BC Forest PROFESSIONAL

SEPTEMBER - OCTOBER 2016

VIEWPOINT

Policy and Legislation

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Falling Out of Love with this Association

Strike one: for me, the Association lost a massive chunk of its credibility in 2001 when it denied its own membership a vote on no less weighty an issue than reversing its own identity. This was followed by lack of financial transparency: staff salaries and benefits have never been revealed to the membership who pays for them.

Strike two: the Association cannot seem to handle strategic policy dissent. Ignoring the warning of its first president, F.D. Mulholland, RPF, it has repeatedly made clear its arbitrary bias for grossly disproportionate public ownership of working forests – a failed collectivist model ossified in place since the 1865 Land Ordinance and fundamentally at odds with incentivized forest management and Aboriginal claims. Once a government forester running the largest silviculture and research program in the southern Interior, I couldn't care less any more about the 'public interest in the province's (working) forests' because no one can articulate what that means for more than a couple of days and remain credible, and because history, economics and law provide no particular reason to trust governments to own and properly manage working forests any more than working farms.

Strike three: the Association's ceaseless stridency about climate change and panicky imperatives for forest management, as if it were all indisputable fact and no thinking forester could disagree, is embarrassing. If we accept NOAA's current claim "you'd have to go back 125,000 years to find temperatures significantly higher than temperatures of today," then the only irrefutable conclusion possible is – wait for it – 125,000 years ago temperatures were significantly higher than temperatures of today without industrial man. Forests have seen this movie before. They like CO^2. So calm down and get a grip.

Good luck to you who are still believers in the Star Chamber. You'll need it.

Tim McCarthy, RPF #1435

Re: A New Way of Managing Karst Data

As karst scientists, we were pleased to hear that responsibility for the karst database described in the article *A New Way of Managing Karst Data* (*BC Forest Professional* July-August 2016 Volume 23 Issue 4) has been transferred to the Forest Analysis and Inventory Branch (FAIB) of the BC Ministry of Forests, Lands and Natural Resource Operations.

We did not necessarily agree with the premise that "knowledge of cave locations will lead to better karst management." Knowledge of cave locations can increase pressure on caves if proper security measures and protocols for sensitive cave location data, analogous to those applied to archaeological site location data, are not implemented and followed.

While cave management is an aspect of karst management, karst management is not reducible to managing caves. Stewardship of karst requires consideration of the full complement of the surface and subsurface elements of karst systems, appropriate treatment of the broad karst landscape, and catchment-based analyses supported by carefully designed water tracing. A database of cave locations is no substitute for this, nor is it an effective replacement for karst field assessments carried out by karst resource professionals with qualifications consistent with those recommended in BC's published guidance for karst.

Forest professionals are entrusted with ensuring that sensitive karst resources are effectively managed in the public interest. A karst database with proper security controls, available for supporting science-based karst management and managed by a government agency such as the FAIB is the best way to achieve this.

Carol Ramsey, PhD, and **Paul A. Griffiths**

Correction Notice

On page 16 of the July-August 2016 issue of **BC Forest Professional**, we incorrectly edited a Viewpoint article *Meeting Access Goals and Objectives: The Critical Role of Geometric Road Design*, written by Lyle Unwin, RPF, PEng. The reference to the ABCFP and APEGBC document Guidelines for Professional Services in the Forest Sector - Crossings is incorrect. It should be *Guidelines for Professional Service in the Forest Sector - Forest Roads*. Our apologies to Lyle Unwin for this error. The correct version of the article is available on the Publications page of our website.

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602–1281 W. Georgia St, Vancouver, BC V6E 3J7
Tel: 604.687.8027 Fax: 604.687.3264
E-mail: editor@abcfp.ca Website: abcfp.ca/web

Managing Editor: Dean Pelkey
Editor: Cheryl Waddell
Editorial Assistant: Michelle Mentore

Editorial Board:
Janelle Dale, RPF; Ron Hart, RPF; Erika Higgins, RPF; Jill Affleck, RFT (council rep.); Trevor Joyce, RPF; Marie-Lou LeFrancois, RPF; Lindley Little, RPF; Kristin Storry, RPF

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602–1281 W. Georgia St, Vancouver, BC V6E 3J7
Tel: 604.639.8103 • Fax: 604.687.3264
E-mail: forest-ads@abcfp.ca

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It's Advocacy, not Patronage

I fully support our association staff and executive using our funds to attend political events where they can both advocate on our behalf and hear politicians' concerns about our profession. I therefore respectfully disagree with the opinion of my friend and mentor Alf Farenholtz, RPF(Ret).

Political events, such as dinners, are a good place to find politicians, and politicians are the people that make decisions in our democracy. I believe so long as the ABCFP is deliberate and careful to demonstrate they are meeting with all parties, listening to their concerns, and delivering the same message, then it is not "patronage" to spend members money to attend these political dinners.

The funds the ABCFP spends to attend these events is clearly and openly shown as a "political donation." In actual fact, this is just the ticket price and there is hardly the expectation that could be perceived as "purchasing favours" from politicians, especially when the ABCFP attends functions for both parties. This puts it on the record as attending all political parties. The monies spent over three years at these functions may not be insignificant (~$12,000), but in my opinion the sum is certainly lower compared with alternatives to efficiently meet with many decision makers in a somewhat relaxed setting and exchange ideas.

I confess that I missed this exchange in our magazine until now. Like many working foresters, I have had my head down working at my profession, serving my customers and studying to stay current in my areas of practice. I admit I threw the July-August edition of BCFP in the back seat of the crew cab and only recently recovered it to read it. I mention this because I regret not wading in to this issue earlier with my opinion. I will be disappointed if our staff and council curtail social contact with politicians at political dinners on members behalf due to concerns that some members feel this is patronage.

Stirling Angus, RPF

Political Donations – Too Important to 'Just Agree to Disagree'

Since 2013, the ABCFP has given at least $12,200 in political donations to the BC Liberal party (78%) and the BC NDP (22%). My thanks to Michael D. Meagher, PhD, RPF(Ret), as without his letter in the November-December 2015 *BC Forest Professional* I would never have known the ABCFP makes financial contributions to political parties.

Quebec, Alberta, and our federal government recently implemented changes that provide people greater influence in the selection of their government representatives – primarily by removing the ability of non-persons from providing support to political parties and by limiting the contributions to political parties. A recent BC survey indicates a large proportion of citizens want the BC government to implement similar improvements (86% want to ban "big money" from political fundraising: Poll, Metro Vancouver April 26, 2016).

The ABCFP rationale in the May-June 2016 *BC Forest Professional* (ABCFP Council replies to: Advocacy or Patronage?) suggests giving money to gain access to political parties provides business expediency. This rationale fails to demonstrate the ABCFP has any understanding as to why ABCFP donations to political parties may be problematic. Does the ABCFP recognize their action endorses the erosion of democracy? Does the ABCFP recognize the concerns people have with big money influencing government?

Without a more thorough and reasoned rationale, the ABCFP must stop making political donations.

Yours truly, **Doug Beckett, RPF**

Have a Compliment or Concern? Write us!

The **BC Forest Professional** letters section is intended primarily for feedback on recent articles and for brief statements about current association, professional, or forestry issues. The editor reserves the right to edit and condense letters and encourages readers to keep letters to 300 words. Anonymous letters are not accepted. Please refer to our website for guidelines to help make sure your submission gets published. Send letters to:

Editor, BC Forest Professional
Association of BC Forest Professionals
602-1281 W. Georgia St
Vancouver, BC V6E 3J7

E-mail: **editor@abcfp.ca**
Fax: **604.687.3264**

Finding Forestry Leadership

During the financial crisis that began in 2008, those of us in the for-est sector — like many other industries — were thrown into survival mode in preparation for what was then predicted to be a long trip in rough economic waters. With reduced resources and little time, out of necessity most everyone had to shift focus away from long-term thinking into managing our way through the next quarter, let alone the next year or five years. That is not to say that eyes were completely taken off the long-term, but things like research and development were generally pushed to the backburner.

Fast forward to 2015 and the need to plan for the future and develop a long-term vision for forestry in BC was again receiving the attention it deserves. A prime example of this forward thinking is found in the establishment of the Chief Forester Leadership Team (CFLT) by Diane Nicholls, BC's chief forester. The purpose of the group is to look beyond a five-year horizon.

Since my day job at the time was chief forester of Canfor, I was invited to take part in the CFLT, along with Ric Slaco, RPF, vice president and chief forester, Interfor Corporation; Mark Tamas, RPF, chief forester, Tolko Industries Ltd.; Jeff Mycock, RPF, manager, forest tenure and policy, West Fraser Mills Ltd.; Shannon Janzen, RPF, chief forester, Western Forest Products Inc.; Domenico Iannidinardo, RPF, RPBio, vice president of sustainability and chief forester; TimberWest Forest Corp.; Mike Kennedy, RPF, woodlands manager - BC, Norbord Inc.; and Mike Falkiner, RPF, executive director, BC Timber Sales.

Although you might think getting a bunch of competitors together might result in guarded conversation or tension, the meetings are very productive and well-attended. Everyone is engaged and brings a great deal of energy to the group. I personally looked forward to every meeting and I recall leaving those meetings with a renewed sense of optimism.

Because participants take off their employer hats and put on their forest professional hats, this group is truly the professional forestry family at work for the betterment of the forests and the province of BC. The group is not about a single company; they're always concerned with what needs to be done to improve forest stewardship in our province. The CFLT's initial task was to look at areas of BC facing unique economic or environmental challenges. This might include the areas affected by the mountain pine beetle or economically constrained areas on the coast or in the North.

The team has identified a number of important topics they want to address and innovation is a theme that runs through many of these topics. The CFLT is looking at putting more innovation in forest stewardship plans (FSPs) and into forestry practices. Climate change and the impact of cumulative effects are also areas where more innovative thinking is needed.

The Chief Forester Leadership Team is still a fledgling group, and regrettably I've had to step away from the team, though they've already tackled a few issues; one of which I want to highlight. Harvesting of the full annual allowable cut (AAC) is important for the economic health of the province. It means direct jobs in harvesting, transportation, and milling. There are also thousands of indirect jobs related to forestry. The team looked at two timber supply areas as pilots and discussed various ways of ensuring the full AAC could be realized. I believe this was a very constructive exercise.

The recommendations made by the Chief Forester Leadership Team will be a starting point for developing measures for sustainable forest management. The recommendations are practical and definitely implementable. The group considers today's situation as well as looking to the future. It considers not only the economic values but also societal and environmental values the people of BC want to get from our forests. When the group meets, Diane always emphasizes the need to re-establish the BC brand. I agree with this sentiment 100 per cent. We need to ensure good stewardship and sustainable forest management are what the public associates with BC forests and BC forest professionals.

The Value of Good Governance

I cannot count the number of times I have heard the word gover-nance used during council meetings. Unless you happen to be a policy wonk like me, this word probably isn't a part of your usual day to day conversation. So why is it on the tip of the tongue of our council, our president, and now our CEO?

