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SAY-NO-MORE

**A Reconnaissance Report
of a Tributary Drainage of Convirs Creek,
Located on the Western Slopes of the North Arm
of Quesnel Lake, British Columbia**



Research, Script, Graphics, and Design
by Will Koop

Revised Version, January 27, 2020
(Original Draft, January 1997)



“Even when roads are located, built, and maintained according to the standards, roads alter slope hydrology by intercepting subsurface flows in road cuts, accumulating it in ditches, and conveying the water and any entrained sediment directly to the surface drainage network or to localized areas of slopes. This alteration short-circuits the natural routing of runoff and changes stream water regimes; it can also change water quality, and lead to decreased slope stability.”

Source: Clayoquot Sound Scientific Panel. *Sustainable Ecosystem Management in Clayoquot Sound - Planning and Practices*, April 1995, page 124.

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FOREWORD

Following three field trips to West Fraser Timber Co. Ltd.'s logging operations on the North Arm of Quesnel Lake – May 28, 1995, May 19-20, 1996 and August 12, 1996 – the first draft version of the Say-No-More report was completed on August 23, 1996. One or two other draft versions were made in subsequent months, with a final report completed in January 1997 as a quasi-internal report, copies which were given to the Sierra Legal Defence Fund (later renamed as Eco Justice), most likely sent to the Forest Practices Board,¹ and to interested parties.

In preparation for making the original report public, the author has made the following revisions:

- Most of the report's photographs, printed as black and white snapshots from Hi-8 videotape, were reproduced in color from digitized versions of the original reconnaissance videotapes. Though resolution and color quality of these captured photographs are lacking, they are more than adequate for the purpose at hand. Other black and white photos in the report that were sourced from color slides were scanned from printed paper copies found in old files kept by the author.
- More snapshot photos from the digitized videotapes were added to help the narrative evidence.
- Colored elements replaced some black and white features found in the original Maps and Diagrams to highlight and better identify locations of streams, roads, sedimentation flows, etc.
- Copies of old newspaper clippings, correspondence, and various report sources were added to the narrative in the report sections, and sometimes as an appendix, to add punch and background information.

Where possible, all the original report narrative content was preserved, except for correcting grammatical errors and addition of footnotes. Many thanks to Doug Radies who help consult and edit the various draft and final versions from August 1996 to January 1997.

After reading or glancing through this report, some may conclude and ask: why write such a large report, and what's all the bother about such a small area and drainage? Why make a big fuss about it all? Well, it's about a very big subject and a very important area. It was very important at the time, and still is. Of course, in the context of the Quesnel Lake fresh-water habitat ecosystem, the August 4, 2014 Mount Polley mining disaster² has thrown a wrench into that ecosystem, a fundamental complication into the mix of an otherwise other complication.

Will Koop,
January 27, 2020

¹ The author does not recall if a copy was received by the Forest Practices Board or not. Refer to page 107, a copy of a fax sent to the Forest Practices Board on January 21, 1997.

² See the author's December 1, 2014 on-line report, "*The Scene of the Crime: A Preliminary Analysis and History of the Mount Polley Mine Tailings Storage Facility*," and the author's December 28, 2015 YouTube, "*The Scene of the Crime: The Mount Polley Mine Tailings Catastrophe*."

Clearcut Logging in the East Cariboo Region of British Columbia



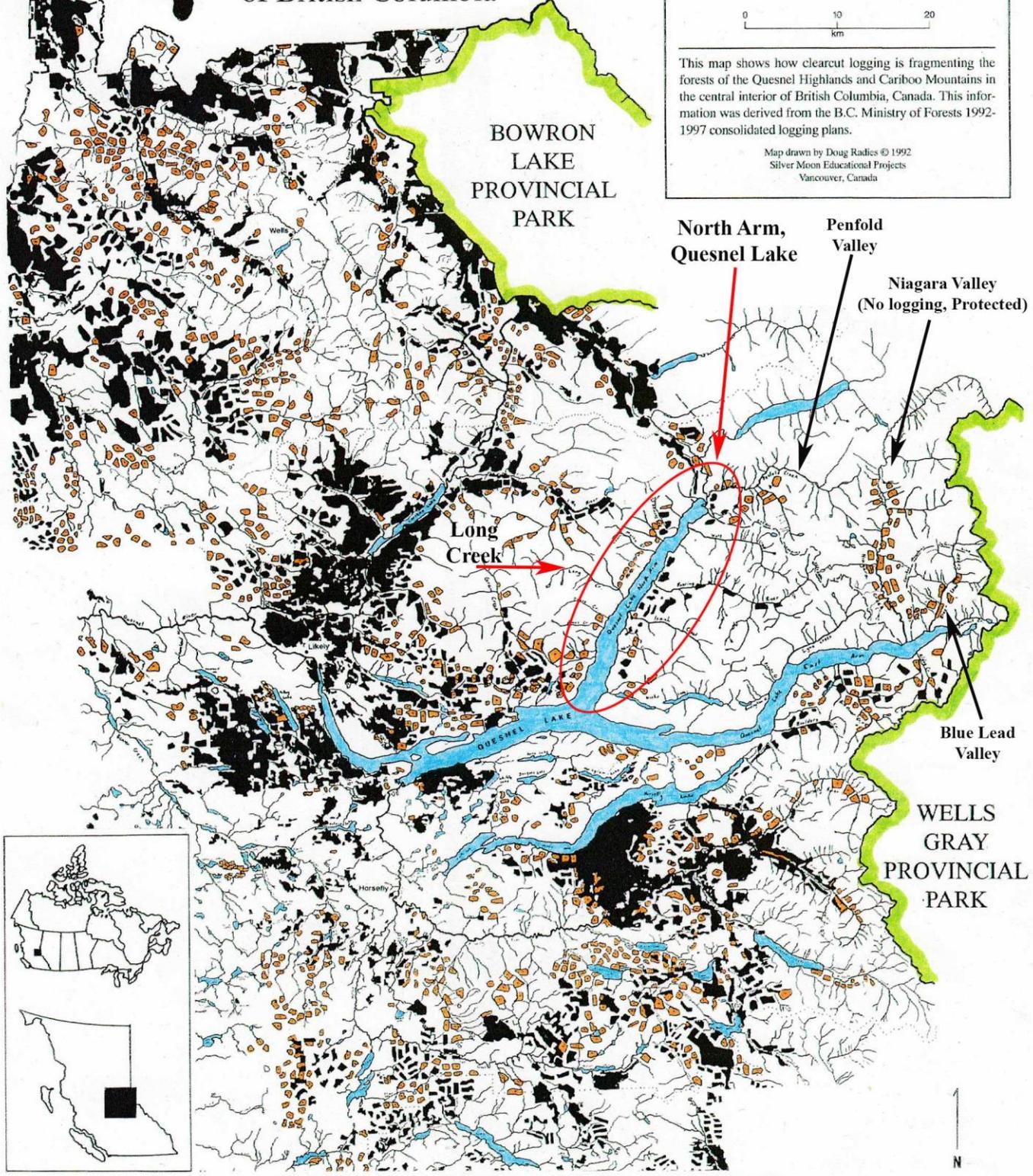
Legend

- Previously Logged or Burned
- Planned Cutblocks - 1992-1997

0 10 20
km

This map shows how clearcut logging is fragmenting the forests of the Quesnel Highlands and Cariboo Mountains in the central interior of British Columbia, Canada. This information was derived from the B.C. Ministry of Forests 1992-1997 consolidated logging plans.

Map drawn by Doug Radics © 1992
Silver Moon Educational Projects
Vancouver, Canada



Habitat conversion is the greatest threat to biodiversity.
Clearcut logging seriously threatens this fragile mountain environment.

Map #1: 1992 Poster showing logging proposals (brown shaded) for 1992-1997 period.

PREFACE AND CONTEXT

The circumstances behind the events documented in this report date back some 24 years. The distance in time, therefore, makes it difficult for the interested reader to appreciate or remember the often heated and sustained political debates revolving around forest industry conflicts prevalent and brewing during the first and second administrations of the provincial New Democrat Party (NDP), before and after the *Forest Practices Code Act* became law on June 15, 1995. This Preface will help to provide a basic backgrounder.

B2

The Vancouver Sun, Wednesday, October 4, 1989 ★★

A SOUTHAM ENVIRONMENT PROJECT



ENVIRONMENT:

By ROBIN LUDLOW
Southam Environment Project

Poll shows activists and scientists are held more credible than industry, government

ATTAWA
CTIVIST groups and scientists have more credibility on environmental issues than politicians or business leaders, two new national polls show.

The surveys of 1,521 adults and 1,659 Grade 8 students offer sobering news to the Mulroney government which has said the environment tops its agenda.

Among the findings of the polls, conducted by the Angus Reid Group:

- Adults and students show strong faith in what scientists, professors and environmental groups have to say. Among adults, 86 per cent say they believe at least some of what scientific experts say. Eight in 10 say they believe environmental groups.

- Among students, three-quarters believe all or most of what scien-

tists say. Almost seven in 10 say they believe environmental groups.

- Television and newspapers have high credibility ratings on environmental issues — about 90 per cent with adults and more than 50 per cent with students.

- Two-thirds of adults and almost as many students say they believe little or none of what business says about the environment.

- There's bad news for Prime Minister Brian Mulroney. Nearly four in 10 students say they would believe little or none of what he might say about an important environmental problem in their community such as polluted drinking water. Three in 10 say they would believe only some and

another three in 10 say they would believe all or most of Mulroney's comments.

- Only slightly more than half of adults say they believe at least some of what federal and provincial environment ministers and bureaucrats say, but fewer than one in five believe most of their statements. Two in five say these sources have little or no credibility.

- Across the country, only 16 per cent of adults say they believe most of what provincial environment ministers say. The top mark went to Ontario Environment Minister Jim Bradley who is considered believable by 21 per cent of those polled. B.C. Environment Minister Bruce Strachan is considered believable by 12 per cent of those polled.

- More than half the students believe all or most of what their parents say, a higher credibility rating than they give teachers at 46 per cent.

- Surprisingly, 44 per cent of students don't believe what their Brownie, Cub, Scout and Guide leaders say about the environment.

The surveys show "government ministers and public servants have low levels of credibility and a serious credibility problem with young Canadians," says pollster Reid.

Canadians' skepticism about what politicians say about the environment is reflected in another poll finding: seven in 10 adults say they would definitely or seriously consider supporting a new federal polit-

ical party that made environmental protection its primary policy objective.

One in five voters polled say they would definitely support such a party. Only a quarter would not likely support an environmental party.

The adult survey was conducted by telephone in mid-July. A representative cross-section of 1,521 people randomly selected from across the country were interviewed and asked to answer 150 questions.

For the teenagers' survey in early June, 54 schools from across the country were randomly selected and 1,659 13-year-old Grade 8 students were given one class period to fill out a self-administered 45-question survey.

Both polls are considered to be accurate to within 2.5 percentage points, 19 times out of 20.

(Robin Ludlow is a science reporter for Southam News in Ottawa.)

Public opposition to accelerated, unbridled clear-cut logging of B.C.'s remaining stands of old growth forests became a deep and pronounced concern in the 1980s, as evidenced in reams of B.C. newspapers, magazine, radio and television broadcast features. National polls conducted in 1989 to 1991 concluded that the 'environment,' with emphasis on Canadian forests, was the number one public issue. The polling results so disturbed resource extraction corporations that they initiated public relations strategies in the 1990s following to overturn and redirect the public's thinking, and to curtail environmental regulations.

One of the main resource themes resulting from the building of new industrial logging roads and clear-cutting throughout BC's land-base concerned consequential impacts to fish habitat,³ a subject first prominently raised in the 1944-1945 Sloan Forest Resources Commission.⁴ Even though federal fisheries inspectors brought scathing evidence before the Sloan Commission about logging practices responsible for degrading and ruining spawning grounds and stream channels, governments in decades following ignored the testimonies and recommendations from Motherwell, BC's Chief Fisheries Inspector, to properly protect fish habitat by protecting large forest buffers, giving sway to 'jobs' over the 'environment' arguments imposed by forest industry captains and lobbyists.

³ Including impacts to wildlife, community watersheds, sensitive ecologies, First Nations cultures, etc.

⁴ The author had reviewed the hearing proceedings and exhibits at the Provincial Archives in Victoria and those held at the University of B.C.

Through their primary lobbying arm, the BC Council of Forest Industries, multinational and Canadian-based forest corporations influenced the Social Credit Party administration in the 1980s to pass controversial legislation in 1987-1988 for privatization of public forests under the rubric of expanding Tree Farm Licence (TFL) agreements. With public concerns raging about these secret negotiations, set amidst the context of overcutting remaining old growth forest stands, from 1988 to 1989 environmental and community organizations, local governments, First Nations, academics, and even Union memberships forced the government to cancel the controversial legislation and to conduct a Royal Commission on Forest Resources. For the first time in BC administrative history, by 1991 the Sandy Peel Commission recommended new forest practices legislation and a new role for public involvement in BC forest management of public and private lands.⁵

TIMBER

The Vancouver Sun, Wednesday, May 6, 1992

Huge cut to forest harvest advised

Commission says
46% reduction
in logging needed

BEN PARFITT
Sun Forestry Reporter

Cutting levels will have to be reduced by nearly half over the next five years to sustain B.C.'s forests for the future, says the head of the Forest Resources Commission.

"I'll be very blunt," Sandy Peel said in an interview from Victoria, "a decline in cut levels from 74 million cubic metres to something in the range of... 40 million cubic metres would not be a great surprise."

Peel declined to discuss the impact a 45.9-per-cent rollback in cutting levels would have on B.C.'s economy, although his commission has preliminary figures based on discussions with ministry of finance officials.

But if a cutback of that magnitude is applied to the number of people directly employed in the forest industry today and annual payments by companies and employees to all levels of government, it equates to a loss of at least 37,000 direct jobs and \$1.2-billion in government revenue.

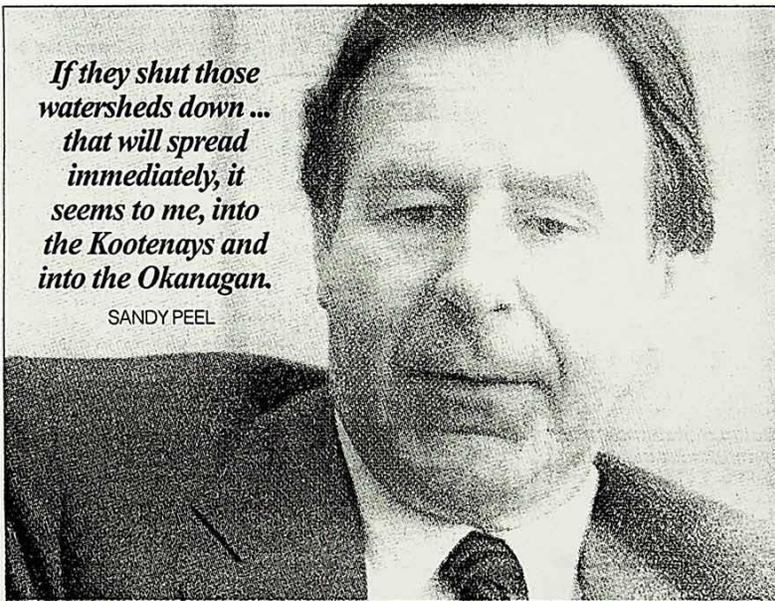
"And remember," Peel said, "in these resource-dependent communities your indirect jobs are almost directly tied to those direct ones."

The projected decline doesn't take into account withdrawals of forest for new parks, Peel added. Rather, it is a reduction needed to bring current cut levels into a "long-run sustained yield."

Peel said the cut would be even more precipitous if former B.C. ombudsman Stephen Owen, now

If they shut those watersheds down... that will spread immediately, it seems to me, into the Kootenays and into the Okanagan.

SANDY PEEL



chairman of the Commission on Resources and the Environment, recommends more parks.

"If CORE were to designate or to end up with substantial land removals... then that would be substantially worse," Peel said. "The dark-horse in this whole thing that really frightens the liver out of me is if we have substantial withdrawal of harvesting in watersheds, you know the issue that's going on in Victoria and Vancouver."

"If they shut those watersheds

down... that will spread immediately, it seems to me, into the Kootenays and into the Okanagan."

The industry of tomorrow won't be cutting the centuries-old trees it currently does, Peel said. And 80-year-old second-growth trees won't, under current practices, yield the kind of timber volumes in old-growth forests. Hence the need to bring cut levels in line with long-run sustained yield.

Peel said most of the cut decline could occur in the next five years.

The loss of high-paying jobs would be mirrored in an "equally dramatic" drop in provincial revenues, he said.

The projected decline in tax payments to all levels of government arrived at by The Vancouver Sun is based on the most recent Price Waterhouse report on B.C.'s forest industry. In 1990 the chartered accounting firm said payments to all levels of government by the industry and its employees was \$2.6 billion.

A 45.9-per-cent decline in pay-

ments would equal \$1.2 billion.

Reached in Victoria, Forests Minister Dan Miller said he didn't accept Peel's preliminary findings. But he did say "everybody in the forest business... knows that annual harvest levels are declining."

Miller said it was a "mistake" for Peel to think current cutting levels should be brought in line with the long-run sustained yield.

Miller said a better way of determining where cut levels should be is to look at "the volumes (of timber) that are available, the age-class distribution (of the trees), the soil capability, the wildlife constraints, the fish habitat... to put all of those things into the mix and... deduce what an annual harvest should be."

In recent decisions, Miller said, his ministry's chief forester, John Cuthbert, has done just that, reducing cut levels on south Vancouver Island and B.C.'s mid-coast by 30 per cent.

Peel, a former deputy minister of finance, is wrapping up work with the commission, which is to be dissolved after its last reports are submitted to government.

In a sweeping report last year on the state of B.C.'s forests, the commission called for an overhaul of licence agreements between the B.C. government and forest companies in order to channel more logs into an open market.

The commission maintained a more competitive market would ensure the highest prices paid for publicly-owned timber. Those funds could be used to do more tree-pruning, spacing and thinning — work that might increase the volume of wood coming out of second-growth forests and offset some of the big job losses Peel predicts.

With the downfall of the Social Credit administration (December 1975 to 1991) in the September 1991 provincial election, the New Democratic Party administration (1991 – 2001) began implementing draft legislations for a new forest practices regime under pressing public mandate. After three years of public and stakeholder input, and after numerous government draft documents through advice from government resource committees, the *Forest Practices Code Act* was passed on June 15, 1995.

⁵ Refer to Will Koop's April 30, 2003 on-line report, *The Working Forest: The End of the Commons*, for a description of some of these issues.

A New Forest Practices Code

Tougher enforcement, heavier penalties, and better forest practices are all part of new restrictions in BC's first Forest Practices Code which will become law in the spring of 1994.

Major improvements in the Forest Practices Code include:

- an increase in maximum fines for violations of the Code to C\$1 million or more from the previous C\$2,000.
- introduction of performance-based logging, which makes future logging activities dependent on a company's current operations.
- increased administrative penalties, including more authority to immediately remove a company's right to cut wood.
- new power to the Ministry of Environment to enforce environmental aspects of the Code.
- reductions in the allowable size of clearcuts.
- a ban on clearcutting where necessary to protect critical wildlife habitat, fish-bearing streams or other sensitive forest values.
- biodiversity requirements to protect unique ecosystems.
- higher standards of forest practices in designated areas such as community watersheds, wildlife habitats and scenic landscapes.
- tough new restrictions on road construction and strengthened soil conservation measures.
- independent audits of forest operations to ensure forest companies are complying with the rules.

