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Forest

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2006 Registration Exams

New Column:
The Legal Perspective

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The Voluntary Peer
Review Process is
Ready to Go

Feature

After the softwood lumber agreement –
where do we go from here?



After many years of successful collaboration, Timberline Forest Inventory Consultants, J.S. Thrower & Associates, and GeoSpatial Consulting merged their operations in May of 2006. We are now pleased to unveil our new corporate face, which reflects the synergy of our new organization:



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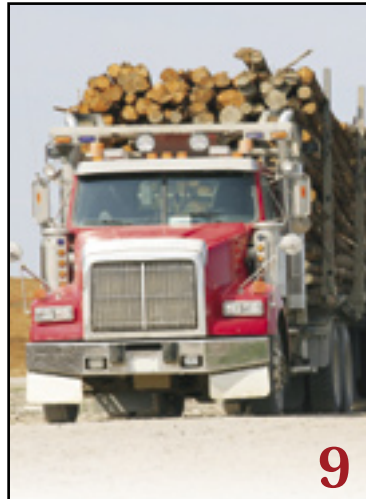
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Forests as Carbon Sinks and More

A recent article in one of our local papers made the point that forests are poor carbon sinks. Apparently a group of scientists doing a study on the release of carbon dioxide in a mature boreal forest in northern Manitoba found that, on average, the forest was giving out about as much carbon dioxide as it was taking in. While the basic fact regarding carbon dioxide is correct, the conclusion the authors came to is nonsense. Properly managed forests can not only serve as carbon sinks but do a whole lot more to help solve the carbon problem. We need to look at a few basic facts.

Burning fossil fuels adds to the amount of carbon in the atmosphere. Burning wood and other plant products simply recycles the carbon already in the atmosphere. No new carbon is added.

Using lumber in construction, paper in books, cellulose-based plastics and similar products, effectively sequesters the carbon, often for long time periods.

This suggests to me that we should be managing our forests not only to maximize their value as carbon sinks but also as a primary source of substitute materials to fossil fuels. The course of action could be as follows:

- Manage our forests for maximum growth and the consequent sequestration of carbon.
- Harvest our forests at maturity. That is, at the end of their maximum growth cycle.
- Encourage the use of lumber for all possible construction uses. For example, cement production produces a significant volume of carbon dioxide. Where possible, replace cement and cement block construction with wood.

- Petroleum based plastics could be replaced with cellulose based plastics.
- Residential heating currently using oil, natural gas and, in some cases, electricity could be replaced by wood.
- Automotive fuels could be replaced with various forms of bio-fuels.

The possibilities are endless. A significant amount of the research has already been done and the primary problem up to now has been cost. If carbon dioxide emissions and climate change are even close to the problem forecast, managing our forests for maximum productivity and to reduce our dependence on fossil fuels could be a major benefit.

It would seem to me that this subject needs to be explored in depth as it could lead to significant changes in public forest policy both on a provincial and a national level.

**JACK CARRADICE, RFT (RET)
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Setting the Record Straight

After reading a recently released book on H.R. MacMillan, (*HR - A Biography of H.R. MacMillan*) by Ken Drushka, that talked about the early days of the BC Forest Service, I feel obliged to provide BCFP readers with a review of the clouded situation concerning why the noted forester, F.D. Mulholland, left the BC Forest Service.

One passage reads: "Developments precipitated a profound division within the Forest Service, culminating in the resignation of several senior members of the staff including C.D. Orchard's second in command, Fred Mulholland." This letter relates to why F.D. Mulholland 'left' the BC Forest Service before C.D. Orchard became Chief Forester.

While investigating a policy matter in the Ministry of Forests in the 1980s, I discovered files and other documentations relating to F.D. Mulholland. One file was on his tour of Finland, Sweden and Great Britain in 1937 about which he made presentations to the Canadian Society of Forest Engineers (now the Canadian Institute of Forestry) in Vancouver and Victoria as well as the BC Loggers Association and the BC Academy of Science. This file included his assessment of its application to BC forestry. It also contained a memorandum for A.W. Gray, Minister of Lands, that was written in 1938. Mulholland wrote about his study of Scandinavian forestry and provided the minister with the text of his presentation which included his assessment of its application to BC forestry.

The file on that tour closed with a letter dated November 30, 1938 from assistant forester Hugh Hodgins to the editor of the Forest Club Quarterly, University of Washington, in reply to the request to Mulholland to write a report on his European tour. That letter closed with: "I regret to inform you that Mr. Mulholland is on extended leave at the present time and although he would be very pleased to have written this article under normal conditions, he will be unable to do so now." It was our late surveyor general, Gerald Smedley Andrews, who upon asking what extended leave meant, told me "they fired him."

F.D. Mulholland resigned from his position in the Forest Service and tried to establish himself as an independent forest consultant, but gave up his attempt in 1942 and accepted a po-

sition with the Lands Service where he became director of land classification surveys, leaving a legacy of completed colour maps and a detailed report covering a land use survey of 136,700 acres of land in the Nechako Valley, before accepting a job in the forest industry in 1945.

Forestry, being the probably most drawn-out productive activity in which humans engage, obliges its practitioners to see the future without a distorted view of their past and this attempt to set the record straight was made with that intent.

LEHEL PORPACZY, RPF (RET)



Put in Your Two Cents

The **BC Forest Professional** letters' section is intended primarily for feedback on recent articles and for brief statements about current association, professional or forestry issues. The editor reserves the right to edit and condense letters and encourages readers to keep letters to 300 words. Anonymous letters are not accepted. Send letters to:

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President's Report

By Bob Craven, RPF

Show Me the Money!?



Bob (left) with Heather Rice, RFT, and Jonathan Lok, RFT

M

MANY OF YOU MAY NOT KNOW THAT I STARTED out my work life as a forest technologist. I took the Forest Technology program at BCIT. I worked as a technologist for six years before joining the Forestry Pupil program. Because of my past experience as a technologist, one of my goals as president of the ABCFP has been to learn more about the needs of RFTs and to recognize their contribution to the association and to forestry in BC.

One of the reasons I entered the Forestry Pupil program with the goal of becoming an RPF was because I felt that I wasn't able to take responsibility for my work or get the credit for it. I'd spend days working in the field doing road and cutblock layout and field assessments then putting together a harvesting plan only to have an RPF sign off on it. Needless to say I was a bit choked about not getting credit for the work I did! That has all changed now and one of the benefits to joining the association is that RFTs can practise elements of professional forestry independently. They can continue to take pride in their work but now they can take responsibility for it as well.

In addition to having responsibility for your own work, being part of the ABCFP also means that you have 5,400 colleagues to reach out to when you need assistance. As more and more employers recognize the importance and significance of the RFT designation and start to make it a requirement for jobs, your membership will open up new career opportunities for you.

Don't get me wrong, council is fully aware of the fact that some RFTs feel as though

they've been 'forced' to join the ABCFP. Some feel we are simply saying "show me the money!" and collecting their membership fees without giving anything back. We don't want to be seen as waving the *Foresters Act* around and forcing people to join just so they can continue to do the work they've always done. In fact, those who choose to continue to work under the supervision of a registered member may continue to do so without becoming registered themselves. However, the door is closing for those who want to transition into membership. If you have a recognized diploma and are currently working under the supervision of a registered member, you have until December 1, 2008 to register. After that date you will have to go through a two-year enrollment period.

It is our goal to ensure technologists want to join the ABCFP. Have we been perfect? No, but we have made some great progress. I am proud of the fact we have done a pretty good job of attracting RFTs to volunteer positions with the ABCFP such as on council and with various committees. Currently, there are two RFTs on council. Heather Rice, RFT, and Jonathan Lok, RFT, have represented their fellow RFTs well on council this year. Not only do they look out for RFTs' interests but they are fully engaged in the dialogue with the rest of council on the full spectrum of issues facing the profession.

In addition to their council duties, both Jon and Heather sit on other committees as well. In fact, there are a number of RFTs on many committees. I encourage other technologists to follow their example and volunteer to run for council or to serve on committees – after all, this is your professional association as well. 🐾

... some RFTs feel as though they've been 'forced' to join the ABCFP

Association News

Official Notice of the AGM

The 59th Annual General Meeting will take place at ExpoFor 2007 in Harrison Hot Springs. The AGM will be held on Thursday February 22, 2007 from 8:30 to 10 am at the Harrison Hot Springs Resort and Spa. The AGM is free for all members and registration or attendance at ExpoFor 2007 is not necessary to attend the AGM.

The preliminary agenda for the AGM is as follows:

1. adoption of the minutes from the previous annual meeting
2. member recognition
3. adoption of annual report
4. adoption of the audited financial statements
5. appointment of auditors
6. appointment of one or more returning officers and scrutineers
7. reporting of council election results
8. ratification of council and staff actions
9. business resolutions (if any)
10. adjournment

Any matters requiring a vote are restricted to eligible voting members in good standing.

Continuing Competency Program Update

Voluntary peer review (VPR) is the second element of the continuing competency program and is now available to members. The VPR is a process in which one member assesses the professional practice of another member. See page 26 for more information. Practice reviews are the third and final element of the continuing competency program. While they won't be implemented until 2008, a discussion paper is now available on the website. Member comments are welcome until March 16th.

Continued on page 8



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Van Scoffield Retires

On December 31, 2006 the ABCFP wished executive director Van Scoffield, RPF, good bye as he left the association to enjoy his

retirement. Van had been with the ABCFP for 12 years as executive director and had previously served on council for three years. Thanks to everyone who joined Van at his retirement dinner on November 24th. Van now plans to spend more time with his grandson, on his favorite hobbies – cooking and kayaking, and spending some time consulting and/or volunteering. Good luck, Van, from everyone at the ABCFP!

