forged, and that the WF designation and area-based targets will encumber the scope and flexibility of future land and resource planning processes. Some public members argue that WF boundaries should be determined as an outcome of planning processes, and that this has already been decided in many areas.

Policy Inconsistency – Some of the public raise concern that government policy measures to provide worker certainty and community stability are confused. On one hand the government is establishing the WF, ostensibly to achieve community stability, and on the other it has eliminated appurtenancy and cut control requirements that were aimed specifically at achieving stability objectives.

Inadequate Consultation Process – Many public members express strong dissatisfaction with the manner in which WF consultation was conducted. Complaints were registered that:

- the WFI process was insufficiently publicized,
- the WF discussion paper is vague and leaves government’s “real agenda” left unsaid,
- by emphasizing web-based input, many individuals were prevented from responding,
- the response time was too short and the initiative is moving forward too quickly,
- the WFI policy development process was one-sided because industry had direct access to that process, but other sectors did not, and
- there were inadequate opportunities for meaningful public information and face-to-face debate.

It was suggested that there should be WF public hearings throughout BC, and some individuals proposed that the province should hold a referendum on this issue.

In addition to the above concerns about the WFI, a number of public members provided comments on other forest policy issues. These comments include recommendations to:

- increase community control over forest management by re-distributing harvesting rights to communities and First Nations,

- increase the provincial commitment to value-added manufacturing,
- ban raw log exports,
- promote wider adoption of forest certification standards,
- halt the harvesting of old growth forests,
- replace clear cut harvesting with selective harvesting methods,
- establish higher forest management standards,
- reinstate the capacity within government to enforce forest management standards,
- reduce the rate of forest harvest, and
- establish log markets.

The small number of individuals that voiced support for the WFI feels that the WF zoning proposals will promote investment into the forestry sector and this will generate public revenues for spending on public infrastructure and social programs. One respondent believes that the WF represents a good balance with the province's protected area designation. Another believes that differentiating lands for intensive timber production will better enable the protection of sensitive areas.

FIRST NATIONS PERSPECTIVES

First Nations organizations that provided input to the WFI strongly oppose the initiative for the following reasons.

WF Consultation and Accommodation Process – Many of the First Nations that commented register their strong complaint about the inadequate process that was used to consult with First Nations. They believe that government failed its legal obligation to engage in meaningful consultation and accommodation of their interests. Specific concerns are that:

- consultation was after-the-fact, whereas the forest industry was engaged up-front in the WFI policy development process,
- the Discussion Paper and response approach does not facilitate meaningful consultation,
- the Crown did not disclose the potential impacts and implications of the WFI on aboriginal title and rights,
- no capacity resources were offered to help First Nations themselves analyze WFI implications for First Nations,
- as written, the Discussion Paper was too vague to enable meaningful assessment of WFI implications, and
- the timeframe for response was too short.

One First Nation indicates that it will enter into detailed and comprehensive discussion of aboriginal interests related to the WFI on the condition that the discussions are without prejudice to their land claim.

Another notes its lack of capacity to engage in implementing the WF elements that are laid out in the Discussion Paper, including involvement in future land use planning and monitoring. This First Nation seeks further discussion with Ministry managers aimed at supporting capacity development.

Aboriginal Rights and Title – Some of the First Nations that provided comments assert their claim of Aboriginal rights and title over proposed WF lands and timber in their traditional territory. Government is reminded that these rights and title are not extinguished. It is believed that the WFI will infringe on their rights and title, and government will have failed its fiduciary duty if the WF proceeds as planned. One First Nation believes that the WFI is a purposeful government strategy to “dodge government’s obligation to properly accommodate Aboriginal rights and title”. Several First Nations claim that WF implementation without meaningful consultation and accommodation is unlawful and will result in legal action.

Two First Nations place government on notice that all land alienation that may result from the WF is subject to fair compensation to the First Nation and that compensation will be pursued legally. A different First Nation warned the Province that if it proceeds with the WFI without meaningful consultation, it may hold the Province liable for damages in the event that any infringement of title or rights occurs in connection with the WFI. To avoid

legal action, one First Nation invites government to recognize Aboriginal title and rights, accommodate their interests, promote shared decision-making and equitable sharing of economic benefits.

One First Nation recommends that the WF enabling legislation should clearly state that aboriginal rights and title over-ride the WF designation, and that current treaty negotiations or future settlements will not be impacted. This group further suggests that specific claim areas should be excluded from the WF designation to prevent the possibility of these claims being compromised.

Impact on Treaties – Concerns are raised that increased privatization of Crown land and increased control of Crown forest by licensees will impact treaty negotiations. Timber targets are specifically identified as one of the means by which licensees will gain increased control of Crown forest land. One First Nation raised the concern that treaty settlements will be impacted because of the financial disincentive (compensation) that the WF will create. It is feared that the WFI will reduce the flexibility and options open to government and third parties for innovative negotiations aimed at accommodating First Nations title and rights. Government is urged to settle land claims before giving increased security to logging companies.

Impact on Other Sectors and Resource Values – First Nation interests express concern that the WF grants too many rights to forest companies, will limit opportunities for other Crown land users, and this will constrain economic diversification opportunities. There is a fear that the WF will also damage culturally significant values and ecological values that are important to First Nations.

Allowable Annual Cuts – One First Nation is worried that the WF designation might lead to upward pressure on allowable annual cuts in the Chief Forester's TSR determinations. Another believes that the WF objective to increase the AAC over time will compromise the long-term forest health and values in their traditional territory. A different First Nation is concerned that government is committing to an AAC increase in the WF without knowing the impact on First Nations or other resource values.

Forest Sector Certainty – One Band notes that the underlying assumption that forest companies need more certainty is flawed, given industry's strong tenure rights and allowable annual cut allocations. Another First Nation notes that the WF will, in fact, lead to reduced industry certainty over their traditional territory. A different First Nation points out that forest industry certainty on the land base will not be possible without First Nations certainty on the land base, and that the WFI will negatively impact that goal.

Working Forest – Parkland Trade-off – One First Nation commented that to represent the WF as a fair quid pro quo for protected areas is misleading since protected areas were decided through participatory planning processes that included the forest industry. The concern is that the WF will be designated without the benefit of stakeholder and First Nations negotiation.

Unsustainable Forestry – One Band is concerned that the WF will comprise lands outside of the current timber harvesting land base. It is thought that these lands are inappropriate for timber management because they are either steep, high elevation or environmentally sensitive. This Band believes that pressure to maintain unsustainable cutting levels (by expanding the timber harvesting land base to include 22 million additional ha) is driving the WFI and this will have drastic long-term consequences.

Crown Land Privatization – One First Nation raises fears that changes to the decision-making process for Crown land allocation may result in increased dispositions, notably for agriculture. The concern is that the proposed decision-making procedures will be streamlined so that only one minister is involved and where decision authority can be delegated downward. It is thought that these measures will remove accountability for Crown land alienation decisions.

Crown Land Planning and Zoning – Concern is expressed that forest land planning within the WF will result in the definition of enhanced timber development zones, but that zones for conserving ecological values and First Nations interests will not occur.

Working Forest Name – One Band believes that the name “Working Forest” is misleading and should be changed to something that better fits the designation intent, assuming that the WF will, in fact, recognize non-timber and non-commercial values.

Working Forest Boundary – One First Nation suggests that, in areas of forest / grassland interface, the WF boundary should reflect historical forest type boundaries, and exclude areas where recent forest encroachment has occurred.

International and National Commitments and Principles – One First Nation notes that the WFI runs counter to Canada’s commitments as a signatory to the UN Convention on Biological Diversity. It is also noted that the sustainability principles that guide the WF fall short of internationally and nationally recognized sustainability principles. Another First Nation notes that the WFI fails to apply the ecosystem approach that is advocated by the UN Convention on Biodiversity. It is recommended that the WFI should support the development of methods to advance the incorporation and use of traditional knowledge in the proposed WF. It is further believed that the WFI must also meet the First Nation objectives of Canada’s National Forest Strategy.

COMMUNITY PERSPECTIVES

Community-based perspectives about the WFI are mixed. There is support-in-principle from some community interests, including the Union of BC Municipalities and several individual local governments. However, other community interests and local governments have concerns with the WFI and raise a number of questions. Community perspectives on the WFI are summarized below.

Working Forest Designation – The Union of BC Municipalities is generally supportive of the idea of a WF. The Union of BC Municipalities sees the WF designation to be consistent with its past recommendations to government on this topic, and as complementary to government’s recent expansion of protected area designations. Not all local governments, however, agree with every aspect of the WF proposals, as they interpret them. Community interests strongly support the view that the WF designation must enable integration of other resource users and environmental goals, in addition to meeting the forestry sector’s needs. It is recommended that the final WFI policy must clearly stress that the WF will continue to provide the land base for balancing the various land and resource needs of other values and users. Some local governments are concerned that the WF policy, as presently proposed, will subsume the needs of other forest users, such as tourism, that are important for enabling regional economic diversification.

One local government questions the name “Working Forest”. It is thought that referring to such a large land area as the “working” forest may lead to confusion because the name does not reflect that large amounts of such lands will inevitably be used for ‘non-forestry’ purposes. The name “Forest Land” is suggested as an alternative label. Another community organization offered the names “Crown Forest”, “Living Forest”, “Public Forest” – anything but ‘Working Forest’ because of the negative response that this term generates.