Governance simply defined is a method of management. It describes who has power (authority, decision making) and the mechanisms in place to extract accountability. The governance model underpins how our council, led by the president, comes together with the CEO to get results. Knowing about the Association of BC Forest Professionals' approach to governance is important to understanding what council does on your behalf — what it is responsible for, and how it goes about achieving it. It sets out how council interacts with the CEO and how deep council reaches into the day-to-day management of the organization.

Our governance model has significantly changed over the past decade. Ten years ago, thanks to the vision of the 59th ABCFP Council and the councils that followed, the ABCFP began a reform of its model. I served on council a few years into the evolution; the change was slow and far from complete at the outset of my term. Sometimes council would fall back a step or two into the details of operational business, so it became the unofficial role of the immediate past president to notice; to cause the council to stop and reflect whether its actions were consistent with how it wanted the governance model to work. Like many change initiatives, a dramatic signal was sometimes needed for council to notice when it might have gone off track, such as a past president waving a big orange foam finger (later known as the 'governance finger') to those at the table as a sign they had just digressed.

Our governance model has been referred to as "Carver" light — meaning it's drawn from the work of John Carver, designer of the world renowned policy governance model. The "light" is meant to imply the association does not follow the model strictly, but aligns with many of the principles and approaches. The "light" also signals that the ABCFP strives to "Govern with Intention"[1], where the governance is a means to an end, not an end in itself. The flexibility is there to be responsive to the context and needs of the ABCFP.

Council holds the overall responsibility to safeguard the association and help it to achieve its purpose. Our governance model ensures council maintains a strong focus on setting direction and strategy while fulfilling other duties and responsibilities such as ensuring efficient use of the organization's resources, strong leadership, monitoring corporate performance, and compliance with legal requirements.[2]

The CEO is the sole employee of council and reports to council as a whole, although the president sometimes acts on behalf of the council to engage the CEO. The success of council depends on the support of the CEO, who also assists in developing and setting strategy. It is the CEO's responsibility to develop an annual business plan to meet council's strategic plan and objectives, within the bounds of available resources. A constant dance happens when determining where the line rests between the responsibility of council and the CEO — rightfully a dance, because some high stakes situations may warrant more involvement. The guiding philosophy most often used is "noses in, fingers out," meaning council strives to oversee the affairs of the ABCFP while staying out of the detailed management and operational delivery considered to be the primary domain of the CEO and staff.

Today the ABCFP has a robust governance model that is the envy of others. The model not only employs best practices of what constitutes good governance but is at the forefront of emergent, leading practices. It is enviable because it serves as a rock solid foundation to better enable the association to achieve results that make a difference. It enables the ABCFP to develop a future vision for our business — such as for our new registration process and system — and make it a reality in a relatively short period of time. It will take effort to maintain and can readily be eroded; however, as of today we are up on the plain of the surface and I, along with the Council, am excited about the potential our governance model presents for the Association of BC Forest Professionals to accomplish great things.

References

[1] The phrase "Governing with Intention" is a trademark of the WATSON Governance Academy, a consulting firm the ABCFP engaged to help hone its governance model.

[2] WATSON, The Flagship Series, 2016.

ABCFP Member Dues to Increase 1.7 Per Cent

ABCFP members will see a small increase in dues when they renew for 2017. Council approved a 1.7 per cent increase in member dues at its July 21 meeting to keep pace with inflation.

The increase works out to approximately $8.99 per year for an RPF and slightly less for other membership categories. In total, it will provide the ABCFP with an additional $38,000 in annual revenue.

The increase matches changes to BC's consumer price index, as measured by Stats Canada. In recent years, council has generally followed a policy of approving small annual increases in dues to keep up with inflation in order to avoid large increases in a specific year.

Nominations Committee Seeking Candidates

Are you interested in serving on the ABCFP Council? New councillors are elected for a three-year term in January of each year and take office at the ABCFP's forestry conference and AGM in February.

Councillors are expected to attend the six scheduled council meetings each year, as well as the ABCFP's forestry conference and AGM. Councillors also serve on at least one ABCFP committee. Committee work can vary from a few hours a month to a few hours a week.

The ABCFP nomination committee is currently identifying interested members with the right mix of skills, competencies, and experience to serve on council. Members can also nominate other members via the nomination form included in this issue of BC Forest Professional or on our website. The deadline for nominations is October 28.

For more information, contact Casey Macauley, registrar and director of act compliance at cmacauley@abcfp.ca.

ABCFP Members Favour Advocating for Growth and Yield Cooperative

ABCFP members have approved the Business Resolution from the 2016 AGM calling on the Association to advocate for the creation of a provincial Growth and Yield Cooperative.

The vote was 82 per cent in favour with 18 per cent opposed. In total, 989 ballots were cast with 811 in favour and 178 opposed. There were no abstentions. There were 4,608 members eligible to vote on the resolution.

Council will now start planning on how to move forward with this advocacy initiative.

Sponsorship Support for ABCFP 69th Forestry Conference and AGM

The ABCFP's 2017 conference *Forestry: Changing Landscapes, New Opportunities* will take place February 22-24 in Prince George at the Prince George Civic Centre. Have you considered supporting the conference by sponsoring a session or event? There are a variety of sponsorship levels and benefits. As a sponsor of the conference, you will be recognized as a key supporter of our vibrant forest industry. For more information, please contact Alex Forrester, sponsorship committee chair, at alex.forrester@fpinnovations.ca or 250-613-2991, or Andrew Flegel, tradeshow committee chair, at andrew.flegel@canfor.com.

Reflections on Ethical Requirements: Policy and Legislation

By Mike Larock, RPF, and Anna Shcherbinina, PhD, FIT

Forest professionals need to be knowledgeable about the legislation and policies that govern their practice. The *Foresters Act* and ABCFP Bylaws are the first step in serving the public, the profession, the client, and the employer. Forest professionals "advocate and practice good stewardship of forest land based on sound ecological principles to sustain its ability to provide those values that have been assigned by society." (Bylaw 11.3.1) Forest professionals also provide direction for the sustainable management of forests by staying informed in their field of practice and remain aware of current issues and developments in forestry. (Bylaw 11.4.6) Maintaining sufficient knowledge in legislation and policy can be achieved by dedicating time to regularly review government policies, extension notes, ABCFP guidelines, attending online webinars, and engaging in peer reviews with colleagues.

Celebrate National Forest Week September 18 – 24

National Forest Week (NFW) highlights the social, economic and environmental benefits of forests to our communities and country.

Organize an Event: You can join in on the celebration by organizing events in your community. Volunteers can connect with a class or community group to lead a single event such as a forest hike, presentation, or demonstration; or coordinate a suite of events for the entire week.

All the information needed to plan an event can be found on our website (About Us > Affiliated Programs & Events) including tips on event organization and promotion, resources (e.g. colouring books, tree ID app, books, posters, and games), and examples of past events.

Enter a Contest: As part of the NFW celebration we are holding the annual ABCFP/TLA art contest for kids and a newly-expanded photo contest.

This year, the photo contest is open to two categories of entrants – ABCFP members, and START subscribers (high school and post-secondary students who are interested in forestry). START subscribers who enter the contest will be in the running for Indigo gift certificates and a chance to have their photo published in *BC Forest Professional*. Members will also have their photo published and the top photo will be featured on the cover.

Both contests run from September 18 to October 17. The art contest form is included this issue and check the website and your inbox for details on contests.

For more info on all things NFW, contact Dean Pelkey, director of communications at dpelkey@abcfp.ca.

Photo: Adobestock

POLICY AND LEGISLATION: A Vast Landscape of Influence and Action

Declarations, acts, policies, plans, agreements, and orders all have something in common —a purpose. Whether that purpose is to sanction or grant, declare or restrict, authorize or outlaw — they all require the input of invested parties to develop and implement in a landscape mixed with successes and failures.

The subject of policy and legislation can have a profound visceral impact on a person. For some, it inspires fantasies of a dramatic table flip in a boardroom as they fight for their voices to be heard, while others are empowered to move forward with pilot projects; the testing grounds for defining and redefining "the why."

We begin with a look at the federal government's ratification of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). Janette Bulkan, assistant professor in UBC's Faculty of Forestry, details the history of UNDRIP and the federal government, while exploring what the ratification means for First Nations and the forestry sector in a setting where the terms of engagement are being redefined and the scales of justice rebalanced.

Bob Craven, RPF, takes us through a short account of the history of the Great Bear Rainforest and he discusses the development of the unique solution unfolding there, as well as what it looks like for forest professionals working with two new pieces of legislation, the Great Bear Rainforest (Forest Management) Act and the Great Bear Rainforest Land Use Objectives Order.

Lana Kurz, RPF, and Robin Modesto, RPF, PEng, outline the development and implementation of a drug and alcohol testing program for Interfor Corporation, highlighting what it takes to create a successful program aimed at keeping worksites safe and employees fit and capable for work.

With the third generation of Forest Stewardship Plans (FSPs) looming, Del Williams, RPF, provides forest professionals with a framework for improving FSPs in BC for the coming years; a framework which focuses on creating measurable and verifiable commitments, defining consistent strategies to meet government objectives, and the importance of effective public engagement.

I was hoping to share an article about the lapsed Softwood Lumber Agreement but it's proven to be such an epic and thorny trade dispute, it's best left to this teaser: a panel of brave and insightful minds will cover the subject at our upcoming annual forestry conference in Prince George in February 2017.

Finally, we provide an overview of the Migratory Birds Convention Act (MBCA); looking at the main purpose and mission of the MBCA, how it fits in with provincial legislation, and how it likely impacts forest practices. Plus we cover some handy resources, running the gamut from a nesting calendar query tool to a best management practices guidebook for raptors in BC.

Policy and Legislation and the Principles of Stewardship[1]

By Mike Larock, RPF, and Anna Shcherbinina, PhD, FIT

Forest professionals face daily challenges in providing advice or direction regarding appropriate forest management decisions. Challenges such as changing climate, species at risk, or stocking standards require forest professionals to apply the principles of forest stewardship. One of the principles — Forest Management Goals and Objectives — speaks about having clear goals and objectives to guide management activities on forestland. These goals and objectives can be found in policies and legislation that govern forest resources such as the *Forest and Range Practices Act* (FRPA), or the *Private Managed Forest Land Act*. They can also be found in policies and legislation that govern other forest related values such as worker safety in the *Workers Compensation Act*.

[1] The main document can be seen at http://member.abcfp.ca/WEB/ABCFP/Practising_in_BC/Practising_in_BC.aspx

UNDRIP Endorsed by Canadian Government: Consequences for the BC Forest Sector

What is the UNDRIP?

