

# Crown Land in British Columbia 94% of B.C. remains public 'Crown' land. Of the 94%, 2% is fresh water; of the 6%, ~1% is federal crown land & ~5% is privately owned. By retaining the land base in public ownership, the Province 150 years ago kept open its options to enable other public purposes concomitant with timber production. Part and bit 2012 December and the land and a land a land

#### Forest Tenures?

- ❖ Most forestland 'owned' by public.
- ❖ Almost all logging & processing equipment & mills are privately owned.

Tenures are certain property rights to public timber, transferred by Provincial government to private sector through legislation, regulation, contracts or policy.

#### BC has very complex tenure system

#### Area based Tenures

20 million m<sup>3</sup> (30%) exclusive rights to area's

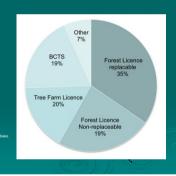
- > Tree Farm Licences
- > Timber Licences
- Community Forest Agreements
- > First Nation Woodland Licences

#### **Volume based Tenures**

65 million m<sup>3</sup> (70%) share area with others

- > Forest Licences
- > Timber Sale Licences
- > Pulpwood Agreements
- > various Licences-to-Cut
- > Free Use Permits

#### Allowable Annual Cut (AAC) by Tenure -2012



#### **Evolution of Forest Tenure Policy**

- > Early to mid-20th Century focus on stimulating economic development. Timber rights offered in exchange for building wood processing facilities and creating employment.
- 1980s multiple use emphasis, sustained timber harvest (≠ sustainable), more responsibility on licensees (deregulation).
- 1990s-2000s short-lived regulation (Forest Practices Code) then more deregulation

#### **Evolution of Forest Tenure** Policy

#### **More Recently**

- > Development of tenures to support the bioenergy industry
- Area-based tenures to provide First Nations with forest-based economic opportunities and employment
- More local control of some forest resources (community forest agreements)

#### AACs & Timber Supply



1980 cutblocks near Nadina Lake

AAC - allowable annual cut rate at which timber is made available for harvesting "in response to social, economic, & environmental considerations.

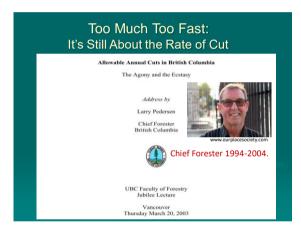
#### Timber Supply

- Availability of timber over time; the potential flow of logs out of the forest.
- "the amount of timber ... forecast to be available for harvesting over a specified time and under a particular management regime."

#### My View of BC Forest Management Historic pattern of events: Company establishes processing facility (sawmill or pulpmill), its size based on anticipated markets, persuadability of investors, and a 15- to 20-year determines volume of wood required to run the mill, and area of forest land acquires licences to the trees-Crown asset (common property) Regulatory agency (provincial Ministry of Forests) determines AAC required to keep all mills in a given 'timber supply area' running species (mostly animals), and begins to study the ecology of the forest treats welfare of those other species and of non-timber forest values as does some arm-waving about sustainability, integrated use, biodiversity, ecosystem management, social contract

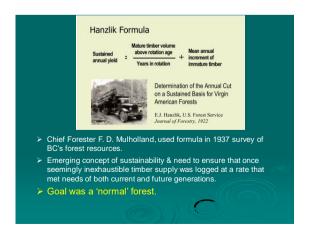
#### Collective BC Forestry **Mythology**

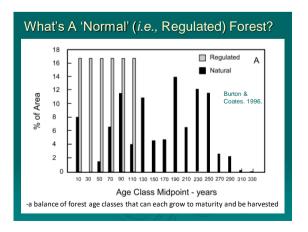
- Cut the decadent old forests down and replace them with thrifty young plantations.
- Compared to primary wild forests, managed forests will yield a lot more wood—quickly.
- . The 'allowable cut effect' is valid.
- Maximum sustained yield works.
- Forest management on private land is better than management on public land.



