

THE WOODLAND ALMANAC

Winter 2006

a joint publication of



THE FEDERATION OF BC
WOODLOT ASSOCIATIONS

THE WOODLOT PRODUCT
DEVELOPMENT COUNCIL

AGM

Woodlot Survival: Sink or Swim in a Sea of Red

On September 28-30, 2006 the Nadina Woodlot Association hosted the 19th and 9th Annual General Meetings of the Federation of British Columbia Woodlot Associations and the Woodlot Product Development Council, respectively.

The Village of Burns Lake, which is located in the northwest section of the province of British Columbia and home to about 2000 residents, welcomed close to 200 visitors into their community.

And what a welcome it was! Fabulous home cooking, glorious fall weather, autumn colors, interesting field trips, informative speaker presentations, community sponsorship and hospitality that was second to none.

The theme of the meeting, "Woodlot Survival: Sink or Swim in a Sea of Red," was evident throughout the entire weekend.

From the red name tags to the beetle-killed pine trees that adorned the speakers' stage, one could not overlook the impact of the Mountain Pine Beetle (MPB).

To get to Burns Lake, most participants traveled by vehicle along Highway 16 corridor from Prince George.

Along that 250-kilometer stretch of the highway corridor, there are vast landscapes of beetle-killed

timber. Rusty red needles of dead pine contrasted sharply with the golden yellow and orange leaves of aspen and birch.

There are 240 woodlot licenses within a 150-kilometer radius of Burns Lake, and most have been significantly impacted by the pine beetles.

On the first day of the event, participants selected one of three field trips.

Tour One visited the Cheslatta Forest Products Mill on Ootsa Lake. The mill is a partnership between Carrier Forest Products, the Cheslatta Carrier Nation, and

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Publication #: 40035578

*Message from the President of the FBCWA***Changing policy: how hard can it be?***by Brent Petrick*

As we embarked on the admin streamlining trail over two years ago, our committee had stars in our eyes and thought “how hard can it be?”

Well, I will let you in on a little secret—the inner workings of forest policy in BC are a tangled web of policy, politics, law, market share, softwood lumber agreement impacts, and decision-making authority.

I know, I know, I am just stating the obvious, but for the average

woodlot licensee, this all blends together into a wall of bureaucratic push back. The common theme from my discussions at all levels of woodlot administration, and the single greatest hurdle we face to implement the WARRT principles effectively, is a disconnect between the policy makers and the operational decision makers.

Our woodlot Regulation is a prime example. The policy makers and lawyer for the MOFR worked with the Federation to develop a sound legal document to guide low-risk, low-impact operations on the

woodlot tenure. I believe that this regulation protects by providing standards for the management of crown resources, provides administrative flexibility and provides for administrative remedies for those who transgress the standard.

However, in many parts of the province (and this is spreading) implementation at the operational level (primarily the WLP) is being dragged down by a culture of con-

(Continued on page 8)*General Manager's report***2007 promises to be as busy as 2006***by Brian McNaughton*

The #1 topic on the mind of most woodlot licensees is tabular stumpage rates. It's tough to write about tab rates since much will have changed by the time this report is published. So here's hoping that by the time you read this report there will have been a good news announcement.

What I can tell you is Minister Coleman announcing he will decide tabular rates at the Annual General Meeting gave the whole exercise the swift kick in the _____ it needed.

Speaking of the AGM, Cliff Manning, the Nadina Woodlot Association, and the organizing committee did themselves proud. They hosted a well-planned and organized event that came off without a hitch.

The presentations and breakout sessions were excellent and left no doubt that life after beetles is going to be different than life before beetles; not just for woodlot licensees,

but for all those involved in the forest sector. The ecology and our forests are changing! So we, those who utilize the forests, are going to have to adapt. The message was clear – we can manage change or it can manage us.

And, I would be remiss if I didn't mention the AGM banquet and acknowledge the buffalo from Anne Davidson and halibut and salmon from Denise Fuller – which was DELICIOUS!

And yes, the fish was from Denise and not Miles. I heard from a very reliable source that Miles navigates and Denise catches fish!

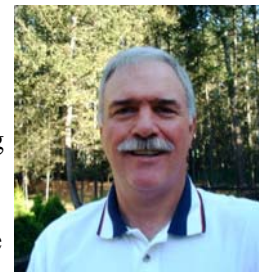
As I see it, 2007 promises to be as busy as 2006, but more beneficial to woodlot holders. The Federation's top three priorities in the coming months will be:

1. Transitioning to a new, simple and less costly timber pricing system (assuming an agreement on tabular rates can be reached);
2. Implementing WARRT recommendations, such as the shift to

one cutting permit. Woodlot holders are going to want to capitalize on the savings and efficiencies afforded by WARRT as soon as possible; and

3. Getting on with Woodlot Licence Plans and issues associated with implementation of the Woodlot Licence Planning and Practices Regulation, since about 500 WL forest development plans will be expiring on December 31, 2006!

Welcome and congratulations to Kathy Mayes and Cliff Manning, who were elected Federation Treasurer and Vice President, respectively! Kathy was re-elected, while Cliff is replacing Peter Kokoska, who decided to step down. My thanks to Peter for all his support, wisdom and encouragement!

(Continued on page 6)

Prime contractor role defined at meeting

Reprinted with permission from the Central Interior Logging Association (CILA)

Contractors and mill staff who attended a recent WorkSafe BC/ Forest Safety Council meeting in Prince George on the prime contractor issue got some much-needed clarity on how prime contractors are to be designated, and what their responsibilities are.

Key points from the discussion: Everyone -- from the owner or tenure-holder to the logging supervisor and employee or subcontractor -- has responsibilities for safety, and the safety conduit on a multi-employer work site is the prime contractor.

Only the owner or tenure-holder can designate a prime contractor, and that must be done via a written contract that defines four crucial points: work site area (which includes roads within it boundaries), duration of the job, contractor authority over everyone employed on the work site, and specific prime contractor responsibilities.

The owner/licensee must also verify the contractor's ability to function as a prime contractor, and his willingness to do it. ♦

(Continued from page 1)

the local community. The impetus for construction of the mill came from the need to utilize large volumes of beetle wood.

Tour Two viewed Canfor's Houston Sawmill, currently billed as the largest sawmill in the world. While there, the visitors learned that there is a surplus of smaller diameter logs, mostly beetle-killed pine, while the mill has a demand

“... even the strongest of swimmers needs a break sometimes to survive.”

for larger diameter logs that is not being met. From there the group visited Carl Szydlak, a woodlot licensee who is facing a dilemma on how to manage his woodlot that has 70,000m³ of beetle-attacked timber.