UNDRIP is the *United Nations Declaration on the Rights of Indigenous People*. UNDRIP was adopted by the United Nations in September 2007 by 143 countries voting in favour and four against, with 11 abstentions, and 34 member states absent. UNDRIP has 46 articles of which five explicitly mention the right to Free, Prior and Informed Consent (FPIC) of Indigenous Peoples and eight refer to resources.[1]

The Responses of Canada's Governments

Canada was one of the four countries that voted against UNDRIP in 2007. By November 2010, the federal government published a qualified statement of support, noting the Declaration is an aspirational document (like all UN Declarations, including the original *Universal Declaration on Human Rights* in 1948), not legally binding, and not reflecting customary international law. Nor did UNDRIP change Canadian laws. The statement reiterated the concerns from 2007, "including provisions dealing with lands, territories and resources; FPIC when use[d] as a veto; self-government without recognition of the importance of negotiations; intellectual property; military issues; need to achieve an appropriate balance between the rights and obligations of Indigenous Peoples, states, and third parties." The statement acknowledged a shift in government view, "We are now confident that Canada can interpret the principles expressed in the Declaration in a manner that is consistent with our Constitution and legal framework."[2]

This less than ringing endorsement by the Conservative government reduced the provincial anxiety about the eight UNDRIP articles on control of resources. There was no explicit follow-up to UNDRIP during the remainder of the Conservative government's time in office.

Janette Bulkan is an assistant professor in UBC's Faculty of Forestry. Her research interests are forest governance and concession systems, Indigenous and community forestry, forest certification and payments for ecosystem services schemes. She collaborates with the Haida Gwai Higher Education Society, the National Aboriginal Forestry Association (NAFA), and with individual First Nations governments. Janette has been a member of the Forest Stewardship Council (FSC) since 2002 and a Member of FSC's global policy and standards committee since 2013.

A More Enthusiastic Federal Response

On May 10, 2016, the Liberal government announced that Canada now supported UNDRIP without the previous qualifications and in accordance with the Constitution of Canada.[3] The statement by the Minister of Indigenous and Northern Affairs, Carolyn Bennett, referred to an important step in the vital work of reconciliation. Adopting and implementing the Declaration means that we will be breathing life into Section 35 of the Constitution of Canada, which provides a full box of rights for Indigenous Peoples.

> The morally correct answer is not the politically feasible response

Modern treaties and self-government agreements, as the ultimate expression of Free, Prior and Informed Consent among partners — UNDRIP reflects the spirit and intent of treaties. On the following day, the acting chief commissioner of the BC Treaty Commission, Celeste Haldane, spoke in the same vein, "Modern treaties, fairly negotiated and honourably implemented, are the greatest expression of reconciliation and of UNDRIP."[4]

Section 35 of the Constitution Act 1982 consists of two brief and ambiguous sub-sections: "(1) The existing aboriginal and treaty rights and the aboriginal peoples of Canada are hereby recognized and affirmed, (2) In this Act, 'Aboriginal Peoples of Canada' includes the Indian, Inuit and Métis peoples of Canada." Two further brief sub-sections were added in 1983-4, clarifying that "treaty rights" included rights existing by way of land claims agreements or may be so acquired, and that the rights were guaranteed equally to male and female persons. The volumes of academic papers trying to interpret what these four short sub-sections mean in practice show that if Section 35 is a full box of rights then those rights are quite unclear to many stakeholders.[5]

The Strong Language of UNDRIP

Although UNDRIP is only soft law — you cannot bring to court a case based exclusively on its wording — its language is much stronger than Minister Bennett appeared to appreciate. In its preamble, the Declaration recognizes and reaffirms "that indigenous individuals are entitled without discrimination to all human rights recognized in international law" and "that control by Indigenous Peoples over developments affecting them and their lands, territories and resources will enable them to maintain and strengthen their institutions, cultures and traditions."

Speaking shortly after the unqualified UNDRIP adoption, Jody Wilson-Raybould, minister of justice and attorney-general, said, "... as much as I would tomorrow like to cast into the fire of history the *Indian Act* so that the [First] Nations can be reborn in its ashes — this is not a practical option — which is why simplistic approaches, such as adopting the UNDRIP as being Canadian law[,] are unworkable..."[7]


Photo: Shutterstock

The Long Road to Reconciliation

Minister Wilson-Raybould recognized that this could not happen overnight. Adoption of UNDRIP is another step on the long road to reconciliation between Aboriginal and settler societies and systems of government. "...what we need is an efficient process of transition that lights a fire under the process of decolonization but does so in a controlled manner..."

From the inclusion of British Columbia in the Canadian Confederation in 1871, the BC provincial government assumed responsibility for administering the natural resources of the crown lands, which now overlie the customary lands of the Aboriginal Peoples. At that time, there was no concept in government of consulting with or accommodating the original Aboriginal holders of Native title. Consequently the Aboriginal Peoples have sought tenaciously to recover their rights now recognized in international soft law (such as UN declarations) and hard law (such as UN conventions). Equally, the commercial holders of licences issued by the provincial governments have tenaciously asserted the validity of their rights over the resources.

Contest in Judicial Courts

The clear and affirmative language of UNDRIP on Indigenous rights to culture, education, health, language, resources, and self-government contrasts with the muffled language of legal decisions rendered by Supreme Courts at provincial and federal levels, going back to Calder for the Nisga'a First Nation in 1973.[7] The Calder decision confirmed the reality and continued existence of Aboriginal rights. The last major decision of the Supreme Court of Canada (SCC)on aboriginal resource rights, the Roger William (Tsilhqot'in) case in June 2014,[8] confirmed that Native Title continued to exist at least over one piece of land in the BC Interior. Provincial forest law does not apply in that area. It is not clear if the parsimonious SCC decision in 2014 was constrained by the limited wording of the case originally presented by the Tsilhqot'in people some 22 years earlier.[9]

Courts Too Slow, Too Expensive

While the public interest in the Tsilhqot'in case allowed the costs to be covered by the public purse, that precedent precludes similar cases being brought to court at public cost.[10] With only a few exceptions, First Nations have very limited financial and technical capacity to pay the huge expense of litigation for control over their own resources. Putting the Tsilhqot'in decision into general application thus requires other approaches. The Ministry of Forests, Lands and Natural Resource Operations[11] and the Truck Loggers Association of BC[12] have accepted that there must be negotiation to facilitate shared sustainable resource use.

It is not, as in the BC modern treaty process, that the First Nations have to argue their case for retaining every tiny aspect of their rights against a reluctant provincial government. On the

Please see **UNDRIP** continued on page **30**

Great Bear Rainforest

Not many people likely want to read about legislation; however, the Great Bear Rainforest (GBR) legislation is special. It's the result of an epic journey — a story complete with drama, conflict and weary characters slogging through tough territory toward worthy goals.

I've spent 10 years on this file; some from a technical perspective and the last three years on a negotiating team working with environmental non-governmental organizations (ENGO). I'm proud to have been part of developing a unique solution for a globally significant area.

Bob Craven, RPF, lives and works in Campbell River. He is manager of land use for Interfor Corporation, Coastal Woodlands and he is a past president of the Association of BC Forest Professionals (ABCFP). Bob has served on many ABCFP committees and is currently chair of discipline committee and a standing member of the council nomination committee. He co-chairs the coast operations issue forum and is a member of the provincial forestry forum.

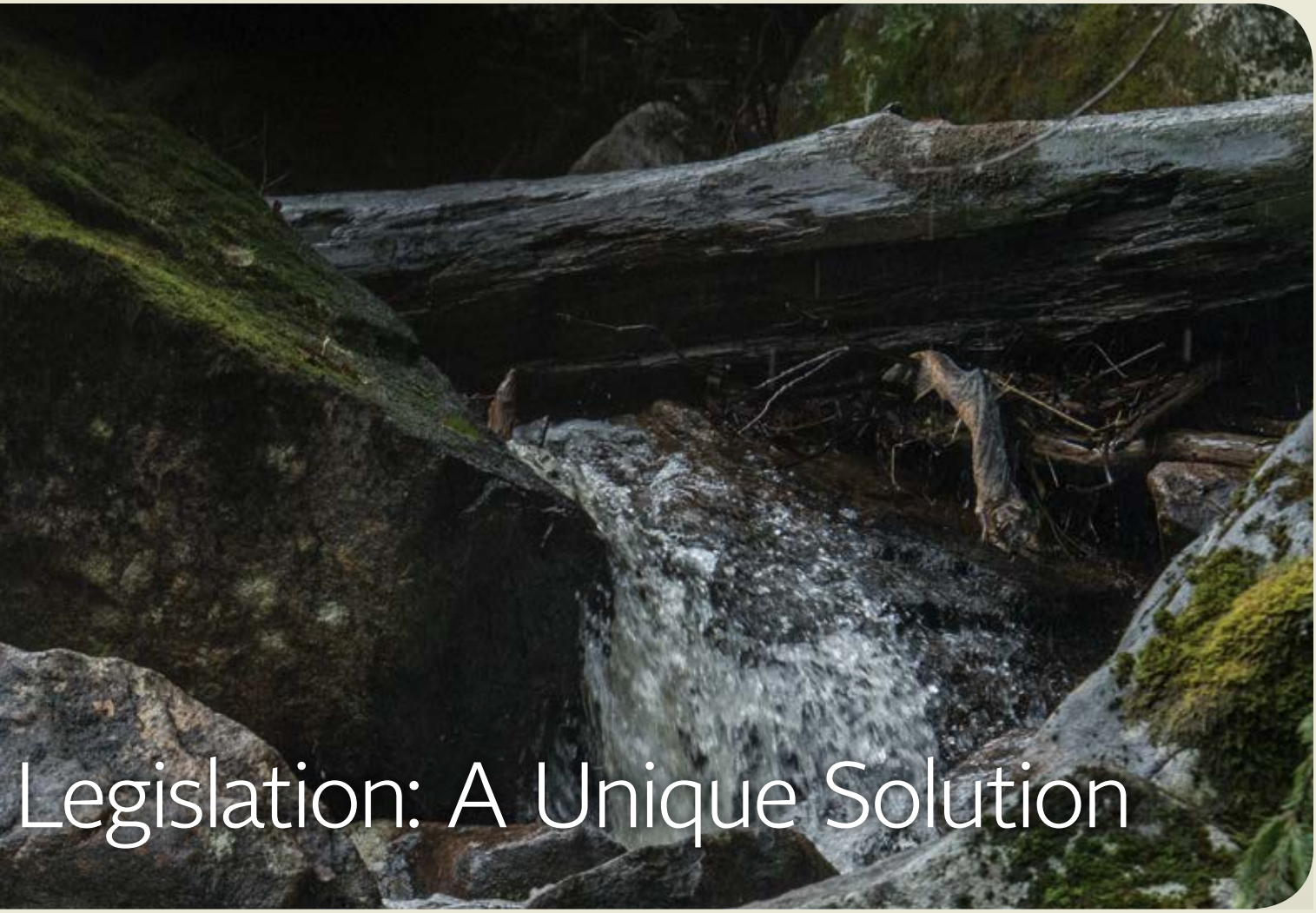
Before diving into the legislation, a short history lesson is required.