#### 1912-1947 Unregulated Forest **Industry Expansion** Logging rates and utilisation standards not regulated; reforestation not funded Coast: portable camps & itinerant loggers tracked (very effectively) the best, most accessible wood Interior: lots of small bush mills & small sawmill towns Two issues faced government 1) Industry demanded more secure timber supply 2) Foresters worried about pattern of harvesting (including high-grading) and inadequate

reforestation





#### 1945 Sloan Royal Commission

Hon. Gordon Sloan, BC Chief Justice. 1945.

Report of the

Commissioner

Relating to the

of British

Columbia.

Forest Resources



#### Origins of sustained yield in BC

"...a perpetual yield of wood of commercially usable quality from regional areas in yearly or periodic quantities of equal or increasing volume"

#### Anticipating increased yields

'Silviculture can, and will, increase the yield and the optimal yield would result from an intensive use of the productive capacity of an area.'

Note invocation of the concepts of long-term even flow of timber; increasing yields; benefits of intensive mgmt; maximum sustained yield. Reflecting belief system that seemed plausible in 1945 but is now recognised as obsolete and unrealistic.

#### 1945 Sloan Royal Commission

#### Recommendations:

- Increase fire protection
- · Increase rate of planting
- · Regulation of logging methods
- Management plans for regional working circles
- Funds and facilities for research
- A Faculty of Forestry at UBC
- Statutory recognition of profession of forestry

#### 1947-1979 Sustained Yield Forestry

- Two major types of sustained yield mgmt unit created: forest mgmt licenses (FMLs) and public working circles
- FMLs designed to combine Crown granted land, old temporary tenures, & Crown land under a single working plan; many required a manufacturing facility
  - 1956: FMLs became tree farm licenses (TFLs) with 21-year renewable terms.
  - "During the years following the establishment of FMLs, the procedures for granting and administering them fell into disrepute and, ultimately, oriminal proceedings found the Minister of Forests guilty of accepting bribes in exchange for granting licenses." (Haley 2005)
  - These and other factors led to another Royal Commission, in 1995.

#### Social Credit cabinet, 1952



Minister of Forests, Robert "Honest Bob" Sommers, convicted 1958. Thrown under the logging truck but he wasn't the only one involved, & companies with ill-gotten licenses kept them. Ray Williston succeeded Sommers as Minister, serving 1956-1972.

#### 1947-1979 (cont'd)

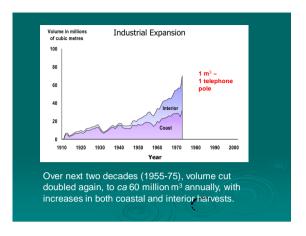
- public working circles >> public sustained yield units (PSYUs)
- > timber disposal supposed to be short-term, competitive sales
- by mid-1950s informal quota system had developed, allowing established operators to acquire a proportion of the AAC
- > regulations favoured quota holders in bidding process
- quotas transferable; timber rights increasingly concentrated with a few larger companies
- Gov't: justifiable to increase industry stability & attract investment
- ... "entrepeneurship stifled & competitive efficiency of the market place was eliminated" (Haley 2005)
- > 1958 Deputy Minister/Chief Forester position separated

#### 1955 – 2d Sloan Commission

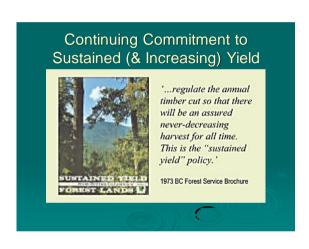
'There is a moral obligation on this generation to leave the forests in a productive state, ... not merely that they have been reforested after logging, but that the growing stock is capable of sustaining an annual yield of commercial quality.'

- Timber cut doubled in decade after 1945 Sloan Commission; increase mostly from interior (then primarily as railway ties).
- Rapid increase helped prompt 2d Royal Commission in 1955, again lead by Sloan.
- Many of current TFLs also awarded during this time.