Tour Three took in the Omineca Ski Club and the Community Forest Trail System. Both are faced with challenges to maintain recreational

and economic values from the areas they manage as the MPB infestation continues unabated.

On the second day, panel discussions and speaker presentations focused around the “Sink or Swim in a Sea of Red” theme. Topics covered included silviculture, hydrology, financial management and legal issues as they relate to woodlots affected by MPB infestations.

On Saturday evening, the Minister of Forests and Range, the Honourable Rich Coleman spoke to a hungry crowd of 180 people all wanting to hear a favourable resolution to the timber pricing and administrative streamlining for woodlot licenses.

While an immediate answer to the future strategy for woodlot holders is not easily attainable, one thing is for certain.

With the positive attitude of the local woodlot holders and the strong community spirit, they will not sink. Yet even the strongest of swimmers needs a break sometimes to survive. ♦

Purpose of the Woodlot Product Development Council

The primary purpose of the WPDC is to ensure that levy fees are spent on woodlot licensee priorities that will benefit and promote the woodlot industry throughout BC.

Funds are collected through the powers granted to the Council under the *Farming and Fishing Industries Development Act*. ♦

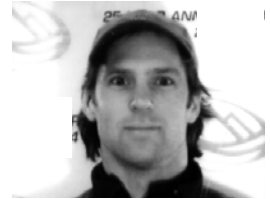


Please note:

The opinions expressed in the Almanac do not necessarily reflect those of the Federation, the Council, or their members.



Coastal timber pricing portfolio



by John Marlow

As all are aware, efforts to arrive at a tabular appraisal system for the Woodlot Licence program have been ongoing for the last six months. The Forest Minister spoke to this issue at the Federation AGM at the end of September in Burns Lake, where a tabular methodology was promised within two weeks. At the time of writing this article, we haven't yet settled on a tabular methodology, but we are close, particularly in the interior.

In addition to face-to-face discussions with the Minister and senior MOF staff at the AGM, many teleconferences have occurred over the last month in an attempt to arrive at a fair system for all. The percentage of major rates proposed for the interior (27%) seems to have acceptance in the Interior but, unfortunately, the same mathematics result in a 67% rate on the coast due to historic low major licensee rates (due to low log prices and the impacts of the Market Pricing System on old growth rates). This rate proposal would cause an increased stumpage rate for a majority of coastal licensees and has not received a favorable response from these licensees. We continue to work with government to arrive at a tabular appraisal system which is fair for all coastal licensees.

Coast Timber Pricing Advisory Committee (CTPAC) / MPS Technical Subcommittee

The Federation continues to participate on both these committees. Several policy changes are to be implemented soon and are relevant to licensees should we continue with MPS appraisals (as opposed to a tabular system).

Cut Bank Height Method: This is a new system for estimating road costs. This policy has been provided to CTPAC members as Coast

Appraisal Manual (CAM) Draft Amendment #15. This new system will change the way licensees collect road data. It is expected that this system will be in place in the new year.

Call Grade / Net Factoring (CGNF): This CGNF is a revised method of timber cruising. It is a requirement that any new timber cruises in 2007 collect both current 'Loss Factor' information and the new CGNF information. Loss Factor information will be used for appraisals, but all information is required so that a data set of CGNF information can be collected. Throughout 2007, MPS equations will be reviewed and modified to accommodate the new cruise data.

CAM Rewrite: The CAM is currently being rewritten with a proposed release date of February / March 2007. This release will coincide with the release of revised MPS equations (MPS 2), and also the implementation of a woodlot tabular appraisal system if appropriate.

Stump Removal: The MPS Technical Subcommittee has received all BCTS CPs where stump removal was included in the sale. These bid prices are being modeled to determine if this is a significant variable. Should this review not result in a statistically valid cost, the issue of stump removal will be considered as a specified operation. It is hoped that an allowance for stump removal will be included in the upcoming CAM.

Appraisal Forecasting

The tabular appraisal system may be in place once the new CAM is issued. As stated before, licensees with higher than average stumpage rates (>\$5.00) should consider waiting for this rate if operationally feasible. Conversely, where there are large development costs or lower

value timber it may be wise to apply for appraised permits soon where the rate should be low and then lock in that rate. The government has agreed that licensees with Road Amortization Agreements (RAAs) can continue to claim these costs with whatever appraisal system is in place with the new CAM.

Disclaimer: The following estimates are based on current available Vancouver log market sales ending in Sept, 2006, as well as future predicted log trends.

- The three-month average Fd log prices have remained relatively stable over the last quarter. Corresponding Fd stumpage rates will also remain stable for the next month or two. Fd prices typically increase in the spring, and Fd CP rates would be expected to increase in late winter / spring 2007.
- Cw prices have risen \$40.00 since this time last year and approximately \$6.00 over the last three-month term, with a resulting increase in stumpage rates. As higher Cw prices get into the system, further increases to Cw stumpage rates are expected.
- Hemlock prices (grade H, I, J) continue to be stable and are expected to continue in the near future. Due to the low value of Hw, rates are generally quite low subject to development costs.

If there are stumpage issues that should be discussed at the CTPAC meetings, or if clarification of issues is required, I can be reached at jmarlow@oberon.ark.com or at (250)285-2544 (Rockview Resources Limited). In addition, any comments regarding proposed tabular appraisal systems would be appreciated at any time. ♦

(Continued from page 3)

On another topic, what would you do with \$4 billion? Perhaps pay off bills, buy some new toys, take your family on a vacation, or maybe even retire?

It will be interesting to see what Canadian, and particularly the BC, forest companies do with the monies being returned by the United States under the terms of the softwood agreement.

The agreement has been touted as being good for BC. While it's obvious that receiving cheques for tens or hundreds of millions of dollars will benefit the companies, it's not quite as clear how the monies will directly benefit the rest of BC. Considering the majority of this money was made utilizing a publicly owned forest resource, one would hope most of it will stay in the province, be invested in forests and ecosystems, or be used to build businesses which will benefit BC in the short and long terms.

Hopefully, BC is a good place to invest and that is what happens!

Thinking a little further down the road, presumably the softwood agreement and return of the monies will help BC's forest companies become more globally competitive, and this will translate into higher log prices, increased logging and trucking rates, or more monies cycling in the economies of BC's rural communities.

It will be interesting to watch closely over the coming months and years to see how this deal transforms the industry and whether or not the changes are for the better!