Crown Forest Land Within and Adjacent to Municipal Boundaries – Local government recommends that the province should consult directly with each municipality, and also local citizens, to determine whether or not Crown forest lands within and adjacent to municipal boundaries should be incorporated into the WF designation. It is thought that consultation would help clarify the intent of the WF, potentially alleviating misconceptions about what the WF represents, and also enable local governments to identify Crown lands that may be required to accommodate future municipal expansion and development needs.

The recommendation of some local governments respecting the WF is already clear. The Islands Trust, Bowen Island Municipality and the Capital Regional District request that Crown forest land within their areas be exempted from the WF. Similarly, the City of Kimberly requests exclusion of a particular area of Crown forest land within its municipal boundaries. Conversely, the District of Squamish recommends inclusion of Crown forest land within its boundaries into the WF.

Agricultural Lands – Some local governments register their concern that the WF designation is too one-sided in favour of the forestry sector and may impact their ability to designate and

promote agricultural expansion on arable Crown land. These governments recommend that all ALR lands, agricultural development areas and community pastures be excluded from the WF designation. One municipality recommended that a decision on WF designation of all Class 5 lands should be deferred until an assessment is made to determine appropriate land use. This municipality recommends that the WF designation should be confined only to lands with a demonstrated highest and best use for timber harvesting and silviculture. A different regional district supports the inclusion of the ALR in the WF.

One community organization identified that laying the WF over the ALR may affect the security needs of the ranching community and that any concerns of the agricultural sector must be addressed before the WF policy is finalized.

Crown Land Planning – Local government expresses some discomfort about designating the WF over areas where a planning process (e.g., LRMP) has not already decided the location and intensity of resource uses. One local government specifically recommends against establishing the WF until LRMPs are finished, and that WF boundaries should reflect completed plans.

Direct consultation with local governments is encouraged prior to WF establishment and resource target setting, to confirm community goals and aspirations, and to review the relationship between the WF designation and local government plans that may cover Crown forest land.

One regional district expressed general frustration about the provincial land and resource planning system and the potentially complicating influence of the WF. It is felt that there are already too many overlapping initiatives (legislation, regulation, policy, plans) and that this creates major confusion about which ones have precedence, or where to look to obtain clear direction on Crown land and resource management. This local government notes that the content of many LRMPs are general and open to interpretation, and cautions government on establishing quantifiable resource targets that are based wholly on LRMP statements.

One municipality and other community organization raised concerns about the prospect of future land use planning in the WF being led by forestry companies. It is thought that this will result in a focus on resource extraction and limited stakeholder consultation. Direct community involvement is recommended in all WF initiatives involving the setting of resource goals, objectives and targets, and in defining and measuring monitoring indicators.

Another community organization expressed concern that the WF designation, with an implied emphasis on commercial timber management, may over-ride the integrated, community-based plan that they have been developing for many years. This organization feels that timber values have already been adequately accommodated in their planning process and that the WF designation may, in fact, eliminate economic diversification opportunities in their area.

Highest and Best Use Concept – Local government generally supports the establishment of a consistent and transparent decision-making process in the WF that involves appropriate

analysis as a basis for determining ‘highest and best’ land use. Questions are raised by some local governments, however, about what ‘highest and best’ use means in practice, and how it will be implemented in the face of incomplete resource information in many locations and vague Crown land use plans that do not clearly assign a ‘highest and best’ use.

Assurances are sought that social, economic and environmental values will factor into WF land use decision processes, and also that local community stability objectives will be incorporated. It is recommended that WF addition and deletion decisions should be formally referred to appropriate local governments for comment.

Long-term Timber Supply – One municipality cautions government that, to maintain public confidence in the WF proposal, it should clarify that the WF will not result in more land area (i.e., land outside of the existing timber harvesting land base) being cut in order to increase the long-term timber supply. It is thought that the focus should be on zoning key commercial timber lands, and increasing the productivity on these lands through enhanced silviculture.

Another municipality commented that the current provincial AAC is unsustainable and that by including 22 million ha of land in the WF that is not currently part of the timber harvesting land base may be used in the future to justify decisions to increase the cut to levels that are even more unsustainable. The concern is that this would compromise the long-term future of communities and workers.

Certainty Objectives – One local government noted that the most effective way of providing certainty about WF lands is for government to address aboriginal land claims, and to complete LRMPs for all areas. It is thought that if these initiatives are completed, large “umbrella designations” like the WF will be redundant, or at least made much easier to define, justify and protect. This local government sees the WF as something that would ideally follow land claim settlements and land use planning. This viewpoint is supported by a community organization that perceives the WF as merely a re-naming of Crown forest land that, in itself, will do nothing to enhance certainty. Future “sub-division” of the land base through planning that accommodates all values is the recommended approach for enhancing certainty.

Another local government believes that in striving to provide certainty to the forest sector, uncertainty will increase for all other sectors.

One municipality noted that industry already has security through its tenure rights and that the WF designation will not necessarily bring more security to communities and families. This municipality and another community association note that the underlying causes of forest sector instability are not addressed by the WFI, and recommends expanding opportunities for community forest tenures and value-added enterprises as a more appropriate approach to generating local employment.

First Nations – One local government raised the concern that the government does not have the authority to enact the WF without meaningful negotiations with First Nations.

Land Deletions from the Working Forest – One local government supports the idea that Cabinet should be responsible for approving WF land deletions. Another notes the need to clarify the respective roles of the Minister of Sustainable Resource Management and the Minister of Forests respecting TFL land deletions.

BUSINESS PERSPECTIVES

Forest Industry

This sector strongly supports the WFI as a mechanism for:

- stimulating economic recovery,
- promoting a competitive forest industry,
- meeting community needs,
- ensuring balanced treatment of forest values,
- ensuring a fair and transparent decision process for lands within the WF, and
- contributing to the New Era commitment to increase the AAC over time.

It is believed that the WFI will help offset a number of past measures that have eroded forest sector certainty and investor confidence, including: the forest practices code; uncompetitive stumpage rate increases; ongoing land base removals for parks, protected areas and special management zones; and unclear compensation policies.

This sector notes that previous and current land designations designed to secure the forestry land base (i.e., Provincial Forests and Forest Land Reserve) have not been successful in preventing the erosion of the timber harvesting land base, and that this proposal must embody effective mechanisms to achieve its goals.

Although this sector strongly supports the WFI, a number of suggestions were received for clarifying or adjusting government's WF proposals, as follows:

Working Forest Land Base and Name – The forest industry strongly supports the *legal* establishment of a WF land base that affords the designated lands a level of protection equivalent to parks and protected areas, and where land removals would require an Act of the legislature.

There is concern, however, that there are no firm commitments to when the WF might be designated. The forest industry recommends that the designation could occur immediately if the WF was simply applied to the land base in the existing Provincial Forest designation. It is feared that excessive delays might be encountered if an alternative land base is selected for the WF designation.

One forestry company cautions that the name “Working Forest” implies that all 45 million ha of Crown forest land in the WF would be available for harvesting. This is not the case and this firm recommends that the name be changed to the “Forest Resource Land Base”, of which approximately half would be the commercial (forestry) land base.

Decision-making Process in Working Forest – Industry supports legalized decision-making procedures for the WF, as opposed to policy-based procedures. There is also support for the idea that “significant” land use decisions within the WF would require rigorous socio-economic (cost-benefit) assessment and public review as a basis for determining highest and

best land use. They also support the notion that the legislature or Cabinet should make significant decisions to add or remove WF land, or to significantly change WF zoning classifications. It is felt that decisions that will not significantly affect timber supply or access could be made at the ministerial level without full socio-economic analysis or public process. It is not thought, however, that there should be any further downward delegation of decision authority (e.g., to regional decision-makers). It is noted that the WF highest and best use decision-making model will require clear, operational definitions of what is considered to be “significant”.

One submitter suggested that the same decision-making model must be applied consistently within the WF by all ministries that have authority for decisions that may impact land use (e.g., including ministries responsible for approving mining and oil and gas decisions).

Another respondent believes that the recommended land and resource objectives in pending and future land use plans should be subject to the established highest and best use decision-making model that is established for the WF.

A different company expressed concern that the WF will allow for deletions based on social, economic *and* environmental criteria, whereas the current Provincial Forest laws only permit removals based on social and economic criteria.

Finally, the forest industry cautions that government must guard against the possibility that the new decision-making process in the WF may delay forest development or further increase company costs.

Ministerial Powers in the Working Forest – A concern is raised that powers to make land use decisions in the WF will be concentrated in the hands of the Minister of Sustainable Resource Management. It is believed that the Minister of Forests and other line ministers, such as the Minister of Energy and Mines and the Minister of Agriculture, Food and Fisheries, should have a key role in making WF land use decisions. It is further recommended that all WF decisions will require strong political oversight.

Timber Targets – The concept of timber targets is strongly supported by the forest industry, however, it is believed that targets should be expressed in terms of: (1) land area (i.e., land containing economically available timber), (2) timber volume and (3) timeframe for achieving targets. Government’s WFI proposals only refer to land area targets. Industry recommends that targets be legally adopted in order to provide firm direction to future decision-making. One forestry company recommends that timber targets should be tied to individual tenures and that they should be made secure over a long period of time. Another respondent recommends that an overall provincial target for timber supply for the WF should be established and that this should not be based on a “whittling down” to accommodate other users.