CIF Seeks Your Input

The Canadian Institute of Forestry (CIF) is undergoing a re-branding exercise so that it can provide more value to its members in the evolving and changing forest sector. Visit the Re-Branding page of the CIF website for comprehensive and up-to-date information on this initiative and to learn about how you can get involved: <http://www.cif-ifc.org/english/e-rebranding.shtml>

Highlights from the Fall Workshops

More than 650 people attended the 24 workshops held around the province and the one webcast. The topic of the workshops was Professional Reliance in a FRPA World. The workshops proved to be so popular that the webcast was added later to allow members who couldn't attend an in-person session to still benefit from the information.

ABCFP Welcomes Chinese Forest Professionals

The Chinese Society of Forestry (CSF) is the largest forestry NGO in China with more than 70,000 members, 31 provincial societies (sections) and 30 technical committees such as silviculture, resources management, ecology, entomology, pathology, engineering, wood science, forest industry and urban forestry. The CSF plays an important role in forestry, environment, education, academic advancement, public awareness and involvement, professional exchanges, strategy and policy making. Members met with senior staff of the ABCFP to discuss the possibility of implementing a system of registration (similar to BC's) in China.

ABCFP Members Honoured

Congratulations to Darrell Regimbald, RPF, and David Walkem, RPF, MBA! Darrell was named Fort Nelson's Friend of the Forest in conjunction with the town's Forest Capital activities. Darrell was selected due to his leadership and commitment to forestry, forest stewardship and increasing public understanding of the forest. David received a 2007 Aboriginal Achievement Award in the category of Environment. David sits on several forest-related boards as well as being the president of Stuwix Resources Ltd., which holds an innovative Forest Practices Agreement with the Ministry of Forests and Range.

Plot	Area	Code	Length	Area	Code
1	10	PA	1.0	100	PA
2	10	PA	1.0	100	PA
3	10	PA	1.0	100	PA
4	10	PA	1.0	100	PA
5	10	PA	1.0	100	PA
6	10	PA	1.0	100	PA
7	10	PA	1.0	100	PA
8	10	PA	1.0	100	PA
9	10	PA	1.0	100	PA
10	10	PA	1.0	100	PA

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After the Softwood Lumber Agreement – Where Do We Go from Here?

OF COURSE, TRADE DISPUTES ARE INEVITABLE when buying and selling products across international borders and there is a long history behind the trade in lumber. We all know that the US is Canada's biggest trading partner. The US is also the largest market for Canadian (and BC) wood. And, unless you've been living in a cave for the past 20 years, you have heard of the softwood lumber dispute and the subsequent agreement (which was signed October 12, 2006) between the two countries. What does the latest agreement mean to forestry in BC?

We have asked Nick Crisp, RPF, of the Ministry of Forests and Range to give us a synopsis of this complicated agreement. And we asked Ken Higginbotham of Canfor to describe how the industry in the Interior is planning to deal with the fallout from the deal. Colin Buss, RPF, offers an alternative solution to the softwood lumber debate that has its roots in another Canadian province.

But, there is more to life than the US. Did you know that China is the second largest importer of lumber (after the US) in the world? BC's sustainable forest management practices are becoming well known around the world. Our policies are an advantage to selling BC forest products in Asia and Europe where illegal logging in other parts of the world are making headlines.

What happens next? Are we going to settle back into our old and comfortable role of supplier to the US market? What is being done to open new markets to BC forest products? Forestry Innovation Investment (FII) has a number of programs and projects in place to encourage non-traditional markets to open their doors to BC forest products. Ken Baker, RPF and CEO of FII, tells us how his organization promotes BC wood around the world.

Are we going to move beyond supplying commodity products? Commentators on the BC wood product scene have been talking for years about moving away from such staple products as dimension lumber, panels, and pulp and paper, and increasing the production of value-added products. Rob Kozak from UBC takes a hard look at the factors that constrain our ability to increase value-added production and provokes thought with a number of far-reaching recommendations. 🐾



Softwood Lumber Agreement 2006

FROM 1952 TO 2002, THE CANADIAN softwood lumber industry successfully grew its market share in the United States from seven percent to 34%, from 3 billion board feet to just over 19 billion board feet. This accomplishment reflects Canada's historic competitive advantage in managing its coniferous forests for commercial use.

For decades US lumber producers have alleged that Canadian provincial governments sell standing Crown timber too cheaply to Canadian sawmills. Since 1982, British Columbia has faced four separate American-initiated trade cases and pursued remedies available through US trade law, the North American Free Trade Agreement and the World Trade Organization. Softwood lumber is the world's largest trade case in terms of time and money.

The most recent case was launched in April 2001 and involved both countervailing duties and anti-dumping duties. On April 27, 2006, Canada and the US agreed to the terms of the present Softwood Lumber Agreement 2006 (SLA 2006). It came into effect on October 12, 2006.

FEATURES OF THE AGREEMENT

SLA 2006 offered provinces, and the two administrative regions within British Columbia (Coast and Interior), the choice of either an export tariff or a quota regime. Both the BC Coast and Interior will be subject to the export tax regime. Alberta also picked the export tax option, while Quebec, Ontario, Manitoba and Saskatchewan chose the quota regime.

The agreement provides greater certainty to the British Columbia forest industry through established export rules and the cessation of trade actions. Under this seven-year agreement, with the option for a two-year extension, British Columbia's lumber exports to the United States will be subject to a border tax levied at a vary-

ing rate, depending on lumber prices.

When lumber prices—as measured by the Random Lengths Framing Composite¹—are above US\$355 per thousand board feet (mbf), Canadian lumber will have free entry into the US. However, when prices are US\$315/mbf or less, an export tax of 15% is imposed. The tax falls to 10% and five percent as prices climb back to US\$355/mbf.

There is a surge mechanism to address very large changes in a region's market share of US consumption². If the composite price is below US\$355 and a region exceeds 110% of its allocated market share for a particular month, the surge mechanism kicks in and the border tax rate for that month is retroactively increased by 50%.

Under SLA 2006, export taxes collected by the Canada Revenue Agency will be remitted to the provinces of origin.

SLA 2006 contains a number of positive features. One is that higher value products will be charged as if their value was no more than US\$500/mbf. Another is the 'first mill provision' where independent lumber remanufacturers will pay the export tax on the value of their input, rather than on the export value. Finally, the agreement recognizes the significant market-based policy changes that British Columbia made under the Forestry Revitalization Plan, including adoption of the market pricing system in the Interior on July 1, 2006.

EFFECTS OF THE AGREEMENT

Given that the United States will, for the foreseeable future, continue to be Canada's main market for lumber, it was appropriate for federal and provincial Canadian governments to explore opportunities to create a stable platform for lumber trade. Both industry and government have spent significant amounts of time and money defending against the trade cases. Now industry efforts can be directed to activities that grow the busi-

ness within a competitive global market.

SLA 2006 has expedited the return of approximately US\$2 billion in import duties to British Columbia's lumber producers. Companies are making individual choices of how to use these refunds. Whether applied to new investment, debt reduction, modernization of operating assets, replenishing working capital and treasury accounts, new acquisitions, diversification (into new products, markets and technologies) or payments to shareholders, these refunds provide a timely injection of cash. The increased certainty about market access is good for investment.

There are signs of change within at least one sector of the British Columbia forest industry in response to SLA 2006. Companies that are certified as independent lumber remanufacturers can take advantage of the first mill provision and pay export tax only on their lumber inputs. This increases their competitiveness in the American market. Some companies are divesting of tenure to take advantage of this feature of the agreement.

From 2003 through 2005, two factors fuelled a surge in the development of British Columbia's natural resources, a rise in commodity prices and a stable, investment-ready regulatory environment. SLA 2006 advantageously positions British Columbia to achieve freer trade through the next upturn in North American lumber prices.

For more information on the softwood lumber agreement, certification of independent lumber remanufacturers and the history of the trade case, go to www.gov.bc.ca/for and click on softwood lumber.

¹ The Random Lengths Framing Composite consists of 15 softwood lumber products that are weighted by production levels. US Southern pine prices, US Western prices and Canadian prices each comprise one-third of the composite.

² US softwood lumber consumption is calculated as US production of lumber plus Canadian and offshore shipments into the United States, less US exports of softwood lumber.



A Made in Canada Resolution of the Softwood Lumber Dispute

CAN WE PERMANENTLY RESOLVE THE SOFTWOOD lumber dispute? Notwithstanding the current deal, which is most likely simply a political expediency, a template for a resolution does exist in Canada.

New Brunswick and the other Maritime provinces were exempt from the quota system in the 1996-2001 Softwood Lumber Agreement and the 19% countervailing duty in effect from 2002 to 2006. They have avoided the bulk of the recent restrictions on softwood lumber exports to the United States simply because, I believe, they have a free market for forest land and logs, and because they have a forest industry that is characterized by:

- large private forest estates (half the forest land in the province is privately owned);
- efficient, modern sawmills (many sawmills were built in the last 20 years and have high levels of mechanization);
- excellent utilization of their timber resource (the minimum saw log dimensions are approximately 1.4 m in length and 12 cm in diameter); and,
- unrestricted access to the US market for their most valuable logs (J.D. Irving, Limited, the largest private land and tenure holder in NB, exports veneer logs to the US for \$350 per cubic metre).

In Canada, and in British Columbia in particular however, many in the industry see the tariffs as an assault on us by the much stronger US; it is an unjust assault because the Canadian industry is correct, it is believed, and the recent international rulings support this belief. However, on closer examination, it is clear that the softwood lumber dispute is to a large degree the result of intractable factors rather than just policy differences.

The softwood lumber dispute has been continuing, with an occasional reprieve, for more than two centuries because the fundamental causes are ingrained. The two primary factors contributing to the dispute,

and obstacles to a speedy resolution of it, are the scarcity of timber in the US and the considerable differences in our systems of forest land management and timber allocation.