The new Forest Practices Code will impose tough new restrictions on road construction to help curtail soil erosion.

Damage to fish-bearing streams confirms need for Forest Practices Code

The results of an independent audit – ordered by the government of BC to investigate whether the forest industry was complying with guidelines to protect fish-bearing streams – confirm the need for a strong, new Forest Practices Code.

The audit, released in January 1994, found that 39% of 211 fish-bearing streams studied along the Pacific Coast suffered major or moderate damage through poor logging practices and failure of forest companies to comply with existing guidelines.

BC Forest Minister Andrew Petter called the situation "intolerable" and ordered companies to provide clean-up plans within 30 days. He announced that 200 forest service staff are being reassigned to step up monitoring and enforcement of logging regulations.

"The Forest Practices Code (scheduled for adoption later in 1994) will give us the enforcement measures and heavy penalties needed to ensure this kind of damage won't happen again," Petter said.

The audit was part of the new BC government's policy of frank, open discussion of inadequate forest practices and the change that is required to make forestry environmentally sustainable.

■ 10 Supplement to the Quesnel Cariboo Observer



▼ Weldwood

Industry welcomes new B.C. Forest Practices Code

■ The forest industry is currently undergoing significant changes, and these changes are making the industry an exciting experience albeit one fraught with uncertainty and certain degree of anxiety.

SANDY GRAY
Weldwood Manager
Quesnel Division

Over the years, our industry has faced change constantly, but never the kinds of change and to the degree that we currently face. In the past, the industry controlled the change agenda to a certain extent, and changes were made as a result of technology development or market opportunities. This is no longer the case. Change is being driven by forces outside of our control, and in many cases forces difficult to identify or respond to.

We are living in a truly

global market place and as such our activities are influenced by global events. We are not immune to changes in global market conditions, currency rates, competitive products, political and environmental pressures, etc.

We are also faced with increasing domestic pressures on the forest land base upon which we have traditionally conducted our operations. These pressures generate processes such as the Forest Resources Commission, CORE, Old Growth

Strategies, Protected Areas Strategies, etc., and public policy changes such as the recently announced Forest Renewal Plan and the soon to be introduced Forest Practices code.

What has Weldwood done to face these challenges?

In 1989 Weldwood published its Environmental Policy. The underlying principle of this policy is Weldwood's continuing commitment to responsible stewardship of its forest resources and to the environment in which it operates. To implement this policy, the company instituted a formal audit pro-

gram, including periodic follow-up audits of each of its manufacturing operations. These were conducted to identify any areas of potential risk that might be present and where warranted to undertake rectification measures.

In 1993, Weldwood formally adopted a Forest Stewardship Policy which sets forth the principles that govern the management of the Company's forest resources. Stewardship to us means accepting corporate responsibility for the full scope of forest resource management with all of its economic, biological, ecological and social components.

Wednesday, May 4, 1994

Your
Forests
Your
Future

Growing with our Forests

During this transition from the 'old way' of reckless industrial forestry practices to a 'new regime' is when the author journeyed to the isolated waters of the North and East Arms of Quesnel Lake (1995 – 1997), set amidst the controversies of West Fraser Timber's "Junction Cedar License."

Here, in this beautiful landscape, the company was logging the unspoiled wilderness, vast mountain slopes and valleys of old growth cedar, hemlock and spruce, nested within the Interior Rainforest or Wet Belt of the Quesnel Highlands.

Article to right: West Fraser Timber was paying government \$0.25 per cubic metre for logs in its Junction Cedar License, which amounts to an average payment of about \$10 (Canadian) per truck load of timber hauled.

Quesnel Lake cedar licence questioned

Numbers don't add up

by ED MEHRER
Observer Reporter

ENVIRONMENTALIST DOUG RADIES wants answers.

Radies, once described as an "environmental gadfly" is again taking on the logging industry.

Radies wants answers as to why, as he perceives, logging companies wastefully cutting down the ancient cedars and hemlocks of Quesnel Lake.

Radies demands to know why 40,307 truckloads of cedar did not show up at the mills, over the years 1980 to 1996.

Radies claims logging companies are going into the Penfold, cutting down cedars and hemlocks, without regard, to get at the more profitable spruce and fir.

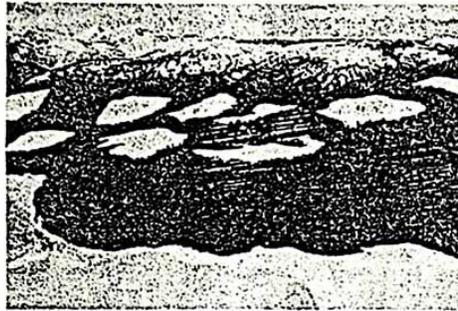
He further claims the majority of cut cedar and hemlock is not making it to market, but being buried and burnt instead.

"It sickens me to see a great tree, that could be upwards of 2,000 years old, fallen and split into five different pieces, pushed under a road, and covered in muck," said Radies.

"It's appalling. Such a crude way to work these forests."

This is where Radies believes the majority of the missing 40,307 truckloads of cedar have gone in 16 years — under logging roads or burned up.

But Radies isn't suggesting the wasted cedar and hemlock are wholly the logging companies' fault. He claims the government has a hand in it too.



Quesnel Lake remains at the centre of controversy with environmentalists and logging companies.

West Fraser questions numbers and reasons of environmentalist

The Ministry of Forests, in 1980, put forth a plan to clear all the "decadent" forests in the Penfold, making room for thriving, productive stands.

Those "decadent" forests, Radies said, are the old growth cedars and hemlocks of the Penfold, which the government legislated to have destroyed.

However, Guenter Weckerle, woods manager at West Fraser Mills, said the issue is not about destroying the cedar and hemlocks, it's a matter of creating more productive forests.

Weckerle also said West Fraser is not in the business of maliciously cutting down one species of trees to get to another.

Weckerle pointed out that 12 per cent of West Fraser's holdings in the Penfold are protected land, which includes the ancient cedar and hemlock.

He added West Fraser is following their licence, logging the area to create a more valuable stock, and in turn, creating a wealth of employment.

"We're striking a balance between protecting the land, and the employment of our people," said Weckerle.

As for the missing 40,307 truckloads of cedar, Weckerle questions Radies numbers.

"I question his numbers. I have no idea how he got them, or came to them."

"His numbers are an over simplification of what's going on in the forestry industry."

Radies also brings up the stumpage rates, and how the new system is allowing the logging companies to laugh all the way to the bank.

Radies said the new rate of 25 cents per cubic metre, set in 1987, is "a song" compared to the \$9.61 from the 1980 deal.

"Huge tracts of ancient cedar are being destroyed, while (logging companies) are getting premium white wood for a song," said Radies.

Weckerle said he couldn't comment on the 1980 price, as West Fraser had only entered the game in 1988.

But as far as the two-bits per cubic metre rate, Weckerle said it wasn't specifically done for West Fraser, or the Penfold. He said it was established province wide by the government.

"This isn't the only place in the world to be at minimum stumpage rate."

The 25 cents rate is low, but Weckerle asserts West Fraser must pay rent and silviculture over and above the stumpage rate.

Weckerle again claimed Radies to be simplistic in his rationalisation of numbers.

"He's not an expert, so he can't make those kind of assumptions about the industry."

Weckerle concluded by saying Radies continues to bring up issues to preserve more land.

However, Radies asks what's wrong with that?

"We are being faced with the death of these stately, magnificent old growth forests, for what?" questions Radies.

"If these trees weren't supposed to be there, they wouldn't be there. But they are, so why destroy them?"

Our beat

On Quesnel Junction Block

Forests minister to hear all sides Tuesday

Forests Minister Tom Waterland and Highways and Transportation Minister Alex Fraser will be in Williams Lake Tuesday, July 26, to hear briefs and submissions regarding a proposal to log the Quesnel Junction Block.

The hearing will be held at the Overlander banquet room starting at 10 am and both written and oral submissions will be accepted.

Those with written briefs are asked to give six copies of their submissions to Cariboo Regional Forests Manager Denny McDonald on Friday.

The controversy over the issue involves both the logging plans and the method of transporting the logs. After lengthy studies and many meetings, McDonald was expected to hand down a decision last March. That decision was delayed until after the May 5 election, and then delayed again when Waterland decided to become personally involved.

Everyone with an interest in the issue may make a submission to the minister.

some other way to transport the logs than by bundle booming.

Alternate methods of transporting the logs include road, ferry, or barge.

Road and ferry transportation have been ruled out as too costly and the ferry plan has an additional drawback -- part of the area to be logged could not be serviced by ferry. Barge transportation is not considered to be a viable alternative either as there are problems with landing sites.

best farmland, they say.' They note the timber in the area is reaching the end of a 1,000 year cycle and it should be removed to make way for new growth. Some of the timber is rotting now, but much can be saved.

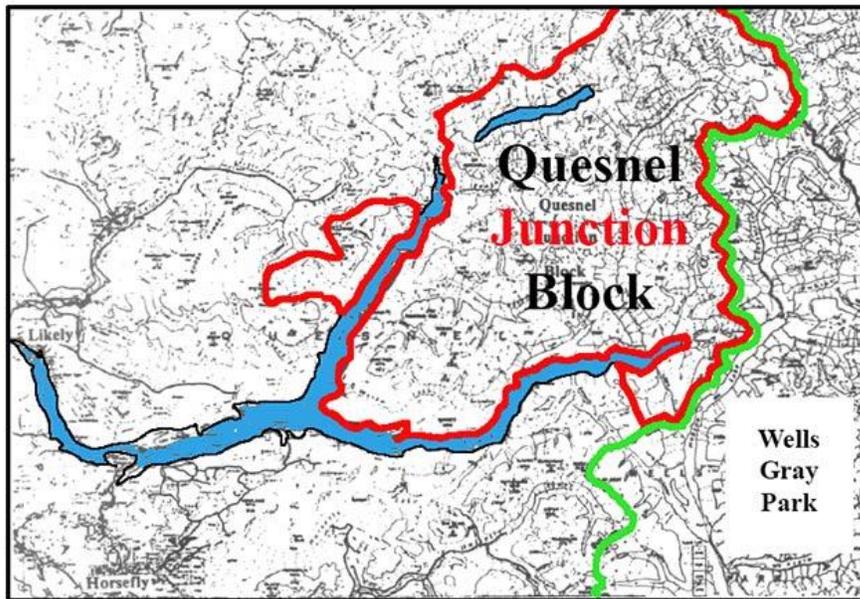
They also reject the idea that recreation and logging are incompatible citing such areas as Lac La Hache, which had had logging operations all around it, to make their point.

Spokesmen for industry insist the "state of the

pay for one of the alternatives.

Starline Cedar, whose proposal to log the Quesnel Junction Block started the controversy, needs the area to survive, according to manager Dave Bedford. He says 170 jobs are riding on the government's decision on whether or not the company will be allowed to log in the area.

The company has only a year's supply of cedar left and if it can not log the Quesnel Junction Block, it will have to shut down



Junction block is outlined in darker red line

Some people do not want to see any logging in the Quesnel Junction Block.

They argue economics shouldn't be the only factor in the decision making process and they point out that mismanagement of the forest resource in the past is largely responsible for the shortage of timber now.

The opponents of logging in the area believe the environmental and recreational value of the area in the long term will outweigh any benefits logging may bring in the short term.

They say the logging will most benefit the big companies with little gain to the local community who will be left with the mess.

They do not believe logging can be carried out without it doing irreparable damage to the lake environment and they want Quesnel Lake to stay as it is -- one of the most beautiful and unspoiled

Some people are not opposed to the logging itself, but object vehemently to any suggestion that logs be transported down the lake in bundle booms.

The Cariboo Regional District and Cariboo MLA Alex Fraser are on record as supporting this stand.

Based on past experience, this group does not trust the logging companies.

They fear bark loss and leachates from the logs will have a detrimental effect on fish and that debris from the booms will have an adverse effect on the recreational value of the lake.

While properly strapped bundles may not be easily broken, the group fears for what may happen if they do and they note Quesnel Lake is well known for its sudden and violent storms.

Log the Quesnel Junction Block if you must.

According to an extensive study undertaken by the forests ministry, bundle booming is the economically viable method of transporting the logs.

The lumber industry is concerned over the controversy because if it loses the Quesnel Junction Block it loses a good chunk of its forest land base and it can't afford to have that happen.

The junction block represents seven per cent of the total allowable cut in the Williams Lake Timber Supply Area. Besides, the only cedar left in the area is in the junction block.

Industry spokesmen point out the climate, soil conditions and elevation in the junction block make it the best timber growing area in the entire Williams Lake TSA. Removing it would be like paving your

art" has improved to the point where there is little damage to the environment and they feel there are ample restrictions and controls to ensure there is none.

In fact, they feel the restrictions laid down by the Ministry of Forests in its Quesnel Junction Block study are "too tight all over."

There are only two ways the junction block will be logged, they say --either the logs will be transported by bundle booms -- or the province will have to come up with a healthy subsidy to help

or change to another wood type and take somebody else's wood.

The Vancouver Sun

\$1 minimum outside Lower Mainland

WEDNESDAY, MAY 29, 1996

CC 60 cents retail / 75 cents coin box

Tightest provincial election race in a generation

NDP TAKES MAJORITY

For first time, party takes back-to-back poll victories

ANALYSIS: The Liberals were unable to scare right-wing voters into dumping the government.

TOM BARRETT

The New Democratic Party's traditional strongholds came through Tuesday night and Reform supporters refused to be stampeded to the Liberals as the government hung on for a historic victory.

The NDP squeaked past the Liberals for a narrow victory—the first time the NDP has been able to put together back-to-back election wins in B.C. history.

It appeared Gordon Campbell's Liberals had been unable to scare right-wing voters into bolting to their party to keep out the NDP.

The Liberals seemed to be doing poorly in the north of the province, where the B.C. Reform party looked set to win two seats. Perhaps Campbell's big-city image hurt him, perhaps it was his promises to privatize B.C. Rail, or his pledge to drastically reduce the size of the legislature—a move guaranteed to wipe out northern seats.

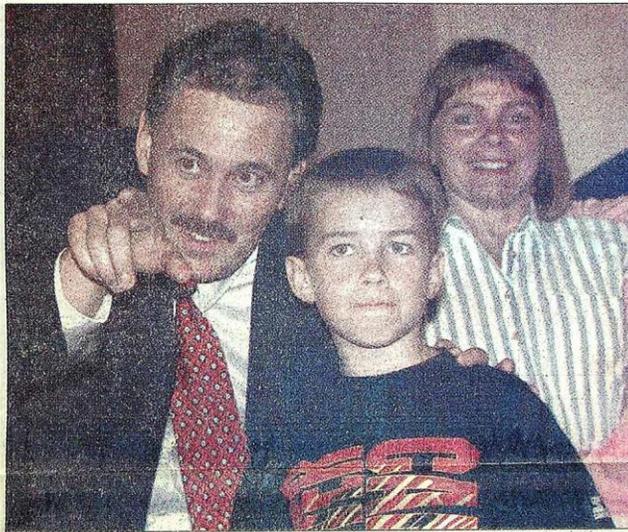
Unable to make sufficient inroads in the traditional NDP ridings on Vancouver Island, the Liberals needed those northern seats to form a government. While the Liberals appeared to have knocked off Island cabinet minister Elizabeth Cull, they couldn't make a dent in the rest of the NDP's Island redoubt.

It also looked as if the NDP would form a majority government with a smaller share of the popular vote than the Liberals.

With 99.3 per cent of the province's polls reporting, the NDP was leading or had elected members in 39 of the legislature's 75 ridings. The Liberals were leading or elected in 33 seats, with Reform elected in two and Progressive Democratic Alliance leader Gordon Wilson elected to round out the house.

The Liberals had 41.8 per cent of the popular vote, compared to the NDP's 39.4 per cent, the Reform's 9.3 and the PDA's 5.8 per cent, and Other 3.6.

Please see Analysis, A6



POINTING TO VICTORY: Election winner Glen Clark reacts to celebrating NDP crowds with his son Reid and his wife Dale.

Roller coaster of emotions swept crowds

GILLIAN SHAW and PETE McMARTIN

At 7:55 p.m. May Brown, chair of the Liberal campaign, entered the Hotel Vancouver ballroom, where the Liberals were awaiting election returns.

When it was suggested that an NDP minority government looked possible, Brown replied:

"Sure, it's possible. Myself I don't know. I'm numb right now."

Meanwhile, across the street at the Hyatt Hotel, where NDP supporters milled nervously about, the first big cheer came when early polls showed Jim Green leading against Liberal leader Gordon Campbell.

Those cheers were short-lived, but an even stronger frenzy grew as it became clear the NDP was outstripping the Lib-



erals.

The party was interrupted briefly by three uniformed Vancouver police constables, who convinced Frederick Louis, a mental-health advocate, to leave.

As Louis was dragged from where he sat clinging to a camera stand, he shouted: "The mentally ill have been abandoned by the NDP in this province."

A transesite identifying herself only as Sister C, and looking like a cross be-

Liberals win battle of B.C. popular vote

Premier Glen Clark now faces the task of delivering on his campaign promises to stimulate the economy and give tax breaks.

MARK HUME

Vancouver Sun

After a month of political bickering, backroom dealing and frantic polling the New Democratic Party emerged from the 1996 provincial election campaign with a slim majority Tuesday.

At press time, the polls showed the NDP with 39 seats, the Liberals 33, Reform 2 and PDA 1.

Canadian Press showed the Liberals lost despite taking 41.8 per cent of the popular vote, compared to the NDP's 39.4 per cent. Reform got 9.3 per cent of the vote, the Progressive Democratic Alliance took 5.8 per cent, and other parties between them got 3.6 per cent.

At the end of the last legislative session, the NDP held 50 seats, the Liberals 15, Reform four, Independents three, the Progressive Democratic Alliance two and Social Credit one.

"Boy, was that close, or what?" a jubilant Premier Glen Clark said at a boisterous NDP victory rally in the Hotel Vancouver.

Touching on the main theme of his election campaign, Clark promised a government that will be on the side of the middle class.

But he also said his will be a government for all British Columbians, no matter how they voted.

Praising NDP supporters, he said of the close victory: "We did it because we stood together."

And Clark made a peace offering to his opponents, congratulating Liberal leader Gordon Campbell, Reform leader Jack Weisgerber and Progressive Democratic Alliance leader Gordon Wilson, all of whom were re-elected.

Appearing at a Liberal rally at the Hotel Vancouver, Campbell seemed pleased despite his party's loss.

"There is no party in British Columbia that has got more votes than the Liberal party," he said to cheers.

Campbell tried to lay to rest rumors

WEATHER

Who voted for this?

Mother Nature elects to give us a

School-bus hijacking hero hailed

Reformer blasts bilingualism as

election (2001-2017).

Within a year and a half of the May 1996 election, the NDP administration, under Premier Glen Clark, began in part to do what the BC Liberals had promised private industry: he downsized the Ministry of Environment, gutted some of the teeth in the *Forest Practices Code Act*, etc. In the summer of 1997, Premier Clark went so far as to label environmentalists "enemies of BC." By 1999, Cabinet Minister Dan Miller began promoting offshore oil and gas development and privatization of BC's Crown land forests, echoing what Forest Minister Andrew Petter stated in 1997 at a forest industry convention in Prince George: that the NDP's objectives were similar to those of the WAC Bennett Social Credit party.