Lastly and most importantly, best wishes to you and yours for a very Merry Christmas and a Happy New Year! ♦

Critical deadline getting closer If you fail to extend your CP, penalties may apply!

A critical deadline is approaching. Licensees will want to check the expiry date of their CPs, especially those issued before November 4, 2003.

When take or pay was introduced, the expiry date for many CPs issued before November 4, 2003, was set at March 31, 2007.

As this date approaches, woodlot licensees will need to either complete the harvest before that date or request the permit be extended.

The extension provisions are stated in *Policy 26 - Cutting Permit Extension and Surrender*, which can be found at www.for.gov.bc.ca/tasb/manuals/policy/resmngmt/rm8-26.htm.

For convenience, the relevant excerpt is noted at right, but it is strongly recommended licensees read the policy in its entirety.

Key points:

- **A licensee must apply for the extension and must do so no later than 30 days prior to the expiry date of the cutting permit!**
- **Failure to extend or complete harvest by March 31, 2007 will result in take or pay penalties applying!**
- **Licensees – BE AWARE of CPs issued prior to Nov. 4th, 2003 and with expiry dates beyond March 31, 2007. The expiry date for these permits is now March 31, 2007, regardless of what is written in your cutting permit document.** ♦

Excerpt from

Policy 26 - Cutting Permit Extension and Surrender

Cutting Permits Issued Prior to November 4, 2003

Extensions: Upon application, a cutting permit will be extended with a term that expires on or before March 31, 2007. This includes cutting permits that expired on or after November 4, 2003, but prior to bringing into force Section 58.2(2)(b) of the *Forest Act* as amended.

A cutting permit will be extended, in increments of up to two years at a time, beyond March 31, 2007, unless the District or Timber Sales Manager determines that such an extension could compromise the achievement of the forest management objectives for the management unit.

The holder must apply to the District or Timber Sales Manager in accordance with the terms and conditions of their agreement or in the absence of terms and conditions in an agreement, no later than 30 days prior to the expiry date of the cutting permit.





Setting the record straight: Clearing up some common misconceptions



by Ron Greschner, MOFR

First off I would like to congratulate the organizing committee for staging a wonderful AGM in Burns Lake.

It is at events such as this that I get to connect with individual licensees and talk to them about their woodlots.

Although I didn't manage to speak with all who were there, I did get to talk with a good cross-section of attendees.

It was during these informal discussions and at the Directors' meeting the following day, that I realised that there are some misconceptions out there concerning the current rules, which I feel require clarification as follows:

- **Minimum cut control:** There is **NO** minimum cut control. It used to be that you had to har-

vest 80% of your allowable cut in a 5-year period.

This is no longer true. However, there is no carry-forward of unharvested volumes (Sec 75.8 *Forest Act*)

- **Cutting Permit (CP) Extension:** CPs issued **prior** to November 4, 2003 can be extended (on application to the District Manager) past March 31, 2007 for up to two years **AND** can continue to be extended in up to two-year increments.

There is no fee for these extensions (Sec 58.2 *Forest Act*).

- **Forest Development Plan (FDP) expiry:** All woodlot FDPs expire on either Dec 31, 2006 **or** the expiry dated stated

in the FDP document whichever is **later** (Sec 199 *FRPA*).

However, any CPs that are issued **continue to be valid** even if the FDP expires. So you can continue to harvest under a valid CP even if your FDP is expired.

- **FDP amendments:** FDPs can **continue** to be amended until they expire (Sec 201 *FRPA*).
- **FDP extensions:** FDPs can **NOT** be extended.

I hope this sets the record straight on these issues. Please feel free to call me at 387-8955 if you have any questions. ♦

New woodlot DVD now available

by Lisa Marak

"Woodlots: A Gift to the Future" is the FBCWA/WPDC's newly released DVD promoting the woodlot license program in BC. Included with the DVD is a brochure which provides an overview of the program and how woodlots benefit our communities and promote excellence in forest management.

We have a large supply of DVDs for licensees to hand out when meeting with their MLA, mayor, regional district, or when attending educational forums, fairs, and trade shows, or just speaking with a group interested in learning more about small-scale forestry and BC's Woodlot License Program.

I would like to extend a special thanks to Fred Newhouse for all his work developing the DVD and Howie Griessel for getting this project off the ground.

For copies of the DVD, contact Cathy McClary, WPDC Coordinator, at 1-888-925-9995 or cjmclary@shaw.ca ♦

A Christmas card to all our readers

*To all woodlot licensees
and their families:*

*Best wishes for
a very merry
holiday season
and a
happy New Year!*



(Continued from page 3)

trol requiring regulation plus requirements in the areas of measurable and verifiable standards, unreliance on professional reliance, and ever-changing goal posts.

I can only believe that the people responsible for reviewing the plans think that they are doing the right thing, but I would contend that what is needed is to understand the framework of the Regulation and the objective that the Regulation is trying to achieve.

Without a change in the MoFR understanding and interpretation of the Regulation, we are facing a pending WARRT implementation nightmare as woodlot licensees strive for the streamlining benefits promised by the Minister.

The FBCWA has consistently spoke of additional training, guidelines from the policy makers, and an understanding of the bottleneck that current operational level philosophy is creating in the implementation of the Regulation.

I urge the policymakers and District Managers of the MoFR to heed this advice from the front lines; it may be the only way we can get with the plan. ♦

Questionnaire

reminder:

Your input is important

Woodlot licensees will be receiving the Year 2007 Woodlot Licensee Levy Questionnaire in early December. The responses from the questionnaire help identify the priorities that are used to establish the joint Federation/Council Annual work plan and budget.

Your input is important! In 2005/06 we had a 31.5% response rate, which is the highest ever! Let's hear from even more licensees this year! ♦

Due by January 19, 2007

AGM

Thank you to our AGM sponsors! Gold Sponsors

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Burns Lake Automotive Supply Ltd. (Stuart McFee)

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Stearns Logging

Village of Burns Lake

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Finning

Congratulations to the winners of the Forest Stewardship Awards!



A photo from the Forest Stewardship Awards ceremony at this year's AGM in Burns Lake. Left to right: Larry Coleborne, Clearwater; Marvin Strimbold accepting on behalf of the Omineca Ski Club, Burns Lake; and Tony Benskin, Quesnel. Missing: Darryll and Dawsha Hunt, Grand Forks.

Welcome to new directors

At the Annual General Meeting in Burns Lake, the Council and the Federation welcomed new directors to serve on both Executives.

The directors are all woodlot licensees who volunteer their time to work on your behalf.