In Les Reed's paper "Two Centuries of Softwood Lumber War between Canada and the United States – a Chronicle of Trade Barriers Viewed in the Context of Saw Timber Depletion" (May 2001), he explained that the dispute has been carrying on since the late 18th century. This, he notes, was primarily due to the fact that the timber in the US was scarcer because it was harvested earlier and more completely than in Canada, and there was a more extensive alienation of forest land for agriculture and urban development.

There has been, and still is, protectionism on both sides of the border. However, the scarcity of timber in the US and the relative abundance in Canada is the fundamental problem in the softwood lumber dispute. Its roots are in the development of the North American continent and so are beyond our control. This problem is exacerbated however, by BC's methods of controlling timber supply and access to that timber.

In British Columbia where forest land ownership is dominated by the Crown, access to timber is regulated by the government, which grants timber harvesting rights to the manufacturing sector without significant competition. Although we have created a surrogate for a free market through our appraisal system, our volume-based allocation system negates any semblance of market sensitivity that the appraisal system may grant us because it is insensitive to cost. In Peter H. Pearse's paper "Ready for Change – Crisis and Opportunity in the Coast Forest Industry" (November 2001), he states that approximately half of the cutting permits on the Coast had negative valuations prior to stumpage payments.

In areas with private forest land, like New Brunswick, the US and our own private lands

on the south coast, timber is generally sold for a profit. Although the US also protects their industry through hefty tariffs and restrictions on exports of timber from government lands, they have created an efficient sawmilling industry in Washington and Oregon where the majority of the timber supply comes from private lands. Their sawmilling industry was transformed in the 1980s when the spotted owl dispute put an end to the harvesting of old growth in the US National Forests on the west coast.

The privatization of forest lands in BC could directly address the central issue in the softwood lumber dispute – the differences in timber supply between Canada and the US – by reducing the available supply in Canada to the economic timber supply; the supply that is only available for a net profit. In addition, this would ensure that only timber worth more than the cost to log it is actually harvested. This would garner more value for the timber (per unit of land) and result in less land being used for timber production due to a contraction of the economic timber supply.

Although intractable disparities between our nations may make it difficult to resolve the softwood lumber dispute entirely, we may be able to ease the pain for both sides by allowing more log exports, creating more private timberlands, and reducing the control governments and manufacturers have over the timber supply. Making these changes is not a new concept—we're already doing it elsewhere in Canada. The forest industry in New Brunswick has demonstrated how to combine efficient manufacturing, private ownership and log exports for an overall net benefit to everyone.

For more information on this topic visit:

J.D. Irving, Limited: www.jdirving.com

Ready for Change, Peter Pearse (<http://www.for.gov.bc.ca/hfd/library/documents/phpreport/ReadyForChangeCOVER.pdf>)

Softwood Lumber Dispute Chronology
<http://www.dfait-maeci.gc.ca/eicb/softwood/chrono-en.asp>

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Value-Added Wood Products from British Columbia

WHY IS ONE OF THE WORLD'S LEADING MANUFACTURERS of Douglas-fir window frames – about 1,500 employees strong – located in the southern prairies of Manitoba? In contrast, why does BC's largest value-added wood product producer employ only 130 workers? Last but certainly not least, in a province that is abundant in some of the highest quality wood fibre in the world, why do we only capture a \$3 billion¹ share of the \$200 billion US market²?

These questions lead me to believe that there is something systemically wrong with the way we are approaching value-added wood production in BC. While we have been talking about value-added wood products for decades now, the sector has yet to gain significant traction and the term itself is little more than rhetoric. That being the case, questions revolving around opportunities for value-added products need to be more strategic than a simple consideration of potential markets. Should the BC forest sector adopt more of a value focus in the production of its wood products, and if so, what is it going to take to transform the industry?

BC has a long standing, proud and well-earned tradition as one of the world's leading producers of commodity wood products. For over a century, products like dimension lumber, panels and pulp and paper have collectively served as one of our province's most important economic engines, but this situation is rapidly changing for a number of reasons. From an economics point of view, one of the fundamental issues seems to be that the forest products sector has done well for so long that it has become over-reliant on the production of commodity goods. This situation has led to what has been referred to as a culture of 'replication' as opposed to 'innovation,' meaning that the sector has been somewhat complacent with respect to differentiation, specialization and new product development³.

A further problem is that competitive advantage in the fleeting commodity game is gained through producing higher and higher volumes at lower and lower costs. This has led to a long-term downward pressure on commodity prices, which does not bode well for a region that is highly dependent on its global exports of commodities⁴. Moreover, the emergence of globalization means that producers of commodity goods are now facing intense competition worldwide (especially from the southern hemisphere).

Couple these realities with generally low financial returns, increased social and environmental accountability, seemingly never-ending trade disputes and uncertain fibre supplies, and we find ourselves in the midst of the proverbial 'perfect storm' with respect to the future of commodity production. In other words, today, more than ever, we face the need to diversify the wood products we manufacture and the markets that we serve⁵.

One solution that has been tossed around as a potential cure for the woes of an ailing forestry sector in BC has been to stimulate a more meaningful value-added wood products sector. The term 'value-added' refers to adding value to primary wood products through secondary processing steps and includes a wide range of goods typically used in appearance applications – furniture, cabinetry, doors, window frames, flooring, moldings, millwork, and so on. To some, this may seem like a fairly trivial sector of the economy, but as stated earlier, it represents a \$200 billion market in the US alone compared to \$10 billion for softwood dimension lumber⁶. Furthermore, it is a market that is growing at a rate of 8 – 10% per year, as opposed to 1 – 1.5% for softwood dimension lumber^{7,8}.

Catalyzing the value-added wood products sector has been embraced by most stakeholders – government, industry, organized

labour, communities, Aboriginal peoples, environmental groups – as a sensible and rational vehicle to transform the forest sector in BC. Deriving more value and creating more jobs per volume of wood cut is seen as a conservation-based strategy for attaining the tenuous balance between economic well-being, environmental sustainability and community health and vitality.

While there is some evidence to suggest that recent policy changes aimed at making wood fibre more readily accessible to producers have resulted in sector growth⁹, the value-added industry in BC has yet to gain traction on a large scale and to make significant inroads into the marketplace. So what can be done? The transformation of an important economic sector is no easy task and will not be accomplished overnight, but I would urge policy makers, communities and industry leaders to at least consider the following:

1. **Develop further policy which improves access to wood fibre.** Despite years of policy efforts aimed at opening up fibre supply, the vast majority of the timber harvested is still destined for commodity production and value-added producers are experiencing difficulties accessing suitable raw materials in BC^{10,11}. It is time to re-examine forest tenure in this province in a manner that is more conducive to the production of higher value, higher margin wood products¹².
2. **Develop policy that encourages business development.** Forest tenure reforms may not be enough to foster and nurture a vibrant value-added sector in BC. We also need to explore policies that stimulate investment activity in BC¹³.
3. **Improve training.** A strong value-added sector is founded on a highly skilled workforce. Training in areas ranging from

— Getting Beyond the Rhetoric

wood machining and safety to marketing and product development is essential to its success.

4. **Capitalize on our business strengths.**

We are a mere truck ride away from the world's most affluent market. Instead of dismissively stating that, "we can't compete with China," let's take advantage of our strengths – geographic proximity, strong supply chains and market infrastructures, and the ability to provide customer service, installation, after-sales service and unique customized solutions.

5. **Promote design.** Many regions of the world have decisively shown that competitive advantage and market premiums can be gained by incorporating a strong design aesthetic. In BC, we have an abundance of some of the highest quality wood fibre in the world. We also have world class training facilities in wood products processing and industrial design. It's about time we match these resources with the products that we develop, design and sell.

6. **Involve communities and Aboriginal peoples.** At the core of developing a strong value-added sector is maintaining the vitality and health of forest dependent and Aboriginal communities. It is in the best interest of policy makers to listen to their constituents, involve them in the strategic development of new value-added initiatives and promote community-based programs like cooperatives, skills training, co-management, and community woodlots.

7. **Consider new ways of practising forestry.** It is difficult to imagine a new paradigm for forestry in this province, but as stakeholders and owners of our public forest lands, it is incumbent upon us to have open and frank discussions about

the future direction of forestry and wood products manufacturing.

On this last point, maintaining the status quo is not an option if we wish to catalyze a meaningful value-added sector. I would encourage debate on the creation of small, flexible sawmills and drying facilities that can provide customized raw materials to value-added producers and perhaps even the decoupling of forestry and production operations.

In the final analysis, nurturing, fostering and promoting the value-added wood products sector in BC simply makes a great deal of sense at this time. While there will always be a place for the production of commodity goods from this province, there is also a salient need to transform the forest products sector to encompass more of a value focus.

Market opportunities are abundant for value-added products from BC, but depend upon us working together to create a vibrant, healthy and meaningful sector. In the final analysis, failing to do so would not only prove economically imprudent, but would almost certainly lead to an unsustainable future for our forests and the communities that depend upon them.

Rob Kozak is an associate professor of sustainable business management in the faculty of forestry, UBC. Currently, he is involved in research on value-added wood products strategies, forest certification, corporate responsibility, and marketing opportunities for forest products. He can be reached at rob.kozak@ubc.ca and would welcome any comments and feedback that you may have.

