

# Tenure Reform Through a Different Lens: Forest Stewardship Reform

Photo: Lloyd Davies, RPF

**THE 1909 FULTON COMMISSION RECOMMENDED** that BC's forests should be retained in Crown or public ownership and that a Forest Service should provide independent professional management. The intended outcome was sustainable forest dependent communities and a healthy forest industry.

The Fulton Commission noted a possible downside to government acting as trustee of BC's forests. Future government administrations might not put wise stewardship of the forests as their first priority. For many decades, government priorities have focused on private entitlements in the public forest. We are so immersed in this paradigm that discussions about change are conducted under the subject heading of tenure reform.

The appropriate subject heading for discussions about changes to forest management is found in Criterion 7 of the Montreal Process. Criterion 7 looks at the legal, institutional and economic framework to support sustainable forest management. The comprehensive set of indicators covers clarity of tenure, forest laws, enabling economic

policy, public involvement, research and development. The aim is to provide sustainable stewardship of forest ecosystems and good relationships between society and the forest.

We should conserve those features of the existing institutional framework that provide a strong foundation for sustainable forest management and change those features that compromise good stewardship. Our most beneficial institution in BC is our Crown or public forests. This gives us the ability to provide whole forest landscapes with sustainable forest management. This ability has been compromised by private entitlements and BC is on a path similar to historic land enclosures in Europe. Assurances that our forest land will be retained in Crown or public ownership, as entitlements are strengthened, are artifices along the route to enclosure.

To retain our public forests as the central institution for sustainable forest management, we need consider reforms that reduce private entitlements. The original concept of independent professional forest management has considerable merit.

Some innovative governance arrangements will be needed to protect a system of independent stewardship from politicians.

A devolved system of local forest trusts and a forest trust assembly is a potential solution.

The local forest trust would comprise a relatively large geographic area of one or more forest landscapes, of sufficient size to support economic forest operations and a forestry staff. It would have an elected board. The local forest trust would operate under trust documents developed from the Montreal Process definition of sustainable forest management. Local forest managers would be accountable to the local public and would manage the forest to generate timber, non-timber and nature-based economic activity. Other than woodlot stewardship agreements, the local forest trust will not be able to delegate major forest management responsibilities to forest companies. Timber will be sold in log form on the open market. The local forest trust is the arrangement to manage a local geographic forest management unit of sufficient size to provide a permanent forest management staff and eco-

conomic forest operations. The forest is entitled to good management and we should guard against fragmenting the forest under different management arrangements and entitlements. There may be more than one community or rural area in the vicinity of the local forest management unit. These can be represented on the board of the local forest trust under a ward arrangement.

The forest trust assembly would be governed by an equal number of elected delegates and professional delegates from local forest trusts. The forest trust assembly would audit local forest trusts and provide collective services such as forest fire fighting and extension services. The forest trust assembly would act as a court of appeal for the public, the staff of local forest trusts and wood utilization companies. Any major changes proposed by the forest trust assembly would require the ratification of two-thirds of the local forest trusts.

These new institutions also provide a means of settling First Nations land claims.

First Nations could have self-governing local forest trusts with the supports of the forest trust assembly to help develop needed sustainable economic development. While First Nations are seeking private rights, the trust alternative re-establishes a traditional relationship between communities and the local forest landscape. The same will be true for other communities. This involvement is beneficial for sustainable forest management.

The open market arrangements for sale of logs will enable existing wood processing plants to continue operations while opening the doors to some new value added manufacturing. The open market will reduce the vulnerability of BC wood product exports to discriminatory taxes. Timber is likely to remain the major component in the forest economy, but independent professional management is more conducive to the development of non timber forest products and nature-based enterprises. Forest professionals will be

directly accountable to the public shareholders and this will reduce conflict and incidents of civil disobedience. The public shareholders will get a market price for their wood and local, accountable management.

There are major problems in our forests, dependent communities and industry that will remain after the present global economic downturn. The tenure system is at the root of many of these problems. Are we really going to solve these problems by staying on the tenure path? Local forest trusts and a forest trust assembly is an institutional framework much more suited to progress toward sustainable forest management as outlined in the Montreal Process. Our forests will be conveyed back to the public interest under local democratic free enterprise institutions. 🌱

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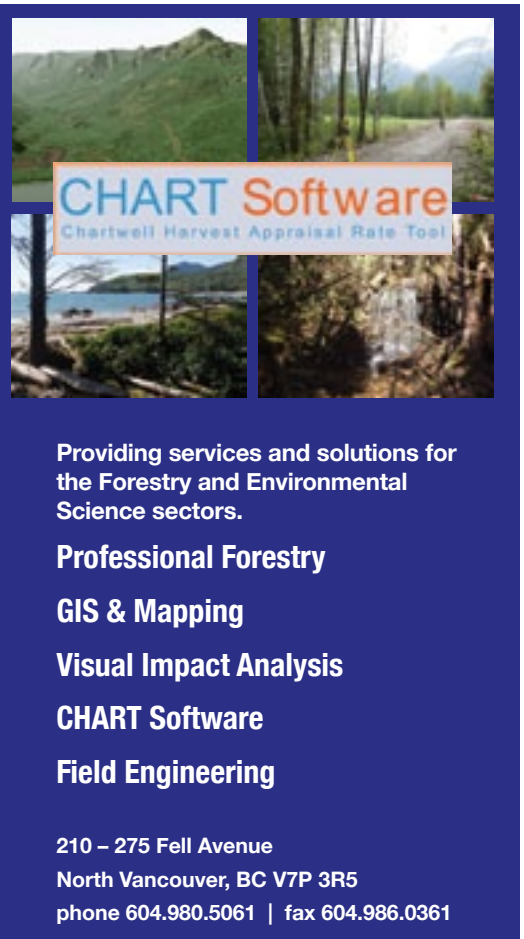


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