Council's new directors include: Ainslie Jackman from Valemount, Mike Larock from Courtenay, Steven Wright from Telkwa and David Zirnheld from

Big Lake Ranch.

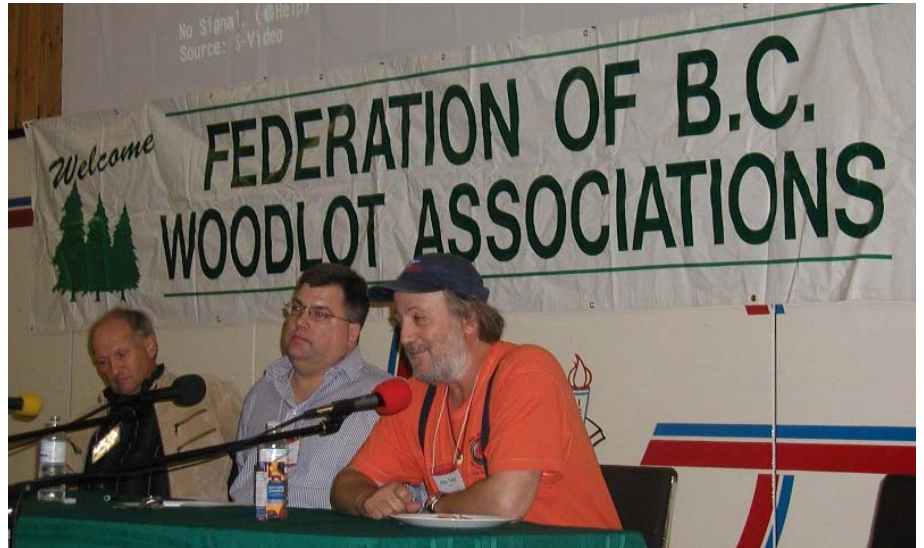
The Federation welcomes Cliff Manning from Burns Lake and returning Treasurer Kathy Mayes from Prince George.

Many thanks to the outgoing directors for their dedication and effort: Bas Delaney, Howie Griessel, Lee Foster and Harold Reedy from Council, and Peter Kokoska from the Federation. ♦



AGM

AGM Memories



All photos on these two pages by Anne Davidson unless otherwise indicated



Photo above: C. Wheatley



AGM

AGM Business Resolutions

Note: The resolutions below were presented to the general membership and voted on by delegates at the AGM on September 30, 2006.

The FBCWA Directors considered, reviewed and voted on the resolutions at a meeting on October 1, 2006. The outcome of both sessions appears below each resolution.

Resolution #1

WHEREAS:

- WLS will benefit from a low cost submission process for all EFM requirements;
- FIA funding is apparently not available to pay for translation software, provide basic digital maps or creating a joint FBCWA/MOF staff position; and
- Simplification of the EFM submissions is still required by the majority of WLS.
Be it resolved, the Executive gives consideration to:
- Funding for the above described positions and/or projects be requested from the WPDC; and
- Subject to approved funding from WPDC, make the requested services available to woodlot licensees ASAP.

Moved by: Brian Larson

Seconded by: Dean Daly

Membership: Passed

Executive: Passed unanimously.

Resolution #2

WHEREAS:

- The small business profile 2005 Annual Report shows a dramatic decrease in small business employment and a loss of small scale forestry businesses;
- There is a growing impact on

rural BC communities as a result of the BC Govt revitalization Plan and MOFR policies for forest management; and

- MOFR is committed to Revitalization Plan II.

Be it resolved, the Executive gives consideration to:

- Developing a dialogue with other small business groups and develop a joint lobbying group to put forward our mutual concerns.

Moved by: Mark Clark

Seconded by: Tim Brown

Membership: Passed

Executive: Passed unanimously.

Resolution #3

WHEREAS:

- There is an oversupply of beetle damaged timber in the interior;
- The combination of log over supply and increased corporate concentration have resulted in historically low log prices for woodlot licensees;
- The FBCWA has submitted a detailed proposal for changes to interior timber pricing at the request of the Minister; and
- Interior timber pricing policy has not been changed by the MOFR to allow licensees to either manage their full range of timber quality on woodlots, adequately manage beetle outbreaks or salvage dead timber to sell into interior markets without unsustainable financial losses.

Be it resolved, the Executive gives consideration to:

- Making representation to the Premier of BC to voice our strong dissatisfaction with the response of the MOFR to date

to address concerns of woodlot timber pricing; and

- Request that the Premier direct the Minister and the MOFR to fairly address the timber pricing concerns raised by the FBCWA on behalf of log sellers.

Moved by: Ross Harris

Seconded by: Marvin Strimbold

Membership: Passed

Executive: Passed by majority vote.

Resolution #4

WHEREAS:

- A location is needed for the 20th FBCWA and 10th WPDC AGMs, respectively.

Be it resolved, the Executive gives consideration to:

- The South Island Woodlot Association's offer to host these AGMs in 2007.

Moved by: Nancy Pezel

Seconded by: Shawn Flynn

Membership: Passed

Executive: Passed unanimously.

Resolution #5

WHEREAS:

- Existing land use plans do not reflect the current state & conditions of the resource values and do not reflect the implications of economic loss, fire and impact on future timber supply.

Be it resolved, the Executive gives consideration to:

- All licensees request an immediate review of all land use plans in beetle infested areas with a time limit of 15 months for completion,; and
- For area based tenures to be recognized in the overall landbase.

Moved by: Ken Gunter

Seconded by: Jennifer Hill

Membership: Defeated
Executive: Defeated unanimously.

Resolution #6

WHEREAS:

- Woodlot licensees are now working within the results based new era.
- The requirements of MOFR to submit information electronically has proven to be dysfunctional and cost prohibitive.

Be it resolved, the Executive gives consideration to:

- Request a one year postponement for the requirement of E-submissions;
- During this year a simple user friendly approach for submission format, content and medium be developed in consultation with MOFR; and
- A budget of \$5000 shall be set aside for this task.

Moved by: Shawn Flynn
Seconded by: Harold Reedy
Membership: Passed
Executive: Passed by majority vote.

Resolution #7

WHEREAS:

- The theme of this year's AGM is WLs - Live or Die in a Sea of Red;
- Many WLs have been seriously impacted by the mountain pine beetle and other forest pests; and
- The Federation needs to understand the magnitude & severity of the impact on WLs.

Be it resolved, the Executive gives consideration to:

- The FBCWA sending out a questionnaire or otherwise surveying interior WL holders re: Status of their Woodlot and future WL opportunities and the transfer history; and
- Use the information to help licensees formulate a clear & concise survival plan.