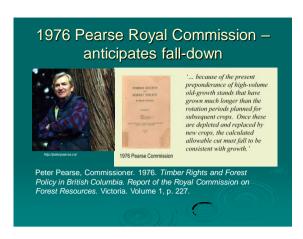


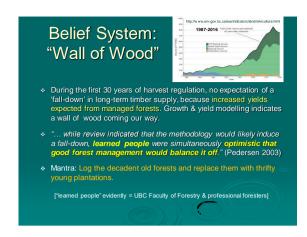
# Industrial Expansion 1955-1975 > 1966: industry shifted from using only large diameter trees to 'close utilization', as smaller & smaller pieces became economical to harvest > species like lodgepole pine & western hemlock became merchantable (previously 'weeds') > big increases to overall provincial AAC, >> high of almost 85 million m³ in 1975 > many sawmills & pulp mills built throughout province; 100s of (mostly interior) 'bush mills' replaced with sophisticated industrial complexes



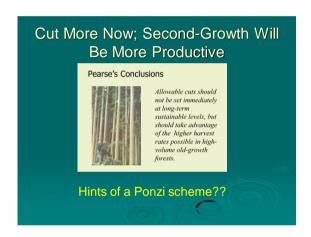
# Another Royal Commission - early 1970s – Increasing Concerns: sustainability, non-timber forest values; industry structure. - 1976: Pearse Royal Commission - Big forest companies argued for status quo but with more secure tenure. - Independent loggers, contractors & manufacturers wanted more timber supply available on open market: more opportunity for ridividuals, coops, small firms & communities to manage Crown forests for logs and other forest products. - Pearse's particular concerns - lack of competition for Crown timber & its implications - increasing corporate concentration & control of public forest lands - little opportunity for new firms to enter the industry - industrial inefficiency - concerns never fully addressed (Habey 2005)

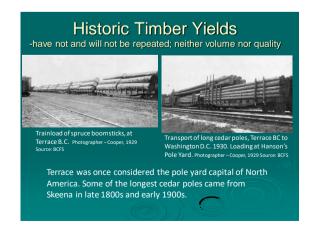












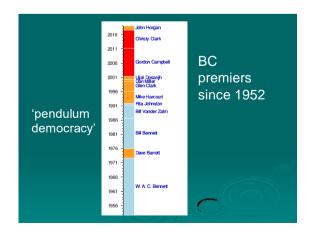


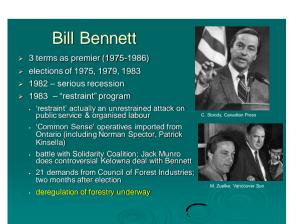


# A New Policy Framework • 1979 - New Ministry of Forests Act and Forest Act • MOF objectives expanded to include resource values other than timber • multiple-use planning process established • new process for determining allowable annual cuts > Hanzlik formula gone. AACs now determined by chief forester after considering wide range of information. > By 1980, Chief Forester Bill Young had adjusted AACs to level of commitments in existing licences; total provincial AAC down from high of 85 million to 68 million m<sup>3</sup>.

# 1980 BCFS Reorganization 1980 Forest Service reorganized from Forest Districts and Ranger Districts to Forest Regions and Forest Districts Deputy Minister Divisons – Assist. Deputy Ministers, Chief Forester Headquarter Branches - Directors Forest Regions – Regional Manager Forest Districts – District Manager







#### Industry Recommendations/Demands

- > reduce Forest Service staff, esp. Headquarters
- > privatise timber cruising, scaling, & nurseries
- prof. reliance; trust docs signed & sealed by RPF
- > give companies full harvesting benefits from intensive forest mgmt (allowable cut effect)
- convert volume-based to area-based tenures (i.e., more TFLs)
- decentralise research: more applied R & Extension
- > help us find new pesticides & herbicides

#### Demand 21 – privatise the fleet

Related to a later demand: transfer coastal districts from Pr. Rupert to Vancouver Region (happened to Mid-Coast & QCI districts).



Prince Rupert BCFS

Tom Waterland was a mining engineer, but you don't necessarily have to know much about forestry to be Minister of Forests. Some ministers did and some were ideologues; many were +/- talking heads. It's the upper level bureaucrats who really run things; i.e., the deputy minister and assistant deputy ministers.

#### éminence grise

Mike Apsey was a particularly influential Deputy Minister of Forests during the Bennett Socred reign of 1975-1986. Then he went to work for Council of Forest Industries, as CEO for 14 years.