- 1990's: "War in the Woods" protests followed by market campaigns.
- 2000: Under pressure, customers urged forest companies and ENGOs to find a solution. A handful of forest companies and environmental groups formed the Joint Solutions Project (JSP) to find ways to achieve conservation and management objectives.
- 2006: First Nations and the BC government (the province) enter into strategic land use planning, agree to implement ecosystem based management (EBM) and set aside one-third of the GBR as protected areas through 137 new parks and conservancies.
- 2007: Land use orders (LUO) established to provide a legal framework for the transition to EBM.
- 2009 (and 2013): LUOs amended to support ongoing implementation of EBM.
- 2014: At the request of First Nations and the province, JSP provided recommendations on the scope of future logging in the GBR and conservation measures to support ecological integrity.
- 2016: *Great Bear Rainforest Land Use Objectives Order* proclaimed and previous LUOs are rescinded.
- 2016: *Great Bear Rainforest (Forest Management) Act* passed.

Our guiding light — though at times it seemed more like the quest for the holy grail — has been the concept of ecosystem based management, which is the achievement of high levels of human well-being over time, balanced with low levels of ecological risk (ecological integrity).

Human well-being is designed to achieve social and economic benefits for First Nations and others who depend on the Great Bear Rainforest. This includes supporting a viable forest economy and delivering other economic benefits such as carbon offsets.

Ecological integrity is a quality or state of an ecosystem in which it is considered complete or unimpaired; including natural diversity of species and biological communities and ecosystem



Legislation: A Unique Solution

Photo: iStock

processes and functions to increase the ability to absorb disturbance (resistance) and to recover from disturbance (resilience).

After years of intense analysis and negotiations, JSP presented First Nations and the province with a set of recommendations to deliver EBM. After public consultation and government-to-government approval, the legal framework has been set to pave the way for implementation.

First up was the 2016 *Great Bear Rainforest Land Use Objectives Order*. Since 2007, forest licensees have been working under LUOs which supported EBM, but not full implementation of EBM.

The 2016 LUO sets out legal objectives for ecological and First Nations cultural values, which forest licensees have to address in the forest stewardship plans (FSP). These values include Aboriginal forest resources; Aboriginal heritage features; culturally modified trees; Aboriginal tree use; western yew; important fisheries watersheds; aquatic habitat; forested swamps; upland streams; active fluvial units; biodiversity; red and blue listed ecosystems; and grizzly, black, and Kermode bears. These new legal objectives either supersede or compliment objectives set by government through the *Forest Range and Practices Act* (FRPA).

The LUO also introduces the unique concept of managed forest for the GBR, which defines the area (550,032 hectares) of productive forest that is or will be available for timber harvesting. As forest professionals on the coast, one of our major tasks over the next five years will be to develop landscape reserve designs for all landscape units across the Great Bear Rainforest, in collaboration with First Nations. Forest professionals will have to demonstrate spatially how ecological integrity and human well-being are being met. In other words, spatially showing how old growth and managed forest targets are met, as well as the protection of cultural values. This is no small task and will involve some of the most complex landscape unit planning ever contemplated. As well, old growth and managed forest targets need to be met over the entire plan area. It's a unique and challenging situation.

The second legislative piece is the *Great Bear Rainforest (Forest Management) Act* (GBRFMA). You know you are dealing with a unique place when it has legislation named after it. The GBRFMA supports full implementation of EBM, with specific rules that differ from the *Forest Act*. These rules will deliver the certainty that is critical to the future of our industry.

A key to that certainty was delivering the legislative framework that would guarantee an allowable annual cut (AAC) of 2.5 million cubic metres for the next 10 years, after which the chief forester will resume authority for determining AACs in the two new timber supply areas: Great Bear North and Great Bear South. These two new TSAs reflect the differences in the timber profile and economic accessibility between the north and south areas of the GBR. In the north, cut control periods can be extended to 10 years, which gives licensees more flexibility in timing harvesting to optimal market conditions. Now that we have two new pieces of

Please see **Great Bear** continued on page **30**

Implementing a Drug and Alcohol Testing Program in Forest Operations

Working in BC forests and sawmills is rewarding work but it is also physically and mentally demanding work. Workers must constantly assess their changing environment and the associated risks, which requires the ability to make quick decisions to stay safe. Whether a sawmill worker, a hand faller, or a tree planter, employers have the duty to ensure the health and safety of their workforce. Interfor Corporation is committed to protecting the health and safety of its employees, and contractors and their employees. We know part of being safe means being fit and capable for work. This includes not being under the influence of drugs or alcohol while at work.

Historically, Interfor's safety incident investigations were thorough and drilled down to the root cause of incidents. However, we did not have a structured approach to help us identify whether or not drug or alcohol use was a causal factor in the incident. The reality was that supervisors were not equipped with how to deal with drug and alcohol use that impacted employees' performance. As a result, we became inconsistent in dealing with these situations.

Lana Kurz, RPF is the safety and environment forester for Interfor Corporation, Interior Operations. She is also Interfor's drug and alcohol program administrator for five sawmills and four woodlands divisions. Lana has 23 years of operational experience in the BC Interior and is currently based at the Adams Lake Division.

Robin Modesto, RPF, PEng, MBA, is the supply chain manager for Interfor Corporation, Coastal Woodlands. Robin has 20 years of coastal experience and his current responsibilities include safety at Interfor's Avalon Drysort in Howe Sound. Robin is currently on the ABCFP Council.

This, coupled with a general tolerance for use and abuse of drugs and alcohol in the forest industry, were major hurdles we had to overcome to keep people safe.

To improve on this, we implemented a drug and alcohol program. In our BC sawmills in 2011, then we added our BC Interior log truck group in 2013. Now, based on these successes, we've made our drug and alcohol program a requirement for all woodlands contractors in BC in 2016.

To be successful, drug and alcohol programs need to be comprehensive, well communicated, and aligned with our obligations under both provincial and federal jurisdictions, ensuring we do not impede on a person's human rights.

I. Setting the Minimum Requirements for Contractors

We started with creating a drug and alcohol testing requirements document for contractors. This document describes the standards for sample collection and testing for drugs, alcohol, and prescription medication. It describes how investigations will be carried out and the types of testing that are required. It also states the consequences of failing to meet the requirements.

II. Training

Next, contractors were trained to better understand what we were requiring of them and why. They learned how to determine when a drug and alcohol test is required as part of an investigation and all the necessary steps in the collection process.

III. Written Policy

Using a template that met Interfor's minimum requirements, contractors developed their own policy with the following key elements:

- workers must be fit for work at all times,
- workers must not engage in prohibited conduct,
- a description of the conditions when a test may occur, and
- the consequences of violating the policy.

IV. Implementation

Once contractors had a written policy, they were required to communicate their expectations to their employees and sub-contractors. Due to the time-sensitive nature of testing, quick notification of incidents became a necessity. Arranging for certified collectors or completing in-the-field screening tests were options given to contractors.

There are several situations when a contractor's employees may be required to be tested with Interfor's program:

- For reasonable cause when impairment indicators are present;
- During a post incident investigation; and/or
- As a monitoring program (as determined by a substance abuse professional) to ensure a safe return to work.

The majority of tests occur as a result of post incident investigations. The purpose of this test is to determine if drugs or alcohol may have been a contributing factor to the incident itself. Supervisors investigating safety incidents follow a standard approach to deciding if testing is required. The first step is determining if the incident was a triggering incident. This is an incident that is a serious injury, a serious close call, or damage event. Next is determining if there is

Lana Kurz, RPF, and Kevin Krull looking at a breathalyzer device at Interfor's Avalon drysort.

an act or omission that contributed to the incident. Generally, this means a rule or procedure has been broken. Finally, external factors are considered to ensure the incident wasn't fully outside the care and control of the worker, such as a mechanical failure.

In practice, when an incident is reported, the supervisor ensures the workers are safe and receive medical attention as needed; then the supervisor evaluates the incident, works through the post incident investigative form and if a test is required, will either call upon a certified collector or will conduct field screening tests internally. Drugs are tested with a urine sample using a point of collection screening device, while alcohol can be tested with a calibrated breathalyzer or screened with a saliva oral swab sample.

For Interfor's post incident testing conducted since 2011, 12 per cent were positive for drugs or alcohol. Of these, 76 per cent were positive for marijuana, 11 per cent for cocaine, 10 per cent for alcohol, and three per cent for other (test refusals). For the majority of the positive cases, workers received an evaluation by a substance abuse professional and returned to the job after abiding by a monitoring program as part of a return to work agreement. The goal of our drug and alcohol program is to improve the safety of all employees and work with people through our process. When somebody refuses to actively participate in our program, there is the potential for adverse effects to their employment. Ensuring everybody adheres to our drug and alcohol program improves the safety of all other workers.

Being fit for work includes being free from the influence of any medications that may affect a workers ability to conduct work safely — whether they are prescribed, over the counter, or medically authorized. In the latter situation, Canadians are currently able to acquire marijuana with medical authorization for certain health conditions. However, this does not mean it is acceptable to be under the influence of marijuana while conducting safety sensitive work. Under Interfor's program, all workers who require use of a medication must notify their medical caregiver of the nature of their work and confirm that they will be fit for duty at all times. If the medication may impair their cognitive function or motor skills, they are expected to use a safe alternative when available. If this is not possible, they are to notify the employer of any need for modified duties.

According to Larry Price, Interfor's general manager, BC Interior operations, "Our goal is to create a fundamental shift in the culture of safety within our woodlands operations and contracting workforce. It's all about the health and safety of our employees and contractors' employees. We have found that workers are generally willing to participate in testing simply to clear their name as part of the investigation process. We have also experienced an improvement in compliance of safety rules because workers don't want to bring attention to themselves or be involved in an incident that triggers a test. This is creating a culture where people are making the right decisions."

Removing the influence of drugs and alcohol from worksites helps create a safe workplace for all workers, all while achieving our responsibility to the public "to have proper regard in all work for the safety of others."

Improving Forest

Between 2005 and 2007, foresters prepared the first set of forest stewardship plans (FSPs) under the *Forest and Range Practices Act* (FRPA). The Forest Practices Board (FPB) looked at these early FSPs in 2006 and found problems with enforceability and the quality of the plans for public review and comment. However, many of these early FSPs were extended for an additional five-year term, problems and all. With the third generation of FSPs approaching, the FPB decided to look at the most recent plans to see if there was any improvement in the content.

In August 2015, the FPB published its findings in a report titled *Forest Stewardship Plans: Are They Meeting Expectations?* Disappointingly, the FPB found little improvement in FSPs and almost no innovation by licensees. All 43 FSPs examined had significant problems with enforceability. Many included results, strategies, or measures that were neither measurable and verifiable, nor consistent with government's objectives. The plans simply are not good tools for public review. More is required if the public are to be able to review or comment on FSPs in a meaningful way.

Since publishing the report, the FPB has met with many industry foresters, licensees, and government staff members. Many professional foresters have also consulted with FPB staff about FSPs. Our sense is that there is lots of activity and a real willingness to improve the next batch of plans now in development. With that in mind, the FPB has some advice for professionals currently writing FSPs.