Moved by: Harold Reedy
Seconded by: Mark Clark
Membership: Passed
Executive: Passed by majority vote.

Resolution #8

WHEREAS:

- Forest safety is a vital concern.
- Woodlot licensees have a high exposure to operational and administrative risks.

Be it resolved, the Executive gives consideration to:

- Creating and distributing a template for a "Safety Action Plan" that, when followed, will reduce risk and facilitate "safe company" certification.

Moved by: Rod Krimmer
Seconded by: Shawn Flynn
Membership: Passed
Executive: Passed unanimously.

Resolution #9

WHEREAS:

- For a growing number of woodlot licensees, their standing crop is dead, but bureaucracy is alive and growing; and
- Stumpage pricing, even in the dead wood, is unpredictable, making good business planning impossible in the event that a reasonable stumpage pricing system is not immediately implemented.

Be it resolved, the Executive gives consideration to:

- Devoting resources to identify an acceptable exit strategy for woodlot licensees

Moved by: Al McKelvie
Seconded by: Mark Grafton
Membership: Passed
Executive: Passed by majority vote.

Resolution #10

WHEREAS:

- The MOFR decision to not issue Blanket Salvage Permits

to WLs in the "Salvage" emergency management unit.

- Said action has resulted in:
 - Mismanagement of forest resources on WLs;
 - Unacceptably high fire risks in urban interface areas;
 - Snags compromising public & worker safety; and
 - Loss of economic opportunity for WL licensees.

Be it resolved, the Executive gives consideration to:

- The FBCWA submitting a formal complaint to the Forest Practices Board for investigation.

Moved by: Tim Brown
Seconded by: Mark Grafton
Membership: Passed
Executive: Defeated unanimously♦



AGM

Disposition of devastated woodlots

This article is based on a PowerPoint presentation prepared by Dave Haley, Woodlot Licence Forester, Ministry of Forests and Range, and Brian McNaughton, General Manager, FBCWA. It was presented at a breakout session at "Woodlot Licenses in a Sea of Red," the 19th Annual General Meeting of the Federation of BC Woodlot Associations held in Burns Lake, BC, from September 29th to October 1st, 2006. The presentation's purpose was to give woodlot licensees some basic information on the disposition of woodlot licenses which have been devastated by the mountain pine beetle.

Please note:

This paper is for information only. Woodlot licensees contemplating the disposition of their woodlot licence are encouraged to research the subject carefully and seek expert advice.

Introduction

Many woodlot licensees have seen their woodlot licence areas devastated by the mountain pine beetle. What was thought to be forest that would provide a sustainable harvest forever has had

to be harvested in a short period of time. Today, many licensees are questioning the future of their woodlot licences and wondering what to do.

A licensee contemplating what to do with their woodlot licence should consider all of their options, after understanding the applicable legislation and their legal obligations.

Options, legislation and obligations

The *Forest Act* governs the disposition of tenure rights, which essentially comes down to four (4) options:

1. Keep the licence,
2. Surrender the licence,
3. Let the licence become non-replaceable (*Forest Act*, section. 46), or
4. Transfer the licence (*Forest Act*, sections. 54 to 54.8).

Each is discussed later in this paper.

In addition to the *Forest Act*, it is recommended that licensees refer to the Cut Control Regulation, *Forest & Range Practices Act*, the Woodlot Licence Planning & Practices Regulation, and for those licensees who have yet to receive

(Continued on page 15)

Silent Auction brings in \$1751!

Many thanks to those who donated and supported the silent auction at the Annual General Meeting in Burns Lake. Your generosity helped raise \$1751.50 that will be added to the Federation's scholarship fund, which helps deserving young people with their post-secondary education.

A special thank you to "Vanna" for encouraging "cash bribes" at dinner which were turned over to the Silent Auction fund.

Information and an application form for the 2007 scholarship can be found on pages 20 and 21. ♦



This detailed scale model of St. Saviour's church at Barkerville was one of the many beautiful items at this year's Silent Auction. It was created by Norman and Diane Fletcher of His n' Hers Wood-Crafts, Quesnel.

approval of a woodlot licence plan, the *Forest Practices Code of BC Act* and the Woodlot Licence Forest Management Regulation.

Should a licensee opt to not hold onto their licence, then all obligations must still be addressed.

Obligations do not simply disappear because a licence is surrendered, transferred, or allowed to become non-replaceable and expire.

Section 79 of the *Forest Act* addresses continuing liability. It states that *despite the expiry, surrender, suspension or cancellation of a holder's agreement*, a licensee is obligated to:

- Pay all stumpage, annual rent, costs and penalties incurred before its expiry, surrender, suspension or cancellation of the WL,
- Perform all obligations under the agreement and applicable forestry legislation, including establishing free-growing stands, deactivation and proper maintenance of constructed roads, etc., and
- Comply with all orders and provide information as required, e.g. annual reports and RESULTS.

Keep the licence

A licensee who opts to keep their licence will continue to operate as before.

For woodlot licences where timber harvesting was accelerated to address the MPB, a licensee should consider doing a new management plan.

In many cases, AACs will be reduced meaning that annual rent, fire preparedness levy and the WPDC levy will be reduced as well.

However, be aware some forest

inventory work will likely be necessary in order to get current information on which to base revised AACs.

Depending on the AAC and cut control situation, a Woodlot

“What you believe to be the situation with your woodlot licence may not concur with MOFR records.”

Licence Plan (WLP) may or may not be necessary. A licensee will have to make a business decision, i.e., decide if the cost and work to do a WLP is warranted given the AAC and possible future harvest opportunities.



The Devastation Duo about to give their PowerPoint presentation at the AGM. (Looks like Brian has really been tearing his hair out!)

At the time of writing, it is not clear what funding assistance may be available to woodlot licensees to help with rehabilitation of non-harvested, beetle killed stands on Schedule A (private) or Schedule B (Crown) lands.

Surrender the licence

It is strongly recommended that licensees talk with their District Manager prior to making a decision to surrender a licence.

What you believe to be the situation with your woodlot licence may not concur with MOFR records.

In particular, it's important you know and understand the cut control situation and what the MOFR considers are your current and/or outstanding obligations.

Upon surrender, the current cut control period (CCP) becomes the final CCP [*Forest Act* section 75.51(2)], which ends on the date the licence is surrendered!

Since it is the final CCP, the volume of timber harvested cannot exceed 100% of AAC, because the 20% over-cut carry forward allowance is not applicable to the final CCP.