#### 1982-1984

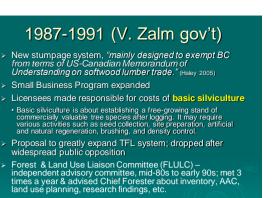
- > economic recession
- > Province responds with relaxed harvesting & management standards aka sympathetic administration – so companies could reduce costs and increase revenues.
- Such sympathy, once discovered. backfired; proved controversial, contributed to increasing public scepticism about forest policy.

#### Reforestation

- > 1979 Ministry of Forests Act required MOF to manage, protect, conserve the forest resources of the Crown. Forest Act obliged licensees to establish a crop of commercially valuable species of timber on the area harvested. Reforestation funding largely by government.
- > 1984 MOF created Basic Silviculture Stocking Standards Policy & Basic Silviculture Monitoring Performance Policy to ensure Crown forest land had a suitable crop of trees growing after logging.
- basic silviculture establish a free-growing stand after logging.

#### 1985

- > Rapidly increasing NSR (not-satisfactorilyrestocked) land in forests became a crisis.
- >> Joint provincial federal \$300 million funding plan, the Forest Resource Development Agreement (FRDA), which re-stocked many thousands of hectares.
- Many people working in the bush, mostly doing some form of silviculture.





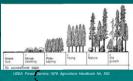
#### Free Growing Requirement

- "A free growing stand ... is a stand of healthy trees of a commercially valuable species, the growth of which is not impeded by competition from plants, shrubs, or other trees. ... introduced to ensure that once adequate stocking and survival had been attained, productivity would be maintained."
- > Time requirement within 8-14 years, for example.
- When juvenile forests on public land reach 'free-growing' status, licensee relieved of responsibility to look after the trees; responsibility returns to the Province.

## Unintended Consequences / Perverse Outcomes

Strong incentive for licensees to:

- > overplant tree species that grow fast (e.g., lodgepole pine in Interior)
  - such r-selected species typically high risk silviculturally; more susceptible (than slower-growing species) to damage agents of young stands
- fast-track early stages of succession; "brushing & weeding" (including with herbicides) even if not necessary



#### Intensive Silviculture

- > Planting genetically improved seedlings
- > Juvenile spacing
- Commercial thinning
- > Pruning
- > Fertilisation
- Can bring 2d-growth stands into the timber harvesting rotation more quickly.

But everything has to work, in practice not in theory or models.

## Gains From Intensive Silviculture?

1980: Chief Forester Bill Young at Canadian Forest Congress expressed concerns with "intensive forestry dream"

- > massive funding required
- > potential vastly overstated
- other demands on forest landbase exerting downward pressures on timber supply
- unrealistic to expect that intensive silviculture would ameliorate falldown

Lois Dellert. 2009.



#### Gains From Intensive Silviculture?

- 1980s: MacMillan Bloedel committed to an intensive silviculture program with an estimated increase in yield of 300,000 m<sup>3</sup>
- > 1991: program dropped in their Mgmt & Working Plan because it was "found to be not currently practical or economic" (Dellert 2009)
- 2000: Reid Carter, industry analyst at National Bank Financial (and former forest ecologist) says enhanced silviculture not worth the investment.

#### Intensive Silviculture ... The Grand Illusion

FORUM Sept-Oct 2012 (Assoc. BC Professional Foresters magazine)



- Long time span between investment & return. in prevailing context of uncertainty & change.
- Most intensive treatments do not generate extra volume; they concentrate growth on selected trees, thus reducing total stand
- So you need increased product value or earlier return (quicker to reach piece size) to compensate for volume loss.

#### Grand Illusion (cont'd)

- Spacing can increase tree size, but decreases stand volume & wood quality.

  commercial thinning can capture some of the volume otherwise lost

  - quality factors include bigger branches & knots (pruning can counteract), wider growth rings, increased proportion juvenile wood
- Fertilisation can (on suitable sites) increase volume yield.
  - often requires several applications
     expensive
- Negative effects of insects and diseases can be magnified by intensive treatments (create big juicy targets).
- General conclusion: treatment costs high enough to "result in a negative financial return" on most sites.