No Net Loss – One forest company advocates the introduction of a “no net loss” policy as a component of the WFI. Where government approves significant land withdrawals from the WF, an equivalent area of land would be replaced in the WF.

Compensation – One firm suggests that the WFI should address the question of compensation as a key element of enhancing investment certainty. This submitter recommends that the WFI should ensure compensation for investments made on the WF land base (including investments into planning, infrastructure, and resource enhancement beyond statutory requirements), but not compensation for lost rights to the land base itself.

Definition of Permitted Uses – One forest company noted that the WF proposal does not identify the specific uses that will and will not be permitted in the WF, and that this is necessary before it can be implemented. Another firm expressed concern that the WFI appears to contemplate a greater number of non-forestry uses than are currently permitted in the existing Provincial Forest designation, and that this may lessen the priority given to forestry.

Allowable Annual Cut – One forest company referenced the WFI intent to contribute to AAC increases. This was supported, however, it was noted that forest productivity on WF lands outside of the timber harvesting land base must increase if the province wishes to sustain the AAC and an even flow of wood. This firm recommended that incentives are needed for growing the cut, and that these should accrue to the tenure holder.

Crown Land Planning and Zoning – Business supports the creation of a forest land zoning system through planning that clearly emphasizes priority use categories within the WF. Although it can be expected that some zones will be established that give priority to other sectors' land needs or emphasize environmental management, the expectation is that the majority of WF lands would be zoned for industrial forest development. It is pointed out that this will sometimes require resource trade-off decisions and that government will need to resist the temptation to try and appease all potential users in the WF. Government is cautioned that unless it is prepared to do this, its New Era commitments will not be achieved.

One forestry firm points out that the WF designation is too extensive and undifferentiated to provide much certainty, and that the specific designation of smaller areas (zones) within the WF for commercial forestry would provide much greater certainty.

One company noted that land use plans and objectives now form an integral part of BC's forest management framework, and emphasized the need for the WFI to respect existing land use plans and objectives, and to provide a mechanism to allow for and incorporate future planning work. Another company stressed the need for more balanced planning processes that give greater consideration to social and economic values than has occurred in some past planning processes.

One company recommended implementation of "interest overlaps" (multiple use zones) to minimize potential economic conflicts and maximize the achievement of various forest values. This firm notes that existing protected area zones should be recognized as supplying the majority of society's environmental needs and that the WF should be expected to supply environmental services only where the protected area system is unable to do so.

Monitoring Working Forest Goals – The forest industry supports the development and application of social, economic and environmental indicators for measuring achievement of WF policy goals. It is suggested by one firm that government and industry should jointly establish measurable indicator targets for use in interpreting the extent of achievement of WF policy goals. A different company believes that indicators should reflect stability for the forest sector in the short-term and growth in the long-term.

Land and Resource Information – One company recognized the importance of having good land and resource information to monitor trends and make decisions in the WF, but expressed concern that the forestry sector may be expected to bear the cost and responsibility of gathering and maintaining this information.

First Nations Interests – Industry strongly supports government action to address First Nations land claim issues, as a basis for improving investment certainty. It is thought that the lack of treaty settlements should not prevent or delay the establishment of the WF.

Establishing Legal Objectives in the Working Forest – Industry is concerned that there are multiple agencies with the authority to establish legally binding resource objectives in the WF, and that the potential exists for confusion and inconsistency in the objectives. The industry would like the WF to provide the “construct” for ensuring that all resource objectives that are established in the WF are clear, balanced, and are reconciled with each other so that they do not conflict in practice.

Integration with Other Forest Policy Initiatives – One forest company emphasized the need to integrate the results and objectives of various planning processes and legislative proposals, including the WF proposal. It is believed that this is essential to prevent these initiatives from being undermined.

Tourism

The tourism sector sees potential promise in the WFI, provided that it is designed and implemented in a way that ensures equivalency of tourism interests with those of the forestry sector. Tourism industry comment is summarized below.

Recognition of Tourism's Contributions – The tourism sector informs government of its economic significance to BC, and that it is a major contributor to community diversification and stability. The sector underscores the critical importance of having secure access to the Crown land base in order to grow and develop. It also stresses the importance to the sector of safeguarding a healthy resource base and visually appealing forest values. Government is urged to ensure that the WFI works not only for forestry, but also tourism. This sector believes that government must show strong leadership in adopting policies and practices in the WF that ensure the co-existence of forestry and tourism.

Forestry – Tourism Interaction – Tourism interests point out that the extent of overlap between high value lands for tourism and forestry is relatively small, and that where overlaps do occur, conflicts can be mitigated by appropriate forest management practices. Concern is noted, however, that unless the WFI truly recognizes and supports the tourism industry, both sectors may be negatively impacted. It is thought that past forest management practices and decisions have favoured forestry, and there is concern that the WFI, in trying to promote BC's forest sector, may threaten the future of tourism.

Working Forest Intent, Title and Language – There are concerns that the WF proposals will entrench a bias towards timber extraction, and that tourism's land base interests will be relegated to second place. Government is cautioned that it must not let industrial style forestry take precedence in the WF. The name "Working Forest" is seen to be part of the problem, and alternative names are suggested, including: "Crown Forest Land Base", "Working Land Base", and the "Working Landscape". Concern is raised that the WFI appears to be based on "exclusionary thinking" and "archaic" approach to economic development. Collaborative planning is seen to be key to optimizing land base opportunity for all sectors – see below.

Tourism operators request assurances from government that the WFI will not impact on visual quality, water quality, road access, special management zones, commercial recreation tenures, or existing protected areas. One operator advocates independent forest certification in the WF as a way to improve the international perception of BC forestry and to facilitate tourism marketing.

Land Base Security for Tourism – The sector recommends that government legally designate a land base for tourism, as already exists for forestry, agriculture and mining. The lack of a designated tourism land base is seen as an inequity. Tourism facilities, high use tourism areas, important viewscapes, and important wildlife and fishing areas should be included in the proposed tourism designation.

Government Resources and Programs to Support Tourism – Concern is voiced that the Province spends too little money on supporting and promoting the tourism sector, compared to forestry and mining. A budget increase is recommended for the Ministry of Sustainable Resource Management Tourism and Recreation Branch to a level that is proportional to the revenue generated by BC tourism, and equitable with government's budgets for forest administration. It is suggested that these extra funds should be spent on tourism inventory, planning, management and advocacy. Developing a comprehensive tourism resource inventory is recommended as a priority, to enable the sector to participate effectively in land use planning processes.

Crown Land Planning – The province's sustainable resource management planning program is supported as a way of spatially promoting tourism interests on the WF land base. Government is urged to allocate enough resources and staff to this program to enable the development of planning products that work for both forestry and tourism. Direct tourism representation in collaborative planning processes is requested.

Concern is raised by some tourism interests about the prospect of industry-led planning processes that do not provide for meaningful stakeholder participation. Also, government is urged to ensure that agreed-upon plans in the WF are actually honoured and implemented.

One tourism operator questions why government needs to establish a provincial designation if LRMPs are already doing the job of defining where different land use activities are appropriate. It is thought that the WF designation may erode the certainty that LRMPs provide and re-ignite past conflicts that LRMPs were designed to address.

One tourism organization expresses concern about establishing a WF designation before LRMP work is done. LRMP processes may involve negotiations to create additional protected areas and the WF zone may impact these discussions.

Tourism Targets – Legally-binding tourism targets are recommended as a basis for instructing future planning processes and land use decision-making. Tourism targets are proposed for both the timber harvesting land base and also the productive forest land base, given that both of these areas are important for tourism.

Non-Forested Crown Land – One tourism organization raised the concern that establishment of the WF and cancellation of the existing Provincial Forest designation will leave 32 million ha of Crown land without any designation. The worry is that this land may be more vulnerable to be privatized and this would potentially impact on tourism values.

Management Inflexibility – One tourism operator perceives the WF to represent a societal "guarantee" to the forest industry of continuous access to Crown forest land. The concern is that this may impose static prescriptions on land management when, in fact, maintaining maximum opportunity for flexibility and adaptive management should be the goal. The question is raised of whether or not corporate compensation may be required when society cannot live up to access guarantees to industry.

Enhanced Timber Zones and Allowable Annual Cut – One tourism business points out that the ability to increase timber yields through enhanced management within special timber zones is an unproven assumption. Concerns are noted that reduced environmental standards and weakened public participation will occur in these zones. Another operator raised a concern about the WFI presumption that the AAC should be increased. This is believed to be an inappropriate “pre-determination” that is not based on science or sustainability principles.

What in Exchange? – One operator questions why government would consider providing increased guarantees of corporate access to public lands without getting some public benefits in return from the forest industry, for example commitments towards increased employment, value-added, or ecological benefits.

Decision-making Processes in the Working Forest – The WF proposal indicates that decision-makers would be required to “consider” existing LRMPs when reviewing land use proposals in the WF. One tourism operator is concerned that a ‘soft’ requirement such as this will leave decision-makers free to ignore LRMPs – a LRMP consistency test, clear rules for socio-economic assessment and public participation in WF land use decisions are recommended.

Private Managed Forest Lands – The tourism sector believes that private managed forest land should be included in the WF and that Crown forest management standards should apply to these lands. Current controls on forest management practices on these lands are seen as too weak to adequately protect nature-based tourism uses.

First Nations Land Claims – Tourism interests support the prompt resolution of land claims and efforts to involve First Nations in future WF decisions.