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- 11 Kozak, R., T. Maness and T. Caldecott. 2003. Solid Wood Supply Impediments for Secondary Wood Producers in British Columbia. The Forestry Chronicle 79(6):1107-1120.
- 12 For example, see Sierra Club of Canada's "British Columbia Value-Added Wood Policies: A Case Study", available at <http://www.sierraclub.ca/national/programs/biodiversity/forests/scc-bc-value-added.pdf>.
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SLA 2006 and Forest Operations in the BC Interior

THE GOOD NEWS ABOUT THE IMPLEMENTATION of the Softwood Lumber Agreement (SLA) in 2006 is that we now have a degree of certainty about the trade front that will allow us to focus on running our businesses instead of on legal cases and negotiations. We need that level of certainty because through much of the Interior of BC we need to focus on managing within the constraints of the mountain pine beetle (MPB) epidemic.

One of the challenges of the MPB epidemic is in planning for harvest based on beetle attack patterns rather than on the orderly development of the forest. Harvesting dead or dying timber means equipment challenges, breakage of stems and trucking issues. Beetle-killed trees also present manufacturing challenges, including cracks that reduce product recovery, breakage in the log yard and mill, housekeeping issues and drying concerns. In the marketplace we have to deal with the acceptance of blue-stained lumber and other changes in product quality.

Back in the forest, the challenge for industry, government and communities is that not all of the timber effected will be salvaged which will produce concerns about fire and reforestation on the unsalvaged land base. The allowable annual cut will eventually be reduced, raising additional questions about fibre security and community stability. These challenges will potentially occur in the face of the poorest market for solid wood products seen in years.

It's tempting to say that managing the SLA is a piece of cake compared to the challenges

brought on by the MPB epidemic; however, it isn't that simple. Behind all of our MPB management discussions lie additional constraints brought on by the SLA. If the Random Lengths Composite Framing Index is less than US\$315 per thousand feet board measure, Canadian companies pay a 15% US border tax on all shipments of a broad range of products. The Interior region of BC is allocated a monthly portion of Canada's 34% of the US softwood lumber market. If we exceed that share, the 15% border tax will increase to 22.5%. This increase is a penalty designed to reduce production and shipments. So in this situation, we face a poor market with a high tax rate at a time when we need to salvage as much MPB-damaged timber as we can—a very difficult challenge.

US housing starts also play a very important role in controlling the lumber market. As housing starts increase, the demand for framing material will increase and lumber prices will rise. As prices for lumber rise, border taxes will decrease and staying within the market share as a function of export levels will be less important. As a result, accurately forecasting markets becomes critically important to forest planning and development work.

Forecasting helps companies determine how much working capital they are prepared to tie up in roads and log inventory. Forecasting also helps them determine whether or not they will make commitments to customers that may exceed their market share and the consequent surge tax

if markets are low. Monitoring the level of shipments into the US through the website of the federal Department of International Trade becomes a critical exercise by mid-month each month. One company's shipments can conceivably cause every exporter to pay the surge tax on every shipment made during the month retroactively.

Companies began operating under a new timber pricing system in the Interior on July 1, 2006. It is clear that the new system will require some changes to be able to price MPB wood appropriately as it declines in value. Companies also have issues with pricing timber that is outside of the beetle zone resulting from the ever-present 'waterbed,' which distributes stumpage across Interior appraisal zones. The SLA allows technical changes to be made to the pricing system but not without US oversight and the possible trigger of SLA dispute settlement procedures.

Clearly, there are challenges with operating the timber supplies of the BC Interior in an SLA world. However, some of the best minds in the forestry profession are engaged in resolving these issues and we will succeed with their high-octane brainpower. ☛

Ken Higginbotham was appointed vice-president, forestry and environment of Canfor in June 2005. He joined Canfor in 1995 and has served in a variety of roles. Prior to joining Canfor, Ken was an associate professor in the Department of Forest Science at the University of Alberta and assistant deputy minister of the Alberta Forest Service.



The Markets for BC Forest Products: How Informed Are You?

HOW WELL DO YOU KNOW THE INTERNATIONAL markets for BC forest products? Test yourself with the following quiz. Score one point for each substantially correct answer, including the bonus question at the end.

1. What happens to most of the timber harvested in BC?

About 80% of it goes to sawmills. The year 2005 was a record year for lumber production, with a total output of 17.5 billion board feet. The second highest year on record was 2004, mainly due to increased harvesting of beetle-killed timber in the Interior.

2. Where are the top export markets for BC forest products?

As measured by the 2005 sales value of solid wood products, as well as pulp and paper, the top export markets are: the US (68%), Japan (12%) and the European Union (7%). Export markets everywhere else accounted for 13%.

3. How does BC stack up among lumber exporters around the world?

BC exports more lumber than any other jurisdiction in the world. In 2005, 79% (by value) of our exported lumber went to the US, 14% went to Japan, 3% to the European Union and 4% to other countries.

4. How many new residences were built in Canada in 2005? How does this compare to the United States, Japan and China?

In Canada 225,000 new residences were built. This compares to 2.07 million in the US, 1.2 million in Japan and 10 million in China.

5. How many of those new residences were wood frame?

About 1.7 million in North America compared to about 550,000 in Japan, of which 78% were traditional post-and-beam style. In China there were only several hundred.

6. What is the coastal forest sector doing to recapture the post-and-beam market in Japan?

The Canadian Tsuga (Hemlock) brand has been expanded to include kiln-dried wood to better compete with laminated European whitewoods. Developed at UBC with funding from Natural Resources Canada and from the Province of BC, the new Tsuga product line received Japanese certification (E120-F330 grade) in September 2006.

7. What country has the world's fastest growing furniture manufacturing sector?

Vietnam's furniture sector is growing at about 50% a year. Even some Chinese firms are shifting their production to Vietnam. Opportunities are growing to move Vietnamese firms away from tropical hardwoods in favour of temperate hardwoods from BC.

Bonus Question:

8. If you loaded all the timber harvested in BC in 2005 onto highway logging trucks and parked them bumper to bumper starting in Vancouver and pointing south, how far would the line stretch? To Seattle? To San Francisco? To San Diego?

If you lined the trucks up seven wide and said San Diego, you'd be about one-third correct. The trucks lined seven wide would stretch from Vancouver to San Diego and across the southern US all the way to Miami.

How did you fare? If you scored 7 or 8, you should be in marketing and not forestry. If you scored 5 or 6, you have a pretty good idea of who ultimately pays your wages (i.e., foreign customers). If you scored 3 or 4, it's time to bone up. If you scored less than 3, maybe you should consider a career change!

While the quiz is meant as a light-hearted test of your familiarity with international markets, the underlying message is serious—every one of us in the forest sector depends on exports for our livelihood.

In 2003, the province created Forestry Innovation Investment Ltd. (FII), a Crown corporation developed to support the forest industry in strengthening our international competitiveness. FII is investing about \$27 million this year in developing new products, marketing our products internationally, and making international customers aware of BC's sustainable forest practices—an area of increasing importance in many markets and one where we're head and shoulders above the competition.

I invite you to check out FII's website (www.bcfii.ca) to learn about our programs and how we are working closely with BC trade associations, research institutes, academia, and the federal government. Our website's Industry Resources section contains the latest information about product development and international markets, including a separate section on FII's Mountain Pine Beetle Program. Our Sustainability section contains a wealth of information about BC forest management.

The information on FII's website is designed to help BC firms maintain the markets that we have depended on for decades and to open new markets for the years to come. If you make good use of it, perhaps the information on our website will even give you bragging rights the next time you're quizzed about international markets.

Ken Baker is a UBC forestry grad who spent eight years with Weldwood in Quesnel and Williams Lake, six years trying to survive as a logger in the central Interior and 19 years with the Ministry of Forests and Range in Victoria. He has been the CEO at FII for the past two years and on most days it's the best job he has ever had.

Going the Distance: The 2006 Registration Exam

CONGRATULATIONS TO EVERYONE WHO WROTE AND PASSED THE 2006 registration exams. These exams were held on Friday October 6, 2006, in 39 locations—37 in BC and two outside of the province. A total of 925 people wrote the registration exams in 2006—816 people wrote the RFT exam and 109 people wrote the RPF exam. A record number of people wrote the RFT exam because most of the technologists who joined the ABCFP under the Forest Technologist Transitional Policy were required to write by 2006.

It was quite a feat coordinating and marking all 925 exams. A dedicated group of more than 20 volunteers from the board of examiners did the marking and I can confirm they worked very hard to ensure every candidate was fairly assessed. The board understood that for most candidates writing exams is a stressful time, so special efforts were made to decipher tired handwriting and choppy essay structure. When the board finished marking, they were satisfied that the exams were fair and challenging.

The highest mark on the 2006 RFT registration exam was earned by George Buis, RFT, who scored 93%. The top mark on the RPF registration exam was 90.5% and was scored by Debra MacKillop, RPF.

The names of the 2006 successful examinees are available on pages 18-20. These new RPFs and RFTs will be welcomed into the profession at the Inductees' Recognition Luncheon Ceremony at ExpoFor 2007, the 59th ABCFP forestry conference and annual general meeting. This year, ExpoFor is being held in Harrison Hot Springs February 21 to 23, 2007.

The board of examiners recognizes the marathon of time and energy that goes into the process of preparing for and writing the registration exams. Although there are periods of stress and pain, in the end there is a feeling of accomplishment. As chair of the board of examiners, I wish to acknowledge the hard work of everyone who wrote the 2006 registration exams.



Volunteer exam markers hard at work.

Special thanks are also necessary for everyone who was involved in the coordination and preparation of these exams including: the registration department; the invigilators; the technical subcommittee who helped draft and mark the RFT registration exam; the sponsors who helped enrolled members prepare; the many policy seminar authors and speakers; and of course, the board of examiners. All of your efforts are deeply appreciated and the profession thanks you.

And the Results Are...

2006 RFT Exam

A total of 816 candidates wrote the RFT registration exam and the overall pass rate was 75%. Most of the exam candidates were eligible for an exemption from Part B of the exam. The pass rate for people who only wrote Part A, 695 people, was 79%. The pass rate for the 121 people who wrote both Part A and Part B of the exam was 62%, which is an increase from 2005 when the pass rate was 61.5%.