#### Stand Performance to Rotation Age

- Scant meaningful monitoring—licensees or Province.
- > Failure to track actual growth of regenerated stands beyond free-growing a major problem.
- "Stocking standards and reforestation practices are predicated on assumptions about how regenerated stands will grow in the future."
- "... currently ... no requirements for MOFR or licensees to check & record the growth & development of regen, stands after free growing."

McWilliams & McWilliams. 2009.

#### Challenge to Forest Productivity Dogma

- > III-advised reliance on G&Y models rather than rotation length stand monitoring.
- Stable predictable growth assumed after free-growing (10–15 yrs); little risk of loss to dominant crop trees.
- BUT: 'damage agents' target dominant trees in older plantations; natural ingress not filling voids
- Conclusions:

  - plant more trees & greater variety of species, to compensate for losses
  - revise G&Y models to account for damage agents and climate change



#### 1989-91: A.L. (Sandy) Peel, Forest Resources Commission. The Future of Our Forests

- > Recommendations:
  - Introduction of comprehensive land use planning with full public engagement
  - Creation of a new agency responsible for the land use planning process
  - Movement to more area-based tenures to enable improved resource stewardship
  - Complete inventories for all renewable forest resource
  - A single all-encompassing code of forest practice be

### 1992-2001 NDP: Integrated Resource Mgmt Towards Sustainability(??)

- > 1992: Timber Supply Review (TSR) process initiated
- 1992-96: Commission on Resources & Environment (CORE)—Stephen Owen, Commissioner
  - regional land use plans (Van I, Cariboo-Chilcotin, W Kootenay-Boundary, E Kootenay)
- · not completed; political backlash
- 1995: Land Use Coordination Office (LUCO); subregional Land & Resource Mgmt Plans (LRMPs)
- Dunsmuir Agreement multisector processes unfolded around this time. 1988 & 1991 processes helped enable changes to forestry, land use planning, environment, etc. that Harcourt's NDP brought in. 1996 version was key to CORE and LUCO.

#### Back to Timber Supply Analysis

1991 – review of BC process (Darryl Errico & Larry Pedersen)

- · analyses not keeping pace w. changing IRM practices
- non-timber values not fully accounted for in AACs
- · data analysis methods needed revision

#### 1992 - Forest Amendment Act

 required new AAC determinations for all TSAs (currently 38) & TFLs (33) by 1995, with subsequent determinations on a 5-year (later 10-yr) cycle

#### "Non-timber" Forest Values

#### pre-1975

 assumption: most (all) forest land available for logging; timber supply calculated over one rotation only

"all sites, all types, all species") >> AACs too high

example: TFL 1 once included upper Nass-Skeena drainages, which contributed to inflated AAC; consequently, southern ½ of TFL hoovered in 60s & 70s

#### post-1975; plus TSR & Forest Practices Code

- protected areas, biodiversity, riparian, wildlife habitats, changing practices factored into AACs (but with ceilings)
- reduced timber harvesting land-base; some mature timber no longe available for logging
- non-timber forest values; framed as constraints on timber production, not management goals

## Actual Cut vs AAC Enterior Reporting BC How Does the Actual Timber Harvest Congress with the Allowable Annual Cut? The Congress of the Congr

"Each year, an average of about **193,000 ha** of BC forest is logged, amounting to roughly 75 million cubic metres of timber. About 70% of the harvest comes from B.C.'s interior, and the remainder from coastal areas."

#### An Old Growth Strategy for British Columbia



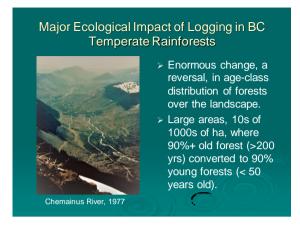
- Started around 1989.
- Largely a planning exercise; lots of talk & meetings.
- Enabled short-term deferrals (from logging) of selected OG areas.

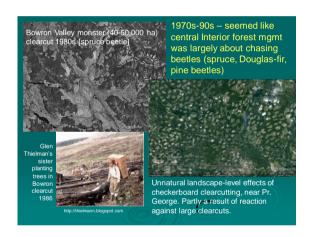


Eventually >>Protected Areas Strategy & Old-growth Mgmt Areas (OGMAs; homeopathic mgmt for OG features).