Forest Service Roads – The tourism sector urges the government to keep open and maintain forest service roads in the WF that are important to tourism businesses.

Collaborative Implementation of Working Forest – The tourism sector seeks an ongoing role in working with government and others to implement WFI elements.

Ranching and Agriculture

Ranching and agriculture interests are generally dissatisfied with the WFI as it is currently proposed. They feel that it over-emphasizes timber production interests at the expense of other sectors' interests. They believe that ranching and agriculture offer significant opportunities for future provincial economic development and diversification, and are worried that the WFI will compromise those opportunities. Specific comments from this sector are summarized below.

Timber Bias – A main concern of the ranching and agriculture sector lies with a perceived bias towards timber production that is believed to permeate the entire WFI. The sector is worried that replacing the existing Provincial Forest designation, which includes specific provisions for forage production and other forest values, with a timber-oriented WF Cabinet Order will detract from their own certainty, and that of others. It is believed that this will negatively impact provincial economic diversification and stability, rather than strengthen it, and that it conflicts with the New Era Commitment to “*increase access to Crown lands and resources, to create jobs in tourism, mining, forestry, farming, ranching, oil and gas*”. It is recommended that the WFI should be screened against a complete set of social, economic and environmental goals.

Questions are raised as to why the forest industry is being singled-out for certainty enhancement. Where is government's commitment to increasing the amount and value of the province's forage supply? An inequity is perceived. This perception is underscored by the concern that the WFI represents a doubling of the timber harvesting land base to comprise half of BC. It is pointed out that agriculture on the other hand, uses only 1.5% of the land base and only 5% of the total land base is arable. Measures are requested to provide certainty that Crown lands that are important to the ranching and agriculture sector will receive equivalent protection to the WFI.

The sector seeks government's assurance that range and agricultural tenures are clearly recognized as a legitimate Crown land use and that the WF designation will not impact existing or future range rights, including physical access to water by agricultural interests.

Economic Contribution of Ranching and Agriculture – This sector believes that its economic contribution to BC and its associated Crown land needs are being overlooked by the WFI. It is noted that the current mountain pine beetle infestation in the central interior will impact the regional economy for years to come, and that growth in the agriculture sector could help significantly to stabilize the regional economy.

Ranching interests propose that government should partner with their sector to undertake a full accounting of the sector's economic contribution, and to develop a plan for enhancing future benefits from the sector. Government is requested to work with the ranching industry to develop a “provincial range strategy” that increases the amount and value of the province's forage supply. The strategy would: (1) address the issue of forest encroachment and forest in-growth on Crown range lands; (2) recognize the importance of maintaining or restoring fire-maintained ecosystems, and (3) identify and overcome stumbling blocks to implementation (i.e., stocking standards, fire suppression goals, smoke management, etc.).

Initiatives are recommended to make Crown agricultural land more available to the agriculture sector.

It is further suggested various policies and guidelines should be developed to support agriculture and range management including guidelines for Crown range re-seeding, the use and management of transitional range, weed control, and community pasture management.

Working Forest Land Base – Because of the concern about timber bias, the ranching sector recommends that the WF designation must *either* be:

- (2) confined to a much *smaller* area comprising only “high value forest lands”, that will contribute to long-term AAC, potentially as defined by land use planning processes (i.e., in particular they should exclude the Agricultural Land Reserve (ALR); agricultural development areas that have been confirmed through local planning processes; grazing leases; community pastures; and lands with class 5 or better agricultural capability,); or
- (2) applied to a *larger* land base, such as the area proposed, but renamed to be “Sustainable Resource Lands” to remove the impression that timber production is the priority interest. This would be accompanied by a complete and inclusive set of social, economic and environmental goals that provide the basis for decision-making on this larger land base.

The province’s Agricultural Land Commission can support inclusion of the ALR in the WF provided that there are assurances that existing grazing and agricultural uses and associated tenures are formally recognized.

One regional ranching association suggests that the WF should be divided into regions, similar to the way ALR administration has been organized. It is thought that this will make it easier for local land use plans to be taken into account when WF boundaries are being decided.

Crown Land Planning – Concerns are raised about the prospect of industry-led planning in the WF. It is feared that this model provides no assurance that ranching and agriculture interests will be addressed. Zoning Crown land to prevent shifts to non-forestry use is also of concern if industry-led planning will be the norm. It is recommended that planning must be comprehensive and represent all stakeholder interests, and be neutrally managed.

It is noted that planning in some regions has already identified agricultural development areas (ADAs) and that these areas should be essentially “pre-approved” for WF deletion. It is further recommended that timber harvesting activities and practices in these areas should not decrease or limit their agricultural development potential. The Agricultural Land Commission raises concerns that land managers may be pre-disposed to ongoing timber harvesting in ADA areas once they are part of the WF.

Resource Targets – This sector wishes to ensure that sustainable resource management plans include area-based targets and quantified resource objectives for both intensive and extensive agricultural uses, along with realistic strategies to implement them. They support the need for area-based targets for grazing (animal unit months), and agricultural land development, along with quantified resource objectives for livestock grazing and forage production.

Highest and Best Use Decision-making – Although this concept is supported in-principle, concerns are raised about the availability and adequacy of range and agriculture information and analytical tools need to support effective implementation of the highest and best use concept. There is also a concern that professional bias may enter into highest and best use analysis if forest economists or forestry advocates are responsible for undertaking the analysis. Highest and best use application must involve a consistent and transparent process that considers all values and uses correct information about the economic returns from forestry versus agricultural land use. It is further believed that highest and best use decisions should result from comprehensive land use plans that zone the land base to reflect appropriate use priorities, and that these planning processes should be led by someone other than the forest industry or the Ministry of Forests – see above.

It is noted that the ALR, agricultural development areas, grazing leases and community pastures have already had their highest and best use determined and recognized by various forms of existing designation, zone or tenure. It is thought that these areas do not belong in a blanket WF designation that may subject them to having their highest and best use reconsidered and possible over-turned in favour of non-agricultural uses. This sector fears that the WF will create a further barrier to ranching and agricultural development on Crown land and this significantly detracts from their future certainty. It is felt that current policies are already ‘stacked against’ the ranching and agriculture sector (e.g., stumpage inequity, MOF control over logging practices on agricultural leases). Concerns are also raised that opening up these lands for highest and best use re-consideration will increase conflict and decision-making delay and this will create more uncertainty.

The provincial Agricultural Land Commission notes that the Ministry of Sustainable Resource Management is completing an “agricultural strategy for Crown land access” and urges government to ensure that the WFI and this strategy are closely linked during WF implementation.

Land Management Responsibilities – One regional ranching organization believes that designating half of BC under a blanket WF designation will create confusion and red tape when land use applications are received. Reducing overlapping jurisdictions is recommended where the land base is partitioned according to administrative responsibility, as follows:

- Ministry of Agriculture would take care of lands best suited for agriculture
- Ministry of Forests would take care of lands best suited for forestry,
- Parks would take care of lands best suited for park use,
- Ministry of Water, Land and Air Protection would take care of lands best suited for fish and wildlife,

- Ministry of Sustainable Resource Management would take care of lands best suited for multiple use, or other uses, and would oversee other Ministries to ensure sustainable resource management on all lands.

Resource Information Systems and Monitoring – Range and agriculture interests support the idea of an integrated data warehouse / registry and land use monitoring. It is noted, however, that range and agriculture data and inventory is outdated or lacking entirely and that this information will be needed to represent the sector's interests in the Working Forest. Updated ALR mapping, agricultural capability mapping and range inventory are noted as particular needs. It is also proposed that monitoring indicators for range and agriculture will need to be developed, not only indicators for tracking timber values.

One regional ranching organization notes that funds have been spent in their area over the past two years on detailed inventory and research to define agriculture and wildlife lands. There is concern that this effort to refine land use boundaries will be jeopardized if all Crown land is placed in a blanket WF designation.

Implementation Planning– The ranching and agriculture sector specifically requests an ongoing involvement in the WF implementation process.

Mineral Exploration & Mining

The mineral exploration and mining sector is mainly concerned that, in trying to create certainty for the forest industry, government will diminish certainty for their sector. They stress the critical importance of sending a simple and consistent message to the international investment community that BC's land base outside of parks and protected areas is open for business. They fear that the WFI may confuse that message. Specific comments from this sector are summarized below.

Mining Sector Benefits – Mining interests support-in-principle efforts to revitalize the forest industry. A healthy and active forest industry can cause spin-off benefits for mining, including increased access, provision of valuable infrastructure and bedrock exposures that can result in the discovery of new mineralization.

Potential Uncertainty for the Mining Sector – There is concern, however, that the WFI implies a single or exclusive use zone for forestry and that the investment community may see the WF as off-limits or somehow constrained for mineral exploration and mine development. The sector is worried that areas that are perceived to be closed to exploration and mining will be left unexplored and mineral resources investment lost. Whether or not government intends it, the WFI implies less certainty for other sectors.

A particular concern of the sector is that the WF designation may also create the perception among investors that lands outside the WF designation (i.e., 32 million ha of non-forested Crown land) are “non-working” lands or have a higher degree of protection than forest land and, this too, may negatively impact on exploration and mining development.

The mining industry points to the existing “two zone system” for mining that was introduced in efforts to improve the investment climate for this sector. The industry believes that the WFI may erode the progress made through the two-zone model. Concern is raised that the two-zone commitment may be made subservient to the WF. The sector stresses that, if the WFI proceeds, proper communication and messaging will be critical for protecting the certainty needs of mineral exploration and development.