Section 3(2) of the Cut Control Regulation requires a *mandatory penalty* of 2 times the average stumpage charged during the last year of harvesting to be applied on the volume harvested above the applicable limit. The double stumpage penalty on the excess volume is in addition to the regular stumpage paid on this timber. Once a licence is surrendered, the MOFR cannot grant AAC increases!

For example, a woodlot licence with an AAC of 1,500 m³/year is surrendered in Year 4. The final CCP is 4, not 5 years, therefore the total AAC for the CCP is 6,000 m³ (1,500 m³ X 4 years).

If 9,000 m³ had been harvested, then the licensee would incur a 2X stumpage penalty on 3,000 m³.

(Continued on page 16)

(Continued from page 15)

As noted previously, Section 79 of the *Forest Act* addresses continuous liability, meaning that a woodlot licensee remains responsible for free growing, road deactivation, reporting, etc. even after the license is surrendered! Government will NOT assume a licensee's responsibilities or obligations.

Under Section 29.1 of the *Forest & Range Practices Act* and Section 81 of the Woodlot Licence Planning & Practices Regulation, a licensee may transfer their silviculture obligations to a third party.

The transferee would have to provide a security deposit to the MOFR. Note: Silviculture obligations can be transferred at any time, not just when a woodlot licence is surrendered.

Let the licence become non-replaceable

This section pertains to normal woodlot licenses to which replacement provisions apply.

For WLs which are replaceable, (i.e. virtually all WLs), section 46 of the *Forest Act* requires a regional or district manager to offer a replacement licence during the six-month period following the ninth anniversary of the existing licence, except where there is just cause to not do so.

A licensee has three months to accept the offer of a replacement WL (see *Forest Act* section 46(6)). A licensee's failure to respond to the replacement offer has the same effect as a licensee formally declining the offer, (i.e., the licence automatically becomes non-replaceable and will expire at the end of its 20-year term).

This is irreversible! There is no legal way to make a licence replaceable again once the replacement opportunity has been missed.

A licence becoming non-

replaceable does not change a licensee's obligations. They must still meet all payment and activity obligations as per Section 79 of the *Forest Act*.

Transfer the woodlot to another holder

An existing WL licence holder could transfer their WL to a person, First Nation band or corporation that is eligible to enter into the

“ . . . a new licensee must honor commitments made with respect to private land that are contained in the licence agreement or approved management plan.”

licence as per sections 44(5) and (6), and 46.1 of the *Forest Act*.

The legal provisions pertaining to the transfer of forest tenures are set out in Sections 54 to 54.8 of the *Forest Act*.

It is important to note that while the transferee assumes all obligations from the time of the transfer, Section 54.6(2) states that the person who transfers a WL is jointly and severally liable with the person who acquires the WL, for payment and obligations accrued or accruing as of the date of completion of the transfer and still outstanding as of that date.

When a WL is transferred, the former licence holder should also consider transferring the free growing obligations to the new licence holder under section 29.1 of the *Forest & Range Practices Act*.

Private land implications

Section 54.7 of the *Forest Act* requires that any withdrawal (or disposition) of private land or an

interest in private land from a woodlot licence requires the minister's prior written approval. The Federation has submitted a private land policy to the Ministry of Forests & Range which is under review and likely subject to future discussions. The goal is to establish some policies so woodlot holders know the parameters around removing private land.

In the case of a woodlot licence transfer, either the existing Schedule A land must be transferred with the woodlot licence or replacement private land must be included.

The replacement private land must meet an equivalency test – which typically means the new land will produce about the same number of points as the original private land did in the original evaluation when the woodlot licence was awarded.

The decision as to equivalency rests with the Regional Executive Director (formerly the Regional Manager).

Once again, a new licensee must honor commitments made with respect to private land that are contained in the licence agreement or approved management plan.

It is possible to have those commitments eliminated or amended by agreement with the District Manager. ♦



Corrected Federation Treasurer's Report

Please note: In the 2005-06 Annual Report, the figures in the Federation's Treasurer's report on page 8 are incorrect. The figures for 2005-06 have now been corrected and appear below.

Corrected Treasurer's Report April 1, 2005 to March 31, 2006

Submitted by Kathryn Mayes, FBCWA Treasurer

	<u>Operating Fund</u>	<u>Scholarship</u>	<u>Total</u>	<u>2004/2005</u> <u>Total</u>
Revenue				
CFWO National Event	16,400		\$ 16,400	
Carbon Contract 10% Admin. Allowance(for 2002/2003)			\$ -	\$ 5,000
Donation from 2004 AGM (1/2 profits)		\$ 355	\$ 355	
FIA			\$ -	\$ -
Insurance (FIA reimbures FBCWA)	\$ 1,761		\$ 1,761	\$ 964
Loan repayment			\$ -	\$ 500
Membership	\$ 5,900		\$ 5,900	\$ 5,150
2005	\$ 2,440.00		\$ -	\$ -
2006	\$ 3,460.00		\$ -	\$ -
Other Income	\$ 8		\$ 8	
Promotional Items Sales (T-shirt/hats)	\$ 2,470		\$ 2,470	
Scholarship			\$ -	\$ -
2005 AGM silent auction * will be added to Scholarship GIC.		\$ 2,984	\$ 2,984	\$ 1,886
Transfer to Scholarship Fund * will be added to Scholarship GIC.			\$ -	
Woodlot Product Development Council			\$ -	
Administration	\$ 1,000		\$ 1,000	\$ 1,000
Insurance (WPDC reimbures FBCWA)	\$ 3,003		\$ 3,003	\$ 2,661
CFWO Dues and Travel (WPDC reimbures FBCWA)	\$ 1,500		\$ 1,500	\$ 1,200
Public Relations	\$ 500		\$ 500	\$ 500
Total for Operations Account	<u>\$ 32,542</u>	<u>\$ 3,339</u>	<u>\$ 35,881</u>	<u>\$ 18,861</u>
Interest	\$ 1,246		\$ 1,246	\$ 1,058
Scholarship Interest		\$ 90	\$ 90	
Interest from 5 yr GIC not shown				
Grand total All Accounts	<u>\$ 33,788</u>	<u>\$ 3,429</u>	<u>\$ 37,217</u>	
Expenditure				
CFWO National Event	16,400		\$ 16,400	
Dues and Licenses (CFWO)	\$ 1,500		\$ 1,500	\$ -
Insurance (reimbures by WPDC & FIA)	\$ 4,764		\$ 4,764	\$ 3,625
Loan to FIA to cover GST	\$ 5,000			
Lobbying (for GM & President)	\$ 7,277			\$ 238
Office	\$ 978		\$ 978	\$ 385
Promotional Item purchase (hats, t-shirts, buttons etc)	\$ 17,179			
Public Relations (Gifts)	\$ 114		\$ 114	\$ -
Scholarship	\$ 500		\$ 500	\$ 500
	<u>\$ 53,712</u>		<u>\$ 53,712</u>	<u>\$ 4,748</u>
Excess Revenue for the Year	<u>-\$ 21,171</u>	<u>\$ 3,339</u>	<u>-\$ 17,832</u>	<u>\$ 15,170</u>
Fund Balance at the beginning of the Year			<u>\$ 106,609</u>	
Interest			<u>\$ 1,336</u>	
Grand Total All Accounts			<u>\$90,114</u>	
Balance Sheet for April 1, 2005 to March 31, 2006				
	<u>Operating Fund</u>	<u>Scholarship Fund</u>	<u>Total</u>	<u>04/05 Total</u>
Cash	\$ 27,303	\$ 3,370	\$ 30,673	\$ 48,505
Term Deposits	\$ 49,192	\$ 10,248	\$ 59,440	\$ 58,104
	<u>\$ 76,494</u>	<u>\$ 13,618</u>	<u>\$ 90,113</u>	<u>\$ 106,609</u>