2006 RPF Exam

The overall pass rate for the 109 candidates who wrote the RPF exam was 73.4%. Candidates had the option of writing a take-home exam. If they chose this option, candidates were only required to answer seven of the 14 questions on the October 6th exam. The pass rate for candidates who chose to write the take-home exam was 83%. The pass rate for the 11 people who did not choose to write the take-home exam, and were required to write 10 of the 14 questions on the October 6th exam, was 55%.

RFT Part A Exam Stats			
RFT (Part A)	2006	2005	2004
Pass Rate	79.0%	79.7%	79.4%
Average Mark	63.0%	61.5%	65.7%

RFT Full Exam (Part A and Part B) Stats			
RFT (Part A & B)	2006	2005	2004
Pass Rate	55.0%	61.5%	n/a
Average Mark	59.0%	59.2%	n/a

RPF Exam Stats						
RPF Exam	2006*	2005*	2004*	2003	2002	2001
Pass Rate	73.4	68.3	81.0	67.8	72.5	70.6
Average Mark	67.7	64.1	65.0	62.1	64.3	63.8

* Take home exam option made available this year.

Advice to People Preparing to Write In 2007

B

BEFORE THE THREE 'RS' OF EDUCATION, THERE SHOULD BE THE THREE 'As'—anxiety, apprehension and accomplishment. I heard several comments from my colleagues about the high level of stress in their offices in the weeks leading up to the exams. There's no doubt exams are difficult and they require a great deal of preparation time.

I have sometimes thought that studying and preparing for exams is like preparing to run a marathon. Exam preparation requires periods of intense dedication, training, difficulty, maybe pain, and long and steady directed energy. And at the end of the race or exam, there is accomplishment.

The best runners have a training plan to help them mitigate the physical and emotional stresses associated with running long distances. We have all heard of 'getting psyched up' for the game or the run. The following strategies used by marathon runners to motivate their performance and manage stress in a race can also be used by examinees to help them prepare for the registration exam:

1. Believe that you are an athlete.

Manage outside pressures by beginning to prepare for the registration exam early in the year. The registration exam is far too important to procrastinate until the last month.

2. Sometimes you have to run in the rain; forget the excuses and stay on track.

Develop a study strategy that is realistic and stick to it. Join a study group to help you stay motivated.

3. Focus on the fun.

Develop an interest in the study material and you will remember it longer.

4. You are prepared and you will perform well. Success comes one step at a time.

Be positive and trust that the efforts you put in will pay off.

5. Cover the course before race day and rest a couple days before the race.

Rehearse for the exam and if possible visit the exam location. Put the books down and relax the night before the exam.

6. Exercise regularly and do warm-up and cool down stretches.

Learn some muscle relaxation strategies reduce your stress during the exam.

7. You are really racing against yourself.

Keep the big picture in mind. You are in control.

There are a number of additional resources available to help exam candidates prepare for the registration exam:

- University websites: These sites usually offer students helpful hints about managing time and stress.
- Preparing to Write the Exam page on the ABCFP website: This page provides a number of resources including answers to old exams, strategies for answering exam questions and resources to help you connect with a study group.
- Exam Feature in past January/February issues of **BC Forest Professional**, and its predecessor FORUM: These features contain a number of useful tips for to help you prepare for the registration exam. Past issues of the magazine are available in the Publications and Forms section of the website.

Successful RFT Examinees

Edward Jacob Abels, RFT
 Jesse Thomas Ahtainen, RFT
 Annis Gregory Aleck, RFT
 Robert Craig Alexandruk, RFT
 Glen William Allan, RFT
 Debra Kathleen Allen, RFT
 Murray Allison, RFT
 Andrew Arnold Alstad, RFT
 Ronald Edward Alton, RFT
 Steve Edward Amonson, RFT
 Gillmor Robert Andersen, RFT
 Darcie Lea Annesley, RFT
 Earl Wayne Anshelm, RFT
 Douglas Ernie Anweiler, RFT
 Tanja ArmstrongWhitworth, RFT
 Kenneth Michael Arnett, RFT
 Jody Lynn Ashdown, RFT
 Brian Clement Atherton, RFT
 Gayle Caroline Augustin, RFT
 Robert David Babiarz, RFT
 Jay Baker, RFT
 Robert Edward Bardossy, RFT
 Darrell William Barron, RFT
 Jarl Henning Barth, RFT
 Raymond James Bartram, RFT
 Michael Kyle Beadman, RFT
 Bradley Philip Beaupre, RFT
 Marcie Joan Belcher, RFT
 Wesley Bender, RFT
 Alexander John Bergen, RFT
 Jimmy Biagioni, RFT
 Harry Siegfried Biallas, RFT
 Margaret Joan Blair, RFT
 Bradley Edward Bodnar, RFT
 Gerry John Bond, RFT
 Ian Greg Borenheim, RFT
 William Alan Borrett, RFT
 Thomas Bosch, RFT
 Steven Douglas Bowker, RFT
 Michael William Boyde, RFT
 Alvin L. Boyer, RFT
 Kevin Scott Bradley, RFT
 Larry Brian Bradley, RFT
 Thomas James Bradley, RFT
 Alan Robert Bratosh, RFT
 Paul James Braumberger, RFT
 Edward Nikolaus Braun, RFT
 Mary Katherine Bridge, RFT
 Brian Allan Brinkhurst, RFT
 Darin Wallace Brown, RFT
 George Richard Bruckner, RFT
 Carl Frederick Brugger, RFT
 Douglas Edward Bryce, RFT

Brian Joseph Bubela, RFT
 George Martin Buchanan, RFT
 Joey Allan Buck, RFT
 Drew M. Buis, RFT
 George Dennis Buis, RFT
 Kevin Roy Bulmer, RFT
 James William Burck, RFT
 David John Burgess, RFT

Harry Adam Cameron, RFT
 Kevin James Cameron, RFT
 Douglas Graham Campbell, RFT
 Adam Stanislaw Caputa, RFT
 Judith Arlene Carlson, RFT
 James Michael Carnegie, RFT
 Penelope Gayle Carpenter, RFT
 Anthony Carroll, RFT
 Arthur Thomas Carter, RFT

Barry Clinton Cherepak, RFT
 Kalev Matthew Christie, RFT
 Roderick C. Christie, RFT
 Roderick Blake Clark, RFT
 Ian Roger Clay, RFT
 Christopher John Clements, RFT
 James Victor Clowes, RFT
 Rory Kenneth Colwell, RFT
 Robert Douglas Conroy, RFT,FP

Andrew Gerald Cosens, RFT
 Brenda Sue Cosgrove, RFT
 Laurence Michael Cosman, RFT
 Robert William Couperus, RFT
 Sean Steven Crowhurst, RFT
 Daryl Richard Crowley, RFT
 Leah Valerie Cuthbert, RFT
 Walter Charles Dagenais, RFT
 Kent Albert Angus Daley, RFT

Ronald Ewanyszyn, RFT
 Brent Larry Farrell, RFT
 Colette P. Fauchon, RFT
 Owen Terrell Fehr, RFT
 Martin Roger Fennell, RFT
 Clinton Ronald Fenton, RFT
 Dwayne Roy Ferguson, RFT
 Brian Stanley Fertuck, RFT
 Paul Daniel Filippelli, RFT

Successful RPF Examinees

Drew Marshal Alway, RPF
 Daniel Jean Arcand, RPF
 Andrea Joan Atkinson, RPF
 Mark Andrew Babuin, FIT*
 Jeffrey Roger Berdusco, RPF
 Wayne Russel Bond, RPF
 Thomas Rafael E. Bruderer, RPF
 Shannon Burbee, FIT*
 Jennifer Susan Burleigh, RPF
 Justin Elliott Calof, RPF
 James Adam Campbell, RPF
 Alan Bradley Card, RPF
 Robert Cavlek, RPF
 Steven Edward Check, FIT*
 Nicholas Alexander Clarke, RPF
 Heather Mary Davis, RPF
 Mona Nicole Desgroseilliers, FIT*
 Dawn Rene Doebert, RPF
 Travis Robert Dunbar, RPF
 Lee Michael Evans, FIT*
 Lawrence Anthony Fielding, RPF
 Peter Joseph Forbes, FIT*
 Steven Douglas Giesbrecht, RPF
 Tera Devlyn Grady, FIT*
 Robert David Graham, RPF
 Megan Ann Hanacek, RPF
 Jennifer Heron, RPF

Russell J. Holitzki, RPF
 Lennard Percy Joe, RPF
 Bryan David Juelfs, RPF
 Kevin George Knight, RPF
 Errol Alan Kutcher, RPF
 Jason Rodney LaBonte, RPF
 Adrian Foster Litz, RPF
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2006 Professional Reports

Foresters-in-Training who have not graduated from an accredited forestry program are required to submit a professional report as one of the requirements for achieving registration as a Registered Professional Forester. The board of examiners approved the following reports during 2006:

Timber Salvage Opportunities on Fireguards

By Gordon MacDonald, RPF

A Critique of the Proposed Survey Methodology for Mixedwood Stands in Northern British Columbia

By Heather Davis, RPF

Risk Analysis: Cost-benefit Analysis of Reclaiming Productive Land Through Slash Burning on TFL 39 (No. Vancouver Island)

By Megan Hanacek, RPF

Ecosystem Representation in the Vanderhoof Forest District

By Colin Mahony, RPF

A Comparison of Partial Cut and Clearcut Harvesting Productivity and Cost in Old Cedar-Hemlock Forests in East Central British Columbia (post-grad thesis)

By Chad Renzie, RPF

A Discussion of the Challenges in Conservation of Forest-Dependent Invertebrate Species at Risk in British Columbia

By Jennifer Heron, RPF

Forestry Consultation with British Columbia's First Nations

By Shannon Jonasson, FP

The Implications for Stand Yield of Planting Lodgepole Pine Beyond the Recommended Elevational Range: An Examination of Two Lodgepole Pine Stand Models in Southeastern BC

By Russell Holitzki, RPF

Stand level Retention in the IDF Zone in the Southern Interior of BC

By James Foster, FIT

Assessment of Long Term Harvest Levels for Burns Lake Community Forest

By Wendi Knot, FP

Tyson James Wheeler, RFT	Christopher Lance Wright, RFT, FP	Dean Eliot Zimmer, RFT
Darren Arthur Wilkinson, RFT	Steven Kirk Wright, RFT	David Louis Zimmerman, RFT
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Rudolphus B. Wortelboer, RFT	Tony Yow, RFT	

Due Diligence Under the FRPA: Keeping It Real

PRIOR TO THE GOVERNMENT'S IMPLEMENTATION of its Forestry Revitalization Plan, the issue of due diligence was particularly controversial in the context of the vicarious liability provisions of the Forest Practices Code of British Columbia Act (the Code). Under the Code, vicarious liability meant that if a contractor committed a contravention of the Code, then so did the licensee who employed that contractor. The licensee was, therefore, subject to administrative penalties on account of its contractor's noncompliance. But is the same true under the *Forest and Range Practices Act* (FRPA)?