The legally protected rights of a Free Miner to access and explore for minerals is noted. Assurances are sought that setting resource access targets through future land use planning will not impact on these rights.

It is also believed that creating a broad and general power within the *Land Act* for the Cabinet or a minister to arbitrarily establish designations does not send a good signal to the offshore investment community. Anything that can negatively affect sector certainty by influencing the perception of outside investors, including powers to create new overlapping land use designations, must be carefully considered. It is thought that, when creating the law to enable the WF, full detail should be spelled out in the Act, rather than putting it into regulation or policy (e.g., highest and best use criteria for adding or deleting WF land, decision-making roles and responsibilities). Again, anything that makes the system more certain is better from an investment perspective.

This sector believes that the WFI raises many unanswered questions and this can impact sector certainty. For example, would compensation be payable if lands are removed from the WF? What would be the relationship between mineral tenure holders and timber tenure holders? How would land use decision-making in the WF take account of the fact mineral resources are unknown and undiscovered? Does the WF confer superior rights to one sector over another? How much mineral exploration or mining activity can a company engage in before it is determined to be incompatible with the WF and the land must come out of the WF?

Working Forest Name and Area – This sector proposes that to communicate equivalent protection of working lands for mineral exploration and mining, there should be a separate land base referred to as “Working Mineral and Coal Lands”, and this, together with the proposed WF area, would be subsets of a larger provincial “Working Lands for Resource Development” designation. Within the Working Mineral and Coal lands “seamless” mining legislation, regulations and policies should apply. It is further recommended that within the “Working Mineral and Coal Lands”, all but absolutely essential No Staking Reserves should be eliminated. It is pointed out that there are approximately 6.7 million ha of Crown land that are inaccessible to mineral exploration and mining because of these reserves.

Crown Land Planning – Land use planning in the WF and the zones and other products that flow out of planning are seen to be problematic to the sector. Because mineral resources are unseen and undiscovered, they cannot be effectively planned. It is thought that “checkerboard” planning that produces zoning and other constraints on Crown land access and management “balkanizes” the landscape. Planning designations such as special management zones, recreational access management strategies, grizzly habitat areas, old growth management areas, etc. are seen to be restrictive, and there is the potential that these areas will impact upon investment and attract litigation or environmental activism. The WFI proposal to zone areas in order to “minimize potential shifts to other uses” is seen as a particularly damaging proposal in terms of the potential impact on mineral investment.

Resource Targets – The sector believes that, because of the hidden nature of mineral resources, resource access targets don’t work for the mining sector. One hundred percent access is already guaranteed. If the WFI proceeds to establish timber access targets, it must be clear that those targets will not impede the mining sector.

Decision Making Process – Mineral and mining interests question whether the Ministry of Sustainable Resource Management should be given sole land use decision-making responsibility in the WF. It is thought that the Ministry of Energy and Mines needs a clear role in decisions relating to access, mineral tenure acquisition and tenure security in the WF. The same applies to other agencies that are accountable for delivering their mandates.

It is also pointed out that implementing the ‘highest and best use’ concept only works if the true value of the alternatives can be compared. This is not possible in the case of undiscovered mineral resources.

Oil and Gas

BC's oil and gas sector is mainly concerned that the WFI will establish a primacy for the forest industry above other resource sectors. The industry can support a WFI only if it does not constrain their sector in any way from achieving its objectives. Specific oil and gas industry comment on the WFI is provided below.

Forest Industry Primacy – The oil and gas sector is concerned that the WFI will increase the forest industry's power and control on the land base, relative to other sectors. It is thought the term "Working Forest" places the oil and gas sector (and others) "down the list". Government is encouraged to rename the designation to the "Working Land Base" to communicate that the WF is a multiple use designation. Access to the land base must be assured for all sectors.

The industry points out that the Premier has previously stated a vision of significant oil and gas sector growth for BC. The industry expects some effort by government to reconcile the apparent inconsistency between that goal and the potential effect of the WF.

Forest Industry and Government Roles – There is some concern that the WF will move the forest industry into having a greater role as a Crown land manager or "coordinator" (e.g., through increased responsibilities for planning, inventory collection, monitoring). The oil and gas sector affirms its wish to deal directly with government in addressing land and resource management issues, not the forest industry. It is felt that government must remain in control of decision-making on Crown forest land, and that the WF may begin to usurp government's proper place as land manager and regulator.

Resource Targets – The sector believes that the idea of timber targets will further reinforce the notion of forest industry primacy. It is noted that, as soon as you identify a target, it becomes sacrosanct and may take on greater significance than was ever intended. The industry asks, "what does the minister do if a target is not achieved?" It is stressed that if targets are set for one sector, all sectors must have them.

A question is also raised about the process for target establishment. The oil and gas industry thinks that complete reliance on past LRMPs for setting targets would be a mistake because the oil and gas inventory that was used to develop LRMPs is not current. Also, questions are raised about conflicting targets – how will government ensure that they are reconciled and do not "add up to more than 100".

Monitoring – The oil and gas industry advises government to develop monitoring indicators for more than just forest values. A possible approach may be to develop "blended" performance measures – perhaps an index of economic value generated from the land base. It is noted that oil and gas values cannot be counted and measured like trees and this makes land-base monitoring of these values difficult.

Certainty Goal – This sector supports the goal of increased certainty for economic sectors, but points out that there are many ways that government could help contribute to enhanced certainty. Government is advised that it should start with the end in mind (industrial security) and develop a strategy for achieving it. The result may *not* be a land base designation.

Government is cautioned that it must not increase certainty for one sector at the expense of others, and that the WFI, as proposed, appears to raise that possibility.

Trapping

Representatives of BC's trapping industry are mainly concerned that the WFI has the potential to further marginalize their interests and those of other licensed Crown land users. They raise the requirement for compensation to their members if the WFI results in any loss of their rights. Specific trapping industry comments are summarized below.

Marginalization – Trappers are concerned that the WFI will marginalize existing commercial tenures in the WF, including those held by owners of registered traplines. It is noted with concern that the public discussion paper on the WF does not make any reference to trappers or traplines. It is felt that any attempt to increase access to the land base for other economic activities, and efforts to increase the AAC will negatively impact on the trapping industry. The sector believes that, to say that the WF will not impact on other industries or sectors, is “naïve to say the least”.

Working Forest Land Base – The sector indicates that it could only support the inclusion of non-forested lands in the WF designation if it can be assured that this would not be used as a mechanism to increase the AAC.

Compensation for Non-timber License Holders – It is felt that the WF designation establishes a clear priority for logging. There are concerns that this will impact on the economic viability of other users. It is recommended that the WFI should include a mechanism to ensure that compensation is available to other licensees on Crown land that are impacted by WF activities.

Crown Land Planning – The Association points out that its members have invested considerable time and effort in recent years participating in consensus planning processes. It does not want to see those processes over-ridden by the WF. It is stressed that their sector requires continued and enhanced opportunity to participate in WF land planning.

The sector recommends that a specific sub-category should be identified in the WF that recognizes areas of importance for wildlife management (e.g., areas for the retention and protection of critical Fisher breeding habitat). Some concern is noted with the idea of planning the establishment of “priority timber harvesting areas”. Questions are raised about what impact these areas may have on other values.

Decision-making in the Working Forest – Trapping interests recommend that the Ministry of Forests, Ministry of Water, Land and Air Protection and the Ministry of Sustainable Resource Management should have cooperative management responsibilities in the WF. Trapping interests are opposed to removing Crown land from the WF for conversion to private property status. If this happens, these lands are permanently removed from a working trapline and compensation for losses must occur. It is believed that science must enter all decisions in the WF.

Future Involvement – The Association indicates its strong interest in being part of future processes and decisions on WF implementation. The sector wants to be recognized as having an important role to play in forest management.

OUTDOOR RECREATION PERSPECTIVES

Outdoor recreation organizations essentially see the WFI as biased in favour of a single sector. They are concerned about potential impacts on protected areas, and that the WF may open up the possibility of future land privatization, which would impact recreational access. Specific input from outdoor recreation interests is described below.

Working Forest Name and Land Base – Concerns are raised that the label “Working Forest” implies that industrial users will have priority, and that all other users will be relegated to a distant second during considerations about Crown forest land use.

This sector sees the existing Provincial Forest designation as more inclusive of other values than the WF appears to be. Concern is raised that rescinding this existing designation as part of the WFI would leave about 32 million ha of Crown land without any official status or protection against ready conversion to private status. There is concern that recreation access and conservation values on these lands might be compromised if it becomes easier for these lands to be sold. It is suggested that forest sector certainty could be achieved if the existing Provincial Forest is retained and the WF is established as a sub-designation within it. One organization recommends that government should consult with stakeholders on how to fix the specific weaknesses that may occur with the existing Provincial Forest designation, rather than replacing it with a completely new mechanism that is designed to do the same thing.

Forest Sector Bias – Recreation interests believe that the WFI elements combine to bias the WF in favour of fibre extraction, to the point that sharing the land base with other uses will be near impossible. Related to this is a concern about resource targets. Based on experience with a resource target setting exercise for Vancouver Island, one organization cautioned that targets cannot be easily developed for some resource values, such as outdoor recreation and conservation, and to proceed with developing resource targets will result in uneven consideration of those values in future land use discussions.