The FPB found problems with results and strategies for all FRPA values and with all the measures, but problems were particularly common with a few values and measures and this is where professionals can focus their attention for the most impact:

- Cultural heritage resources
- Visual quality objectives
- Objectives for community watersheds
- Measures for natural range barriers
- Measures for invasive plants.

The three main areas of improvement are 1) making commitments measurable and verifiable, 2) being consistent with government's objectives, and 3) engaging with the public.

1. **Making commitments measurable and verifiable** – this is easy but often overlooked. It is also important. A key concept embodied in FRPA is that FSPs are to be enforceable. To be enforceable, they must be measurable or verifiable. Writers of FSPs have been given a privilege — that of being able to write their own rules and even replace practice requirements in the *Forest Planning and Practices Regulation* (FPPR). With this privilege comes a professional obligation — ensuring the FSPs are indeed enforceable. Here are some suggestions:
   - Avoid wishy-washy words such as "if necessary", "trend toward", "reasonable", "will consider", and "may".
   - Define important terms: For example, many strategies for the community watershed objective commit to an assessment, or to actions based on a certain level of risk, or both. But what this assessment is, or how the risk levels are determined, need to be defined so there is something definitive to measure or verify.

Del Williams, RPF, is a manager of audits and investigations with the BC Forest Practices Board and has been a RPF since 1987. His current responsibilities include investigating complaints, doing special investigations, and participating in audits for the FPB. His past experience includes working as general manager and operations forester for the Revelstoke Community Forest Corporation and as a silviculture forester on Haida Gwaii. He also co-owns and manages a woodlot license near Revelstoke.

Stewardship Plans in BC

Photo: Adobe Stock

- Remember who, what, where, and when. For example, a natural range barrier measure might say "the holder of the FSP (who) will replace the identified natural range barrier (where) with a fence and/or cattle guard (what) within one year of the completion of road construction or harvest (when)."
- Look to the government's C&E staff bulletin #12[1] for more advice.

2. **Making commitments consistent with government's objectives.** It is the job of forest professionals to assess government's objectives, determine how forest management activities will affect the objectives, and then create results or strategies that are clearly consistent with the objectives. This may be the most challenging part of writing an FSP. Look to these sources for help:
   - *Forest Planning and Practices Regulation* practice requirements – these indicate how government thought forest management could be carried out while meeting the objectives. However, these are general, often designed for the province as a whole. For specific FSP areas, there are sometimes opportunities for professionals to do a better job of meeting objectives. For example, riparian management areas around lakes: if there are special values on certain lakes, make sure the FSP reflects these.
   - Schedule 1 of the FPPR – contains factors that, for some, may be considered objectives. For example, the factors for cultural heritage resources include value, abundance, and extent of the use of the CHR, as well as the potential impact of harvesting and opportunities for mitigation.
   - District staff or peers—it can be really difficult to write results or strategies for some values. The cultural heritage resource value is one example. Older land use orders can also be difficult to interpret and apply. Working with district and licensee peers can lighten the load and avoid reinvention of many wheels.
   - Other guidance sources include the *Administrative Guide to FSPs*[2], FRPA Bulletins[3], and your local district office. Many district managers are now sending out expectation letters to help licensees.

3. **Engaging with the public.** Forest stewardship plans in their current form are not useful tools for informing and obtaining feedback from the public, largely because of their legalistic and technical nature combined with the lack of specific information about roads and cutblocks. To address these issues, some licensees and forest professionals have been using other avenues to improve public consultation, such as:
   - Posting operational plans (for roads and cutblocks) on a website and providing a way for the public to give feedback.
   - Creating an abridged version of, or a companion document to, the FSP that describes in plain language what the results, strategies and measures are, and how these will affect the forest.
   - Working with other licensees in a timber supply area to combine FSPs, refine forest development units, or minimize confusing differences between FSPs that cover the same area.

These are just a few simple ideas to help professionals focus their efforts and produce a better set of FSPs for the coming years. Licensees and forest professionals are encouraged to make forest stewardship plans truly reflect their stewardship of forests. Equally important is informing and responding to the public affected by forest practices so they will have confidence in how licensees and forest professionals are managing BC's public forests.

References

[1] https://www.for.gov.bc.ca/ftp/hth/external/!publish/web/frpa-admin/frpa-implementation/bulletins/CE_Guidance_MeasurVerify_2006.pdf

[2] https://www.for.gov.bc.ca/hth/frpa-admin/agfsp.htm

[3] https://www.for.gov.bc.ca/hth/frpa-admin/frpa-implementation/bulletins.htm

Volunteer Appreciation

Mr. Jeff Kerley, RFT, ATE
President and General Manager,
Kerley & Associates Forestry Consulting Ltd.
Member since 2004

Jeff Kerley, RFT, ATE, joined the standing investigation committee (SIC) in 2007. The SIC is a committee comprised of volunteer members trained to interview, investigate, find facts, and publish reports on ABCFP discipline matters. Committee members work in smaller subgroups, called investigation committees (ICs), to investigate potential bylaw violations; concluding each investigation with an investigation committee report. The report and findings are forwarded to the complaints resolution committee (CRC) and the registrar for review.

During his years on the SIC, Jeff was involved in five investigations of possible bylaw violations by ABCFP members.

Jeff has contributed significantly to improving the complaints and discipline process at the ABCFP. In 2008, Jeff joined the discipline and enforcement transparency review team. Comprised of senior member-volunteers and ABCFP staff, this team reviewed ABCFP discipline processes, comparing them with discipline processes at other BC regulators, in an effort to make the ABCFP's processes more efficient and more transparent to both the public and members. As a result of these efforts, the ABCFP developed a standard complaint form and the complaint process bulletin detailing the complaint process for members. Training plans for all the discipline committee members were also instituted.[1 and 2]

In 2013, Jeff served as an integral member of the ABCFP investigation process review team. This team reviewed the complaint investigation procedures in place at the time and developed a report to council outlining suggestions and potential improvements. Following the report recommendations and council direction, Jeff facilitated the restructuring of investigation committee report templates and other functional forms that are essential to the work of the SIC.

Jeff also served as a member of the External Communications Task Force in 2004, and the Professional Practice in Appraisals and Cruising Task Force in 2008.

We appreciate Jeff's long-standing dedication to the ABCFP; as well as his genial, courteous and truly professional manner. Our association has benefited significantly from Jeff's many years of professional service. While Jeff may continue to contribute to the ABCFP's committees in other forms, we wanted to take this opportunity to extend our thanks.

References

[1] ABCFP Annual Report, 2008, Foresters Act Compliance and Enforcement
[2] Discipline and Enforcement Transparency Review Team Report, December 2008

Shaping Future Forests

with the Chief Forester's Leadership Team

In summer 2015, a group of major licensee chief foresters from across British Columbia, who operate on Crown lands, were brought together by the province's Chief Forester Diane Nicholls, to have a think tank session on forest sustainability in the context of current resource management challenges. From those initial meetings, the Chief Forester's Leadership Team (CFLT) was established.

The team's vision is to:

"Create unified leadership to help shape future forests through management rooted in science to promote healthy, ecologically diverse, resilient forests that will sustain a strong forest sector in BC." [1]

The team also established the following guiding principles:

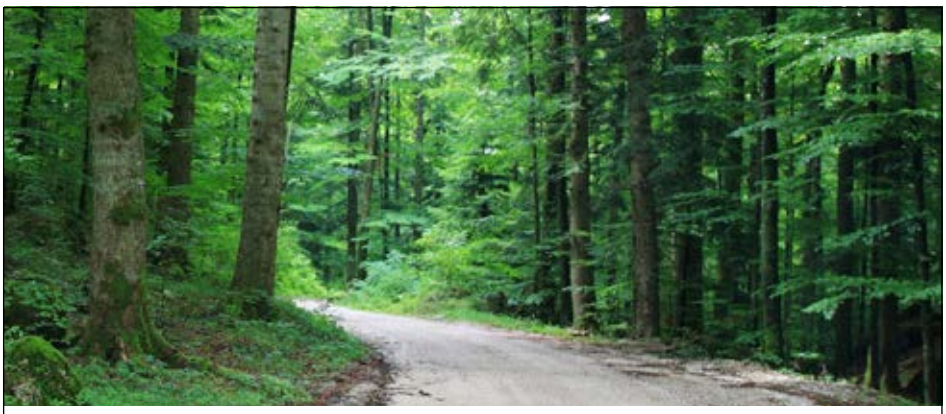
1) Clarity and transparency in forest management planning.
2) Respect and recognition of the unique and dynamic characteristics that exist within each management unit of the province.
3) Collaborative forest management planning is strategic in nature and will be used to guide tactical management.
4) Respect First Nations interests and traditional knowledge.
5) Respect the principles of professional reliance.
6) Employ a stepped, phased approach to improvements, in recognition of the value of adaptive management.

Allan Powelson, RPF, while currently the Acting Senior Manager of Timber Operations and Sustainability with BCTS, he also provides technical and specialist support for the Chief Forester's Leadership Team.

In support of their vision, the CFLT has been working on developing fibre sustainability metrics. These metrics include measures around regeneration, harvest levels, timber quality, access, and species management. In addition to monthly face to face meetings, the team met in the field in Campbell River on July 21 to examine — relative to some of the CFLTs proposed fibre sustainability metrics — the data from the 10 year re-measurement of the Silviculture Treatments for Ecosystem Management (STEMS) research site in the Sayward Forest near Campbell River.[2]

The CFLT discussed the ties between stand development, silviculture reporting, timber supply determinations, forward

Please see **Future Forests** continued on page **30**



Migratory Birds Convention Act

What is the main purpose or the mission of the Migratory Birds Convention Act?

The federal *Migratory Birds Convention Act* (MBCA or the *Act*) came into effect in 1917 as a response to the extinction of the passenger pigeon (and the Eskimo curlew), due to excessive hunting for food. The Act prohibits the hunting, disturbing, destroying, or taking of migratory birds, nests or eggs; and it identifies 381 birds as migratory (295 of these occur in BC). The intent of the Act is to sustain migratory bird populations.

How does it fit in with legislation (or policy)?

The *BC Wildlife Act* has almost exactly the same coverage as the federal MBCA in terms of its protection provisions for migratory birds; however, enforcement of the MBCA appears to take precedence over enforcement of the *BC Wildlife Act* when it comes to intentional harm or incidental take of MBCA birds. The *BC Wildlife Act* would typically be used to enforce intentional harm or incidental take of non-MBCA birds.

The MBCA is designed to protect all species listed as migratory and it does not give special protection to a species depending upon its current status. This means an American robin is regarded in a similar manner to an endangered species, such as Lewis's woodpecker. This highlights the fact that we have multiple levels of protection for wildlife in BC, which must be considered while planning forest operations. An example is the federal *Species at Risk Act* (SARA), which identifies wildlife species at risk in Canada, 30 of which are at-risk bird species in BC (20 of these are MBCA birds).

How will it likely impact forestry practices?