Thompson Region: Forest education update for 2006/07

by Susan Bondar

As the Coordinator of Forest Education in the Thompson Region, I would like to inform the membership of some of the forest education initiatives hosted this past fall and some events yet to come.

Once again the **Interior Logging Association (ILA) Forest Education Van** has been a favourite for elementary schools. The cube van is outfitted with educational tools and murals that tell stories about BC's forests.

The ILA Van is taken to schools and each class has a 40-minute lesson on the history of logging, current logging practices, and human and natural uses of the forest. This year forestry personnel assisted with visits to schools in Merritt and Kamloops.

Isobel Lake Interpretive Forest north of Kamloops was the location for a **Teacher Professional Development Day** (Pro D) on October 20. The Pro D was attended by teachers from Lytton, Kamloops and area. The teachers enjoyed the day gleaning forestry knowledge from Casey Macaulay, Tolko Industries, Heffley; Vanessa Purves, Weyerhaeuser, Kamloops; and Brian Bondar, Bondar Forest Planning Inc.

Topics included ecology, range, forest health, harvesting, integrated resource management and forest measurements. The teachers, representing classes from kindergarten to grade 12, gained a range of forestry knowledge to assist with forestry curriculum.

A highlight this fall was a three-day camp (October 22, 23 and 24) for students in grades 10, 11 and 12. The **Introduction to Forestry & Environmental Studies Camp** was held at McQueen Lake Environmental Education Centre, north of Kamloops.

Students from Lytton, Logan Lake, Clearwater and Kamloops were fortunate to have instruction from Kelly Hatfull, BC Institute of Technology; Stu Deverny, Selkirk College; and John Karatcatsoulis, Thompson Rivers University.

All the instructors teach in the faculty of forestry in their respective institutions. Students were able to experience ecology, tree planting, search and rescue, forest measurements, fire management, and viewing an active logging site.

At the end of the three days, student evaluations revealed some of their favourite topics.

On the first day, tree planting was among the favourites. The students had the opportunity to plant a few hundred trees in an area that has root rot and beetle-killed trees.

They learned how hard tree planting is, but also how financially rewarding the work can be.

Another highlight the first day was the night search and rescue. The students were taught compass use and pacing techniques and then conducted a mock search and rescue of two "lost" comrades.

The situation became a spooky reality for the two lost students and supervisor teacher when they heard crashing in the bush and knew it was not the rescuers. They turned on their headlamps and found that a deer was the offending party.

One of the popular second day events was the Fire Management session, complete with an Initial Attack Crew and equipment from the Kamloops Fire Centre.

Brent Robertson and Natalie Harris were the fire experts and brought a specially-equipped truck, hand tools, pumps and hoses.

The students heard real stories from Brent and Natalie and use the

specialized equipment by learning how to set up the pumps and then running the hoses. The cool weather was a bonus, otherwise the students might have sprayed down more than the trees.

The other highlight for the second day was an evening with Rob Dinwoodie, Agro Forester, Ministry of Forests, Vernon.

Rob used his talents of guitar, singing, and storytelling to share his lifelong dream of being a cowboy and his journey to achieving that dream. The evening stars, campfire, and weather provided the perfect setting.

On the third day the students had the chance to witness an active logging site. John Morrison of Kamloops shared his expertise with the students. They were able to see a skidder, excavator, processor, cat and feller-buncher at work.

Some students had experienced an active logging site because of family businesses, but most had never seen any of the equipment at work. They learned how much knowledge, experience and passion for the forests it really takes to run a logging show effectively.

In all, the camp was a huge success and the plan is for it to become an annual event. This event could not have happened without the support of School District #73, forest industry companies, the BC Ministry of Forests and Range, the Kamloops Fire Centre, the Kamloops and District Woodlot Association, the Woodlot Product Development Council, and many other contributors.

Some of the events yet to come are a workshop to demonstrate the teaching kit **Our Living Resource – the Forest**, National Forest Week lessons, and another tour with the ILA Van in the spring.

(Continued on page 19)

Right: High-school students from Lytton, Logan Lake, Clearwater and Kamloops enjoyed a three-day forestry and environmental studies camp held at McQueen Lake Environmental Education Centre (north of Kamloops) in October this year. The whole group is shown, complete with instructors, students, supervisor teachers, and “cowboy Rob” (Rob Dinwoodie, Agro Forester, Ministry of Forests, Vernon).



Left: September 2006: Brent Turmel, RPF, Operations Manager, Cascades Forest District, and students from Merritt Bench Elementary School. Brent visited the school with the Interior Logging Association (ILA) Forest Education Van. The van is outfitted with educational tools and murals that tell stories about BC’s forests. It has been a favourite with elementary schools.

(Continued from page 18)

Our Living Resource – the Forest is directed at the grade 5 curriculum within the context of renewable and non-renewable resources. The kit contains lessons on human uses, reforestation, what is a forest, silviculture, meet a tree, tree identification, fires, careers and technology, wildlife and disease. The teachers will attend a workshop to learn about the kit and how to use it. Each school represented at the workshop will then receive one of the kits.

The last event to report on is **National Forest Week (NFW)**. **The Thompson Region will be celebrating NFW** towards the end of April with 40-minute lessons presented in classrooms by forestry personnel.