Impacts on Protected Areas – Recreation organizations believe that: (1) the existing protected area system is too small to adequately protect biodiversity and that the WF designation will create impediments to establishing future protected areas; (2) designating the forest around existing protected areas as “industrial” will threaten species; and (3) recreation on Crown forest land will be displaced by timber production and this will place further pressures on parkland to accommodate increased recreation use. These interests oppose any possibility that parkland would ever be used to compensate forest companies as part of a ‘no net loss’ policy.

Crown Land Sales – Concerns are raised about the prospect of converting Crown land to private ownership, and that MSRM and LWBC will have sole authority to make Crown land sale decisions in the WF. It was suggested that a more neutral body should be in charge of land sale decisions, or that the MOF and MWLAP should have greater influence in such decisions. One organization recommended that a size limit should be placed on future land

conversions. Public and stakeholder consultation is seen as an essential part of land conversion decisions.

Crown Land Planning – It is felt that consensus-based land use planning across the province should be completed to identify land categories (zones) for a range of uses including tourism, recreation and conservation, and that these should be legalized so that all uses are given an equivalent level of protection.

Concerns were raised about the prospect of giving the forest industry greater control to develop landscape level land use objectives during sustainable resource management planning. Wider involvement of other sectors is recommended to ensure that other values are sufficiently considered. The same concern holds for giving industry a lead role in generating land and resource inventory information that is used in planning processes. One organization recommends that important recreation and habitat areas should be identified before planning is undertaken to classify areas for timber management. In relation to this, concerns are expressed about including large areas of wildlife habitat in the WF if commercial timber values will be considered the highest priority for these lands.

Public Access – A concern is noted that the WFI may affect recreational access. Government is asked to provide assurances that the WF, including any sub-categories or zones that are developed within the WF, will not impact on the public's right of access to Crown land.

Legislative Authority to Establish the Working Forest – Recreation interests recommend that the full legislature should be involved in establishing the WF if it proceeds. There are concerns that Cabinet orders to create the WF will lack accountability and transparency and government is reminded that these too are New Era commitments.

ENVIRONMENTAL ORGANIZATIONS PERSPECTIVES

The environmental organizations that responded to the WFI are all strongly opposed to the WFI. A main concern is that the WFI will reduce government's flexibility to manage Crown forests in the public interest, including flexibility to create more protected areas and to give other areas of Crown forest a priority for conservation purposes. Another main concern is that the WFI will achieve the opposite of what is intended. It is thought that the WFI will, in fact, constrain future economic diversification and community stability.

Comment from environmental organizations is summarized below.

Loss of Public Land Ownership and Control – Environmental organizations are concerned that the WFI will constrain the Province's ability to determine the highest and best use of Crown forest land. This concern is rooted in the perception that the WFI (including the legal WF designation, timber targets and timber investment area zones) will convey an increased level of property rights to timber companies.

It is believed that, because the WFI will be interpreted legally to represent a form of proprietary interest, government will be forced to pay compensation that the industry may claim if the government wishes to reduce WF commitments to accommodate other resource needs or users – for example, to protect drinking water sources, establish new protected areas, conserve biodiversity and habitat, protect visual quality, address a First Nations land claim. Even if the WF does not assign specific property rights to individual companies, it is feared that the WF will strengthen industry's leverage, possibly through NAFTA, to demand and justify increased compensation. It is generally believed that the WFI will contribute to privatization of public forests and that flexibility to manage these lands in the public interest will be eroded.

The concern is that government's liability to compensate industry, either in cash or with land in-kind, will be so great that government will be effectively prevented from making land use decisions in the public interest. There is also a fear that, should government amend WF boundaries, companies will benefit by being compensated for lands that they have no intention of logging because they are uneconomic (i.e., WF lands outside of the timber harvesting land base.).

It is thought that government is being less than forthcoming about what certainty for the forest industry really means. It is argued that certainty for the forest industry cannot be achieved without reducing certainty for others – i.e., the WF means certainty *against* new parks, protected areas, scenic viewscapes, wildlife, drinking watersheds and First Nations settlements.

Imbalance – The WFI is strongly criticized for its over emphasis on timber production and forest industry security. It is thought that other values and the needs of other forest users are insufficiently recognized, and that the priorities are opposite to what they should be. There is fear that the WFI would commit nearly half of BC to industrial use to the exclusion of other

opportunities. There are worries that the WFI will remove opportunities for balanced public participation in forest planning and decision-making processes, and this will negatively impact other values and users. It is thought that there already exists an extreme imbalance between the legal rights of forest companies and the rights of others, and that the WFI will greatly increase that imbalance.

One organization objects to the WF implication that forests are not already “working” to provide many ecological services.

Economic Impacts – Environmental organizations fear that dedicating timber management as the priority on such a large land base will constrain BC’s flexibility to diversify its economy and its ability to respond to ever-changing local and global conditions. It is thought that the WFI condemns rural BC to single industry towns, dependent on commodity-oriented companies, and to a continuing spiral of forest worker unemployment and community instability. Concern is raised that a sweeping, top-down designation like the WF is founded on the assumption that extractive primary industry is more important than less extractive and non-traditional industries. Tourism, in particular, is noted as a sector with a bright future, but that it will be negatively impacted by the WF.

Environmental organizations have trouble accepting that the WFI will actually stabilize communities and improve the situation for working families. They point to the fact that forest companies already have significant certainty through their replaceable long-term tenure, AAC commitments and compensation guarantees, and that these benefits have failed to prevent instability. It is argued that the real causes of forest sector instability are *not* related to the land base – they are connected to things like global competition, the Canada-US softwood dispute, past over-cutting, corporate concentration of harvesting rights, log export, inattention to value-added processing, and unresolved First Nations land claims.

One organization suggests that government should provide certainty to industry by establishing a right of compensation over silvicultural forest investments made by companies (above and beyond basic silviculture). It is thought that this would address government’s interest in increasing forest industry certainty but would be far more prudent than assigning certainty to the land base.

Environmental Damage – Some organizations raise concerns that loss of government control will mean that the forest industry will have a freer hand to decide forest management practices and harvesting rates. These groups believe that corporations are not motivated to manage forest land sustainably, are not accountable to anyone other than shareholders, that government cut-backs have removed regulatory oversight to Crown forest lands, and that the WF end result will be ecosystem destruction, with long-term consequences for future generations. There is concern that the WF will guarantee logging rights in BC’s drinking watersheds, just at the time when many BC communities are pushing to protect their drinking water sources. One organization urges government to exclude drinking watershed sources from the WF and to bring about legislative protection of drinking water sources. More emphasis is recommended on conserving watersheds, biodiversity, wildlife, species at risk,

wilderness values, and other values in the WF. The concept of ecosystem-based management and restoration in all WF areas is supported.

Allowable Annual Cut – Environmental organizations strongly oppose the idea that the AAC should increase, believing that the current AAC already exceeds sustainable levels and that increasing it would run counter to science-based forest management. Concern is raised that zoning “enhanced forestry” areas in the WF in efforts to raise the AAC will result in over-cutting, habitat damage, soil degradation and failed forest regeneration.

Concern is specifically raised about including land in the WF that is currently outside the timber harvesting land base (i.e., 22 additional ha) in what is seen as an effort to boost the cut. These lands are believed to be unsuited for timber management because they are steep, at high elevation, or environmentally sensitive.

Potential Impact on Protected Areas – Environmental organizations believe that BC’s existing protected area system is far from complete, even though the current protected area percentage exceeds government’s original target of 12% of BC. Low elevation ecosystems, rare and endangered species habitats and other endangered forests are thought to lack sufficient representation in the existing protected area system. It is also noted that the 12% target figure lacks any scientific rationale. Environmental organizations point to scientific studies (including recent research done by UBC’s Centre for Biodiversity Research) affirming that BC’s protected area system is inadequate.

Environmental interests oppose any mechanisms (including the WF legal land designation, timber targets, future Crown land plan zones for industrial forestry, new land use decision-making rules) that will “harden” the land base and prevent, constrain or complicate further forest land protection and conservation. There are worries that compensation requirements that are payable if the WF boundary is ever changed will mean that land will be taken out of existing parks and placed in the WF as part of a no-net-loss arrangement.

Decision-making Powers – Concerns are raised about the WF proposal to empower Cabinet to decide on WF establishment and objectives, and to centralize land use decision-making authority with the Minister of Sustainable Resource Management. A number of environmental organizations recommend that the full legislative assembly should be responsible for WF creation and boundary amendments and definition of WF objectives and permitted uses, in order to improve decision transparency and accountability. Similarly, it is recommended that other resource ministers, such as the Minister of Water, Land and Air Protection and the Minister of Forests, should continue to have a role in WF management decisions.

There are worries that the WFI opens up too much discretion in deciding land uses in the WF, there are no guarantees of public review and input, and legislative oversight is missing.

One organization indicates that current Land and Water BC processes for issuing tenures and sales of Crown land have not been working well from a conservation perspective. A performance audit of this organization is recommended.

Highest and Best Use Concept – Concern is raised that the proposed highest and best use concept that will apply in the WF has an economic bias. It is pointed out that social and environmental factors are not easily integrated into highest and best use decision analysis. Clear criteria that will apply in highest and best use decisions are recommended.