⁶ Will Koop and Doug Radies (referred to as the "observers" in the report) made their journeys up the isolated North Arm of Quesnel Lake in a 20-foot aluminum craft with a 25-horse outboard motor. (P.s., thankyou Uli)

The investigation of the Long Creek mainline logging road on May 20, 1996, events documented in the Say-No-More report,⁶ coincided one week before the provincial election when the NDP defeated the BC Liberals (renamed and reorganized from the Social Credit party, now under representative Gordon Campbell, former mayor of Vancouver City) for the second time running. Leading up to the high-stakes election, the corporation-friendly BC Liberals promised to repeal environmental legislations, cut and slash away the *Forest Practices Code Act*, and downsize the Ministry of Environment, promises later fulfilled by the BC Liberals after the May 2001

During the NDPs second term, the newly created Forest Practices Board, in charge of monitoring public complaints of logging practices under the *Forest Practices Code Act*, were hampered by few staff and inadequate funding to undertake proper investigations of public complaints.

Van Sun wed July 31/96. B3

Forest practices watchdog down to 1 investigator

The board has reached a state of near-paralysis, with only three of 11 complaints still on the active file being looked at.

LARRY PYNN
Sun Environment Reporter

The provincial body that investigates violations of the new Forest Practices Code is in a staffing crisis, down to a single investigator to handle public complaints.

"This is serious, a substantial problem for us," Keith Moore, chair of the Forest Practices Board in Victoria, said in an interview Tuesday. "This is not the kind of prompt response to complaints that the public expects."

Since the new code took effect June 15, 1995, the Forest Practices Board has received 32 public complaints. Of those, 11 are still on the active file and three are actually under investigation.

But with only one investigator on staff (down from a high of six earlier this year, all temporary and contract appointments), the board has reached a state of gridlock that won't be rectified until year's end at the earliest.

Earlier this month, board investigator Glen Pilling warned the Sierra Legal Defence Fund, acting on behalf of the Sierra Club of B.C., not to expect a quick response to its complaint.

He wrote "... we do not have staff available to conduct those assessments

immediately and... you should not expect an immediate response:

"We will also be unable to conduct any investigation in the near future if we decide to investigate."

The Sierra Club is protesting the forest development plan for the Klaskish watershed north of the Brooks Peninsula on Vancouver Island.

Vicky Husband, the Sierra Club's conservation chair, complained that logging continues in the watershed while the Forest Practices Board awaits staff.

"Inadequate government support for the board means that the public's access to appeal is denied," she said.

Moore said the board was caught in a provincial hiring freeze that is only now beginning to thaw.

The board has just hired a permanent executive director, Mike Wyeth, a silviculture manager in the B.C. forests ministry, and is now conducting interviews for a director of investigations.

The plan is to bring on board two more temporary investigators on contract this summer, pending the hiring of five more full-time investigators by the end of 1996.

"We are seriously short-staffed," Moore agreed. "We were caught in the general hiring freeze by government and couldn't hire permanent staff."

The board investigates public complaints about violations of the Forest Practices Code only after other government avenues have proven unsuccessful.

More forest-code audits needed, biologist says

DAVID HOGBEN
SUN BUSINESS REPORTER

Too few audits have been done to conclude that forest companies in British Columbia are complying with the forest practices code, according to a biologist with Sierra Legal Defence Fund.

John Werring was commenting after the forest practices board released its annual report

Wednesday.

"The statement from the chair basically says that code requirements are being met and forestry is better in B.C. as a result of the introduction of the code," Werring said.

"The board has not done enough audits to make that statement. They should have done more audits. The forest practices board likes to call it

self the forest watchdog; we look at them as the forest lapdog."

The board said in its report that four forest licences were audited in 1997.

Board chair Keith Moore said that with more staff members and resources more audits would be completed, but defended the audits that were done.

"I think the annual report is pretty specific in stating that the audits have found that most practices are in general compliance," Moore said in an interview.

"Certainly we are reporting on relatively few audits to date."

The length of time it takes to complete an investigation is also a problem, says Werring.

"We have made 20 com-

plaints, going as far back as 1995," Werring said. "Essentially nothing has happened, those complaints have not been concluded."

Moore acknowledged the investigative process has been slow, but he said the board is attempting to speed up the process.

Many of the problems were associated with the startup of the board.

"There was not much in the way of precedence or procedures.

We have been careful and cautious to deal with complaints very thoroughly," he said.

Environmental activists such as Sergio Paone, a director of the Friends of Clayoquot Sound, say compliance is less of an issue than the code itself.

"Even if they were to fully comply with the forest practices code it would not... offer protection to the environment."

Paone said the board is severely understaffed and therefore too slow to complete investigations in a timely fashion.



Vance Hanna photo

Unidentified hiker looks small indeed compared to the majesty of a giant tree in the rainforest. Cariboo trees are threatened.

A clear-cut decision

At a special slide show and forum in Vancouver Tuesday, conservationists **Doug Radies** and **Ocean Hellman** will be honored with the Eugene Rogers Award for their work.

Despite the prestige of the award, they would much rather have the satisfaction of seeing their volunteer work completed — park status for the Cariboo Mountains wilderness in B.C.'s Interior.



**TONY
EBERTS**

Not all our rainforest is on the coast, but like almost all the world's rainforest the magnificent trees of the Cariboo Mountains stand condemned to obliteration.

Unless logging plans are halted, the second most important sockeye salmon tributary of the Fraser will be put at risk.

Most of the fish-rich headwaters area of the Quesnel River system is scheduled for clearcutting over the next five years, even though studies indicate the logging would be heavily subsidized by B.C. taxpayers.

The Cariboo Mountains Wilderness Coalition recognizes that some logging must take place to help support the local economy, but is pushing for a reduction in the cutting rate to allow protection of the vital watershed area.

The reasons for protection include:

Cariboo Mountains face the axe

■ It is the largest undeveloped old-growth forest ecosystem in the southern Interior of the province, and the largest intact wilderness area in the Shuswap Nations' traditional territory.

■ The waterways that rise in the Cariboo Mountains are second only to the famed Adams River in producing sockeye for the Fraser, and there are significant numbers of chinook, coho, pink salmon and trout.

■ Heavy rainfall on the western slopes has created internationally significant wetlands crucial for migratory waterfowl, fish and wildlife.

■ The valley bottoms contain ancient cedar/hemlock forests, and experience elsewhere indicates that most of these huge trees will be burned or buried onsite so the corporations can cash in on the more commercially valuable mountain spruce and fir.

■ Fragmenting the area will threaten the grizzly bear populations. Herds of woodland caribou must have old-growth timber to survive.

■ The wilderness region is vital to the continued economic importance of sports fishing on

Quesnel Lake. The wilderness diversity supports a fast-growing tourist industry.

Premier **Mike Harcourt**'s promises about protecting biodiversity and moving toward timber industry sustainability will prove hollow indeed if his government fails to reduce logging plans in the Cariboo Mountains.

For details, go to the Tuesday night forum at the MacMillan Planetarium Auditorium at 7:30.

Wilderness photographer **Ralph Currie** is to present a slide-and-tape show about the region. Admission is \$5.

■ ■ ■
No wonder Vancouver Island's timber moguls are upset with the CORE/Harcourt decision—they get only 87 per cent of the place and some bits of it don't even have trees.

Of course, all the others get only 13 per cent, and MOST of their share has no trees.

In that big industry-orchestrated demonstration in Victoria, somewhere between 10,000 and 10 million island loggers demanded that all the others get no more than 12 per cent.

Somehow, we learn from irresponsible sources, that extra one per cent is going to eliminate at least 14-million jobs and reduce the island's economic output by 110 per cent.

Well, that's the democratic process for you. But at least we're left with a huge increase in manure, which might form the basis of a mushroom industry while we wait 80 years for the next crop of trees.

During the NDP's first term, numerous Protected Area Strategy processes were undertaken through the legislated mandate of the Commission on Resources and Environment (CORE) by way of Regional and Sub-Regional plans. One of the land-use battles, the Caribou / Chilcotin Regional Land Use Plan, was quite fierce, with the forest industry creating as much ruckus as possible in order to protect its self-interests. It was during this period that the Quesnel Mountains Wilderness Coalition (QMWC) and the Quesnel River Watershed Alliance (QRWA) were formed which undertook to protect as many intact watersheds in the Quesnel Lake area: i.e., the Penfold and Niagara valleys, home to critical wildlife habitat and functional ecosystems.

And, it was through the QMWC and the QRWA that Doug Radies applied great effort, research and dedication to protect as much of the Quesnel Lake area ecosystems through advocacy and public education. He imparted the importance of the Quesnel River watershed as a critical rearing and staging ground for salmon and



THE SIERRA REPORT

Not blind opposition to progress — but opposition to blind progress.

VOLUME 12 • NUMBER THREE • AUTUMN 1993

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CARIBOO MOUNTAINS UPDATE SAVE THE FORESTS AND SAVE THE FISHERY

While debate rages between conflicting groups over who gets what share of B.C.'s dwindling salmon stocks, clearcut logging continues in the Quesnel River watershed, which drains the Quesnel highlands and Cariboo Mountains of the central Interior.

Four of the five Pacific salmon stocks spawn in the Quesnel system, a major tributary of the Fraser River — pinks, coho, chinook and sockeye — but the fish are only here because of the water flowing down from the wet western wall of the Cariboo mountain range that soars above the dry interior plateau. The many creeks draining into Quesnel Lake flow through forests that protect and regulate that water, ancient stands of cedar and hemlock in the valley bottoms, spruce and fir at higher elevations. Yet as essential as those forests are to the Quesnel — and its rich fishery — timber companies have roaded and logged major tributaries of Quesnel Lake.

As these words are being written the Cariboo Mountains Wilderness Coalition (CMWC) is again conducting a canoeing expedition on the lake in support of the Cariboo Mountains park proposal. (*Sierra Report*, May-June 1991, and September-October 1992). The proposal would link the Wells Gray and Bowron Lakes parks to protect the heartland of the Cariboo Mountains. This is an area too ecologically rich for the logging companies' business-as-usual. Here, a diverse landscape of peaks and glaciers, old-growth forest, deep freshwater lakes, and an abundance of wetlands, supports the largest concentration of grizzly bear in the B.C. Interior and high populations of woodland caribou, migratory waterfowl and the Quesnel's celebrated sockeye salmon. Federal fisheries consultants warn that the potential for logging impacts on Cariboo Mountains drainage basins is high.

We reprint the following part of an article written by Doug Radies of the Cariboo Mountains Wilderness Coalition for the May 24, 1993 edition of *The Fisherman*:

In the spring of 1992 the NDP government placed a temporary moratorium on any further development in the majority of these critical watersheds to provide "breathing space" for Stephen Owen's Commission on Resources and the Economy (CORE) to establish

a regional planning process in the Cariboo.

The Ministry of the Environment is currently conducting an environmental assessment of the impact of this past winter's logging in Blue Lead Creek, a valuable fisheries stream on the east arm of Quesnel Lake that was not deferred in 1992. But the focus of the audit is on the site-specific impact, not the long-term cumulative impact associated with continuous road-building and forest removal over time.

The CMWC claim that full protection is the best management tool to preserve critical fish and wildlife habitat. In recognizing that it is not practicable over the entire land base, the coalition is calling for a reduction in the annual allowable cut in the Quesnel River watershed to accommodate full protection in some areas while providing options for truly sustainable resource use in areas designated for integrated resource management. That would include no-logging buffer zones on all streams and changes in forest practices.

The government will be making a decision on the Cariboo Mountains Park proposal at the end of this year.

Please write to Minister of Fisheries and Oceans Ross Reid, Centennial Towers, 15th floor, 200 Kent St., Ottawa, ON K1A 0E6. Please write also to Premier Michael Harcourt, Parliament Bldgs., Victoria, B.C. V8V 1X4.

The Cariboo Mountains Wilderness Coalition, a small but dedicated group, operates on a shoestring and is desperately underfunded. Donations would be greatly appreciated. Their address is P.O. Box 34293, Station D, Vancouver, B.C. V6J 4N8. Phone (604) 685-8269.



freshwater fish species: the Horsefly River watershed and the Quesnel Lake sub-systems. And, that is when he began to investigate the relationship of industrial logging practices to water quality and water runoff and is primarily why he invited the author of this report to lend him a helping hand.⁷ He organized the Eyes of the Forest conference in 1996, during which time he arranged a conference speakers tour of the Quesnel Lake area, with a special May 24, 1996 visit of the Long Creek mainline road under construction at that time.

⁷ The author enrolled in an introductory one-week forest hydrology course in September 1995 with Idaho forest hydrologist Al Isaacson. The author later read numerous technical reports and researched the history of forest hydrology in North America.

QUESNEL LAKE: Pristine wilderness disappearing

Stop North Arm logging now

Editor:

The North Arm of Quesnel Lake is a spectacular area. When I was young, my family would occasionally go up to our cabins at "Limestone." The trip was always such an adventure; several hours going up the lake by boat, enjoying the view and watching the shoreline for wildlife.

Fifty years ago, my grandfather was a big game hunting guide. He barged his pack horses up to this base camp and then took his clients up into the Cariboo Mountains. Now that he has passed away, this is a special place for our family.

But sentiment is not listed as one of the factors to be considered in the approval of logging plans.

The planned construction of logging roads and a log dump site along the west

shore of the North Arm of Quesnel Lake is going ahead.

In 1980, members of the Quesnel Lake Foundation tried to prevent log booming on the lake, but they were unsuccessful. Now, after a decade of aggressive logging, the Quesnel Lake watershed is quickly becoming a checkerboard of clearcuts. Much of what's left is scheduled for destruction in the next five years.

Fisheries values, however, do have to be considered in the approval of logging plans. Thousands of kokanee spawn annually on shoals along the North Arm. There are only few of these critical shoals and one of them is at the mouth of Long Creek, the proposed log dump site. If this "development" is not stopped, the damage to the kokanee populations will be irreversible.

The Ministry of Environment knows this. For months they have been pressured by West Fraser Mills Ltd. and the Ministry of Forests to give their approval to the construction of the logging infrastructure. Thankfully, they have not given in -- until now.

No doubt the road building will be immediately. And the west shore of the North Arm will no longer be pristine. It's as simple as that. Or is it?

Hundreds of people in the Cariboo are fed up with one-way decisions that ignore and violate the non-timber values of our forests. If you are also one who cares, please take the time to write to John Cashore, the Minister of Environment, urging him to intervene.

**Lori K. Walters
Horsefly**

Quesnel River Watershed Alliance

P.O. Box 1098, 150 Mile House, British Columbia V0K 2G0

June 28, 1995

IMPLICATIONS OF THE PROPOSED 1995-2000 LOGGING PLAN FOR THE QUESNEL RIVER WATERSHED IN RELATION TO THE IMPLEMENTATION OF THE CARIBOO CHILCOTIN LAND USE PLAN

Summary

The new proposed 5 year logging plan for the Quesnel River Watershed does not conform to the targets and objectives of the Cariboo Chilcotin Land Use Plan.

Clearcutting is the overwhelmingly dominant silvicultural system currently used in the Quesnel River Watershed. Clearcutting must be phased out and replaced with variable-retention silvicultural systems where the management objectives and priorities and natural values of the area determine the level of forest retention.

The allowable annual cut in the Quesnel River Watershed is not sustainable and must be reduced.

Many non-timber values in the Quesnel River Watershed will be lost or seriously affected by logging development as currently planned in the next five years.

Interim measures combined with immediate sub-regional planning initiatives will help to implement a sustainable management plan for the Quesnel River Watershed.

NEWS

▼ Forestry vs. fish

Quesnel Lake paddle promotes resource use issue awareness

"There is no way that huge corporations should be allowed to come in, take over the land base, deplete the resource and jeopardize all the other values of the forest." - Doug Radies

■ *This August, Doug Radies hopes to attract enough adventurous souls to fill 10 Voyageur canoes for a 100 kilometer return journey on the spectacular east arm of Quesnel Lake - but his motivation for setting up the trip goes far beyond mere tourism.*

NEIL HORNER
Observer Staff Reporter

Radies, an environmental activist with the Cariboo Mountains Wilderness Coalition, hopes the experience will help the paddlers get a deeper appreciation for the endangered beauty of the Quesnel Lake area. "People have to go out and experience these places," Radies said in an interview Wednesday. "You just can't get the experience from photographs and television."

For the past three years, the Cariboo Mountains Wilderness Coalition (CMWC) has been lobbying to preserve the ecologically sensitive and unique rainforests on the western slopes of the Cariboo Mountains located between Bowron Lake and Wells Gray provincial parks.

Last year, the coalition organized a paddling tour to the end of the east arm of Quesnel Lake, bringing more than 50 people in four Voyageur canoes to the mouth of the Blue Lead Creek.

Encouraged by the success of last year's trip, the CMWC is planning a larger expedition this year for the last week in August.

The expeditions are not just sight-seeing tours, but are also educational adventures, with immediate and pressing

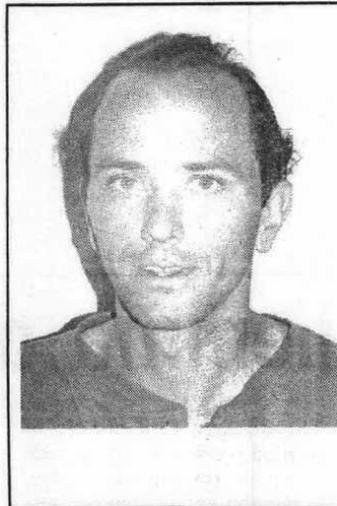
building on the spawning beds of this area.

"While the fishers rely on the salmon they catch out in the ocean, they are really very much a forest animal, relying on the healthy river systems of the Interior for their spawning grounds," Radies said. "The next five year plan for the forest companies will see logging on the top end of just about every headwater for the Quesnel River, which has the best sockeye potential in the Interior."

and Quesnel are now focussing on these sensitive areas."

Radies said the damage done to fish stocks by clearcut logging is well documented, with siltation burying the gravel beds needed by salmon to spawn. As well, debris from logging can block salmon on their upward journey to the spawning beds and clearcutting can deprive streams of their protective canopies.

