



Sunshine Coast
Conservation
Association

August 16, 2006

Brad Benson, Chair
Daniel Bouman, Executive Director
Sunshine Coast Conservation Association
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BC Timber Sales
Strait of Georgia Business Area
370 South Dogwood Sreet
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Attention: Bruce McKerricher, Timber Sales Manager
Rob Martin, Planning Officer
Bill Hughes, Planning Forester

Re: BCTS Forest Stewardship Plan for the Sunshine Coast Operating Area

Dears Sirs,

Thank you for the opportunity to review the BCTS SC Operating Area *Forest Stewardship Plan*. We have a number of concerns to bring to your attention.

In general, it is a major concern to us that BCTS has built its FSP entirely around the minimum necessary requirements of Section 5 of the *Forest and Range Practices Act*. The resulting plan is not about “stewardship” and doesn’t appear to be a “plan” at all. As well, BCTS has interpreted the minimum requirements of the orders and notices as if they represent the maximum measures allowable under FRPA. The SCCA does not consider this approach to be supportive of adequate conservation and management of the public’s resources. We also have a general concern about the lack of verifiable strategies and measurable results in this plan. Here are some specific concerns that relate to stewardship of wildlife resources.

The Wildlife Notice. This notice gives indicators of the amount, distribution and attributes of wildlife habitat, for various species, that must be protected for the survival of the species. There is no claim that these amounts are by themselves sufficient to ensure the survival of the species, neither is there any reference to these indicators as maximum allowable amounts. Clearly, BCTS is compelled by the notice but is not limited to the specified minimum measures of the notice.

In regard to the Marbled Murrelet, the amounts specified in the notice are clearly and unquestionably inadequate to protect the species from extirpation in the Sunshine Coast Forest District. The best currently available scientific information on the needs of the murrelet are reflected in the recommendations of the federal Marbled Murrelet Recovery Team (MMRT). There is also research that has been available for many years now showing conclusively that there is not enough suitable available nesting habitat in the non-contributing land base and in Old Growth Management Areas of this forest district to meet the minimum recommendations of the MMRT¹. Under this FSP, there are no FRPA related constraints recognized or strategies specified beyond the obligatory measures of the notice.

The Species-At-Risk Act. Under this federal statute, it is an offence to kill the Marbled Murrelet, disturb its residence or harass it in any way. These actions are also proscribed in the Migratory Birds Convention Act and the provincial Wildlife Act. As well, it is illegal to commit these acts accidentally, unless a federal permit has been issued to cover this possibility. This is the law in Canada and Canadians, including ourselves, rightfully expect BCTS to comply with the law. Does BCTS have such a permit? We submit that there is no legal justification for logging in Class I, II or III Marbled Murrelet nesting habitat at the present time. As well, we are concerned that if the authorities established under FRPA by the approval of this FSP are fully exercised, a breach of federal statute will be inevitable. A reasonable and ethical response to this situation would be a strategy to refrain from proposing development in suitable habitat over the term of the FSP.

Ethical Obligations. A fundamental aspect of the FRPA regulatory regime relates to “professional reliance” under the new Forester’s Act. In essence, the bylaws of the Association of BC Forest Professionals represent the commitments of each forester and the profession to serve the public interest in forestry through competence, ethical conduct, and high standards of professional practice. There is a clear commitment in these bylaws to practices that adequately manage and conserve wildlife resources. The bylaws of the ABCFP are now essentially part of the logging approval process. In regard to this FSP, there does not appear to be a commitment to professional reliance as all the results and strategies, are the minimums set in the Act or by the Minister through orders and notices. These minimums are insufficient to meet the ethical standards of stewardship required of the members of the ABCFP. For example; this FSP claims that because lands have been set aside for the Tailed Frog on Mount Elphinstone, no other strategies or stewardship measures are necessary anywhere else in BCTS’s operating area in this forest district. Are there any professional biologists that would argue that protection of one small parcel is sufficient to meet the long term needs of this species over a range of 2.5 million hectares? We are pleased that there is some land protected for the Tailed Frog, but the statement in this FSP (and several others) that this fact releases a licensee of any other stewardship obligations is absurd and not consistent with a professional’s obligation to practice stewardship in an informed manner.

¹ We are referring to the work of Manly, Jones, Cullin and others and also the Special Reports and Investigations of the Forest Practices Board. There is a wealth of information available to inform forest professionals about current circumstances and ecological needs of the Marbled Murrelet.

This FSP, though consistent with other FSPs we have reviewed from the Sunshine Coast Forest District, does not, by any measure, meet the expectations of the public for environmental stewardship and wildlife protection.

Please feel free to contact us further in regard to any issues of stewardship.

Sincerely,

Brad Benson,
Daniel Bouman,

Sunshine Coast Conservation Association