One organization points out the myth of the presumption that past protected area decisions lacked socio-economic analysis as a basis for determining highest and best use. It is thought that the province's protected area strategy, as delivered through comprehensive planning processes, had the benefit of extensive ecological and socio-economic data, and that the amount and quality of socio-economic data and analysis generally exceeded that available for conservation values.

Crown Land Planning – There is worry that the industry will have too much control of future sustainable resource management planning processes in the WF. There is no mandated role for the public, First Nations and stakeholders to be fully involved in these planning processes, even though planning at this level will result in the establishment of detailed and legal objectives for land use in the WF. It is feared that industry-led planning processes create the potential for consensus LRMPs to be reinterpreted into landscape plans that better suit industry's wishes.

Concern is noted that the WF designation, by entrenching a priority for timber production values, will constrain the implementation of ecosystem-based planning and the application of conservation biology principles. Concern is also raised that the WF will constrain opportunities to create new parks in areas that have yet to have land use planning (e.g., Merritt area).

Opposition is also raised to "big government making decisions about land use in our region". It is felt that it is inappropriate for the province to establish a blanket designation over the land base when local interests, including the forest sector, have worked hard over past years to come to their own agreements on how Crown lands should be allocated and managed. It is thought that defining lands for forest management should be an outcome of planning, not an input to it. It is believed that the designation will diminish the opportunity for locally-derived consensus plans and lead to conflict escalation. The WF designation is thought to be too 'coarse' and 'blunt' of a tool – it doesn't recognize the diversity of values and opportunities on the land base, which can only be assessed and decided through local land use planning initiatives.

Resource Targets – Environmental organizations are worried that the intent of LRMPs will be over-ridden or misinterpreted if government attempts to convert qualitative LRMP language into quantitative resource targets. Fears are also raised that timber targets will add to the proprietary rights of timber companies and force the province towards payment of compensation to companies if the targets are not achieved or are changed.

Another concern is that ecosystem-based management will be compromised by the introduction of quantifiable resource targets as an input parameter to forest management. It

is thought that maintaining and restoring forest structure, composition and function must be the first considerations when undertaking sustainable resource management planning and that targets will interfere with this approach. Targets are also thought to be at odds with concepts of adaptive management based on evolving science, business innovation or changing public goals.

One organization cautions that timber targets must not be established without setting targets for all other values, including biodiversity, and that target definition must be done in partnership with all stakeholders on a consensus basis, and that future flexibility must be maintained to adjust targets.

Potential Impact on Land Claims – There is a concern that, despite assurances to the contrary in the public discussion paper, the WFI will make First Nations land claim settlements more contentious, expensive and lengthy as a result of an increase in the compensable value of Crown lands for logging companies.

Sale of Crown Land – There are concerns that the WF opens the door to increased Crown land privatization. It is noted that currently the *Forest Act* prohibits the sale of Crown land in the Provincial Forest (it must first be removed). It is believed that repealing this provision will open up the opportunity to privatize 80% of BC. It is also noted that, even if the WF mechanisms address this concern, there will still be 32 million ha of Crown land outside the WF that will be vulnerable to privatization. It is feared that streamlining the Crown land disposition approval process by giving the Ministry of Sustainable Resource Management sole decision-making authority on WF land use decisions will make it easier to sell-off Crown land.

Information, Monitoring and Decision-making – Concern is raised that information and monitoring for the WF relies too heavily on industry. It is believed that there should be more opportunity for public and stakeholder involvement and objective oversight in these WFI aspects. It is also recommended that defining and tracking economic indicators in the WF must not take priority over defining and tracking ecological and cultural indicators. It is noted that the data warehouse concept must not prevent public, academic and ENGO access to information at reasonable charges.

Crown Forest Lands in the Islands Trust – Organizations with a particular interest in Crown forest land on BC's Gulf Islands request that the WF designation exclude Crown forest land in the Islands Trust area. Specific Crown forest parcels on Saltspring Island and Lasqueti Island are brought to government's attention. It is believed that WF designation of these lands would run counter to the communities' objectives and commitments for these lands.

Potential Impacts on Marbled Murrelets – An organization with an interest in sea bird conservation raised concern about the potential impact of the WFI on old growth habitat for nesting Marbled Murrelets, which are a red-listed species in BC and are "threatened" federally. Government is urged to accept the recent recommendations respecting Marbled Murrelets by the Forest Practices Board and the "Marbled Murrelet Recovery Team".

Working Forest Consultation – Concern is noted that the WFI is being rushed through without adequate explanation of what it is, why it’s needed, or its implications. Complaints are registered that the WF public discussion paper is exceedingly vague and that it actually fails to describe what a WF would be. A more meaningful opportunity for consultation and dialogue is recommended.

Support for a Forest Solutions for Sustainable Communities Act – Environmental organizations recommend that government give serious consideration to the draft citizen’s legislation proposed by the BC Coalition for Sustainable Forest Solutions, as a backdrop to any changes to provincial land use designations.

OTHER PERSPECTIVES

Comment from other interests that do not fit easily with the preceding groupings of interest are summarized below.

Forest Labour – the IWA does not perceive the WFI to represent a significant change from current forest policy when viewed in relation to the existing Provincial Forest designation or the former Forest Land Reserve, and land use planning and resource inventory / registry programs that are underway independent of the WFI. The union supports the WFI, provided these perceptions are accurate and that there is not more to the WFI than appears. It would not support a radical departure from the status quo of multiple use management on Crown land that might stimulate a negative response to BC forest products in international markets.

Professional Resource Management Associations – Associations representing professional foresters and agrologists and other resource management professionals that provided input to the WFI generally do not see the WFI as a significant departure from what exists today. One thing that is identified by one individual as one of the biggest differences is taking decision responsibility in the WF and assigning it to the Minister of Sustainable Resource Management. It is thought that this might result in gradual fragmentation of the Crown land base as more parcels are allocated for other uses. It is recommended that decisions to delete Crown land from the WF should be explained in writing in order to bring an added measure of accountability to WF administration.

There is support for a multiple use approach to the WF and more detailed future planning and zoning in the WF, provided that the goals and intent of existing LRMPs and regional plans are not lost. It is recommended that the WFI should clarify how the WF designation and future planning and decision-making in the WF will link to existing planning decisions that communities and stakeholders have invested into heavily. It is also noted that good forest management must be applied across the land base, and that lesser environmental standards should not occur in intensive forest zones.

One professional noted that the WF seems to “jump to a solution” without having clearly articulated the problem. It is suggested that the first thing government should do is to clearly define the dimensions of the uncertainty problem that is facing the forest sector, and then act on solutions for addressing the problem.

Another professional questioned the link between the WF and an increase in investment into forest productivity. It is thought that stronger tenure regimes, not general land zoning regimes, are needed to stimulate actual investment by industry into the land.

One professional association noted that government must recognize that the WF will not in itself resolve the difficult resource integration and trade-off decisions that characterize resource management on Crown forest land.

APPENDIX 1: SCHEDULE OF MEETINGS WITH ORGANIZATIONS

1. Association of BC Professional Foresters	February 4, 2003
2. Association of Guide Outfitters of BC	March 14, 2003
3. BC and Yukon Chamber of Mines	February 4, 2003
4. British Columbia Cattlemen's Association	February 5 and April 10, 2003
5. Canadian Association of Petroleum Producers	February 26, 2003
6. Cariboo Tribal Council	April 17, 2003
7. Coast Forest and Logging Association	February 14, 2003
8. ENGO Forest Stewardship Working Group (representing BCEN Forest Caucus; BCEN Parks and Wilderness Caucus; ForestEthics)	March 6, 2003
9. Esketemc First Nation	April 9, 2003
10. International Woodworkers of America	March 4, 22003
11. Islands Trust	February 20, 2003
12. Mining Association of British Columbia	February 27, 2003
13. Nuu Chal Nulth Forestry Council	March 4, 2003
14. Outdoor Recreation Council	March 12, 2003
15. Port Alberni Regional Association of Registered Professional Foresters	February 13, 2003
16. Powell River Regional Board (and community members)	March 12, 2003
17. Professional Agrologists (Victoria 'chapter') and other interested Victoria-based resource management professionals	March 13, 2003
18. Provincial Agricultural Land Commission	March 25, 2003
19. Town of Golden	April, 2003
20. Union of BC Municipalities (Communities and Resources Committee)	February 27, 2003
21. Western Canada Wilderness Committee	February 3, 2003
22. Wilderness Tourism Association	February 18, 2003