The legal doctrine of 'strict' liability would usually allow a party to avoid liability for its contractor's noncompliance with a regulatory statute if that party proved that there was nothing more it could reasonably have done to prevent the contravention—that it was duly diligent. However, early in the Code's history, the Forest Appeals Commission (the Commission) determined that due diligence did not apply to administrative penalties under the Code. The reason was simple: the Code did not expressly provide for it. So, no matter how hard a licensee tried to ensure that its contractor complied with the Code, or however unforeseeable a particular contravention, the licensee nevertheless remained vicariously liable for its contractor's noncompliance. The law refers to this as 'absolute' liability.

The Code's vicarious liability provisions survived the sweeping reforms of the government's Forestry Revitalization Plan. However, due diligence found its way into Section 72(a) of FRPA. While a licensee remained vicariously liable and subject to administrative penalties on account of its contractor's noncompliance, FRPA now allowed the licensee to avoid liability if it could demonstrate that it acted with due diligence to prevent the contravention.

The question then became: would the Commission apply the case law that had developed around the concept of due diligence in other contexts, or would it apply a standard that was unique to FRPA? More specifically, would the Commission set the

diligence bar so high that a licensee's vicarious liability effectively remained absolute?

While we are still in the early days of FRPA, the Commission has clearly signaled where it intends to go with due diligence. In *Weyerhaeuser v. Government of British Columbia et al* (Appeal No.2004-FOR-0005(b)), the Commission was urged to apply a special standard of due diligence given the 'results based' approach of FRPA: "[the] cases where licensees can establish due diligence should be very rare."


Nevertheless, the Commission understood that the legislature would not have included a defense of 'due diligence' in FRPA had it also not intended to adopt the law that had developed around that defense:

The legislature has codified the due diligence defense, and it should be applied in its natural and ordinary sense as defined by the case law ...so as not to impose a higher standard tantamount to 'absolute liability.'

In its *Weyerhaeuser* decision, the Commission adopted the leading authorities in BC on due diligence. Subsequently, the Commission again affirmed the applicability of these authorities in *Kalesnikoff Lumber Co. Ltd. v. Government of British Columbia et al* (Appeal Nos. 2003-FOR-005(b) and 2003-FOR-006(b)).

So, the due diligence defense applicable to administrative penalties under FRPA is something real. But this is not to say that a licensee's vicarious liability under FRPA will never stick. To the contrary, those in the *Weyerhaeuser* appeal who suggested that due diligence should only apply on 'very rare' occasions will have their way: due diligence is, and always has been, a difficult defense to establish. The Commission's pronouncements to date confirm that simply going through the motions is not good enough. Before the Commission negates a licensee's vicarious liability under FRPA on the basis of due diligence, the Commission will want solid evidence that the licensee was active and alert in its efforts to prevent contraventions of FRPA. That said, due diligence will now negate a licensee's vicarious liability if, in reality, there was nothing more the licensee reasonably could have done to prevent a contravention.

Jeff Waatainen has practised law in the forest sector for over a decade and is an adjunct professor of law at UBC. He is currently working as the sole practitioner of his own firm, Westhaven Forestry Law in Nanaimo.



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Interest

By Amanda Brittain,
director of communications, ABCFP



Who Are BC's Most Influential Forestry Leaders?

LAST SUMMER, BCFP RAN AN INFORMAL contest to identify the most influential forestry leaders according to members. You had a chance to nominate and then vote for your choice. ABCFP members came up with the following finalists:

- **DR. VLADIMIR KRAJINA**, honorary member of ABCFP (deceased) – Vladimir developed and mapped the biogeoclimatic regions of BC which are now the basis for all ecosystem management in the province. Despite initial indifference, if not opposition from the forestry establishment of the day, he persevered and was eventually successful. His pioneering work is now fundamental to all forestry activities in BC.
- **DR. PETER PEARSE**, RPF(Ret), Life Member, Distinguished Forester – Peter led the Pearse Royal Commission in the 1970s. More recently, he has lobbied for changes in the coastal BC forest industry including a revitalization of the manufacturing sector.
- **HARVEY REGINALD MACMILLAN** (deceased) – HR was a key driver behind the establishment of the forest service in BC. He also marketed BC timber to the world and was quite progressive in his approach to forest management on his private lands on Vancouver Island. In his later years, he became a philanthropist, donating funds for the creation of the MacMillan Building at UBC for the faculty of forestry and for the H.R. MacMillan Space Centre in Vancouver.
- **SOPRON SCHOOL OF FORESTRY** – The entire School of Forestry at Sopron University in Hungary, including students and faculty, came to Canada following the 1956 Hungarian revolution. The school formed a partnership with UBC and re-established itself on campus. The school brought a whole new way of thinking to forestry in BC and the faculty of forestry at UBC.
- **WILLIAM (BILL) YOUNG**, RPF (Ret), Life Member, Distinguished Forester – Bill was the Ministry of Forest's Chief Forester from 1978 to 1984. He was the instigator of the multiple use over-lay concept that revolutionized the forest sector and became the format for the Integrated Resource Planning process in effect today. Bill was the co-founder of the Forestry History Association of BC.

The ABCFP issued a news release early in the fall to seek the public's input on the most influential forestry leaders. Members of the public were invited to vote for one of our nominees or to nominate someone else. While the vast majority of respondents voted for one of the nominees above, many people took the time to nominate other forestry leaders including First Nations leaders such as Chief David Walkem, RPF, and business leaders such as Irving Barber, RPF (Ret). Visit the website for a list of all the nominees.

In the end, HR MacMillan received the most votes followed by the Sopron School and Dr. Vladimir Krajina. We find it very difficult to declare an actual winner as all nominees made great contributions to forestry. We will feature a biography on one of the five finalists in each issue this year, beginning with HR MacMillan. If you have any thoughts (or photos) to share on any of the finalists, please e-mail me at: abrittain@abcfp.ca. 🐾

Amanda is the director of communications at the ABCFP and the editor of this magazine.

Practising Safety in BC's Forests



Interest

By Tanner Elton

I HAVE GREAT RESPECT FOR FOREST PROFESSIONALS and your vital role as woodland stewards. No one else confronts stronger cross currents of international and local pressures on economic, scientific and social issues.

One challenge confronting our sector is dealing with its unacceptable safety performance. The mandate of the BC Forest Safety Council is to eliminate serious injuries and fatalities in our woodlands. Our stewardship involves preserving the health and safety of those earning a living in British Columbia's working forests.

The Council's creation in 2004 embodied an emphatic consensus of industry leaders, worker representatives and government agencies that 'unsafe is unacceptable.' This agreement drives our efforts to undo a decades-old mindset that workplace injuries and fatalities are the unavoidable costs of doing business. We must overturn the culture of 'unsafety' because forest workers deserve much better and because focusing on safety is ultimately good business.

For too long, on-the-job injuries and deaths have devastated workers and families, saddling everyone in the industry with heavy burdens. The cost of injury to families, co-workers and communities are immeasurable. Just ask anyone who has watched people deal with the pain of catastrophic events. The related financial burdens borne by the sector are only a small reflection of the personal costs incurred by the victims.

Between 2003 and 2005, employers in the harvesting sector alone paid \$108 million in WorkSafeBC assessments for the direct insured costs of injuries. On top of these costs are even heavier indirect financial costs, including disrupting company activities, finding and training replacement workers, repairing or replacing damaged equipment and declining productivity.

Indirect costs are as real as the direct costs, and economists suggest an indirect-to-direct

cost ratio of about five-to-one for a capital-intensive industry. In "The Cost of Unsafe," a recent council report, we estimated conservatively that the forest industry's indirect costs are triple direct costs. Applying this estimate to the actual 2003-05 assessments puts the costs of injuries and fatalities during that period at \$432 million. It doesn't need to be that way, and it isn't for many BC forest companies. More than 10% of BC companies recorded no serious incidents in the last decade. The majority of our sector needs to emulate the best practices of our safest companies.

Our current safety performance is a competitive disadvantage. Just look next door. The forest industry in Alberta enjoys workers' compensation premiums that are less than half of what we pay here in BC. There is absolutely no reason why we can't match and even outperform Alberta. Some say our province's trees are bigger, slopes are steeper and weather is more inclement, but this cannot explain or excuse BC's comparatively poor safety record. Forestry conditions in Washington and Oregon do parallel ours, yet we're still at the bottom of the safety pile. When it comes to safety in our forests, BC should be at the head of the class.