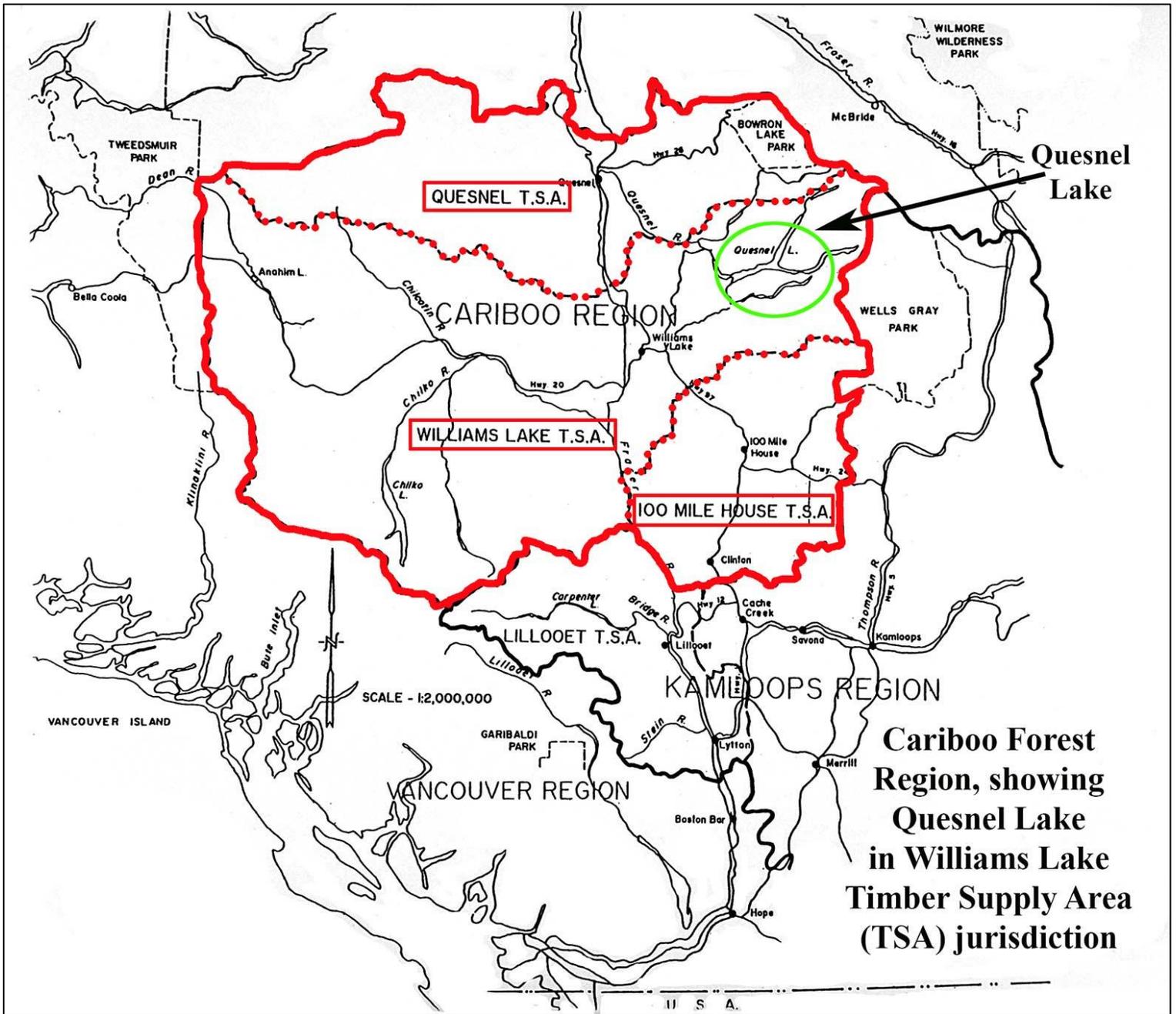
For more information about this trip, or to register, contact Gina at 985-9356.



“ There is no way that huge corporations should be allowed to come in, take over the land base, deplete the resource and jeopardize all the other values of the forest. ”

environmental issues very much on the agenda. While last year's expedition focused on giving participants first-hand exposure to logging issues, the focus of this year's trip will be the importance of Quesnel Lake and its watersheds to the conservation and preservation of salmon and other fish stocks, with emphasis on the impact of large scale clearcut logging and road-

These upper watersheds are vital to maintaining the salmon's survival, he said. "The overall health of the Quesnel River system is largely attributed to the pristine state of its headwaters," he said. "Until recently, the remoteness of these headwaters have guaranteed their preservation. But, with surrounding areas logged to their limit, the mills of 100 Mile House, Williams Lake



Cariboo Forest Region, showing Quesnel Lake in Williams Lake Timber Supply Area (TSA) jurisdiction

Map #2: Shows: the Ministry of Forests’ Cariboo Forest Region and it’s three planning divisions, the Quesnel, Williams Lake and 100 Mile House Timber Supply Areas; and the location of the Quesnel Lake watershed area (green outline), nestled near and between the Bowron Lake and Wells Gray Provincial Parks.

SECTION 1: INTRODUCTION

On May 20, 1996 Will Koop and Doug Radies conducted an independent reconnaissance of the Long Creek logging mainline road (CP [Cutting Permit] 56-RO1399-8/92, approved April 7, 1994). Located on the mid-western slopes of Quesnel Lake's North Arm (see map, page 19), most of the logging road had been constructed in 1995 through sensitive lacustrine glacial deposits. The newly constructed road begins from a wide and well-bordered log dump and rises to the switchback at Convirs Creek.

The team photographed and videotaped the condition of the road, noting:

- slumping of cut-slopes into the ditch and onto the road;
- the erosion and dispersal of cut-slopes;
- the transport of sediments, most of which were clay, silt, and sand, down the ditch structures and then through culverts, and down slopes toward and into the North Arm of Quesnel Lake;
- surface erosion of the road, where sediments exited into ditches and down fill-slopes;
- the erosion of fill-slopes, most of which were composed of highly erodible materials;
- plugged and dysfunctional culverts;
- and unfinished road construction.

The state of the road continually worsened the farther and higher the party walked up the mainline road. Upon their descent into the forest from the upper road area to Quesnel Lake, the team discovered thick and fresh deposits of clay, silt, and sand in a tributary junction with Convirs Creek, a fish-rearing stream.

The May reconnaissance by Koop and Radies resulted in the pair alerting the United Fishermen & Allied Workers Union (UFAWU) and the Sierra Legal Defence Fund (SLDF, now Eco Justice) of the probable effects to water quality and fish habitat from road construction. On June 3, the UFAWU sent a letter of complaint to the Ministry of Forests (MOF) Horsefly District Manager Bill Young requesting:

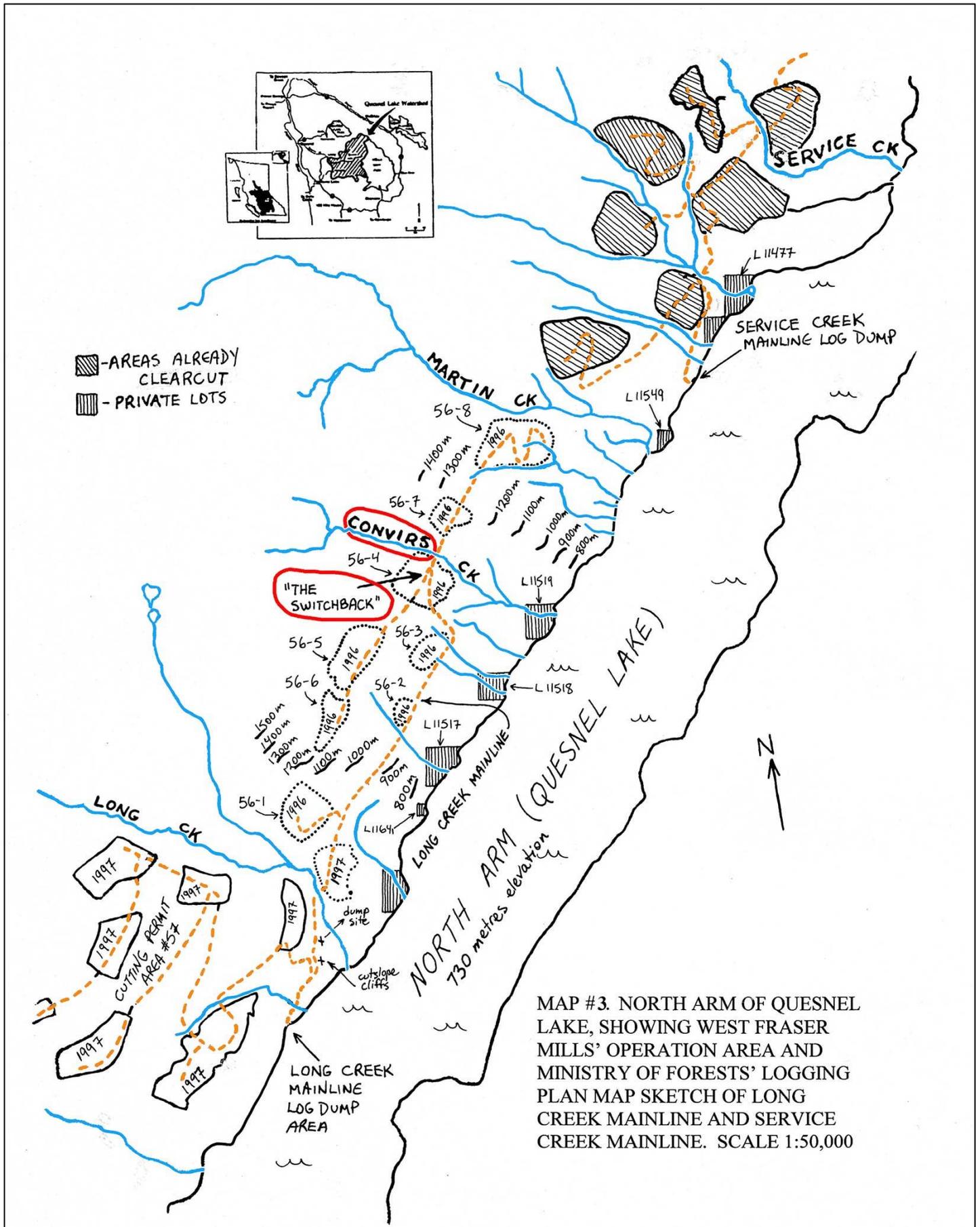
- an investigation of the Long Creek Mainline and of the Penfold Valley Mainline roads (which the same party inspected on May 19th, 1996);
- and for a temporary cessation of road building and road permitting in the Quesnel Lake Junction area.

As a result, Bill Young ordered an investigation of only the Long Creek mainline by the MOF and the Ministry of Environment (MOE) staff.

On July 2, 1996 Bill Young made a written *Determination* of the Long Creek mainline road and levied five minor fines against West Fraser Mills under the *Forest Practices Code* Forest Road Regulations. After investigating over 10 kilometres of road, Young believed that “the potential did exist to affect fish rearing streams through excessive siltation”. However, Young’s inference remains hypothetical, because:

- it was based on a rushed and poor investigation by MOE and MOF staff;
- it was based on the absence of a ministerial fisheries biologist’s inspection of sediment input into all fish bearing streams below the Long Creek mainline.

Bill Young should have delayed his *Determination* on the Long Creek mainline until such time as a proper investigation by MOE staff on fish habitat and water quality was undertaken. As it is, there could have been, and there may continue to be, damage to the environment and fish-rearing habitat in Convirs Creek and other streams in the related area from road and clear-cutting logging practices.



MAP #3. NORTH ARM OF QUESNEL LAKE, SHOWING WEST FRASER MILLS' OPERATION AREA AND MINISTRY OF FORESTS' LOGGING PLAN MAP SKETCH OF LONG CREEK MAINLINE AND SERVICE CREEK MAINLINE. SCALE 1:50,000

On August 12, 1996 Doug Radies and Will Koop – referred to in this report as “the observers” – revisited and surveyed the lower channel of Convirs Creek, ⁸ which flows down the mid-western slope of Quesnel Lake’s North Arm. The observers’ objective was to carefully inspect Convirs Creek for any visible indication of siltation resulting from recent road construction (latter half of 1995) by West Fraser Mills into the run-off regime, or downstream receiving watershed, of Convirs Creek, evidence of which the observers briefly noted on their first reconnaissance of May 20, 1996. Here they confirmed that an excessive amount of road-related sediments had been deposited along and transported down this unnamed tributary to Convirs Creek, and then down into Quesnel Lake.

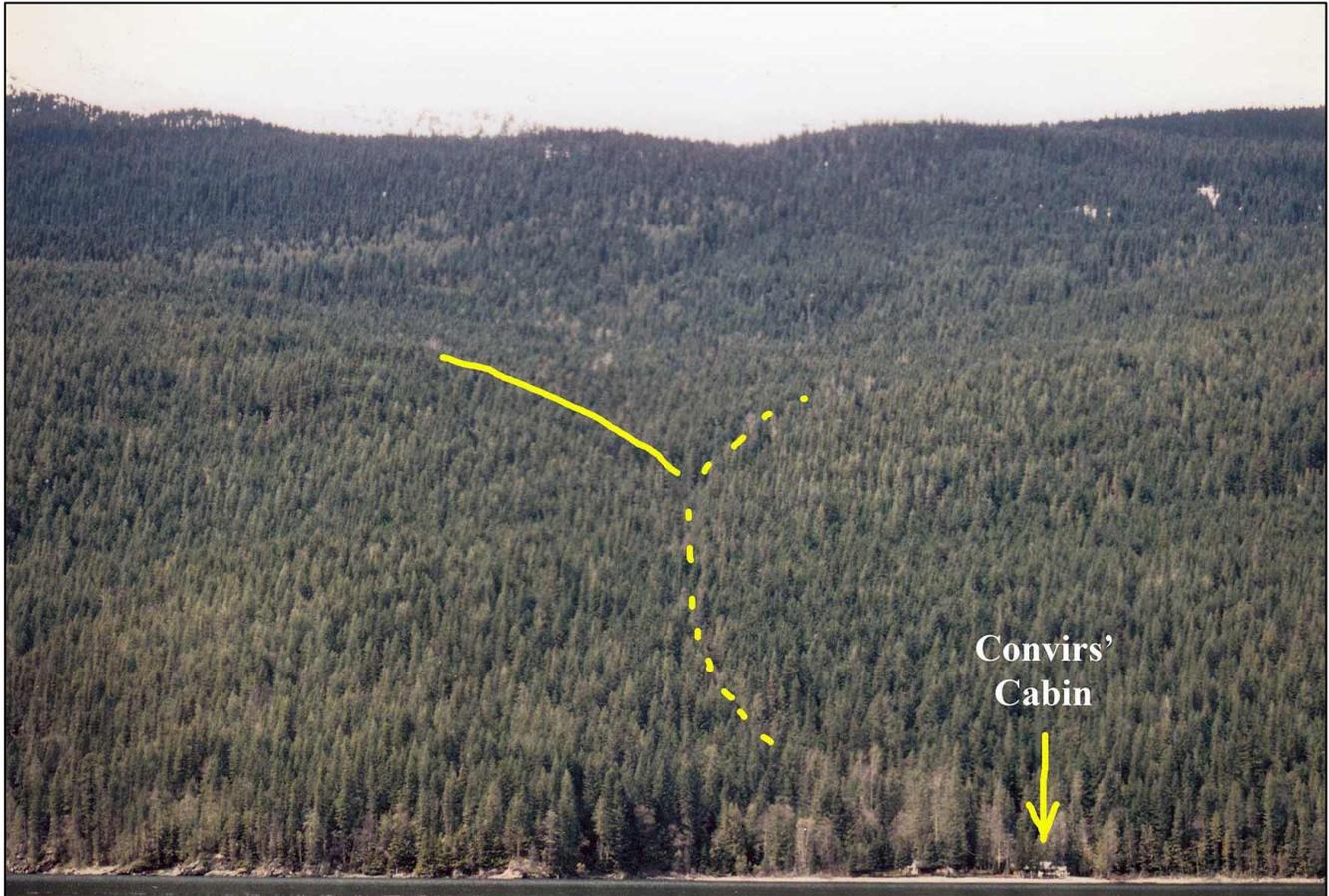
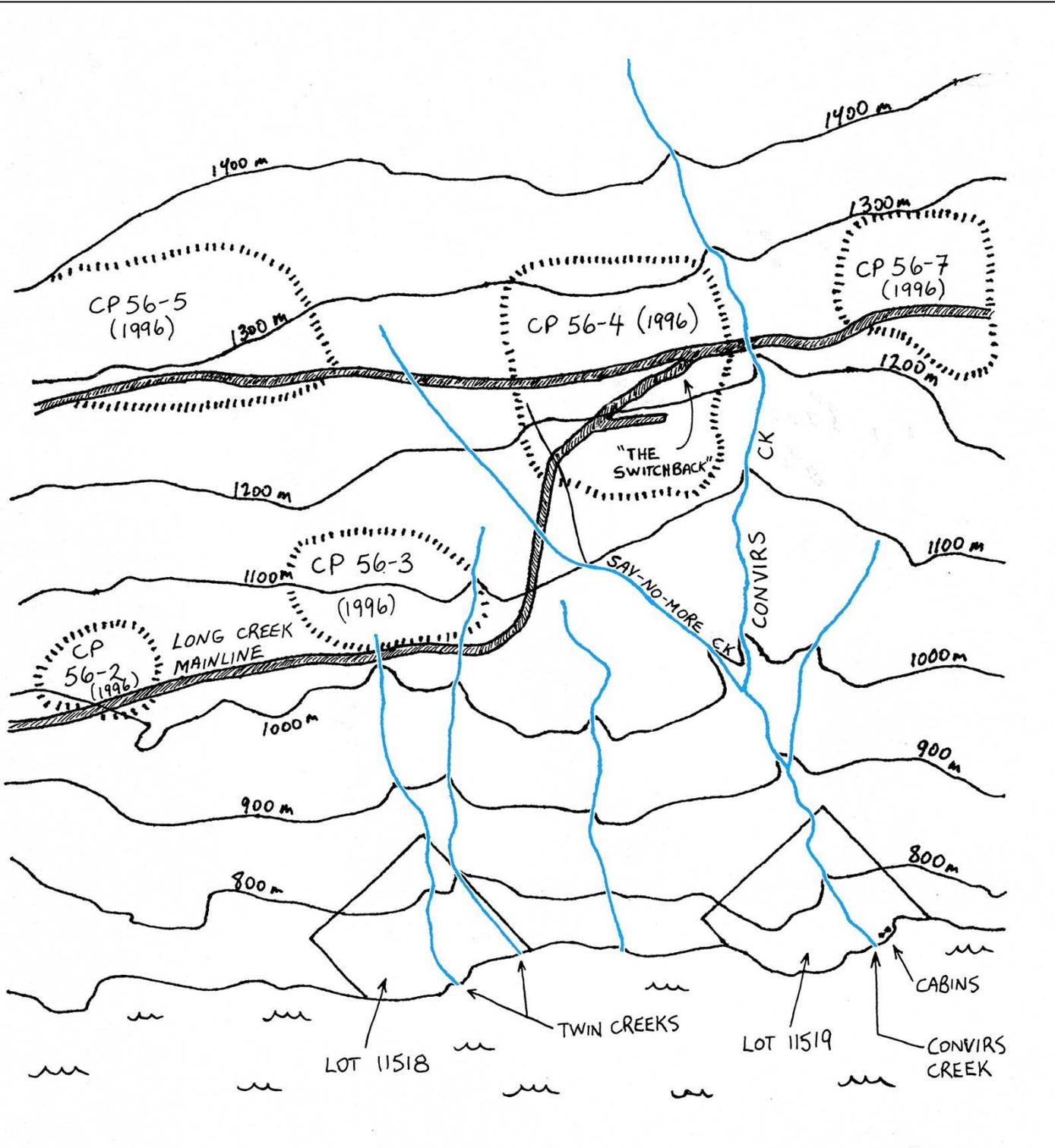


Photo #01, May 20, 1996. Shows profile of the Convirs Creek drainage on the western slope of Quesnel Lake’s North Arm. In the middle bottom area of photo is the steep course and outflow of Convirs Creek. The approximate Say-No-More tributary course from the lower Long Creek logging road, down to its confluence with Convirs Creek, is highlighted on the photo as a solid yellow line. The mountain slope is quite steep and is not apparent in photo. Arrow at bottom signifies the location of the Convirs’ cabin.

⁸ Note: The deeded property (Lot 11519), located at the mouth of Convirs Creek, has been owned by the Convirs family for about 50 [now 75] years in whose honour the Creek is now named. MOE and MOF staff have referred to and misspelled the creek as Converse Creek. West Fraser Mills attempted to name/re-name Convirs Creek “Mutt and Jeff Creek.”