## This kind mostly gone from BC; will not return. By Fals River near Prince Raper A insubury

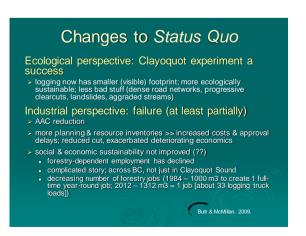












#### Land and Resource Management Plans (LRMPs) - mid-90s to present

- 1995 Kamloops first; Kispiox, Vanderhoof, Ft St John, Ft Nelson also early ones; most interior districts by 2001
- C-N Coast/Great Bear 2006, Morice 2007, Haida Gwaii LUP 2007, Atlin-Taku LUP 2011
- focus on forestry; mining & energy not so much
- often not in active collaboration with First Nations
- > climate change not addressed
- most now need updating

#### Five major constraints:

- 2) 10% limit on provincial total of 'biodiversity emphasis areas'

- 5) AAC determination removed from discussion





#### 1992-2001 NDP (cont'd)

- > 1993: Protected Areas Strategy: part of overall land use planning process
- Preceded by Old-Growth Strategy + Parks & Wilderness for the 90s
- Original goal: boost protection from 6% to 12% by year 2000
- 2018: more than 1000 protected areas, covering over 14 million ha, 14.4% of the province
- Close to 8 million ha of forest now protected, 14%+ of BC's forests

#### 1994 – Forest Renewal Act

- ➤ Forest Renewal B.C. Crown corporation
- Objectives:
  - enhanced silviculture
  - relocation/retraining of displaced forest industry
  - forest-dependent community development
  - ecological restoration
  - · value-added manufacturing of wood products
- Dedicated revenue from increased stumpage to

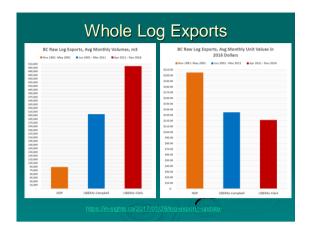
#### 1994-96 - Forest Practices Code

- goals: achieve sustainability, conserve biodiversity, promote multiple forest products
- comprehensive code of practice prescriptive: forest practices & standards (+ penalties for non-compliance) imposed on tenure holders

- detailed planning & monitoring procedures hierarchical pre-harvest operational planning system
- clear legal foundation with explicit penalties for non-compliance
- non-compliance made forest operators responsible for damage established administrative penalties to deal with non-compliance Forest Development Plans need joint approval by Ministry of Forests & Ministry of Environment
- independent. Forest Practices Board to audit practices & investigate public complaints (lasting legacy)







#### Government Dereliction of Duty

- > 1998 present
- increasing concerns about NSR (inadequate reforestation)
  - wildfires, beetle kill (not just MPB; also spruce, D-fir, balsam bark beetles), diseases
  - · all exacerbated by climate change
- reduction of staff in natural resource ministries (and in forest companies)
- > inadequate inventory & monitoring
- 2012 Auditor General report critical of gov't stewardship of forests

# FORUM July-August 2005 (Assoc. BC Professional Foresters magazine) "In British Columbia, we have resorted to short-term, minimum-cost tactics at the expense of a visionary, committed strategy that can sustain our environment and natural resources, our communities, and local and provincial economies. I question the future we are creating for long-term environmental, social and economic sustainability." Jane Perry Jane Perry, RPF; former president of ABCPF, at her loom in the Cariboo

## 1999 – COFI's Disaster Plan for Forest Industry

lichael Billups

- BC government launched Forest Action Plan; cut costs & improve cash flow for forest companies
- some estimates of savings to industry as high as \$5 per m³ of wood
- 'stumpage' rate per m³ paid for logs from Crown forests
- > widespread minimum stumpage: \$0.25/m3
- for period Q1 1998 to Q2 2000, about 30% of all wood logged in interior BC went for minimum stumpage (ca US \$10 per truckload of logs); in Kalum District 90% of stumpage paid was at minimum rate

  Anderson & Werring, 2001.