The council has made real progress in working to improve BC's safety record. In two years, we have certified 3,200 experienced fallers, developed new faller and supervisor training, introduced a forestry ombudsman, put Forestry TruckSafe on the road, and laid the groundwork for silviculture initiatives. Now you're seeing our broadest initiative move into high gear. Since November, the council has been accepting registrations for the SAFE Companies program. SAFE stands for Safety Accord Forestry Enterprise and is the most comprehensive safety initiative ever undertaken by BC's forest sector making occupational health and safety an over-riding priority.

Over time, our SAFE program will fundamentally change how BC's largest industry views and practises safety.

Regardless of size, every forestry operation in the province can earn a SAFE Company certification by passing an annual audit based on realistic, practical standards. One payoff is a minimum five percent rebate on WorkSafeBC premiums, and we expect that certification will eventually become a requirement for more and more projects.

Implementation is an enormous task, given our target of having thousands of operations become SAFE Companies, including government agencies such as BC Timber Sales and community forestry organizations. Will this program cost the sector? Yes, it needs time, money and tremendous effort from the boardroom to the forest floor. Is doing nothing an option? No, we can't afford to do nothing.

Look again at our 2003-05 experience. This record shows more than a hundred dead workers, thousands of injuries and hundreds of millions of dollars in unproductive assessment charges. These human and financial costs are unnecessary. The SAFE Companies program is crucial to turning these costs around and it is an investment that will pay dividends to individual businesses and the sector overall.

SAFE Companies is our lead initiative in driving down injury rates, keeping our workers in one piece and in meeting our responsibility to safety stewardship. The turnaround must rest on a foundation of resolve and commitment — resolve to make safety no less important than any other operational consideration and commitment to return our workers home safely at the end of the day, every day.

Your support of the SAFE Companies program is vital, and we urge forest professionals to join us. Resolve to make safety integral to your practice and contribute your knowledge and insight to this program to make forestry our province's safest industry.

To learn about Safe Companies and other council initiatives or to offer comments and feedback, visit the BC Forest Safety Council website at: www.bcforestsafe.org.

Tanner is the CEO of the BC Forest Safety Council. Immediately prior to joining the council, Tanner managed the Forest Safety Task Force, which set out a detail action plan to improve safety in the forest sector and recommended a permanent forest safety infrastructure. Tanner then worked with industry to set up the council. He was interim director until spring 2005 when he became chief executive officer.

Timber Undervalued in Some Government Auctions

INTERIOR BC – SOME REGIONAL STUMPAGE MARKETS ARE TOO small to garner the full value of Crown timber through competitive bidding. Analysis of bids for timber sales accepted under the Small Business Forest Enterprise Program from January 1999 to August 2002 finds that some prices paid by successful bidders may be low due to insufficient competition.

This effect is most pronounced in Fort Nelson where bids averaged less than true market value by \$12.56/m³, slightly less than the difference in transportation costs for the nearest competitor 380 km away in Fort St. John. Winning standing timber bids were also below value in the Peace region by \$1.47/m³ and in the Prince George to Burns Lake area by \$2.64/m³. Bids in Central BC may be affected by the large supply of available timber resulting from the mountain pine beetle epidemic.

Throughout the Cariboo, Kamloops and Nelson areas, winning bids for auctioned timber did reflect actual market value as indicated by the consistency of bids, lack of industry concentration and number of bidders. Surprisingly, in the narrow Northwest BC market, stumpage bids also reflected market value. This seems due to the exemptions on log-exporting restrictions effectively broadening the region's otherwise concentrated industry.

Researchers note that adjusting minimum acceptable bids in Fort Nelson to reflect market values for standing timber based on prices established under more competitive circumstances can help address the equity issues this one-buyer market raises for its North American competitors.

Reference:

Kurt Niquidet and G. Cornelis van Kooten. 2006. Transaction Evidence Appraisal: Competition in British Columbia's Stumpage Markets. *Forest Science*. 52(4): 451-459.

This article is available on IngentaConnect at: www.ingentaconnect.com



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The Voluntary Peer Review Process Is Ready to Go

VOLUNTARY PEER REVIEW (VPR), THE SECOND element in the ABCFP continuing competency program, is now ready for implementation. The VPR is a process in which one member assesses the professional practice of another member. This element is designed to augment the mandatory self-assessment element that is already in place and the mandatory practice review (MPR) element that will be piloted in 2008.

A peer review is strictly voluntary. Members can participate in this element as either a reviewer or the person being reviewed. Both practising and non-practising members are encouraged to participate. A non-practising member is defined as a member who does not influence the practice of professional forestry as defined by the *Foresters Act* and ABCFP bylaws.

The VPR is not about critiquing others, it is about elevating a member's level of practice through the mentorship and confidential advice of a trusted colleague. It is designed to be a professional dialogue between two members who exchange knowledge, information and ideas. A peer review is not intended to be a technical review, an audit of prescriptions/decisions or an examination of files.

VPRs are also not intended to be a vehicle for investigating and reporting discipline matters to the complaint resolution process. The VPR process is separate from, and unrelated to, the complaint resolution process except for the most serious of cases (e.g. criminal or illegal activity, evidence of dishonesty, absence of self-assessment documentation or instances where there is imminent harm to

the environment, individuals or public health and safety). In these cases, the reviewer must report the member to the ABCFP immediately.

There are a number of benefits to participating in a VPR:

- A VPR is an excellent tool to increase and/or maintain professionalism and can also serve to demonstrate a member's professional competence to the public.
- Members chances of being selected for an MPR are reduced in the first five years after they have been reviewed in a VPR. Their chances of being selected for a practice review in the first two years is zero and will slowly increase over the next three to five years until year six, when their chances of being selected for an MPR are equal to that of a member who hasn't participated in a VPR. Members will only be able to report that they've done a VPR once in a five-year period (or more often if there is a significant job change). Therefore, it is not possible to avoid an MPR by conducting a peer review every two years.
- Both participants in a VPR can claim credits towards a certificate of professional development.
- VPR participants will also have their name entered into a draw for a chance to win one full non-transferable ExpoFor registration package. One package will be drawn for every 25 participants up to a maximum of 25 packages.

Members can choose their own reviewer as long as the reviewer meets with criteria

outlined in the VPR guide which includes a stipulation that there be no conflict of interest. Members can also bring in more than one reviewer to increase the exchange of ideas. Although it is preferred that a VPR take place face-to-face, phone reviews can be carried out if it is difficult to find a suitable reviewer nearby.

The peer review is designed in an efficient manner so that it can be carried out in one day. After a VPR has been completed, members should consider switching roles. Once the first review has been completed, the person who was reviewed can become the reviewer and vice versa so that two reviews can be carried out in one meeting.

The Voluntary Peer Review page of the ABCFP website contains three tools to help members conduct a peer review.

- VPR Guide: The guide clarifies the requirements of the VPR forms and provides information, ideas and tools for the reviewer.
- Checklist and Training Materials: The checklist walks the reviewer through the process of conducting a review.
- List of VPR Volunteers: This page provides an area for members who want to volunteer to be a peer reviewer to sign up. This list is also a resource for members who are looking for reviewers in their area.

For more information on conducting a VPR, visit the ABCFP website (www.abcfp.ca) or contact Brian Robinson, RPF, manager of professional development and member relations at: brobinson@abcfp.ca.

ExpoFor 2006 Funds Worthy Programs

THE HIGHLY SUCCESSFUL ExpoFor 2006, Global Challenges: Towards Strategic Solutions, held in Victoria last February and organized by a team of dedicated volunteers, generated substantial funds that were recently disbursed as a result of both recommendations from the host committee and discussions with and approval of council.

The host committee did a great job of attracting participants to ExpoFor 2006. The initial estimate of 350 participants was well under the almost 500 that attended the conference. Also, while the goal was to raise \$40,000 in corporate sponsorship dollars, the sponsorship committee actually achieved \$60,600 due to their diligence and hard work.

After expenses of over \$240,000, a surplus of \$20,000 remained. In accordance with council policy on surpluses, \$11,365 went to cover corporate expenses incurred at the conference. The remainder was directed as follows:

- \$3,100 to cover cost of wristbands for the legacy initiative
- \$2,767 to Festival of Forestry Society
- \$2,767 to the ABCFP's ForesTrust

Special fundraising throughout the conference supported the host committee's unique ExpoFor 2006 legacy project. A donation of \$4,273 (proceeds from wristband sales and a member contribution) was made to the legacy project. This donation is helping to provide much needed support for

mangrove forest restoration in the Aceh province of Indonesia. Many of the tidal mangrove forests were devastated by the December 2004 tsunami which hit this northwest province of Indonesia with a vengeance, killing more than 200,000 people, wiping out thousands of homes and farms and damaging the coastal mangrove ecosystems.

The ABCFP contribution is being put to good use to develop small nurseries to provide planting stock and funds for restoration of these vital coastal forests. As well as stabilizing shorelines and moderating the effects of tropical storms, mangroves are also major nursery and rearing areas for many species of fish and wildlife. The project works closely with the Forestry Science Institute in Banda Aceh and is led by Art Klassen, RPF, regional director for the Tropical Forest Foundation, and a member of our association.

The donation of \$2,767 to the BC Festival of Forestry (FOF) Society will assist them in their ongoing programs. Established in 1967, this volunteer group organizes forestry tours of rural British Columbia for Lower Mainland and south Island teachers. More than 1,600 teachers have participated in three-day tours of forestry operations throughout the province, over the past four decades. By 'teaching the teachers' about integrated resource management and exposing them to forests, operations and mills, the FOF has been effective in developing understanding of the forest sector among a critical education group.