A team of Forest Education Coordinators will write the lessons, develop the kits and train forestry personnel to present the lessons. Last year 13,000 students and teachers throughout the Interior benefited from National Forest Week presentations.

Thank you to the Woodlot Product Development Council and the Kamloops and District Woodlot Association for their support of forest education in the Thompson Region. Some of the initiatives mentioned above would not be possible without financial support from groups such as yours. It is important to bring forest education to as many different venues as possible to create a better awareness and understanding of the forest industry and our environment. ♦



FEDERATION OF BRITISH COLUMBIA
WOODLOT ASSOCIATIONS

Scholarship Award Information and Application Form

RULES & REGULATIONS

1. Applications for this award must be received prior to April 25, 2007. Late applications will not be considered.
2. Applicants must be direct family member of a woodlot licensee or private land owner who is a member of the local Woodlot Association and/or the FBCWA.
3. Applicants must be planning to attend a post secondary institution within 24 months of the application deadline.
4. Preference will be given to students entering a forestry-related program. Students entering other areas of study are welcome to apply, knowing there is preference for forestry related study.
5. The award of \$500.00 will be payable, on receipt by the FBCWA of documentation confirming registration into the institution for post secondary education. This generally occurs in mid September.
6. Essays and photos from applicants, particularly the successful applicant, may be printed in the Almanac.
7. The decision of the Awards Committee is final.
8. The Award Committee of the Federation of B. C. Woodlot Associations will be empowered to:
 - a) grant this award at its discretion;
 - b) withhold this award in any year if there are no eligible applicants, or for any reason deemed good or advisable.

IMPORTANT

Incomplete or late applications will not be considered. Please complete the application form and attach:

1. a letter describing the reasons which you feel qualify you for this award. Your letter should also include a detailed description of your experience in forestry, particularly on woodlots. Your letter may include information about your various interests and extra curricular activities.
2. a one page (approximately 500- 700 word) type-written essay titled "*What is the History of the Woodlot Program in British Columbia and Why are Woodlots Important Today*"
3. two letters of reference from previous or current teachers or employers,
4. a copy of your *most recent* report card, and
5. a recent photo of yourself.

Return to: Federation or B.C. Woodlot Associations
Attention: Mrs. Kathy Mayes, Treasurer
2772 Ridgeview Drive,
Prince George, British Columbia
V2K 4M9

Applications must be received by April 25, 2007



FEDERATION OF BRITISH COLUMBIA
WOODLOT ASSOCIATIONS

Scholarship Award Application Form

Name: _____

Address: _____

Telephone: _____

Educational Information:

Currently enrolled in: _____

Post-secondary School you plan to attend: _____

Program you will be registered in for 2007/2008: _____

Relationship to Woodlot Licensee or to private land owner for Woodlot #
(ie; daughter of Joe Smith, Woodlot #2345): _____

Woodlot Licensee/Private Land Owner to whom you are a direct family member, has been
a member of which woodlot association and for how many years?

**Please include information on volunteer work, extracurricular activities, membership in school
and community organizations, sports, interests, hobbies, etc., as well as employment
information. (You may use another sheet if you need more room or if it's more convenient for
you)**

Waste and residue surveys in 2006

by Mike Greig, Enfor Consultants Ltd.

Waste and residue requirements changed significantly in 2006. New government requirements for “take or pay”, new log grades, and the new MOF requirement for electronic submissions are just some of the changes that woodlot licensees now have to deal with.

One thing that hasn't changed is the need to do survey work accurately and efficiently. Time is money, whether you are doing it for yourself or paying someone to do it for you. And you will want to make sure the surveys are accurate if you are facing a waste billing.

Thankfully, there is a new generation of user-friendly waste and residue survey software now available for your PC (or handheld) that meets the new needs, and it's already proving itself useful and efficient!

Some software even provides waste billing estimates and accepts old data, like the new and widely

used Waste and Residue software produced by Enfor Consultants Ltd.

For example, as of August 2006, the Ministry no longer accepts hardcopy submissions of waste and residue surveys. Rather, you are required to submit this electronically.

For electronic submissions, you have a choice of entering information manually on-line to the Waste System or uploading it as a single data file.

Manual data entry online can be a slow, costly process especially if you encounter errors.

But thankfully with the new software, single file uploads of submissions are now possible—what used to take hours manually can now be done easily in minutes.

And if you are an entrepreneur, this is your opportunity for new business to provide waste and residue services to others!

Check it out, new user-friendly waste and residue software is available. Make the most out of your time.♦

“Time is money, whether you are doing it for yourself or paying someone to do it for you.”

We want to hear from you!

Letters to the editor are an important way for licensees to raise issues or concerns.

Licensees are encouraged to express their opinions about Federation or Council business and small-scale forestry issues.

What concerns you may also concern others!

Keep letters to 200 words or less, and please include your name and WL number. Send letters to Cathy McClary, Box 10033, Prince George, BC

V2K 5Y1 Phone: 1-888-925-9995

Fax: (250) 962-9199

E-mail: cjmcclary@shaw.ca

Thank you to our contributors

Susan Bondar

Canadian Forest Service

Central Interior Logging Association

Dean Daly

Anne Davidson

Ron Greschner

Mike Greig

Dave Haley

Lisa Marak

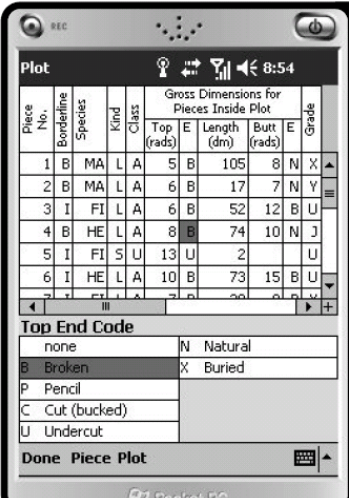
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Links of interest

Check out the new Small Woodlands Partnership site—look for the link on the FBCWA website at www.woodlot.bc.ca



Attention, Central Interior Woodlot Licensees: Need trees planted this spring?

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- Our staff has the expertise in all aspects of Electronic Forest Management.

Background on *Integrated*

- Full-phase forestry and woodlot management consultants.
- Offices located in Kamloops, Clearwater, Williams Lake, and Chetwynd.
- In business since 1992.

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 Bill Kals, Steve Henderson, RPF
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- ◆ ¼ page:\$135
- ◆ ½ page:.....\$175
- ◆ Full page:\$250

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