MAP #4. 400% ENLARGEMENT OF THE MINISTRY OF FORESTS' FIVE-YEAR DEVELOPMENT PLAN MAP FOR THE YEARS 1996-2001; SHOWING CONVIRS AND SAY-NO-MORE CREEKS; THE APPROXIMATE LOCATION OF THE UPPER LONG CREEK MAINLINE; AND THE SCHEDULED CUTBLOCKS FOR 1996



SECTION 2: LONG CREEK MAINLINE INVESTIGATION & DETERMINATION

On their May 20, 1996 visit the observers noted the frequent and extensive erosion of the road area along the entire length of the Long Creek mainline, the brown, cloudy run-off, siltation, and debris from road construction deposited into streams and onto the forest floor. This was especially the case in the general area of Convirs Creek (see map, page 21), where they then, and later, found:

1. Extensive road surface erosion (called “rilling”), with up to three parallel erosion channels running down the road (refer to diagram #1, photo #'s 6, 7, 11, 47, 48, 50, 55, 56);
2. Cut-slope slumping and erosion, and the transport of clay/silt/sand sediments down the road ditch (refer to diagram #s 1, 2, and 3, photo #'s 6, 11, 49, 50, 52, 53, 54, 55, 60-66);
3. Erosion and collapse of fill-slope (see diagram #2, photo #'s 44 - 46).



Photo #02 (above), May 20, 1996. Looking upslope at beginning of steep road below the Long Creek mainline switchback. The road from this point onward consisted of deep mud, with multiple stream course rilling down its extent, transporting sediments below the bottom left side of photo, and to middle right of photo into the forest (for locations, refer to diagram#1, page 12). Right, (Video) **Photo #03**, showing very soft and muddy condition of road prism materials.

Ascending the road a few hundred metres below the first mainline switchback became quite difficult on May 20, 1996 as the sticky clay mud, which was 30 centimetres or more in depth, quickly caked the observers' boots (note photo #03 to right).



And, after a brief inspection, the observers descended from the upper road through the steep forest directly south of Convirs Creek to its first tributary (refer to diagram #1, page 29), which the observers appropriately named **Say-No-More Creek**. Here, on May 20, 1996, about 30 metres from the confluence of Convirs Creek (photo #s 04, 05), they found, sampled, and documented a thick, fresh deposit of fine clay silt/sand sediment in a small level pool (photo 04). They quickly understood that these sediments were flushing into Convirs Creek, a recognized fish-spawning channel, and a fresh drinking water source for the Convirs family. Unfortunately, due to time constraints, the observers that day were unable to carefully trace the source of the fresh sediment load into Say-No-More Creek and logically assumed the origins of the deposition originated from the Long Creek mainline road construction directly above.



(Video) **Photo #04**, May 20/96. Observer removing clay/silt sample from a very thick and recent deposit. Note high water, in contrast to photo #'s 38 and 39, showing same area on Aug.12/96.

(Video) **Photo #05**, May 20/96. View directly downstream from photo #04. Shows confluence of Say-No-More Creek with Convirs Creek in background during high water.

The observers subsequently met with the Sierra Legal Defence Fund and the United Fishermen and Allied Workers Union (UFAWU), and showed them a videotape of their May 20, 1996 reconnaissance of the Long Creek mainline (along with related earlier footage of Long Creek and the Penfold Valley mainline road). The UFAWU then registered a letter of complaint with Bill Young, the Ministry of Forests (MOF) Horsefly District Manager on June 3, 1996. A copy of the video was sent to the MOE the same day.

After receiving the video recording, two MOE staff ⁹ visited the Long Creek mainline road by way of helicopter on June 4, 1996. Five District and Regional representatives of the MOF arrived on the scene shortly afterwards. Upon both ministries' initial disapproval and criticism of poor road management, Bill Young immediately ordered an investigation of road construction and related sediment dispersal. The official investigation of the Long Creek Mainline occurred two days later, on June 6, 1996, with a team from the MOF and the MOE. ¹⁰ Bill Young failed to sign and enforce a Stop Work Order, with the result that road contractors for West Fraser Mills reconditioned the road, conveniently removing "the evidence" just prior to and during the investigation.

⁹ Regional MOE staff: Rob Dolighan and Rodger Stewart. MOF staff - Horsefly District: District Manager Bill Young, Norm deWynter (Operations Manager), and Mike Lloyd; Regional staff: Bill Chapman and Ken Soneff. West Fraser Mills employees - Bill Rand and Lorne Haddow. DFO did not participate, and the MOF Regional hydrologist was 'on vacation.'

¹⁰ Team members: MOF Horsefly District Operations Manager Norm deWynter, MOF Horsefly Engineering Officer Dan Begg, MOF Cariboo Region Engineering Manager Barry Trendholm, MOF Cariboo Region Research Soils Scientist Bill Chapman, Regional MOE Conservation Officer Andrew Anaka. West Fraser employees Bill Rand and Roy MacDonald were also present during the investigation.

As a result of the June 6, 1996 inspection, specific reference to the area below the switchback (see map on page 21 and diagram on page 29) adjacent to Convirs Creek was mentioned in a June 13, 1996 letter to the MOF Horsefly District office from the MOE Cariboo Region's Regional Director, Gyl Connaty:

“The unfinished portion of the Long Creek road was a source of extreme concern to B.C. Environment. It is apparent that construction pioneering was carried out until late in the 1995 construction year as possible but that few works were established to sustain natural drainage in spring 1996. There was a clear lack of ditches, cross ditches, culverts or waterbars at key locations on the unfinished road such that much of the exposed subgrade surface was **severely eroded** [bold emphasis]. Material transported by surface erosion had been carried into drainage features about the area. While no erosion was occurring 04 June 96 (most snowmelt being complete for the season) there was still an issue of potential water quality and watercourse impact. These matters were brought to the attention of the Conservation Officer Service for investigation.” (page 3)

“At the major switchback located near Converse [Convirs] Creek it was apparent that a considerable portion of the road material was washed away.... it was noted by Fisheries staff that 10-20 cm of the road surface eroded over a distance of 200 m (8 metres wide). The maximum amount of material eroded is approximately 200 (cubic) m. A portion of this material remained on the lower reaches of the road, filling some ditches and **an unknown quantity reaching Converse [Convirs] Creek via a tributary. The lower reaches of Converse [Convirs] Creek have high rainbow trout spawning habitat values** [bold emphasis].” (page 4)



(Video) **Photo #06** (May 20, 1996). Top of the road area is the location of the switchback. Shows most of the steep unfinished road, and the fine-grained, highly erodible material directly below the Long Creek mainline switchback. Note “rilling” on road surface and the absence of a ditch on the left side of the unfinished logging road. Convirs Creek is about 100 metres to the right at bottom of photo and about 30 metres from switchback at top of photo.

The MOE Regional Director commented that construction of the upper limits of the Long Creek Mainline road had been rushed and pushed into the very end of the working season, with improper preparation for the most critical period of time of the year for erosion, late Fall and early Spring.

Bill Chapman, MOF research soils scientist also provided specific comments on the area adjacent to Convirs Creek in a June 12, 1996 letter to Bill Young, noting the extremely poor condition of the logging road:

“The one exception where we did see sediment transport of concern on the unfinished road was below “the switchback”. We had observed quite extensive rilling [small stream courses on road surface] on this section of road during our initial inspection. Machinery activity had covered much of this by the second inspection, but it was still obvious in spots. A steep section of road runs for about 200m below the switchback. The road was not finished in that it did not have adequate ditches, was not crowned and waterbars were not installed.... Because of construction, at the time of inspection we could not tell where the sediment had been transported, but judging from the rilling of the road surface, it seemed clear that **more than acceptable amounts** [bold emphasis] of sediment had moved from the road surface. We did see some sediment accumulation close to the road in small creeks that led to larger creeks in the area. **The amount of sediment accumulation was not inordinately great given that we were dealing with a green road but was probably higher than need have been** [bold emphasis].” (page 2)



(Video) **Photos #07 and #08.** Shows an active branch of road rilling on May 20, 1996, running off the bottom of the switchback road, crossing the spur road, and down into the forest (for position, refer to diagram #1, page 29).



“Because much of the road rilling had been repaired, it was not possible to do good estimates of sediment production. Where the worst erosion was seen, which was below the switchback, **a worst-case scenario estimate would be that material eroded from that stretch of road would be in the order of a hundred tonnes** [bold emphasis]. Most of this would have reached a major creek [Convirs Creek] and is an inconsequential amount relative to natural sediment loads in area creeks. Marginal construction practices do, however, increase the risk of some type of serious event, i.e. there is a higher dependence on luck to protect the environment.” (pages 3 - 4)

Chapman concluded that the amount of sediment entering Convirs Creek was “an inconsequential amount relative to natural sediment loads in area creeks”. Chapman’s conclusion was unsubstantiated because there have been no sedimentation-load studies for Convirs Creek, or for adjacent drainages, to understand what natural sediment loads are for the area, and there was no investigation by MOE or MOF of the amount of sediments transported from the mainline road. What is important is that MOE and MOF staff observed that the road was “severely eroded” and that “more than acceptable amounts” had been transported to the Convirs Creek area. It is also important to note that the reconditioning of the road by

West Fraser contractors (“machinery activity”) compromised the investigator’s estimation on the amount of road erosion.

R.A. Patrick, a Senior Geotechnical Consultant with the Vancouver Island-based EBA Engineering Consultants Ltd.,¹¹ was sent by the legal firm of Blake, Cassels & Graydon (for West Fraser Mills) to inspect the Long Creek mainline. In a letter dated June 26, 1996, Patrick noted that he accompanied Bill Rand of West Fraser Mills Ltd. on June 13, 1996, well after the road had been reconditioned by West Fraser Mills. Patrick stated that:

“... there was no evidence of significant sedimentation in the drainage courses downslope of the road.”

“The condition of the sites visited will require maintenance of the type which is considered typical for newly constructed roads.”

“Below the upper switchback on the Long Creek Mainline there was evidence of rilling which indicates flow down the road surface. There were small wedges of sediment evident on the slope extending down from the mainline to the end of the lower spur road. As well, there was minor sediment accumulation on the end of the spur road bench and in the slash beyond the end of it. However, little sediment was evident below this spur.”

“None of the sediments observed approached a visible body of water and the sediment deposition was considered to be minimal. There does not appear to have been a significant transfer of sediment in this area and the impact on forest resources due to the flow appears to be minimal.”
(page 2)



(Video) **Photos #09 and #10**, August 12, 1996. Observer “scooping” fresh clay/silt from Say-No-More Creek Channel close to its confluence with Convirs Creek. Note how thick the deposit is, deposits which were found consistently as-deep extending about one kilometre in length below the Long Creek mainline road: Say-No-More Creek is directly below the switchback area. Are these deposits not “significant”?

Despite the fact that Patrick’s two-page report letter (see Appendix C) mentioned that he had reviewed the observers’ May 20 video and had read four reports by the MOE and the MOF wherein was ample mention of sediment transport, he somehow concluded that there were virtually no effects of introduced sediments to stream channels. Upon the inspection of Say-No-More Creek by the observers (section #3, page 30), which is only one of numerous stream channels below the mainline road, it is difficult to understand how Patrick arrived at such a conclusion, unless of course he never properly inspected stream channels or

¹¹ In 1997 R.A. Patrick was promoted as Principal Engineer of Engineering Services for EBA Engineering Consultants Ltd.

culverted channels below the logging road. It is in fact obvious from the overwhelming evidence in this report that Patrick's assessment of sediment transport is suspect.

Furthermore, Patrick's observation of "rilling" in the area below the switchback on June 13, 1996 indicates that West Fraser Mills had either not completely reconditioned the road or that subsequent damage to the road occurred after West Fraser had reconditioned it, inferring that even more sediment was transported into Convirs Creek.

In the June 13, 1996 MOE report it mentioned that the Regional Ministry was to conduct a follow-up investigation of the lower section of Convirs Creek because of concerns regarding sediments entering the stream below the mainline switchback. MOE Regional Director Gyl Connaty advised the MOF Horsefly District Manager that a more detailed inspection of Convirs Creek was pending:

"Further inspections of the lower reaches of Converse [Convirs] Creek will be carried out **by Fisheries staff and Conservation Officers** [bold emphasis] early next week to determine the possible damage to the fish spawning habitat. Until such time as this inspection is undertaken, we cannot comment as to the laying of any possible charges." (page 4)

Despite this commitment by MOE, **no Fisheries staff visited Convirs Creek** to determine if sediments were indeed causing damage to fish stream habitat. Instead, Conservation Officer Andrew Anaka, the only MOE representative present for the June 6, 1996 investigation, visited the site alone on Sunday June 16, 1996. On June 18, 1996, Anaka reported the following in a one-page internal email to MOE Fisheries Technician Rob Dolighan:

"I walked about 400m upstream and could note no evidence of siltation in the gravel, the water level was dropping and I believe any serious sedimentation would have been readily apparent. **Please keep in mind that I am not an expert** [bold emphasis]. I also had a good look at the [Convirs Creek] outlet at Quesnel Lake. **I found some considerable siltation here** [bold emphasis], however from looking at other streams in the area this seemed par for the course and did not concern me. **If you still have concerns regarding potential habitat damage you will have to survey the stream with an expert** [bold emphasis], however I don't think this is necessary."

It is not known how Anaka had the confidence to conclude that the "considerable" siltation at the mouth of Convirs Creek was not unnatural and was not impacting stream productivity and water quality. It is also noteworthy that officer Anaka did not measure the amount of siltation at the mouth of Convirs Creek, nor specify the other Creeks generally referred to. It would seem obvious, from the written observations from both MOE and MOF staff, that there were inordinate amounts of sediment introduced into Convirs Creek since the Autumn of 1995, and that the sediments observed by Anaka, at the mouth of Convirs Creek, came from the Long Creek road.

Bill Young, the MOF Horsefly District Manager, concluded in his July 3, 1996 *Determination* of road construction practices on the Long Creek mainline, that:

"... in making my determination, I placed great weight on the June 18, 1996, electronic mail message from BC Environment officer Andrew Anaka in his field inspection of Converse [Convirs] and other creeks in the vicinity of Long Creek, he did not observe abnormal amounts of siltation. However, after reviewing other reports, I believe that the **potential** [bold emphasis] did exist to affect fish rearing streams through excessive siltation." (page 3)

Given the facts that District Manager Bill Young both witnessed the state of the Long Creek mainline road on June 4, 1996 and possessed reports from MOE, including observations from his own staff, which described the severe erosion of the road below the switchback in determining that sediment was entering Convirs Creek:

- How could the District Manager place “great weight” on an officer who was admittedly “not an expert”, someone who made only general observations?
- Why did the District Manager not immediately question this critical aspect and then insist that the MOE send a fisheries biologist to investigate the site, so that his pivotal determination would have a professional foundation?

The District Manager’s Determination on existing and potential environmental damage to Convirs Creek is therefore unsubstantiated, inconclusive, and unprofessional. Had MOE Fisheries staff found evidence of fish habitat destruction near the mouth of Convirs Creek they would have had to press charges under the *Fisheries Act*, and the District Manager would then have had to press related charges under the *Forest Practices Code Act* for damage to the environment, a very serious violation. And further to the relevance of the investigation of the Long Creek mainline, the District Manager and the Williams Lake MOF Regional Manager failed to issue and enforce an immediate Stop Work Order to West Fraser Mills for a proper investigation of the road conditions, a situation which compromised the investigation of the initial erosion and sediment transfer.



Photo #11, May 20, 1996, shows bottom of steep road area at the switchback intersection. Immediately to left is the spur road which heads northward to the landing closest to Convirs Creek (refer to diagram #1, page 12). To the upper middle right, to the south, is the other landing. Note four rilling channels on bottom of photo. The two rilling channels to the right continued down the road to the first tributary of Say-No-More Creek (refer to diagram #1 again)! The culvert, where a ditch should have been placed to middle right of photo, is buried under a thick layer of mud. The other two rilling channels carried sediments to left over spur road and into the steep forest.

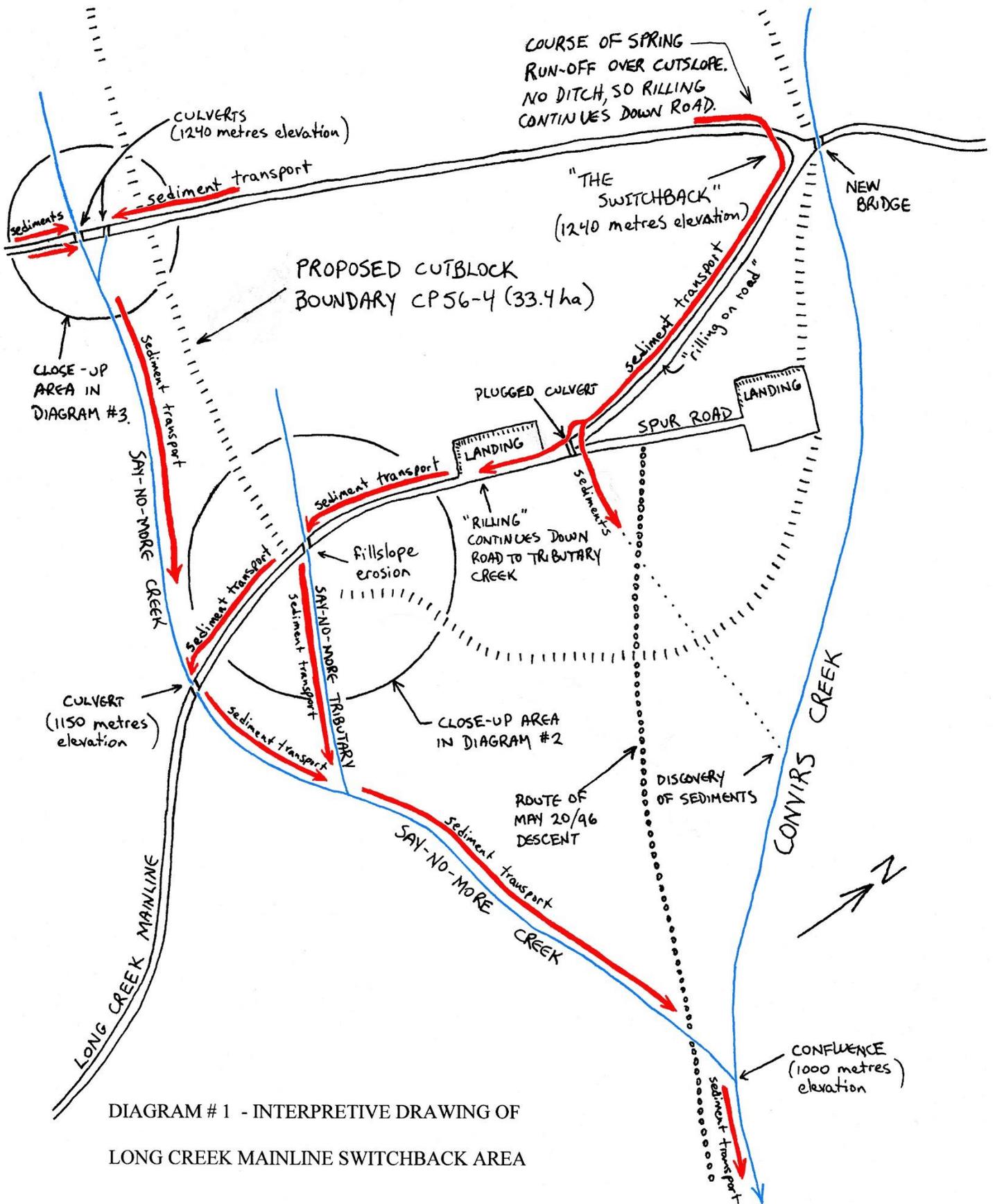


DIAGRAM # 1 - INTERPRETIVE DRAWING OF LONG CREEK MAINLINE SWITCHBACK AREA

SECTION 3: SAY-NO-MORE CREEK RECONNAISSANCE, AUGUST 12, 1996

On August 12th, 1996, the observers walked up the length of Convirs Creek to the first main tributary entering from the south, which they had named Say-No-More Creek, the confluence located at an elevation of about 1,000 metres (see diagram #1, page 12). Along the length of Convirs Creek to this point, they randomly inspected the north side of the very steep, main-stream channel for deposition, but found little evidence. In contrast to the silting of Say-No-More Creek, it became quite apparent to the observers that, due to the very steep stream channel gradient and stream volume of Convirs Creek, and downstream of its confluence with Say-No-More Creek, the stream velocity of Convirs Creek would most likely prevent the lateral deposition of fine clay silts and other sediments below Say-No-More Creek. This would also account for some of MOE Anaka's findings (see page 27) along Convirs Creek, since water velocity would carry sediment concentration directly into the mouth of Convirs Creek, and into the North Arm of Quesnel Lake.