Forest operations occurring during the nesting season (approximately April 15 to July 31) have a high probability of causing incidental disturbance or destruction of bird nests and eggs, thus causing a contravention under the Act. A number of recent complaints and citizen-led actions have disrupted harvesting operations during the nesting season. As a result of the recent increase in awareness and enforcement of the Act (by Environment Canada), it is necessary for licensees to plan operations in a manner to reduce their liability.

Through 2016, members of Council of Forest Industries (COFI) and Coast Forest Products Association (CFPA) have been working on developing tools to help their members understand the issues and reduce their risk of causing incidental take, which includes a thorough set of best management practices (BMPs).

Where can we find more information?

Environment and Climate Change Canada's Migratory Birds Convention Act Frequently Asked Questions:
https://ec.gc.ca/nature/default.asp?lang=En&n=C7564624-1

Environment and Climate Change Canada's Avoidance Guidelines:
https://www.ec.gc.ca/paom-itmb/default.asp?lang=En&n=AB36A082-1

Atlas of the Breeding Birds of British Columbia:
http://www.birdatlas.bc.ca/

BC Species and Ecosystems Explorer:
http://a100.gov.bc.ca/pub/eswp/

BC Environment Guidelines and Best Management Practices:
http://www.env.gov.bc.ca/wld/BMP/bmpintro.html

Best Management Practices Guidebook for Raptors in British Columbia:
http://www.env.gov.bc.ca/esd/distdata/Peace_Region_Wildlife_Values/Industrial_Sectors/Best_Management_Practices/Raptor%20BMPs%20for%20British%20Columbia.pdf

Bird Studies Canada – Nesting Calendar Query Tool:
http://www.birdscanada.org/volunteer/pnw/rnest/warning.jsp?lang=en

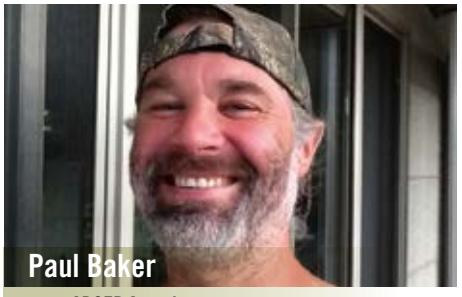
Environment Canada – Migratory Birds Convention Act and Regulations:
https://www.ec.gc.ca/Nature/default.asp?lang=En&n=7CEBB77D-1

Environment Canada – General Nesting Periods of Migratory Birds in Canada:
http://www.ec.gc.ca/paom-itmb/default.asp?lang=En&n=4F39A78F-1

ForesTrust:
Introducing 2016's Scholarship Recipients

ForesTrust is the ABCFP's registered charity. Through ForesTrust, the ABCFP creates endowments at post-secondary institutions across the province. Forestry students across BC are the ultimate beneficiaries of these endowments. Your donations directly fund the sustainability of professional forestry practice in BC.

Forestry's Next Generation



Paul Baker

AWARD: **ABCFP Award**
SCHOOL: **Thompson River University**
PROGRAM: **Bachelor of Natural Resource Science**
HOMETOWN: **Salmon Arm**

► ***What was your favourite area of study and why?***
I enjoyed forest ecology. It was interesting to learn about all the connections in forests and nature that I have not really thought much about.

► ***What advice would you give to someone contemplating a career in forestry?***
Do your research and spend some time working in the industry before you complete your program to ensure it is the right career for you.

► ***What are two of the most valuable skills you've learned during your forestry studies?***
1. How to navigate stands using a compass and map without the use of new technologies.
2. Critical thinking skills. Going to university in my mid thirties has taught me how to look and interpret new information critically and objectively.

Brianna Brochez

AWARD: **ABCFP Award for Excellence**
SCHOOL: **University of Northern British Columbia**
PROGRAM: **Forest Ecology and Management**
HOMETOWN: **Burns Lake**

► ***What was your reaction when you found out you won the award?***
I was gratified that my academic achievements had been recognized, and that I was being rewarded for them. I am very thankful for any help in regards to funding my education.

► ***Tell us about an influential mentor in your life.***
I would say my dad had the biggest influence on my decision to go into forestry, seeing as he would bring me out into the bush with him when I was younger. He never pushed me to follow his career choice, which was a major part in me picking forestry as my major. Seeing as how teenagers like to rebel against their parents, and had he wanted me to become an RPF, and pushed me, I would probably have chosen something else. I always admired the passion he had for all things that live and grow, and I wanted to share in that love of nature as well.

► ***What is your favourite area of study and why?***
I love learning about climate change because I want to understand it better and be able to do something productive about it in the future. My minor is in global climate change as well, and I can't wait to start taking courses more specific to that area of study.

Victoria Diederichs

AWARD: **ABCFP Award for Excellence**
SCHOOL: **University of British Columbia**
PROGRAM: **Forest Resources Management**
HOMETOWN: **Sherwood Park, AB**

► ***What motivated you to pursue forestry?***
I've known for a very long time that I wanted to pursue a career focused on the outdoors. I wasn't really able to pin it down until in high school I participated in a program called Junior Forest Rangers which gave me an in-depth look into the natural resource industry in Alberta. I came out of that program absolutely smitten.

► ***Tell us about an influential mentor in your life.***
My crew leader from when I was a Junior Forest Ranger. Both of the leaders were very strong women in natural resources, but Lorena especially influenced me in that she helped me believe that I not only had the physical fortitude for a job in a field that was at the time very new to me, she also encouraged me to believe that I had the ability to be a leader. These encouragements were instrumental to me.

► ***What is your favourite area of study and why?***
I'm really fascinated by tree genetics and physiology. Genetics in particular has always been a favourite of mine. I've been lucky this year in that I've had a lot of exposure to the practical science of genetics and how it impacts forestry, and I'm very much looking forward to exploring it further.

More of Forestry's Next Generation

Alison Rose Hamilton

AWARD: **ABCFP Award**
SCHOOL: **College of New Caledonia**
PROGRAM: **Natural Resources and Environmental Technologies**
HOMETOWN: **Prince George**

► ***What was your reaction when you found out you won the award?***

I was very surprised! I didn't know that I was a potential candidate for this award. I was flattered and really appreciate the opportunity.

► ***What was your favourite area of study and why?***

My favourite area of study in school was ecology which coincided with silviculture. My silviculture instructor was the most amazing person. She had so much knowledge to share about forestry and just life in general. Having her teach the course, as well as learning about different areas of silviculture made it my favourite. A good instructor can really make or break a course and she rocked it. I love ecology, and plant identification; eco was my favourite part of school, and is also the most enjoyable part of my job.

► ***Tell us about your favourite forestry experience so far.***

My favourite forestry experience so far was traveling with my classmates to Costa Rica to learn about the forestry practices taking place there. For such a small country, they are much more environmentally conscious when it comes to their forest. Every wild tree not in a plantation is accounted for and the foresters there can go to jail if just one tree is cut down that wasn't supposed to be. It changed my views on forestry and made me realize that BC can sometimes take our forests for granted, especially up north where there are not as many people to keep an eye on forestry practices.

Ryan Lee

AWARD: **Wayne Cochrane Memorial Award**
SCHOOL: **British Columbia Institute of Technology**
PROGRAM: **Sustainable Resource Management Diploma Program**
HOMETOWN: **Burnaby**

► ***Tell us about an influential mentor in your life.***

One of the most influential mentors in my life is Sam Cousins. During the time that I worked with him, he was the stewardship coordinator for the Stanley Park Ecology Society. After my first year of school at BCIT, I still wanted to explore the various hikes that BC had to offer but at the same time wanted work experience added to my résumé. So I began volunteering at the Stanley Park Ecology Society where I worked with Sam for most of my time there. He gave me a lot of support and continuously gave me opportunities to gain experience that a regular volunteer would not get, ranging from leadership opportunities to organizing my own plant identification workshops and training Stanley Park Park Rangers on invasive species management.

► ***What is your favourite area of study and why?***

My favourite area of study is a combination of both arboriculture and ecological restoration. I enjoyed studying arboriculture because not only does it involve dealing with the public but it also allows you to understand what is done to the trees throughout our cities. It also opens up a new world of foreign tree species for me to learn about. Ecological restoration is another area of study that I take a lot of interest in whether it be ridding our forests of invasive species that are dominating our native plant ecosystems or repairing old grasslands that are filled with various species at risk. The truly unique ways that we manage these issues fascinates me. Not only that, the concepts we learn can be applied to almost any setting.

Shelby Oe

AWARD: **Mark Sunstrum Foundation Memorial Endowment Bursary**
SCHOOL: **College of New Caledonia**
PROGRAM: **Natural Resources and Environmental Technology**
HOMETOWN: **Vanderhoof**

► ***Tell us about your favourite forestry experience so far.***

I've had a lot of great experiences working in the Fort St. James area for BCTS. I've tried out work on both the harvesting and silvicultural phases; from recce cruises to planting. I've met and worked with a lot of great people and have had great experiences with them all; it would be hard to choose a favourite.

► ***What advice would you give to someone contemplating a career in forestry?***

Go for it! I think whether you go right to school or get some work experience first, you're going to learn something interesting and get hands-on experience you can use forever. If you like being outdoors you'll definitely find a niche somewhere in this big industry, or at least open the doors to a career you will love.

► ***What are two of the most valuable skills you've learned during your forestry studies?***

Almost everything I've learned during my forestry studies has proved to be most valuable. The things I took from my studies in college eclipse what I took from my studies in high school. I learned a lot about the natural resource sector and I also learned a lot about life and myself!

Stephanie Sundquist

AWARD: **ABCFP Award**
SCHOOL: **College of New Caledonia**
PROGRAM: **Natural Resources and Environmental Technology**
HOMETOWN: **Kamloops**

► ***Tell us about an influential mentor in your life.***
My dad has been an amazing support in my life, and taught me that it is never too late to go back and get an education and a new career. A couple years ago, he came out of retirement and went back to school and got his Class 1 commercial driver's license. If he can do it, why not me?

► ***What was your favourite area of study and why?***
I really enjoyed silviculture. It really emphasizes looking at the forest as a whole system and makes a person really think about the changes they are making to that system. I like being able to take these small observations on the landscape and using them for the big-picture plans.

► ***What is your forestry dream job?***
I would like to work with the Tree Improvement Program, working to make the forests more productive and figuring out how to adapt to climate change.

Rachelle Shearing

AWARD: **ABCFP Award**
SCHOOL: **Vancouver Island University**
PROGRAM: **Forest Resource Technology Diploma/ Bachelors of Science in Geoscience**
HOMETOWN: **Cobble Hill**

► ***What was your reaction when you found out you won the award?***
I found out that I had won the award at our graduation ceremony. I have to say, I was very happy and surprised. I had a large contribution to organizing the ceremony, so winning the award helped me realized what I had accomplished and to relax. This award will help me so much when I go for my degree, it takes some of the financial stress of being a student away and will help me focus on future studies.

► ***What is your forestry dream job?***
Now that my diploma is done, my goal is to finish my degree in Geoscience. My ultimate goal is to obtain my RPF and PGEO and open my own company. I would like to do contract for industry involving karst, soil, and slope stability assessments.