## 2002 – 2017: Empire Strikes Back > 2001: Gordon Campbell Liberals elected >> impose 'new reality' > forest industry in decline, esp. on Coast • 27 mills had closed since 1997, taking 13,000 jobs with them; government revenues had dropped by \$600 million; industry making much less profit in BC than in other provinces

- gov't resource ministries reorganised, centralised, ultimately (2011)
   beputy uber-Ministry FLNRO

  Ministers
- public service purged
- Forest Renewal Act repealed so that revenue that formerly flowed directly to FRBC now went to general revenue. FRBC replaced with Forest Investment Account



Don Wright 2001-03 Doug Konkin 1997-2001 Weldwood 2003-09 consulting 2008-13 Pres. BCIT 2014-17 CEO Central 1 Credit Linio

### Forest & Range Practices Act (FRPA) – 2002 (passed) – 2004 (implemented)

- > original FPC watered-down, essentially repealed
- deregulation carried the day, after heavy industry lobbying
- "... establish a workable, results-based Code, with tough penalties for non-compliance." (Premier Campbell)
- FRPA operational planning, forest practices, protection, compliance, enforcement, monitoring—supported by several regulations.
- less prescriptive; professional reliance. Many previous Code provisions moved into non-legal realm; reliance on judgment of resource professionals to achieve required results.
- no mention of sustainability
- removed legal obligation for Crown to replant areas denuded by natural disturbances; also removed statutory requirement for Ministry to conduct & maintain a forest inventory.

#### 2003 - Forestry Revitalization Plan

#### Changes included:

- > licensees >20,000 m³ AAC in long-term replaceable licenses must return 20% of it to Crown, for redistribution to FNs, woodlot & community forest programs, and competitive auctions
- > new stumpage system (to some extent, market-based)
- small business forest enterprise program became BC Timber Sales
- > appurtenancy disappeared
- > no more punishing companies for closing mills by taking back some of their timber license
- mills allowed to subdivide their timber supply area, trading or selling sections that weren't as profitable

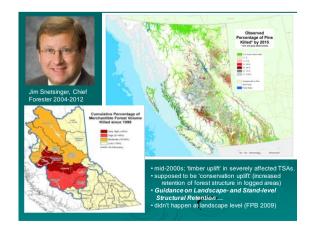
#### Stumpage

- > 2008/09 recession; BC lowers stumpage fees again, for trees cut on Coast
- > 2009 average rate in coastal region less than \$5/m³, about 70% lower than \$18.56 charged in 2008 [as of March 2018 was \$5-\$12]
- Premier Campbell: reduction in coastal stumpage fee will not constitute an illegal subsidy under Softwood Lumber Agreement

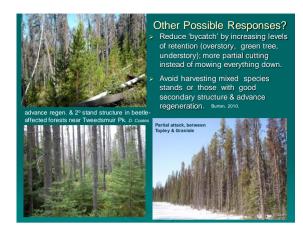
### 2008. Taking Nature's Pulse: The Status of Biodiversity in British Columbia

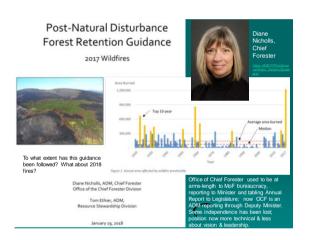
- Produced by group of scientists and biologists in partnership with prov. government. Contained background reports, atlases, etc. A comprehensive, science-based assessment of the condition of biodiversity in BC at that time.
- But government uncomfortable with report and its implications, so didn't support the recommendations. Instead chose the Conservation Framework approach (sort of an accounting spreadsheet of biotic impoverishment).













#### Current Gov't Priorities/Concerns

- > Jobs; mill closures
- > Forest Sector Revitalisation (coast & interior)
- Professional Reliance
- Improve flawed FRPA & revamp inadequate Forest Stewardship Plans (FSPs.
- Forest Practices Board (2015): "... 10 years since FRPA was introduced ... [FSPs] have not improved over time. They do not meet the public's interest, are not adequate for their intended purpose and the Board questions whether they are the right tool for the job."
- > Wildfire Strategy (complicated multilevel planning & action)
- > Forest Carbon Strategy? (largely greenwash, in my opinion)
- Culture of deference in some gov't agencies. Restore District Manager authority over forest operations.

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