APPENDIX 2: COMPARISON OF WFI WITH EXISTING MECHANISMS FOR SECURING FOREST BC'S CROWN FOREST LAND BASE

Characteristic	Current Situation	WFI Proposals
Land Designation Name	<ul style="list-style-type: none"> Provincial Forests designation. 	<ul style="list-style-type: none"> Working Forest designation.
Legal Authority to Designate	<ul style="list-style-type: none"> OIC under <i>Forest Act</i>. 	<ul style="list-style-type: none"> OIC under <i>Land Act</i>.
Size	<ul style="list-style-type: none"> Approximately 75 million ha. 	<ul style="list-style-type: none"> Approximately 45 million ha.
Coverage	<ul style="list-style-type: none"> 'Productive Forest Land; and 'Non-Productive Crown land'. 	<ul style="list-style-type: none"> 'Productive Forest Land'.
Permitted Uses	<ul style="list-style-type: none"> Provincial Forest purposes and permitted uses are described in <i>Forest Act</i> and Provincial Forest Use Regulation. 	<ul style="list-style-type: none"> WF purposes and permitted uses would be described by Cabinet order and / or in regulation (e.g., purposes and permitted uses expected to remain similar to those that exist for Provincial Forests).
Non-Permitted Uses	<ul style="list-style-type: none"> Deletion from Provincial Forest required before non-permitted uses may occur. 	<ul style="list-style-type: none"> Deletion from WF required before non-permitted uses may occur.
Resource Targets	<ul style="list-style-type: none"> No program exists to establish resource targets, other than targets that have been established through strategic land use planning processes (e.g., Cariboo Chilcotin regional plan) 	<ul style="list-style-type: none"> Area-based resource targets will be established for all forest management units (i.e., TFLs and TSAs).
Crown Land Planning	<ul style="list-style-type: none"> More detailed planning to address issues and establish specific resource management direction continues under the province's sustainable resource management planning program. 	<ul style="list-style-type: none"> Same as current situation.
Decision-making Principles (e.g., new protected areas, fee simple dispositions, <i>Land Act</i> tenures)	<ul style="list-style-type: none"> No specific principles or procedures apply to land use decisions with Provincial Forests. (Inter-ministry protocol agreements spell out agencies' respective roles and responsibilities and administrative procedures on land deletions from the Provincial Forest). 	<ul style="list-style-type: none"> Decision-makers must consider WF goals & approved land use plans, conduct appropriate socio-economic and environmental assessment; conduct consultation. Not determined if these requirements will be based in law or policy.

Decision-making Roles	<ul style="list-style-type: none"> ▪ Cabinet establishes Provincial Forests by OIC. ▪ Minister of Forests deletes land from Provincial Forests for fee simple dispositions. ▪ No authority is identified as responsible for amending Provincial Forests when protected areas are created. ▪ Cabinet establishes legally binding resource objectives under provisions in the <i>Forest and Range Practices Act</i>. ▪ Other Ministries and agencies (OGC, LWBC, MOF, MWLAP) issue / manage tenures within Provincial Forest. 	<ul style="list-style-type: none"> ▪ Cabinet establishes Working Forest by OIC ▪ Minister of SRM deletes land from Working Forest for fee simple dispositions ▪ Legislature or Cabinet withdraws land from WF for protected areas or potential treaty settlements. ▪ Cabinet establishes legally binding resource objectives using powers transferred from the <i>Forest and Range Practices Act</i> to the <i>Land Act</i>. ▪ Other Ministries and agencies continue to issue / manage tenures within Working Forest.
Resource Information	<ul style="list-style-type: none"> ▪ MSRMC proceeding to develop integrated inventory and registry 'warehouse' under Land Information BC initiative. 	<ul style="list-style-type: none"> ▪ Same as current situation.
Monitoring	<ul style="list-style-type: none"> ▪ No provision / program for monitoring Provincial Forest effectiveness. 	<ul style="list-style-type: none"> ▪ Intention to develop and track monitoring indicators for evaluating WF effectiveness (e.g., amount of land withdrawn, social and economic indicators, other indicators.)

APPENDIX 3: SUBMISSIONS FROM ORGANIZATIONS¹

1. Association of BC Professional Foresters
2. Association of Whistler Residents for the Environment
3. B.C. Tap Water Alliance
4. BC and Yukon Chamber of Mines
5. BC Fishing Resorts and Outfitters Association
6. BC Green Party
7. BC Trappers Association
8. BC Wildlife Federation
9. Bear Enterprises Ltd., Smithers
10. Bonaparte Indian Band
11. Bowen Island Municipality
12. Brinkman and Associates Reforestation Ltd.
13. British Columbia Cattlemen's Association
14. British Columbia Environmental Network (Forest Caucus Steering Committee, representing: West Coast Environmental Law Association, East Kootenay Environmental Society, Forest Ethics; Okanagan Similkameen Parks Society, Canadian Reforestation and Environmental Workers Society, David Suzuki Foundation, BC Government Employees Union) ²
15. British Columbia Trappers Association
16. British Columbian Scientists for Sustainable Futures and Communities
17. Bulkley Valley Cattlemen's Association
18. Burke Mountain Naturalists
19. Business Council of British Columbia
20. Canada West Ski Areas Association
21. Canadian Forest Products Ltd.
22. Canadian Parks and Wilderness Society
23. Capital Regional District
24. Cariboo Communities Coalition
25. Cariboo Regional District
26. Cariboo Tribal Council
27. Carrier Sekani Tribal Council
28. Cheam Indian Band
29. Chemainus Rod and Gun Club
30. Ch-ihl-kway-uhk Tribe First Nation & Ch-ihl-kway-uhk Forest Ltd.
31. City of Grand Forks
32. City of Kimberly
33. City of Revelstoke
34. Coast Forest and Lumber Association
35. Community Advisory Group to Stillwater Timberlands Weyerhaeuser
36. Comox Valley Community Action Centre
37. Comox Valley Naturalists Society
38. Council of Canadians (Victoria Chapter)
39. Council of Forest Industries

¹ Includes submissions from: First Nations; local governments; societies; associations; committees; corporations; clubs; cooperatives; foundations; unions; political party.

² The following individuals and organizations are acknowledged as supporters of the BCEN Forest Caucus Submission: Jessica Dempsey (University of Victoria); Rosemary Fox (Smithers BC); Rick O'Neill (Roberts Creek Forest Resources Board); Cam Brewer (Canadian Eco-Lumber Co-op); Forest Ethics; Sierra Club of Canada, BC Chapter; East Kootenay Environmental Society; Silva Forest Foundation; Canadian Eco-Lumber Co-op; Canadian Parks and Wilderness Society; Granby Wilderness Society.

40. Council of Tourism Associations of British Columbia
41. David Suzuki Foundation
42. District of Chetwynd
43. District of Logan Lake
44. District of New Hazelton
45. District of Squamish
46. District of Squamish (Select Committee on Forestry Issues and Value Added Wood Products)
47. District of Tumbler Ridge
48. Earth First
49. Esketemc First Nation
50. Farenholtz Forestry Consulting
51. Federation of BC Naturalists
52. Federation of Mountain Clubs of BC
53. Friends of Caren
54. Friends of Clayoquot Sound
55. Friends of Ecological Reserves
56. Friends of Salt Spring Parks Society
57. Granby Wilderness Society
58. Greenpeace Canada
59. Grey Tigers – Seniors for Social Justice
60. Hornby Forestry Society
61. Hornby Island Trustees
62. Horsefly District Homeowners & Ratepayers Association
63. Hyde Sawmill Ltd., Sicamous
64. Interfor
65. Islands Trust (Islands Trust Council and Hornby Island Local Trust Committee)
66. Ktunaxa / Kinbasket Tribal Council
67. Lake District Cattlemen's Association
68. Lake Side Pacific
69. Lasqueti Island Local Trust Committee
70. Lil'wat First Nation
71. Lillooet District Community Resources Board
72. Little Shuswap Indian Band
73. Mandella Village Foundation
74. Mining Association of British Columbia
75. Ministry of Forests
76. Mistahaya Wayatinaw Tourism Cooperative
77. Nechako Valley Regional Cattlemen's Association (Land Stewardship Committee)
78. North Coast Land and Resource Management Plan (Planning Table Co-chairs)
79. Northern Rockies Regional District
80. Nuu-Chah Nulth Forestry Council
81. Okanagan Nation Alliance
82. Outdoor Recreation Council of British Columbia
83. Pacific Rainforest Adventure Tours Inc.
84. Pacific Seabird Group
85. Pete's Lake Water Users Society (Lasqueti Island)
86. Powell River Regional Board
87. Provincial Agricultural Land Commission
88. Public Service Employees for Environmental Ethics
89. Regional District of Bulkley-Nechako
90. REO Rafting Adventures
91. Riverside Forest Products Ltd.

92. Salt Spring Conservancy
93. Salt Spring Islanders for Justice and Reconciliation
94. Saltspring Paddlers Club
95. Saltspring Trail and Nature Club
96. Saltspring Water Preservation Society
97. Seymour Arm Community Association (Forestry Committee)
98. Share Cariboo / Chilcotin Resources
99. Shawnigan Lake Watershed Watch
100. Shuswap Environmental Action Society
101. Sierra Club of Canada (BC Chapter)
102. Sierra Legal Defence Fund
103. Sinixt Nation
104. Skeena Regional Cattlemen's Association
105. Slocan Valley Watershed Alliance
106. Tatla Resource Association
107. Tembec Ltd.
108. TimberWest Forest Corp.
109. Town of Fort Nelson
110. Town of Creston
111. Town of Smithers
112. Treesco Enterprise Inc.
113. Truck Loggers Association
114. Tsilhqot'in National Government
115. Tsleil-Waututh Nation (Burrard Indian Band)
116. Union of BC Municipalities
117. University of Surrey
118. Valhalla Wilderness Society
119. Vancouver Natural History Society
120. Village of Gold River
121. Village of Port Clements
122. Wavelength Magazine
123. Wells and District Chamber of Commerce
124. Western Canada Wilderness Committee
125. Western Forest Products Ltd.
126. Weyerhaeuser (Coastal Group)
127. Whaling Station Bay
128. Whispering Pines / Clinton Indian Band
129. Wilderness Tourism Association
130. Williams Lake Sportsmen's Association
131. Women in the Woods
132. World Canadian Educational Society
133. Yellowhead Ecological Association