In addition to the donation to ForesTrust programs from ExpoFor 2006, the host committee also obtained several items for the silent auction and assisted with the logistics of this complicated, yet entertaining, fundraising event. The association offers scholarships and bursaries for forestry students at several post-secondary institutions in BC and this charitable trust is responsible for overseeing them. In total, ForesTrust oversees 14 endowments at eight post-secondary institutions in BC. Council and

the host committee approved a total of \$5,920 for this made-in-BC initiative, including \$3,153 from the silent auction at ExpoFor 2006 and \$2,767 from the ExpoFor 2006 surplus.

All in all, ExpoFor 2006 produced significant funding to help important local and international initiatives. The host committee thanks the generous corporate sponsors and all members and guests who contributed.

Alan was the chair of the ExpoFor 2006 host committee.

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Up-Coast: Forests and Industry on British Columbia's North Coast, 1870-2005

Richard A. Rajala 2006-10-19 viii & 294, illustr.
Royal BC Museum, Victoria, Canada

T HIS ACCOUNT, PART OF A JOINT, MULTI-disciplinary project by University of Victoria and the Royal BC Museum, details the ups-and-downs of timber harvesting and processing along BC's North Coast and islands from their beginnings until today. The project, in seeking to "...achieve sustainable human relationships [sic] with coastal ecosystems in a global economy," has concentrated on the commercial and socio-economic aspects of forestry with little reference to forest ecosystems or biology.

While the book documents the vicissitudes of the North Coast's forest industry from the 1880s until today, it tells little about the forests. A reader will learn about hard times, war-induced good times, corporate wheeling and dealing and something about working conditions. There is some discussion of real or alleged over-cutting and regeneration problems but not much else on the nature of the forests.

The wealth of detail on harvested volumes, corporate name changes and "...fancy manoeuvring for position," does not make for easy reading though these details are inescapable given the purpose of the story. Oddly,

informative data are occasionally missing as when the author tells us that "...freight rates allowed Terrace mills to penetrate ...markets" without saying what those rates were and after reporting earlier on "onerous freight rates."

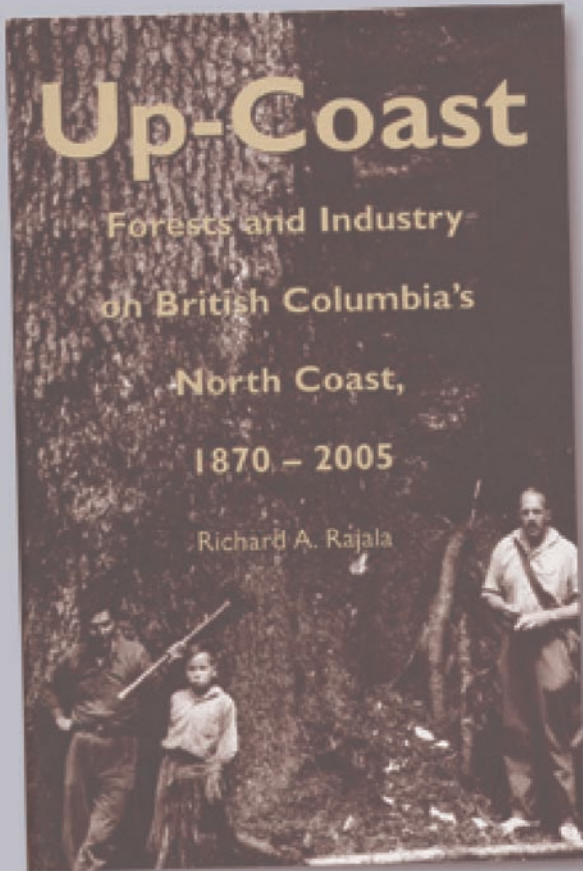
For today's young foresters the two long chapters "Era of Error" and "Winding Down" will be the most instructive for their understanding of how today's forestry scenario has

developed. The earlier chapters are of more historical value and older hands will find them more nostalgic than illuminating.

The book does not live up to its title as it tells little about forest ecosystems. Data on harvested volumes are presented without mention of yield by unit area. There's no mention of species composition or age-class distribution. The book focuses on corporate enterprises, marketing and employment. As such, it is a useful socio-economic history but the tenor of the writing suggests an underlying bias against big business and towards First Nations peoples. These biases show up when the author uses emotional terms like "decimate" (which really means eliminating one tenth) when discussing the effects of clearcutting and equating "sympathetic administration" with high-grading while saying nothing about the economic context.

For anyone who doesn't have the time to read this very detailed story, the introduction serves as a good overall summary. This book includes an extensive bibliography and some very interesting archival photos which, unfortunately, have not reproduced well.

Reviewed by Roy Strang, PhD, RPF(Ret)



RANKING: 3.5 OUT OF 5 CONES



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FIA-Forest Science Program Update

British Columbia is investing over \$16 million in the Forest Investment Account Forest Science Program (FIA-FSP) in 2006/07 to help position the province as a world leader in sustainable forest management. Over \$12 million is supporting 193 research projects on diverse topics such as stand and forest dynamics following mountain pine beetle infestation, partial cutting silvicultural systems, riparian ecology and stream management, habitat supply modeling, and species at risk recovery. Over half of these one-to three-year projects will be completed by March 2007.

Another \$2.3 million is being invested in extension activities and products to deliver new information and knowledge resulting from research funded through FIA-FSP and other organizations to users—the people who set provincial policies, plan and manage BC's forest lands.

In 2006, two First Nations members joined the Forest Science Board and in 2007 the Board will investigate opportunities to integrate First Nations interests and cultural perspectives into the FIA-FSP. The Board also started a pilot project to support graduate student research related to the FIA-FSP Sustainability and Timber Growth and Value strategies to help build interest and capacity in applied research in the province.

The Call for Proposals for 2007/08 research, issued in September 2006, generated 252 letters of intent valued at \$14.3 million. Approximately 200 full proposals will compete for the \$8.5 million available for new projects in 2007/08.

Since 2002, the FIA Forest Science Program has invested almost \$50 million in forest land-based research and another \$9 million in related extension activities and products.

For more information on the FIA-FSP, visit: www.FIA-FSP.ca or contact the FIA-FSP secretariat at 250.360.1492 or fsb@cortex.ca.

Member News

On The Move

David Lewis, RPF, is the new executive director of the Truck Loggers Association

Awarded

To recognize members who keep informed in their field of practice and are aware of current issues and developments in forestry (as per Bylaw 11.4.6), the association awards certificates of professional development. The following members have completed at least 150 contact hours of continuing education and professional development activity during a five-year period and qualified for a certificate: Brian Fournier, RPF; Dale Likes, RPF; Bradley Powell, RPF.

Applicants who personally bore the majority of the costs to obtain a certificate are eligible to win one of two annual \$250 Meloche Monnex Continuing Education Awards. Find more information online (www.abcfp.ca).

New RFTs

Derek Wayne Ackerman, RFT; David Curtis Bullis, RFT; Brenda Gail Dyck, RFT; Gary Robert Forster, RFT; Rodney Peter Higgins, RFT; Kevin Wayne Hodder, RFT; Mark Daniel Holland, RFT; James Blackstock McBride, RFT; Theodore Conrad Moore, RFT.

New Enrolled Members

Stewart Alcock, TFT; Nadia Pedley Chan, FIT; Jared Cochrane, FIT; James Hodgson, FIT; Kinya Hibi, TFT; Judy Michelle Lundy, FIT; Martin Plewak, TFT; Derek Garth Murphy, FIT; Mark Sloan, FIT.

New Special Permits

D. Paul Picard, TPF; Nadia Skokun, TPF.

Reinstatements

Kerry E. Milner Cairns, RPF; Michael Fidgeon, RPF; Richard Grice, RFT.

Retired Members

Donald Brian Ansell, RPF; William B. Eller, RPF; Brad Conrad Hawkes, RPF; Mark Leja, RPF; Robert James Taylor, RPF; Darrell E. Whidden, RPF; Blake Willson, RPF.

The following people are no longer entitled to practice professional forestry in British Columbia

Removals

T. G. Corrin, TFT; Cameron H. Stevens, FIT.

Resignations

David Christopher Anderson; Colin Peter Anthony Benoit; Krista Suzanne Braathen; Harold William Lloyd Giles; Ronald J. Kot; Joy Anne Matthews; Ronald James Metcalfe; Joseph Nemeth; Timothy Michael O'Rourke; Tony Martins Pereira; Warren A. Picton; Kelly Jeannette Purych, FIT; Judith Kate Teskey; Horst Winter.

*To check whether someone is a member-in-good-standing of the ABCFP, visit the association's website (www.abcfp.ca) and check the Membership Directory. If you have notes on members, please e-mail **BC Forest Professional** (mmentore@abcfp.ca) or fax the association office (604.687.3264).*

In Memoriam

It is very important to many members to receive word of the passing of a colleague. Members have the opportunity to publish their memories by sending photos and obituaries to **BC Forest Professional**.

F. Frederick Slaney

RPF (RET), LIFE MEMBER #127
1924 – 2006

F. Frederick (Fred) Slaney of Salt Spring, BC was born July 21, 1924 and passed away November 14, 2006. In 1950, Fred became a member of the association and was granted life membership status in 1985.

Terence G. Honer

PHD, RPF (RET), LIFE MEMBER #1061, OPFA
1932 – 2006

Terence (Terry) G. Honer of Victoria, BC was born July 5, 1932 and passed away November 18, 2006. An accomplished academic, professional and artist, Terry attained his PhD, was a member of the Federation of Canadian Artists and a life member of the Ontario Professional Foresters Association (OPFA) in addition to his status with the ABCFP. Terry became an ABCFP member in 1977 and served on the association's 33rd council in 1980. He retired in 1997 and was granted life membership status in 2003.

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