Say-No-More Creek extends for about a kilometre in length from the first intersection of the Long Creek mainline road (approximate elevation, 1,150 metres) to its confluence with Convirs Creek. This small creek channel consists of a series of small waterfalls and pools, interspersed with about 3 steep sections where the channel has diagonally incised rock outcrops, mixed with areas of gentle gradients which typically abound with Devil's Club. Just below the intersection of the road is a small ephemeral tributary now emanating from a culvert. It joins Say-No-More Creek through a thick patch of Devil's Club, the presence of which usually indicates a groundwater recharge zone.



At its point of confluence with Convirs Creek, the observers discovered fine clay sediments in Say-No-More Creek (see photo #12). This area was both photographed and videotaped.

(Video) **Photo #12** (left). Confluence of Say-No-More (to left) and Convirs Creek (to right) at low water. Observer Radies is looking up the channel and flowing water of Say-No-More tributary, noting numerous signs of silt sediments and soil debris accumulation. (Video) **Photo #13** (below). Field notes were taken of reconnaissance.

From this point of the Say-No-More confluence to the intersection of the mainline road, the observers noted continuous and excessive amounts of recently introduced sediments into and alongside the stream channel, observations which were also photographed and videotaped. The observers carefully walked the length of the creek and repeatedly tested both the middle of the stream and its edges, noting both the depth of recent deposition and its fine clay/sand texture. The deposits often averaged about 15cm in depth, sometimes more, sometimes less. During these tests, gravel was identified at the bottom of the sample, indicating the location of the previous



untampered streambed. The Fall and Spring runoff along road ditches and then through culverts into Say-No-More Creek caused it to spill over its banks in some locations, stranding deposits of sediment both to the side of the stream channel and over into the forest proper. The observers were continually astounded at the extensive amount of silt deposited along the banks and the small natural flood plains of Say-No-More.



(Video) **Photos #14 and #15** (above). At the confluence of Say-No-More and Convirs Creeks.



(Video) **Photo #16**. Walking up and alongside Say-No-More.



(Video) **Photo #17**. Ample evidence found underneath large ferns.



(Video) **Photos #18 and #19**. Digging into and digging up recent sediment deposits.



(Video) **Photos #20 and #21**, showing slight discoloration in Say-No-More Creek, without disturbance from the observers, and (in photo #21) from the lifting of small rocks in the slow-moving water.

The volume of water in Say-No-More Creek was much lower on August 12th than first observed on May 20, 1996 (photos 4, 5). On the evening of August 11, 1996 there were a series of minor thundershowers along the western slopes of the North Arm of Quesnel Lake, followed later in the evening with isolated showers. During the survey of Say-No-More Creek on August 12, the creek was slightly milky in colour, especially noticeable when shafts of sunlight lit the creek's quiet pools: the previous night's rainfall had undoubtedly transported sediments from the road and along the Say-No-More stream channel, and the increased water flows had stirred up the sediments. The observers also noted and documented that even a slight disturbance from lifting small boulders and rocks in the channel released trapped sediments, immediately clouding the stream. These factors enhanced the observers' understanding of how fine clay-silts penetrate the entire stream channel, how easily these deposits can be released into the system, and how they affect both water quality and stream productivity over the long term.



(Video) **Photos #22 and #23**. Photo to the right shows a finger pointing to the area below a recently lifted small boulder, and how that movement immediately began clouding the water with fine silt particles. To the left shows the typical lingering of fine silt particles after a small scoop of sediments were lifted from the side of the stream channel.

The impact on water quality was also communicated to the observers during the early morning of August 12, 1996 by one of the Convirs family members, stating that their tap or drinking water from Convirs Creek "tasted different and wasn't clear".

(Video) **Photo #24.** Along the length, profile and wider boundaries of the lower Say-No-More creek are scattered little benches of alluvial flood plains nested beneath fern forests. Underneath these ferns were thick deposits of recent fine silts and sediments.



(Video) **Photo #25** (left). Probing and digging into the recently deposited sediments.



(Video) **Photo #26** (right). The Say-No-More creek channel forest setting.



(Video) **Photo #27** (left). One of numerous deposition fans alongside Say-No-More.



(Video) Photos #28, #29, #30, and #31.





(Video) **Photos #32, #33, and #34**, showing depth of silt and mud debris composition deposit. About half-way up Say-No-More Creek to the first road crossing. Typical 15-centimetre thick wedge of fresh, fine clay/silts found throughout channel areas. The deposit here in these photos measured about 1 metre wide by about 4 metres in length.





(Video) **Photos #35 and #36.** This sample weighed about 4 kilograms, taken from side of stream channel under a Devils Club patch as shown in photos #28 to #31.



(Video) **Photo #37.** In his left hand, one of the observers is holding onto a string from a hip-chain found during the reconnaissance up Say-No-More creek in his left hand ('the evidence'). Someone had been contracted by either government or private industry to inspect Convirs and Say-No-More creeks and had taken measurements of the area with a hip chain.



The observers also noted a hip chain string running upward along the southern flank of Convirs Creek from its confluence with Say-No-More Creek and upwards along the entire length of Say-No-More Creek to the mainline logging road. The hip chain string was not present or noted during the first visit by the observers on May 20, 1996. The location presence of the hip chain most likely indicated that someone either from a government agency or from private industry had been hired and ordered to investigate the sediment loading of Say-No-More Creek. There is, however, no reference to this field investigation in any of the government ministry reports, so it is possible that private industry may have conducted the survey. And if that is the case, then it would likely contradict the conclusion by R.A. Patrick (see page 26) and would support the MOE's interpretation that sediments were introduced into Convirs Creek.



(Video) **Photos #38, #39, #40, #41.** Many areas were inspected for road construction-caused siltation of Say-No-More creek, including samples stored in plastic containers for off-sight inspection/evidence purposes.





The observers eventually reached the first artificial or human made boundary intersection of the Long Creek mainline logging road and a tributary ephemeral channel of Say-No-More creek. Here the logging road constructed bed fill was about 6 metres deep/high.

(Video) Photos #42, #43, #44.





(Video) **Photo #45.** Observers negotiating the bottom section of the Long Creek Mainline logging road fill. The culvert is the underground artificial tunnel of a Say-No-More Creek tributary. Note the rilling or erosion channel down the face of the road fill toward the culvert opening.



(Video) **Photo #46.** On the mainline road with fill-slope to right. Say-No-More tributary located left of photo.

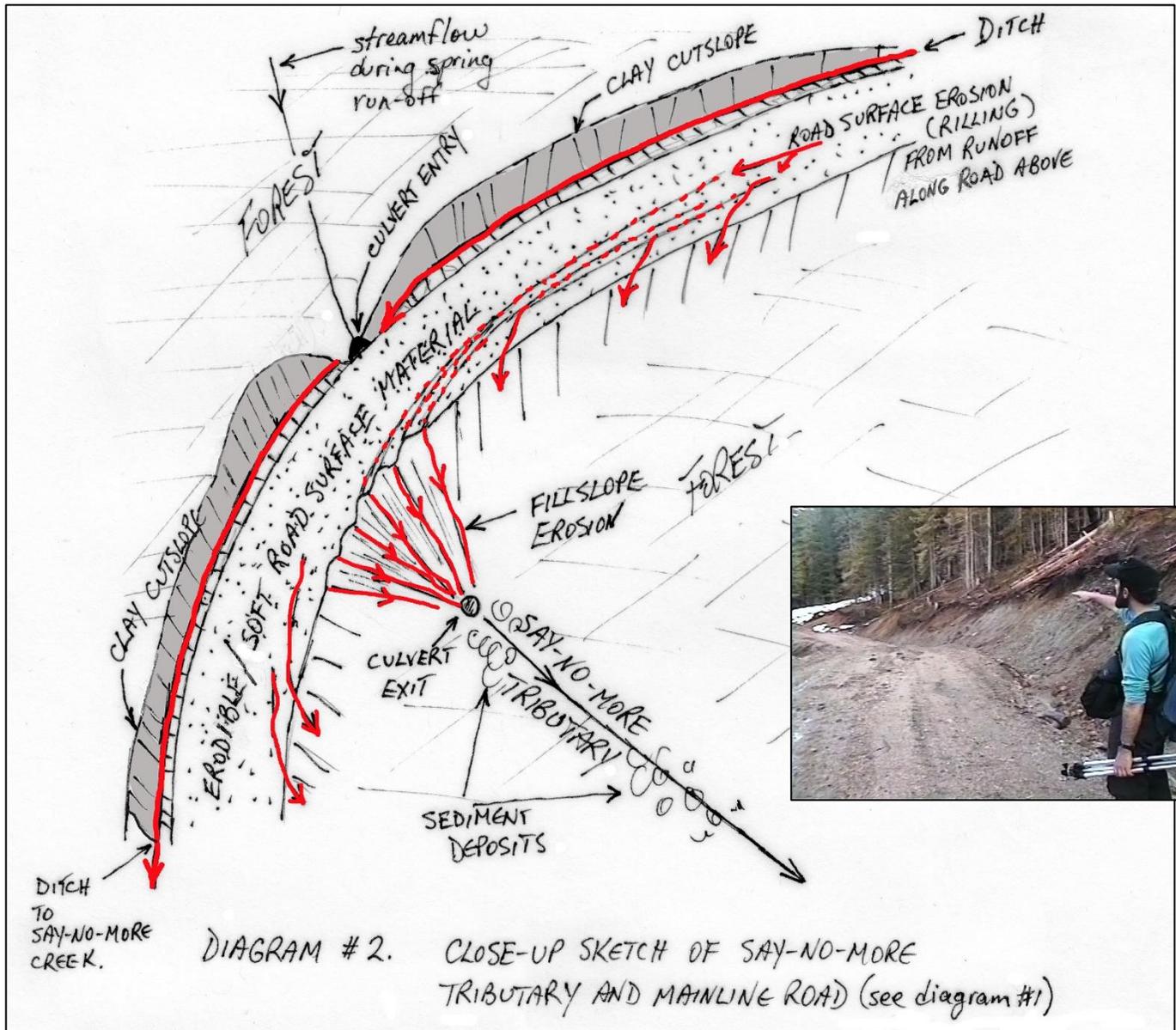


Photo #47 (above). Say-No-More tributary to middle right of photo, where it enters the culvert, the end of which is shown in photo #45, located beyond the left bottom corner of the photo.

(Video) **Photo #48** (left). Yellow arrow shows location of Say-No-More tributary. Not water rilling on mainline logging road.

The clay silt and sand sediments the observers found in Say-No-More Creek were sourced from two zones on the

recently constructed mainline road (see diagram #1, page 29). Along the lower section of this road segment, described in Diagram #2, were two primary sediment sources into the Say-No-More drainage. The first source was from cut-slope erosion and sediment transport along road ditches to two culverts as shown in photos 48 to 55. Cut-slope clay banks reach up to metres in height and extend some 200 metres.



(Video) **Photo #49**, May 20, 1996. View of road section as drawn in Diagram #2. Note the exposed lacustrine soils on the road banks to left, some of which are 5 metres in height. The sediments eroded down from these road banks into the road ditch are transported to the culvert into Say-No-More Creek below this photo. Sediments eroded from the top of the road prism are carried into the ditch and down along the road fill-slope to right of photo.

(Video) **Photos #50, #51, #52,** May 20, 1996. Photos show mainline logging road section as drawn in Diagram #2. Great quantities of exposed cut-slope clay/silt materials slump down and are transported by gravity into the ditch during snowmelt and rainfall events, and water movement transports sediments into culverts.



To right, observer is standing next to Say-No-More tributary, located at the top of photo #50.





(Video) **Photo #53**, May 20, 1996. Cutslope and ditch just north of Say-No-More tributary culvert. Sediments were transported in the ditch from erosion of the cut-slope and from the profile of the logging road.

(Video) **Photo #54**, May 20, 1996. Close up of the same long cut-slope shown in photo #53, located just upslope of the Say-No-More tributary culvert. The observers noted that the road construction creating the cut-slope had cut through and now revealed groundwater freshette recharge, normally hidden from view, now appearing and emerging about 15 to 20 centimetres below the forest floor. Here these emerging, parallel rivulets, like blood flowing from a slit wrist, cascade downward along some 30 metres of the length of cut-slope, causing erosion and grooving of the cut-slope, and the transportation of sediments into the ditch and Say-No-More tributary culvert, a common occurrence on logging roads.



(Video) **Photo #55**, May 20, 1996. Shows the logging road area adjacent to photo #53 and at the top end of Diagram #2, where the steep section of the road begins to level out. The road slope or grade at the top of this photo continues to switchback area as shown near the landing in Diagram #1. Note the active rilling in photo. Rilling activities along road ahead were also diverted into the ditch to the left. Road condition here, and above, is very soft and muddy.

The second source of sediment transfer resulted from the erosion of the road surface and consequential downslope road-fill erosion (for locations see Diagrams #1 and #2). Water travelling on top of the road surface, most of which had travelled a distance of several hundred metres from below the switchback (photo #'s 2, 11, 48, 55) had exited at random locations downslope of the road, causing the deposit of road surface materials into downstream water channels and beyond. These circumstances were repeated during prolonged rainstorm events, rain-on-snow events, and Spring freshette. It was noted by the observers that the route for much of this road surface material runoff was just above the mouth of the tributary culvert to Say-No-More Creek, where extensive gullying of the road-fill had taken place. Numerous water channels or grooves (photo #'s 45, 46) had cut into the road-fill, materials which were funnelled toward the outlet of Say-No-More tributary culvert and then conveyed downslope to Say-No-More Creek.



(Video) **Photo #56**, May 20, 1996. The area, looking toward the bottom of the switchback of the mainline road (as shown and described at the beginning of Section 2) is directly above the crest of photo #55. Note the rutting and rilling channels on the road, which transported sediments to the Say-No-More tributary culvert and stream. Condition of road is soft and muddy.

The observers, from this point up to the switchback and slightly beyond, also noted and documented the highly erodible materials on the road surface. Recent heavy machinery tracks had gouged grooves about 10 centimetres into the loose, easily erodible, and soft road surface material. It was also noted that road contractors had “resurfaced” the road since the June 6, 1996 inspection, and that this resurfacing was more like a veneer, a temporary cover for a long-term design flaw. Recent road surface erosion and minor downslope fill erosion from runoff was also noted along this new road surface material.

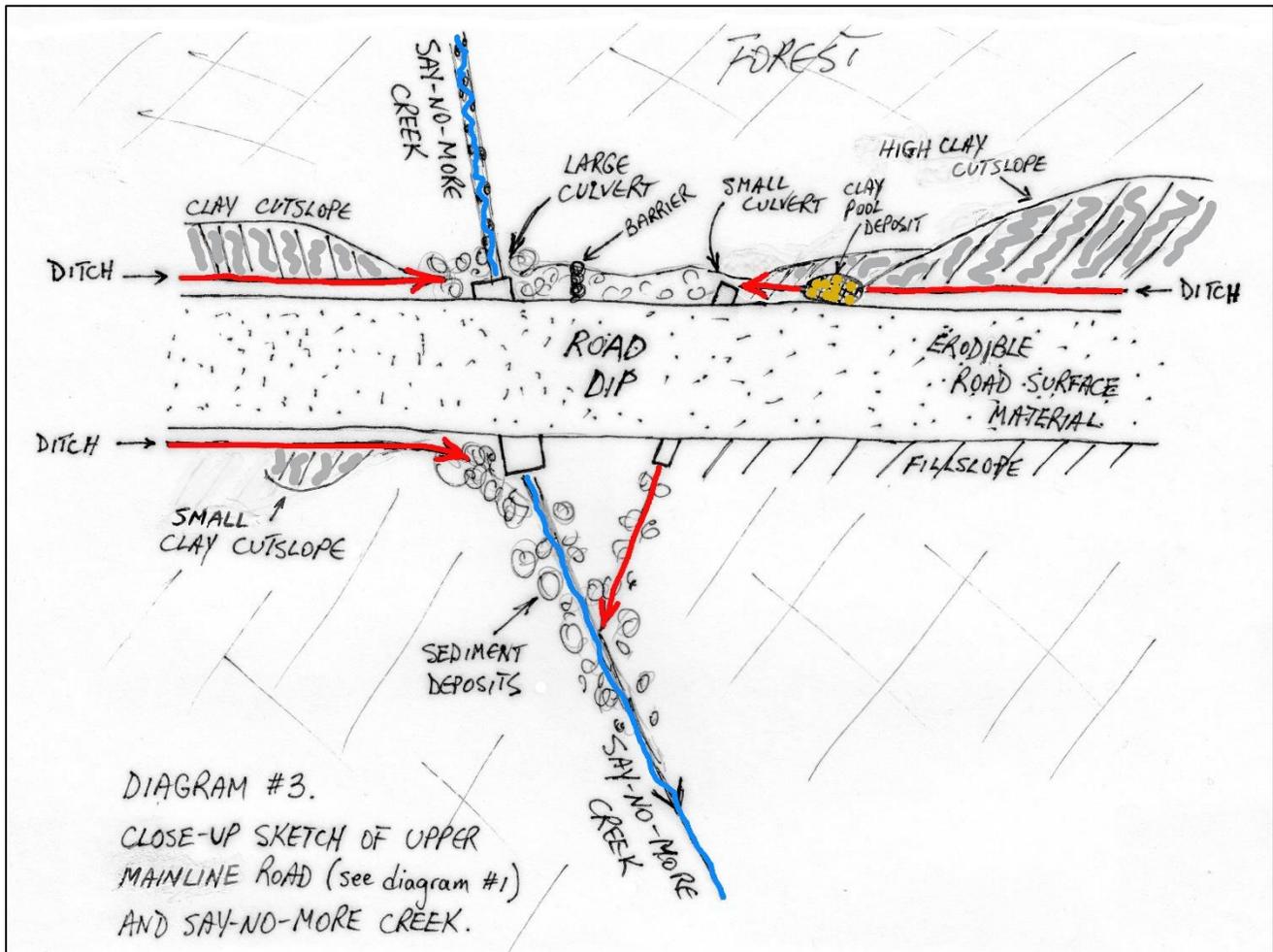


(Video) **Photo #57**, August 12, 1996. Recent tracks from heavy machinery, just above Say-No-More tributary.



(Video) **Photos #58 and #59**, August 12, 1996. The heavy machinery metal tracks caused disturbance to the loose highly erodible road surface compacted material, disturbance measuring about 6 centimetres deep at this sample location, just above Say-No-More tributary.

On August 12, 1996 the observers continued their inspection up to the switchback and then southward along the upper road to where it intersects Say-No-More Creek (see diagram #3 below). Here, the road dips into, and then out of, the small creek channel gully, where cut-slope and ditch erosion on either side of the road, and both north and south of the Creek, had transported sediments into Say-No-More Creek.





(Video) **Photos #60, #61**, August 12, 1996. Top right photo shows high cut-slope at top of mainline road switchback, as shown in top right of Diagram #3.

Photo to top left shows the same cut-slope with road slope and ditch toward culvert and clay-silt-pool deposit.