► ***What was your favourite area of study and why?***
My favourite area of study was always soil science and slope stability. I enjoyed learning what trees need, to grow the resources we all rely on.

Stephanie von Loessl

AWARD: **ABCFP Graduating Prize in Forestry**
SCHOOL: **University of British Columbia**
PROGRAM: **Forest Resource Management**
HOMETOWN: **Surrey**

► ***What was your reaction when you found out you won the award?***
I was eager to tell my family and to buy new caulk boots!

► ***What do you think forestry will look like in the next five years?***
Midterm timber supply challenges will encourage innovation within the industry, allowing companies to reduce waste and utilize wood more efficiently. Also First Nations communities will play a greater role in timber development.

► ***What are two of the most valuable skills you've learned during your forestry studies?***
Soil texturing is a vital skill for timber development. Soil science courses shouldn't be overlooked. And Latin names for plants is surprisingly useful.

► ***What is your forestry dream job?***
I would like to specialize in pathology.

► ***What advice would you give to someone contemplating a career in forestry?***
Buy a bug net.

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Peeking into the Future

Most of us with forestry backgrounds concern ourselves with the growing of trees and not what we make from them. Some of us migrate to manufacturing where we focus on making high-quality dimensional lumber or panel products. Few of us think about what our wood products are used for in construction, or about the construction industry in general. That may change as the structural use of wood, especially large elements or mass timber, is evolving rapidly. In the not too distant future, these changes may impact the way we manage our forests.

While the cost of material is still of paramount importance, other factors such as sustainability, speed of installation, and pre-fabrication are escalating in importance. The wood products industry has responded with new mass timber products, such as cross-laminated timber (CLT) panels; new technology, such as 3D modelling and robotic machinery; and new advances in timber engineering. These developments, combined with building code changes, are opening up opportunities for wood in structures previously not considered, especially in larger and taller buildings.

Bill Downing, RPF, is the president of Structurlam Products LP, in Penticton. Structurlam is an innovator in mass timber construction and Bill is its driving force. Bill began his career as a forester in the Kootenay region. Over the ensuing 25 years, Bill has run several companies and one industry association. Prior to joining Structurlam in 2007, Bill was CEO of BC Wood Specialties, an association of BC's secondary, or value-added wood product firms. Bill has a forestry degree from the University of British Columbia and an MBA from the University of Washington.

Advances in mass timber construction can be found across the University of British Columbia's Vancouver campus. University Properties Trust, the development arm of UBC, has embraced mass timber, provided it performs well and is cost competitive with other structural materials. There is a long list of buildings at UBC that form an excellent tour for those interested in wood construction, such as the Earth Sciences Building, the Centre for Research on Sustainability, the District Energy Centre, the Wesbrook Community Centre, and the new Student Union Building. Together, these buildings are an outstanding example of what is possible using mass timber. However, one building currently under construction is a potential game-changer: Brock Commons Student Residence, the tallest wood building in the world.

Brock Commons is a hybrid structure. The first two floors and the cores (stairwell and elevator shaft) are concrete and the rest of the building is mass timber. CLT panels are used for the floors while glulam is used for the columns. The building is 18 stories, with a total height of 53 metres. Brock Commons will use 2.5 million board feet of SPF lumber and 500,000 board feet of Douglas-fir lumber. In addition to being the world's tallest, Brock Commons boasts other achievements:

1. Industry Cooperation – Brock Commons is a testament to the forest sector working together. Industry, government (both federal and provincial), and associations joined forces to make the structural design, building code, and supply chain adjustments required for the building to proceed. Consider that BC has not built wood buildings higher than seven stories for over 100 years and it's easy to understand the structural, regulatory, and perception hurdles that had to be overcome.
2. Efficient Design - The concrete and steel industry have 100-years of experience in building tall structures, and countless systems and designs are in place that make construction efficient and drive cost out of the building. Although the use of engineered mass timber products in tall buildings is just getting started,

# of BC's Forest Industry

we must compete with other building systems on an overall cost basis. The designers for Brock Commons used the unique properties of the CLT and glulam to come up with a design that can compete directly with other materials.

3. Made-in-BC solution - The design, fibre, milling, fabrication, and construction are all BC-based using BC companies, labour, and expertise. There's no doubt BC is a world leader in mass timber construction.

Brock Commons is an important building, but how might it impact our industry? If mass timber construction takes off and becomes a mainstream construction method in North America, the supply chain will have to adjust. Rather than produce dimension lumber for the residential housing market, BC mills may choose to produce the raw material for CLT. CLT's have some unique properties and opportunities when it comes to the input stock:

- CLT is species indifferent. Currently, certified CLT production is limited to spruce-pine-fir and Douglas-fir. Strength or e-value is more important than species. In the future, we may see CLT's fabricated using a variety of species (both softwood and hardwood).
- CLT can be customized for specific applications. A structural engineer could specify a grade, width, and thickness depending on the application. For example, the Brock Commons panels use Machine Stress Rated (MRS) lumber on the bottom (tension) layer. CLT can also use any length of stock as the material is finger-jointed.
- CLT can be both structural and beautiful. The outside layer of CLT can be exposed, which gives us an opportunity to display the aesthetic properties of our fibre.

If the market for CLT was large enough, it would clearly have ramifications for sawmill design. CLT's consume a lot of wood; flexibility to efficiently produce different thicknesses would be required. For example, individual layers would not have to be restricted to the typical 1 ¾ inch rough dimension produced by most interior mills. This allows the structural application to dictate the optimum thickness.

Two other important attributes are strength and moisture content; the mill could target a minimum for both to send to the CLT plant. The CLT plant would dry the input stock to the required 14 per cent plus or minus two per cent moisture content and sort by e-value. It is possible that in this process, the specific species could be of less importance. However, further research would be required to measure the bonding effectiveness of mixed species in CLTs. Regardless, the integration of the supply chain would drive cost out of the product and make CLTs more competitive relative to its chief competitor, concrete.

It's not inconceivable that the rise of mass timber construction could also impact the way we manage our forests; 50 per cent of the cost of a CLT is the input fibre, which means the cost of that fibre will dictate the competitiveness of the product. If the volume of CLT stock is significant, might we use a different species mix, a shorter rotation, or an innovative silviculture system? To be successful in the long term, BC would need to compete with other jurisdictions whose wood baskets are also suitable for CLT production.

If BC's forest industry can continue to work together to maintain our leadership position in mass timber construction, the benefits will be immense. We will diversify the market for our lumber products, we will create jobs, and we will extract additional value from our fibre resource. It's still too early to tell, but Brock Commons may be a peek into an exciting future for BC's forest industry.

Public Lands and Forest Policy in BC

For as long as Garry Mancell, RPF, has taught forestry law at the UBC Faculty of Law out in Point Grey (that is, since before I took the class as a second year law student well over 20 years ago…sorry Garry), he has always made sure his students understood the single most important driver of forest policy in BC: public ownership of forest lands. While there are significant pockets of private forest lands in BC that largely originate from a sweet historical deal to build a railway on Vancouver Island, the vast majority of forested lands in BC are publically owned. As Garry would also point out, the only other example of a jurisdiction with a similar concentration of publically owned forest lands was in the former Soviet Union.

Extensive public ownership of forest land in BC has meant extensive regulation of forestry in BC. Naturally, public ownership legitimizes forestry as a subject of public policy. A more balanced mix of public and private ownership of forest lands would likely have resulted in a different public policy towards forestry that would, in turn, have produced a different regulatory regime.

Jeff Waatainen is an adjunct professor of law at UBC, has practiced law in the forest sector for nearly 20 years, and currently works in the Forestry Law Practice Group of DLP Piper (Canada) LLP's Vancouver offices (formerly Davis LLP).

Of course, some regulation of forestry would exist in any event. Regardless of the ownership model, the public would still insist upon some level of environmental regulation, particularly in relation to environmental impacts that do not respect property boundaries (e.g. water and fisheries). Federal export restrictions on logs might still exist in some form regardless of who owned the forest. We would still have legislation for occupational health and safety, as well as for wildfire protection. Government would still use tax policy to incentivize certain land uses over others (as it currently does for private managed forest land).

But public ownership of BC's forests makes forestry even more fertile ground for public policy. Public policy has created different rights to harvest the forests (or "forest tenures"), and different categories of persons who are eligible to obtain those different rights. For example, persons who share some characteristics, but who differ in respect of other characteristics, are eligible for different categories of timber sale licences. Some persons are eligible for woodlot licences, and some are eligible for Community Forest Agreements, while still others are eligible for First Nations Woodland Licences (FNWL). Some are eligible for a direct award of a forest tenure on a non-competitive basis, while others must compete for harvesting rights.

The fees applicable to timber harvested under some long-term forest tenures are assessed administratively over time; on the other hand, the fees paid for timber harvested under certain short-term forest tenures are determined competitively in the market place. More favorable fees apply to some forest tenures than apply to others.

Forest tenure holders must provide potentially affected stakeholders with opportunities for input into the tenure holder's harvesting plans. Limitations are placed upon the rate of harvest under some forest tenures that restricts the holder's ability to accelerate or curtail timber harvesting. Forest tenure holders are not free to have their timber manufactured wherever they may want — timber harvested in BC must be manufactured in BC, unless subject to an exemption. The holders of certain forest tenures are also not free to have whoever they want harvest timber on their behalf — they must ensure that persons under contract harvest a certain amount of their timber, rather than employees. Moreover, in some cases, the forest tenure holder cannot use just any contractor of its choosing, but must use a specific contractor that holds the right to do a specified amount of work under the forest tenure.

The legislative regime applicable to forestry in BC is replete with these sorts of distinctions, preferences, and limitations, and each such distinction, preference, and limitation reflects some public policy objective. This is the stuff of the politics and policy. Public ownership of the forests of BC serves to amplify the role of politics and policy in the regulation of BC forestry.

Membership Statistics: ABCFP — June 2016

Note: Individuals may have applied for a change to their status since this posting. Check the membership directory on the ABCFP website at abcfp.ca/web for the most current list of members.

NEW REGISTERED MEMBERS
Brandon Anthony Albino, RFT
Manuela Arnold, RPF
Angela Rose Atherton, RFT
Jacob Marshall Bapty, RPF
Stefanie Margaret Bulmer, RFT
Devon Danielle Chevigny, RFT
Brendan Matthew Forge, RPF

NEW ENROLLED MEMBERS
Benoit Gilles Aubin, TFT
Colby Kelvin Bedford, TFT
Chelsea Marie Bennett, TFT
Jyoti Budhathoki Bimali, TFT
Jeremy Glenn Cover, FIT
Stefana Aurora Dranga, FIT
Angela Barb French, TFT
Tom Hettrich, TFT
Chelsea Margaret Norma Heyer, FIT
Montgomery James Jones, FIT
Kalene Judith Kerley, TFT
Austin Sigurd Andreasen Klein, TFT
Bryce Anthony Lawson, FIT
Julie Claire Maxwell, FIT
Warren Neuvonen, FIT
Matthew John Manuel Parker, TFT
Paul Michael Quesnel, TFT
Nicole Rien, TFT
Jeffrey Paul Kenji Roberson, FIT
Dylan Reid Tripp, TFT
Rhys Turner, TFT
Sana Valliani, TFT
Stephanie Julie von Loessl, FIT
Joel Brian Weatherhead, TFT
Kyle Christiopher Winters, FIT
Ariel Alexandra Yelland, TFT

TRANSFERRED FROM FIT TO TFT
Christopher Paul Leitao, TFT

REINSTATEMENTS (REGISTERED MEMBERS)
Edward David Folk, RFT
Wade Jarvis, RPF(on LOA)

REINSTATEMENTS FROM LEAVE OF ABSENCE (REGISTERED MEMBERS)
Wade Russel Anderson, RPF

REINSTATEMENT FROM LEAVE OF ABSENCE (ENROLLED MEMBERS)
Adam John Flintoft, TFT
Michael Robert Matichuk, TFT

DECEASED
Donald J. Hall, RPF(Ret)
David C. Holmes, RPF(Ret)

The following people are not entitled to practise professional forestry in BC:

LEAVE OF ABSENCE (REGISTERED MEMBERS)
Wade Jarvis, RPF(on LOA)

Membership Statistics: ABCFP — July 2016

Note: Individuals may have applied for a change to their status since this posting. Check the membership directory on the ABCFP website at abcfp.ca/web for the most current list of members.

NEW REGISTERED MEMBERS
Joshua Alexander McQuillin, RPF
Christine Dawn Taylor, RFT

NEW ENROLLED MEMBERS
Josef Bsteh, TFT
James Neill Carroll, FIT
Ryan Robert Clendinning, FIT
Amir Ebadi-Angorani, FIT
Elijah John Fraser, FIT
Megan Isabella MacGregor, FIT
Jeffery Donald Ness, TFT
Chelsea Mae Seminoff, FIT
Kevin Ross Soo, TFT
Nateena Leigh Swinarchuk
Jordan Akio Yano, FIT

REINSTATEMENTS (REGISTERED MEMBERS)
Henry Porter Grierson, RFT

REINSTATEMENT FROM LEAVE OF ABSENCE (REGISTERED MEMBERS)
Susanne Marie McElroy, RPF

REINSTATEMENT FROM LEAVE OF ABSENCE (ENROLLED MEMBERS)
Jesse Daniel Grigg, FIT

The following people are not entitled to practice professional forestry in BC:

RESIGNATIONS (REGISTERED MEMBERS)
Rudolphus B. Wortelboer

REMOVAL OVER ENROLMENT - FP
Jeffrey Harold Maas, RFT*

* Entitled to practise as an RFT

Occupational Health and Safety

By Carole Savage, RPF

There is a public expectation that BC forest professionals have current knowledge of the laws, regulations, and policies that apply to industries working in the forest; however, sometimes it's hard to know where to find that information. Below are some key resources to help you understand what's required when it comes to occupational health and safety (OHS) in BC.

- The *Occupational Health and Safety Regulation* is based on the *Workers Compensation Act* and outlines the legal OHS requirements for all workplaces.
- The *Prevention Manual* contains OHS policies, as set out by WorkSafeBC's Board of Directors.
- OHS guidelines help with applying and interpreting the regulation.

Depending on your specific area of work and its operations, it's important to note there may be other provincial or federal regulations you'll need to follow. For example, some helicopter work falls under Transport Canada's jurisdiction.

There have been a number of changes to the Act over the past year. Some of these include:

- changes to employer incident investigations and reporting,
- a new 45-day timeline for employers to request review of prevention decisions,
- expanded role of joint occupational health and safety committees, and
- additional tools from WorkSafeBC to help administer occupational health and safety in BC.

To stay informed about future regulation changes, subscribe to the WorkSafeBC monthly e-newsletter. You will receive updates on the latest changes to the regulation, guidelines, and policies, as well as information on new resources and upcoming events. Visit worksafebc.com to find out more.

UNDRIP continued from page **11**

contrary, under UNDRIP, "Indigenous Peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired" (Article 26) and they "have the right to participate in decision-making in matters which would affect their rights…as well as to maintain and develop their own indigenous decision-making institutions" (Article 18).

Under UNDRIP, it is for the First Nations to set the terms of engagement for their traditional resources, not the provincial government. The First Nations would issue the harvest licences for fish and forest and mines, and negotiate from a position of legal and moral strength the terms of access and benefit sharing with the government and the holders of natural resources licences.

Reconciliation in Practice

The morally correct answer is not the politically feasible response, as Minister Wilson-Raybould acknowledged. Thus the engagement[13] between FLNRO and the Tsilhqot'in Nation to find equitable ways forward without resorting to the law courts is promising, and might be a pilot for other Aboriginal Peoples. If or when UNDRIP requirements are absorbed into both Aboriginal and provincial laws and procedures, the current legal obligations on the province to consult and accommodate Aboriginal and treaty rights will need to be reframed so that the Aboriginal rights are primary and those of the province are secondary. This rebalancing of the scales of justice should also be done in the context of a rethink about the meaning of government-to-government negotiations, when there is a massive inequality between the capacities of the province and of a First Nation. It is neither possible nor desirable for a First Nation government to attempt to replicate the provincial government machine. The kinds of sharing outlined in the 27 agreements under the Great Bear Rainforest umbrella[14] may also be pilots for what is possible and acceptable to the main parties.

As Scottish lawyers say with enthusiasm about long and complex cases, this is a "dripping roast."

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Great Bear continued from page **12**

legislation, what does this mean for forest professionals working in the Great Bear Rainforest?

In the short term, we will definitely need to understand the new legislation, learn how to apply it, and how to explain it to the public and employers. Forest stewardship plans need to be amended, reviewed, and approved for most licences (some exempted) in the GBR by July 28, 2016 to harvest under the LUO.

Over the next five years, we will need to complete landscape reserve designs for approximately 80 landscape units, where harvesting is planned to take place. Throughout this process, forest professionals will need to monitor and adapt as learnings unfold.

While some may see this new legislation as crossing the finish line, forest professionals will likely view it as the beginning of a unique experience in a unique area; the next stage of an epic journey. While we don't know all the challenges that may lie ahead, we do know with certainty there is a future for sustainable forestry in the Great Bear Rainforest.

Future Forests continued from page **19**

looking planning, and management unit specific fibre sustainability metrics. The CFLT also toured parts of the Discovery Islands to discuss how science and fibre sustainability metrics fit within social and economic realities.

The following morning, the CLFT met with community leaders from the North Island to have an informal discussion on the recent Union of British Columbia Municipalities (UBCM) Forest Policy Survey and on how forest companies and the province can better engage with communities on the topic of forestry and resource management.

The Chief Forester Leadership Team discussions provide a starting point for developing specific measures to help guide sustainable forest management. These measures will be reasonable and implementable within the context of the current and future economic situation and consider BC's societal goals and objectives for long-term supply of economic fibre and environment health.

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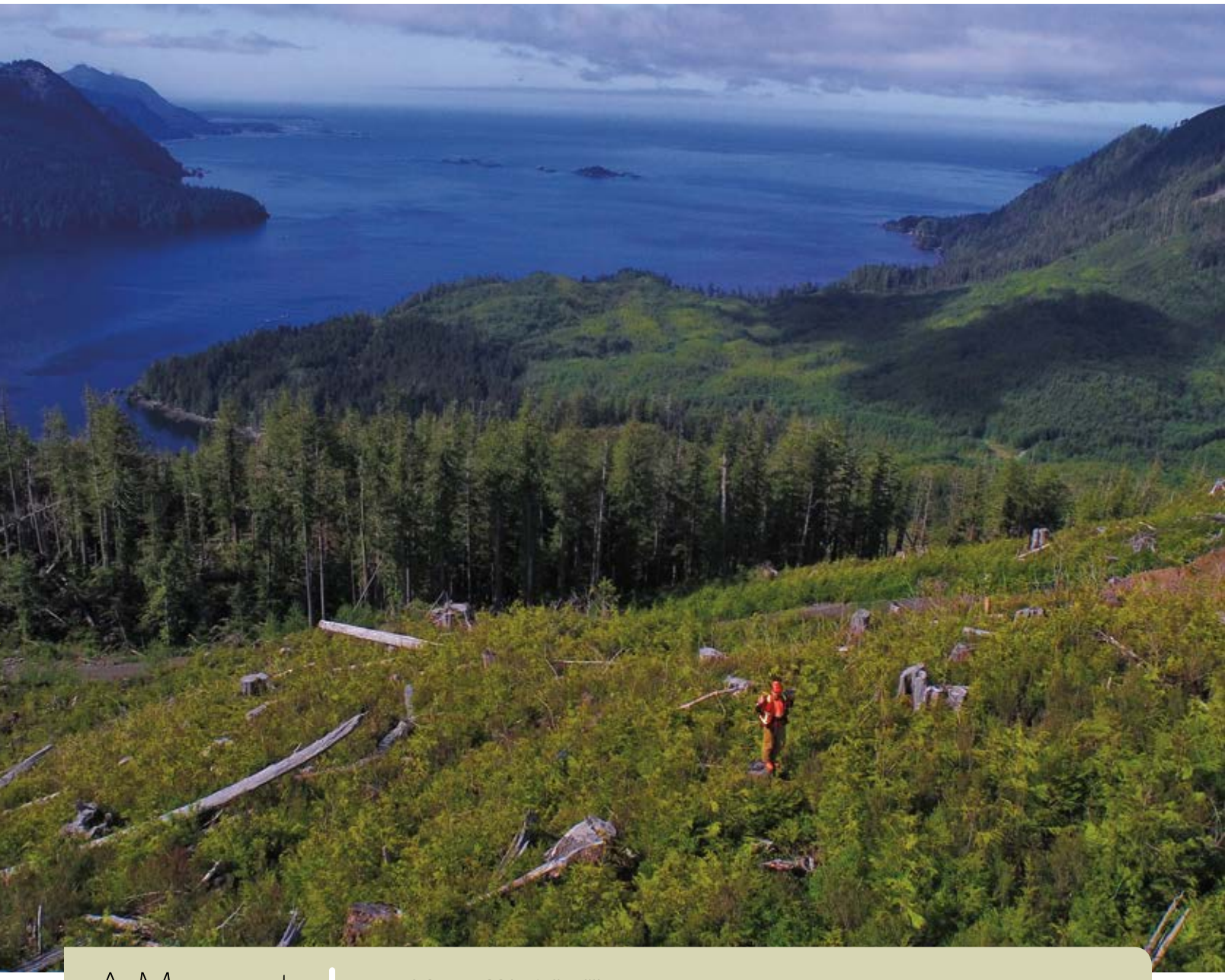

A Moment in **Forestry**

Top of the World *by Colin Filliter, RPF*

Kyle Leblanc swings a free growing plot on the west coast of Vancouver Island, while an aerial drone collects data and high resolution imagery from above.

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