(Video) **Photos #62, #63**, showing steep cut-slope and location of clay-silt-pool just above first culvert. No hydro-seeding on cut-slope, contrary to some sections downslope on mainline road.



(Video) **Photos #64, #65**. Observer has pushed a piece of wood some 70 centimetres or more into a very thick deposit of fine clay/silt, and with some difficulty, pulled it back out. The deposit is from erosion of cut-slopes as seen in photos #61 and #63, and from some erosion of road surface. On May 20, 1996, just south of the Long Creek bridge, the observer had also encountered a similar pudding-like deposit, where he was able to slowly force half his arm's length into it, without being able to feel the bottom (see photo #67), in a deposit just above the flood channel of Long Creek (see below).

The video footage shows one of the observers pushing a piece of wood down approximately 70 centimetres into a mucky, soft, pudding-like deposit of clay-silt in the ditch (photos #64, #65), which is directly beside the northern culvert that flows into Say-No-More Creek. This deposit of sediment had washed down from the adjacent unstable cut-slope to the north. Even though road maintenance crews had probably cleaned the ditches along the top portion of the road south of the switchback in early June, there was ample evidence of fresh erosion from cut-slopes, ditches, the road surface, and plenty of sediment transport and deposition along this section of the road. Temporary cleanup will not repair nor remedy structural deficiencies along the road prism nor prevent future impacts to streams.



(Video) **Photo #66.** After determining depth of clay/silt observer inspects a brown, silty pool beside small culvert which feeds directly into Say-No-More Creek (Diagram #3).



(Video) **Photo #67,** May 20, 1996. Just south of the Long Creek bridge the observer begins to force half his arm's length into a very large deposit of clay/silt which had been washed down from a very high, clay cut-slope directly above the observer. (See page 64.)

An important question is, how much sediment had been transported through the culvert into Say-No-More Creek, and was that amount a “normal” and “allowable” consequence of development? And, of course, why had this ditch not been cleaned out by maintenance crews.



(Video) **Photo #68.** Cut-slope and ditch area immediately upslope and south of the Say-No-More Creek, as shown to upper left in Diagram #3. The observers had also noted that a Ministry of Forests' vehicle had driven by this site on August 12, 1996.



(Video) **Photos #69, #70**, August 12, 1996. Top right is the main Say-No-More creek culvert identified in Diagram #3, and top left photo is the outfall of same culvert, showing scattered sediment debris.

One of the observers tracked the path of where the (assumed) majority of sediments were transported down the road immediately below the switchback last May 1996, events which are described above (pages 24-25) by the MOE and the MOF on their June 4th and 6th, 1996, visits. These sediments were diverted at the beginning of the spur road (top right of Diagram #1), eastward (downslope) into the steep forest toward Convirs Creek (as shown in photo #s 7 and 11) which was video recorded. This re-directed and turbid stream channel exited the spur road immediately to the left of a culvert (photo #71), the entrance of which had been blocked by a thick deposit of mud and debris (photo #11). A substantial sediment deposit was also noted at the exit point of this blocked culvert. From this point, one of the observers walked down the forest slope tracking the flow of the muddy stream. After approximately 50 metres downslope the stream disappeared underground, and the observer discontinued his descent. On August 12th, 1996 the same observer had noted a deposit of sediments into Convirs Creek (see diagram #1) from a sub-surface water flow on the south side of Convirs Creek, and well above the confluence of Say-No-More with Convirs Creek. This area is directly below the spur road, described above, could possibly be the outlet of the sub-surface upstream drainage. Turbid surface flows, which move into the sub-surface regime, usually deposit sediment at the interface, where the stream re-emerges at the surface. Long term, continued sediment inputs may affect turbidity of groundwater and may even, through deposition of fines, re-channel flow movement.



(Video) **Photos #71, #72** (located at the spur road junction as shown in Diagram #1). Photo #71 is located just left of photo #72, showing a dysfunctional culvert due to blockage by mud and debris. Below culvert are sediment pools. Photo #72 shows diverted water channel, bringing mud and sediments into Convirs Creek.

On other reconnaissance investigations by the observers of West Fraser Mill's operations in the Quesnel Lake area in 1996,¹² they noted similar occurrences of disappearing and reappearing modified stream channels below recently constructed culverts, and the transport of fine sediments along their channels.

FROM: NDEWYNTE--MFOR01 Date and time 06/21/96 15:08:12
To: WYOUNG --MFOR01 Bill Young (9)

From: Norm deWynter
Subject: FW: Long Cr./Converse Cr.

Regards,
Norm deWynter
Operations Manager
Horsefly 620-3205

*** Forwarding note from GCONNATY--GREEN 06/20/96 16:47 ***
Subject: FW: Long Cr./Converse Cr.
To: "Stewart, Rodger W." <RWSTEWAR@WILLIAMS.env.gov.bc.ca>,
"Dewynter (Norm) FOR:OV" <NDEWYNTE@MFOR01.FOR.GOV.BC.CA>

FYI

From: ANAKA, Andrew
To: DOLIGHAN, Rob
Cc: CONNATY, Gyl; Lirette, Maurice; Slavens, Roy
Subject: Long Cr./Converse Cr.
Date: Tuesday, June 18, 1996 3:14PM

I attended Converse Cr. (and a couple of others in the area) on Sunday to try and determine if there was any degradation of spawning habitat in the lower reaches of Converse Cr. I walked about 400m upstream and could note no evidence of siltation in the gravel, the water level was dropping and I believe any serious sedimentation would have been readily apparent. Please keep in mind that I am not an expert. I also had a good look at the outlet at Quesnel Lake. I found some considerable siltation here, however from looking at the other streams in the area this seemed parr for the course and did not concern me.

If you still have concerns regarding potential habitat damage you will have to survey the stream with an expert, however I don't think this necessary. Your call.

I will maintain my file on the matter open until MOF makes their determination. At this time I am no longer actively investigating unless I am directed to do so.

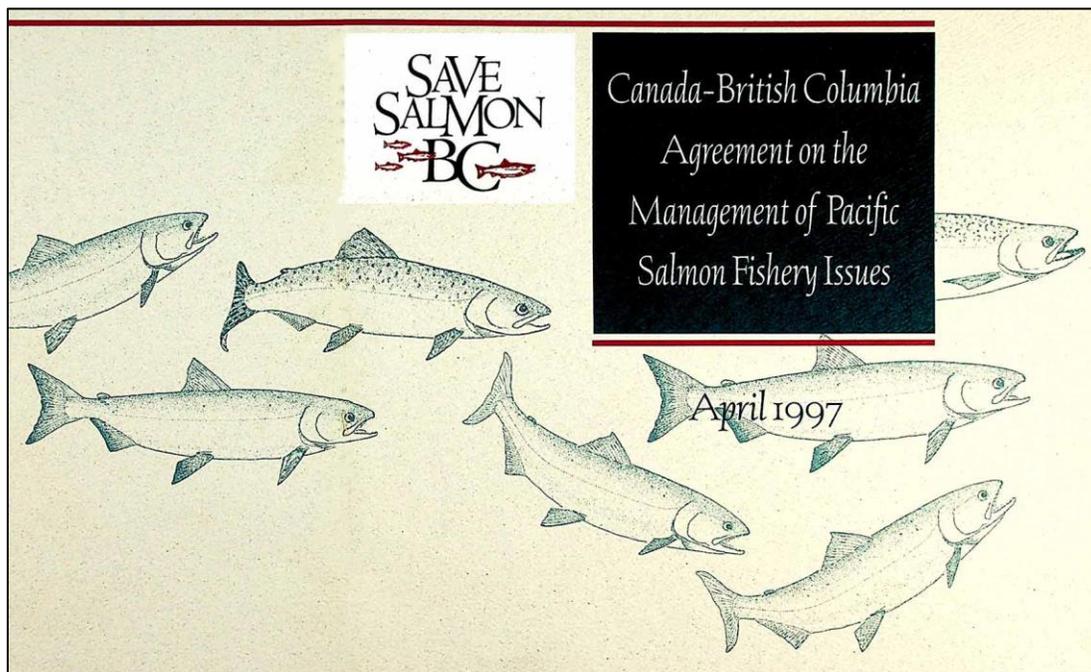
Andrew Anaka's June 18, 1996 email to Rob Dolighan (Ministry of Environment's Fisheries Branch), forwarded to Ministry of Forests Horsefly District Manager Bill Young.

¹² From June 10 to 16, 1996, John Werring, Will Koop, Bert Groenenberg, Mitch Anderson, and Doug Radies conducted a road survey reconnaissance. They inspected Blue Lead Creek (June 11), Bouldery Creek and Bill Miner Creek (June 13), the Upper Horsefly River (June 14), the Doreen Lake area (June 15). Will Koop and Doug Radies inspected new road construction at Penfold Creek on the North Arm of Quesnel Lake.



(Video) **Photo #73**, August 12, 1996.

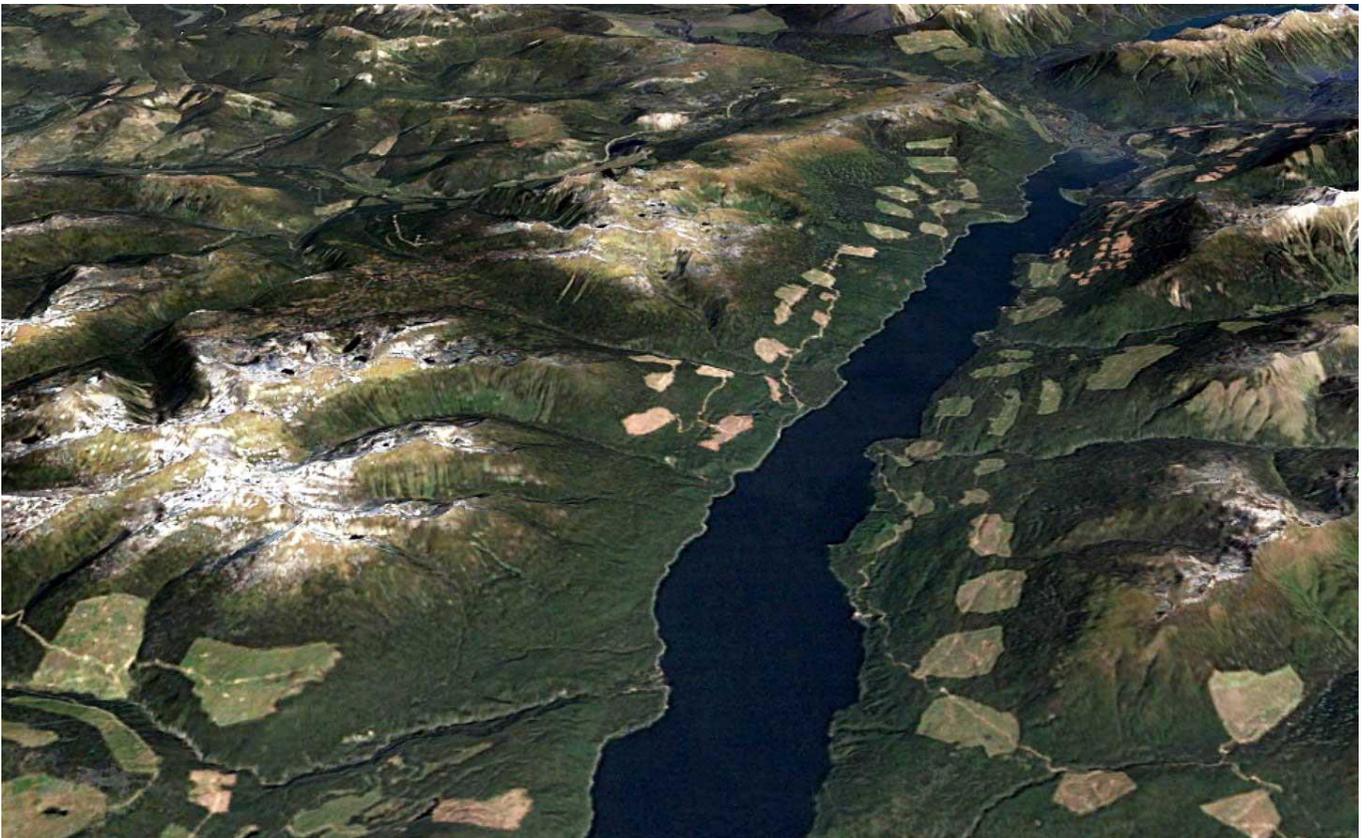
After examining the deposition and movement of soils and silts on areas adjacent to the road network just east of the Long Creek mainline road switchback, the observers examined the Say-No-More creek channel above the road, an area in its natural state and never previously manipulated by human ‘management.’¹³ The creek channel rock bed was the opposite of areas the observers examined below the road construction areas, and no evidence of soil and silt accumulation was observed, as shown in photo #73 above.



¹³ Immediately above Diagram #3 and above area on top left of Diagram #1.



Above: Google Earth image, North Arm, Quesnel Lake, 1984. *Below:* 1999.





Above: Google Earth image, Long Creek mainline logging road, 1996. Top right: Service Creek clearcuts.
Below: 1999.





INFORMATION BULLETIN

Ministry of Forests

Cariboo Forest Region

July 3, 1996

DETERMINATION REGARDING ROAD CONSTRUCTION OF WEST FRASER'S LONG CREEK FOREST ROAD

HORSEFLY - The Ministry of Forests District Manager has completed his investigation and determination regarding construction of West Fraser's Long Creek Forest Road. He ruled that the following infractions occurred under the *Forest Road Regulation* and assessed individual fines for each infraction totalling \$9750:

- logging debris was found in water courses.
- drainage systems were not sufficient nor fully functional to accommodate surface and subsurface water flow during spring run-off.
- eroded material, from an over-steepened bank of a waste area, was deposited within meters of a stream.

This ruling relates only to the road construction of the Long Creek Forest Road.

The investigation was initiated by a public complaint lodged by the United Fisherman and Allied Workers Union (UFAWU) on June 3, 1996, to the Horsefly Forest District Manager. In response, the District Manager conducted an inspection on June 4, 1996. He then decided that a more detailed joint investigation was required by staff of Ministry of Forests and Ministry of Environment, Lands and Parks.

The District Manager based his determination on careful review of the *Forest Practices Code of British Columbia Act* and Regulations and considered evidence and submissions from Ministry of Forests and Ministry of Environment, Lands and Parks staff resulting from their joint investigation. In addition to making his determination the District Manager presented West Fraser with the results of the investigation report to which the company responded. The company has three weeks to request a review of the determination.

In making this ruling, the District Manager said that there were contraventions of the *Forest Practices Code of British Columbia Act* and *Forest Road Regulation* which posed a threat to the water quality and fisheries resources. However, in making his determination, he placed great weight on a message from BC Environment officer, Andrew Anaka who reported that, in his field inspection of Converse Creek and other creeks in the vicinity of Long Creek, he did not observe abnormal amounts of siltation. However, after reviewing other reports, the District Manager believes that the potential did exist to affect fish rearing streams through excessive siltation and stated that good forest management must ensure that water quality is maintained.

In assessing the penalties the District Manager considered West Fraser's prompt actions to correct the contraventions once they were reported. After July 31, 1996, a detailed inspection of the Long Creek Forest Road has been ordered.

Long Creek is located midway up on the west side of the North Arm of Quesnel Lake, which is approximately 145 km northeast of Williams Lake. Long Creek is part of the Cariboo-Chilcotin Land-Use Plan and is located in the Quesnel Lake Special Resource Development Zone. Long Creek is not part of the Penfold drainage. This road, which is a necessary to access timber, is an approved development activity of this Special Resource Development Zone.

Contact: Bill Young, District Manager
Horsefly Forest District
Tel: (604) 620-3200

Copies of the determination are available from the district office, call 620-3200

SECTION 4. THE: FOLLY OF THE INVESTIGATION; DETERMINATION; AND REVIEW OF THE LONG CREEK MAINLINE LOGGING ROAD

“The investigation at Long Creek has generated a considerable amount of public, stakeholder and media interest. ¹⁴ Some people link this investigation with land use and jurisdictional issues within the Horsefly District and elsewhere. These views have been expressed both directly and indirectly to me. Despite these potential influences, I have made my determination based on careful review of the [Forest Practices Code] Act and Regulations, and the sound technical information presented to me.” [Bill Young, *Determination*, July 2, 1996, page 3]

After Bill Young’s July 2nd, 1996 *Determination*, which laid five minor charges against West Fraser Mills Ltd., the company filed an appeal with the MOF’s Regional office in Williams Lake on July 10, 1996 for a Review of the *Determination*. On September 12, 1996 the MOF’s *Review Decision* and Report, completed by their provincial Policy & Standards Engineer, Ron Davis, ¹⁵ rescinded four of the five charges. Davis’ Review of the *Determination* found that most of the contraventions filed by Bill Young under the *Forest Practices Code Forest Road Regulations* lacked the necessary evidence to uphold the charges. The only charge which was upheld was on the “potential for sedimentation” from West Fraser’s “gravel pit” into a small stream, a ruling which, in relation to the total accumulated transport of sediments into stream channels along the overall length of the Long Creek mainline, is patently absurd.

On September 20, 1996, the company stated in a press release:

“The appeals were successful as the Review Panel found **no evidence** that debris was present in a watercourse; **no evidence** that drainage structures were not constructed concurrently with subgrade construction; **no evidence** that surface drainage patterns had not been maintained, and; **no evidence** that surface and subsurface runoff from the cut-slope was not intercepted.” [bold emphases]

“The Review Panel did not overturn the fifth contravention which was issued as a result of the location of a gravel pit. **Although evidence indicates no sedimentation entered a stream, the Review Panel based its decision on the position that this section is not predicated on sedimentation actually occurring but the potential for sedimentation.**” [bold emphasis]

“The road building came into question when a Vancouver-based environmentalist video taped, during the worst possible weather conditions, roads under construction and sent it to the U.F.A.W.U. and others as evidence of poor practices. Based on this misleading information the union requested that the Ministry of Forests investigate.”

Though West Fraser Timber Co. Ltd., through its subsidiary, West Fraser Mills, may have found itself essentially vindicated from penalties under the *Forest Practices Code Act*, the following section takes a closer look at other evidence and information overlooked in Bill Young’s *Determination* and in Ron Davis’ Review, an analysis which progressively exposes the need for the government to re-examine its findings on the Long Creek mainline road investigation.

¹⁴ See Appendix D.

¹⁵ Discussed in section 4-I.

B.C.'s forest code, meant to preserve, causes own damage

At a typical coastal cutblock, chosen at random, loggers say they are trying to comply with new expectations.

Last in a series

GORDON HAMILTON
Sun Forestry Reporter

HARRISON LAKE — Sierra Legal Defence Fund chief bloodhound Will Horter was sure he was on the trail of a bad forest practice.

A lawyer by trade and aggressive by nature, Horter was striding up a steep logging road in the mountains that flank the eastern side of Harrison Lake, 50 kilometres northeast of Chilliwack.

It was raining lightly and Horter was tracking the source of rivulets of silt-laden water that were running down the road.

"Just walk with me for another 100 yards around the bend up ahead. See for yourself," he shot back at the group lagging behind him. The group, forests ministry staff, logging company managers, and a *Vancouver Sun* reporter-photographer team, were not convinced of Horter's premise that this seemingly well-built logging road posed an environmental hazard.

We had spent much of the day looking at logging plans and then examining the actual cutblocks to see if what took place on the ground matched the plan we had viewed.

Except for finding one stream which sometimes ran underground and did not have all its branches correctly identified on the plan, so far the Sierra Legal Defence Fund found no serious Forest Practices Code infractions.

But here on cutblock 141, 1,300 metres above Harrison Lake, Horter was sure he had something. His premise that the road was improperly constructed turned out to be wrong. But as he examined the road, questioned and prodded, he laid bare a problem that poses a potential environmental threat to salmon streams throughout the province: Faced with a shortage of logging approvals, companies are building roads and logging on them within a matter of months, before the roads have a chance to stabilize.

The roads, referred to as "green roads," often cannot withstand heavy equipment rumbling over them without turning into a sea of mud, which ultimately makes its way to streams. If salmon happen to be nearby, the silt can smother spawning beds.

The Forest Practices Code, which is supposed to be protecting the environment, has been singled out as the culprit in this potentially-damaging new practice. Code-related paperwork delays have wiped out the two-year backlog of permits that provides companies the luxury of building roads well in advance of actually using them.

Instead, companies are now "lurching" — building road and moving

LOGGING IN THE '90S PART 3: A NEW BEGINNING

equipment in immediately after getting a cutting permit.

There were no salmon streams near this particular cutblock because it was high in the mountains. And there was no evident environmental damage. But such practices create the potential for damage, Horter said. This was just the first rainfall of the season. Heavier rains could wash the entire road out, he alleged.

We were at an active logging site, one chosen by *The Sun* by throwing a dart at a map of the Fraser Timber Supply Area, which stretches from the Lower Mainland to the mountains of the Coquihalla. The cutblock was chosen at random to make sure we got an independent look at typical forest practices now taking place on the B.C. coast.

This article is the third in a series that began on Vancouver Island's Mount Paxton, logged from shoreline to summit in the mid-1980s and then moved to the Nahmint Valley, a special management area on Vancouver Island.

Harrison Lake was supposed to be neither the worst nor the best. It was a typical B.C. logging show.

The licensee, Pacific Forest Products, had consented to the inspection tour. Lee Pond, Pacific's manager of mainland woodlands, took part along with Chilliwack Forest District manager Jerry Kennah.

Pacific is operating in one of the most difficult regions of the province, a spotted owl conservation area. The company has been trying more costly alternatives to clearcutting, such as corridor strip logging to keep some old growth for the owls.

Pond said not only can plans be thrown out if a spotted owl turns up near a proposed cutblock, but the rules for logging in the region are in flux. He was proud of the company's logging performance in overcoming planning obstacles and developing alternative harvesting systems.

SLDF had been unable to score a solid hit in the field, although earlier in the day, back at the offices of the Chilliwack Forest District, Horter and his investigators found flaws in Pacific's planning procedures. They were short on detail — information the public has a right to know under the code, they charged.

By leaving information out of their forest development plan, Pacific was avoiding accountability for what it did on the ground, Horter said.

"Forest development plans are the highest operational plans under the code. They are supposed to provide broad direction on how companies are going to manage all the cutblocks. And I don't see much direction here at all."

It was a "paperwork" issue but the environmental investigators said if companies can circumvent it, the



IAN LINDSAY/Vancouver Sun
PROBLEM AREA: Working on the newly built "green" road to Pacific Forests operations near Harrison Lake leaves fine silt flowing along surface in the rain.

code has no teeth.

"They brought up some good points," Pond said later. "We missed stuff on the planning. It could be we broke the code. But what are the environmental results? Nothing. Has it harmed the water, has it harmed the fish? No."

When we arrived at cutblock 141, the logging crew was just wrapping up for the day. Trucks had been on the road all day long and rivulets of water, instead of flowing into the ditches, were running down the tire ruts, gathering sediment along the way.

Horter's concern was that if the rain continued, the ruts in the road could become the water course, not the ditches, which had culverts and settling ponds to reduce erosion and sedimentation.

The road to cutblock 141 was completed last June. It was in use by September, not enough time to keep it from turning to mud once the rains came.

Kennah agreed the situation was not good. An 18-month to two-year lead would have been preferable.

But paperwork delays and problems

in finding available timber have put both forest companies and district staff under pressure to get cutblocks approved and logged.

"When you are forced to be logging on a road that's been built within the last six to eight months, you can get this type of activity," he said of the mud.

Kennah said logging on green roads is not an isolated problem in his district.

"If we had more time, had the plans in place, had everything approved and have the roads built 18 months in advance, you wouldn't get this. But unfortunately, in some situations, companies are waiting for the next permit to come out or else their fallers are through next week. They go home unless we get something out of the office for them."

"It's a hand-to-mouth thing at certain times. We are going to get ahead of that, I hope, but you just can't overnight say 'Okay, we are going to have two years cutting permits ahead and everything is going to be rosy.' It's going to take two to three years to achieve that."

The forests ministry has acknowl-

B.C. Forest Resource

| | |
|--------------------------------|--------------------------------------------|
| Total Area | 94.8 million ha. |
| Land Area | 93.0 million ha. |
| Forest Land | 60.6 million ha. |
| Provincial Parks | 8.26 million ha. |
| Forest Resource Ownership 1996 | Provincial 95% Federal 1% Private 4% |
| Annual allowable cut | 71.5 million m ³ |
| Harvest (public/private land) | 75.2 million m ³ |
| Harvest (area) | 190,000 ha. |
| Replanted | 2,245,763 ha. 69% |
| Not satisfactorily replanted | 1,002,536 ha. 31% |
| Insect defoliation | 1.7 million ha. |
| Forest fires | 30,000 ha. |

Source: Natural Resources Canada



edged the issue is a concern, but says logging on green road does not necessarily result in environmental problems. Younas Mirza, manager of engineering for the ministry, said if contractors know they are going to be building a road that will be in use soon after construction, they can take steps to ensure sediments don't float to the surface and wash into streams. Such steps should be laid out before road building permits are approved, he said, and it would be up to individual district managers to ensure they are.

Mirza said he intends to look further into the issue. He does not know how pervasive the problem is.

However, two of the reasons cited for logging on green roads — permit backlogs and constraints by other agencies — are a pervasive problem.

Even pro-logging supporters say logging on green roads should be avoided.

"It shouldn't be happening. The roads need two years to settle," said Jack Munro, chair of the pro-industry Forest Alliance of B.C.

If the problem is widespread, Horter said government and industry should be acknowledging it, not silently conducting practices both know could be hazardous to the environment.

"I would like the ministry and industry to say publicly 'We are having to do things that may have an impact on the environment.' But that's not the message that's being that's being stated publicly."

"Over and over again all we hear about are world-class standards."

4(A): THE UNAUTHORIZED GRAVEL PIT

This “gravel pit”, or borrow pit, located on the Long Creek mainline about 1.6 kilometers above and north of the Long Creek bridge, is the site of the highest cut-slope on the Long Creek mainline (see photos below), with a vertical relief of about 30 metres. According to the MOF Horsefly District, West Fraser did not seek a permit for a gravel/borrow pit.

Long Creek Submissions and Reports

1. United Fishermen And Allied Workers' Union letter to Bill Young, dated June 3, 1996.
2. West Fraser submission to Bill Young dated June 27, 1996.
3. West Fraser submission to Bill Young dated June 28, 1996.
4. Road Inspection Report dated June 6, 1996.
5. Norm deWynter's report to Bill Young dated June 12, 1996, including photographs.
6. Bill Chapman memorandum to Bill Young dated June 12, 1996.
7. Gyl Connaty submission to Norm deWynter dated June 13, 1996.
8. Barry Trenholm memorandum to Bill Young dated June 14, 1996.
9. Andrew Anaka electronic message dated June 18, 1996.
10. Bill Young's letter to West Fraser dated June 26, 1996

Above: Copy of information sent to Sierra Legal Defence Fund from Bill Young, July 3, 1996, showing summary of Submissions and Reports to date.



(Video) **Photos #74** (top left) and **#75** (top right), May 20th, 1996. Left photo shows the large cut-slope, with stream channels to the left (not seen) of the cut-slope. The photo to the right, of the same cut-slope, shows the gravel pit or borrow pit site. **Photo #76** (bottom right) is from page 9 of Norm deWynter's June 12, 1996 report to Bill Young with following caption: “Photo 18, Large cut in coarser textured material, material is being used for road work.”

From an examination of the original landscape, West Fraser contractors encountered a very steep ridged slope along their mainline road route in 1995. By cutting into this long and steep slope they had to remove a lot of material to not only provide an enormous base for the road width, but they were also faced with the long-term difficulties of the cut-slope slumping onto the road. So, it can be argued that it was simply convenient for West Fraser to penetrate more of the cut-slope and distribute the materials from this site as a “gravel” source for the Long Creek mainline. The materials from this site are not genuine



gravel, but a mixture of sand and clay with some small rocks. MOF staff commented that this site is composed of mostly “coarser textured material” (see photo #76), with which West Fraser ‘sugar-coated’ the upper Long Creek mainline in early June 1996.

File: R01300

June 12, 1996

To: Bill Young
District Manager

Re: **Report on Inspection and Investigation of West Fraser Mills Ltd's (WF)
Road Building Practices at Long Creek and Penfold Valley on the North Arm
of Quesnel Lake.**

On Monday, June 3, 1996, the Horsefly District Manager received a four page facsimile from the United Fisheries and Allied Worker's Union. The letter indicated some of their representatives had viewed a video taken on May 19 and 20, 1996, and were disturbed by what they claimed were poorly constructed roads by WF. The same day the Ministry of Environment (MOE) advised that they had a copy of a video that Doug Radies had made showing what he said was evidence of WF's poor road building practices. A field trip was arranged for the next day (June 4, 1996) to view the alleged concerns on the ground. Rodger Stewart and Rob Doligan attended for MOE. Bill Young, Norm deWynter and Mike Lloyd, represented the Horsefly Forest District. Bill Chapman and Ken Soneff, from the Ministry of Forests (MOF), Regional Research section, also attended. WF employees Bill Rand and Lorne Haddow met us on-site.

Above: Excerpt from page one of Norm deWynter's report to Bill Young.

During the June 6, 1996 investigation, MOF and MOE staff were concerned about the influence of side-cast materials from the gravel pit materials into a stream course but failed to comment that the same erodible material was used to surface most of the Long Creek mainline. Bill Chapman, Research Pedologist for the Cariboo Region, stated in his June 12, 1996 memo to Bill Young:

“In one location where the licensee is mining sand and gravel, they have stockpiled gravel on the outboard side of the road. Some of the material has moved among standing trees and downslope almost to a fairly large creek. Material will have to be pulled back in this area.” [page 2]

On June 16, 1996, the Sierra Legal Defence Fund's fisheries biologist inspected the mainline and sampled the recently resurfaced road material from this “gravel pit”:

“The road, although recently graded and well groomed, had been surfaced with very fine, highly erodible, silts and sand up to 10 cm deep. This material is easily rutted and does not support the wheel loads of vehicles using this road. This results in water channeled down the road surface in wheel ruts during heavy rains with subsequent erosion of the crown, shoulder and fill.”¹⁶

Ironically, Ron Davis agreed that materials at this “gravel pit” were too close to a stream, when in fact erodible materials from this “gravel pit” had been distributed along the Long Creek mainline to groom the road, some materials of which were later eroded off the road surface down fill-slopes, into ditches, and into streams during rainstorms. The MOF Horsefly July 5th, 1996 road inspection report, by J. Moe, for

¹⁶ *A Review of Forestry Roads in the Quesnel Lake/Horsefly River System*, Sierra Legal Defence Fund, July 30, 1996, page 29.

the Long Creek mainline, described the problematic condition of the unsuitable materials used to surface the switchback road area:

“Km 6.0-6.3 - recently capped with **gravel** [bold emphasis], very soft and rutted but is back-bladed dayly (sic) before shutdown.” [page 3 of 4]

4(B): THE UNAUTHORIZED DUMP

At another location, about 300 metres south of and below the Long Creek bridge, West Fraser end-hauled and dumped “hundreds of cubic metres of clay from a major cut-slope failure”¹⁷ sometime between May 27 and June 4, 1996 at an unauthorized location. The material was removed from an area further to the south, where West Fraser’s road crew had sliced through a very steep slope along the contours of a natural bench in 1994, creating an enormous, dramatic, unstable cliff, a near-vertical wall of glacial till. This radical cut-slope varies between 10 to 20 metres or more in height and is about 150 metres in length.



The MOE raised concerns about road development in this area in 1992:

“It is important to recognize that road developments in this area could seriously alter existing stream and/or kokanee spawning shoal habitats in and near to Long Creek.”¹⁸



(Video) Photos #77 and #78 (May 28, 1995). Creation of severe steep cut-slopes in glacial silt/clay material from road construction in Fall 1994, at lower end of Long Creek mainline. Note the person outlined in red circle, for perspective. Enormous glacial till cut-slopes intact, ditch-line functional, carrying sediments into culvert.

In the Spring of 1993, Rob Dolighan and Marcel Demers of MOE, Syd Monteith of MOF, and Larry Gardner and Roy MacDonald of West Fraser Mills, inspected the proposed road location and concerns were noted acknowledging the extensive side-cutting necessary to connect the road with the proposed bridge location at Long Creek:

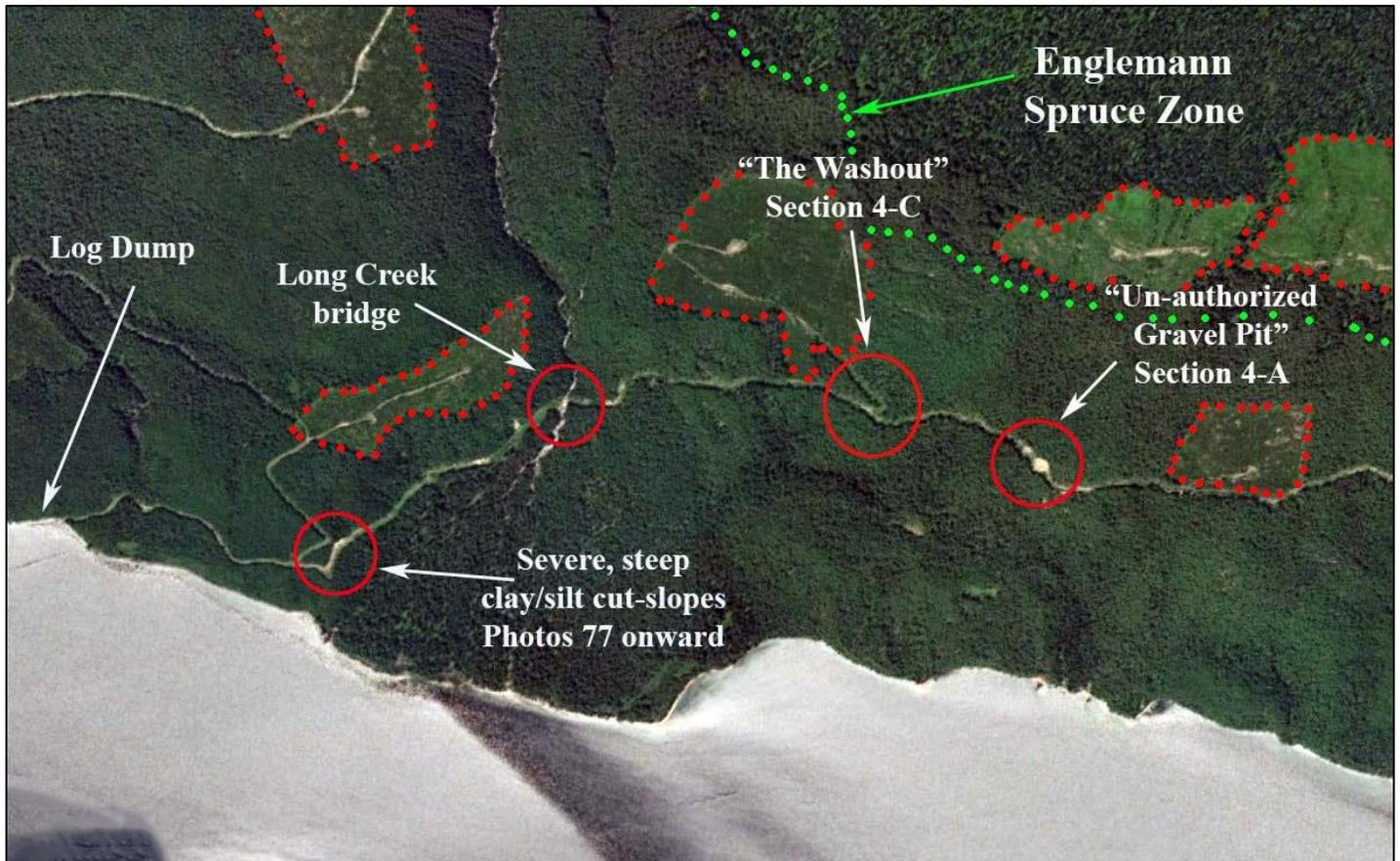
¹⁷ *A Review of Forestry Roads in the Quesnel Lake/Horsefly River System*, Sierra Legal Defence Fund, July 30, 1996, page 29.

¹⁸ Memo, R.B. Dolighan, MOE Fisheries Branch, Williams Lake, Nov. 12, 1992.

“Discussion on +/- 500 m side cut to line up road with Long Creek bridge site. Thought that they could possibly be kept up on the bench instead of side cutting.”¹⁹

West Fraser responded by proposing an amendment to the Long Creek road location:

“This altered road location is to comply with a request from Ministry of Environment to avoid excessive cuts and fills in the area.”²⁰



Map #5. Google Earth image (2015) showing lower section of the Long Creek mainline logging road.

However, West Fraser’s proposal only made minor changes to the very beginning of the Long Creek mainline, and not to the “+/- 500 m side cut” area mentioned above. The Long Creek mainline (RO 1399/92) was approved by Norm deWynter, Acting District Manager, on April 7, 1994 and construction began on August 2nd, 1994.

The Forest Road Specification Checklist for the Long Creek mainline indicates a long term road life expectancy “>20 years”, but Bill Chapman’s assessment of maintenance issues and risks associated with this severe cut-slope was based on his understanding that this was proposed as a temporary road, with a life expectancy of about 5 years:

“The till material is quite compact and stable. The bank will continue to weather and slough in wet seasons and will require regular maintenance. Shaping the slope to a more stable angle so that it could be revegetated, would require increasing the size of the cut-face considerably. If faced with

¹⁹ MOF File Note, S. Monteith, R.A. Timber, Horsefly District, May 17, 1993.

²⁰ Larry Gardner, West Fraser Mills, August 9, 1993.

the choice between increasing the size of the cut or regular maintenance, I believe that regular maintenance was the lower environmental impact choice. We did not explore other options such as different road locations.”²¹

There is now an additional problem to the long-term “maintenance” associated with these cut-banks. West Fraser has recently constructed a road directly above the cut-slope that is about 15 metres adjacent to the top edge of the cut-slope (for location, see map #3, page 19). It is not known what problems will occur here in the future, but when flows are intercepted by the upper road ditch and then migrate towards the cut-slope, and if an increase of water infiltrates the glacial till from this upper road, then problems will become more significant. If road maintenance crews continue to remove sloughed material from the base of the cut-bank, material which would otherwise help the bank to stabilize itself, then the cut-slope will most likely continue to break off in near-vertical sections. Beyond these concerns, West Fraser is also proposing cut-blocks in the vicinity of these unstable cut-slopes.



(Video) **Photo #79**, May 28, 1995. These severe cut-slopes are unstable cliffs of highly erodible glacial till. When the author first saw these cliffs, he knew they would fail and become a serious problem.



(Video) **Photo #80**, May 20, 1996. The cut-slopes failed after the Spring melt, burying a long length of the ditch and all culverts in deep mass of clay and silt.

²¹ Chapman, June 12, 1996, page 3.

When the observers initially visited this site on May 28, 1995, they were astounded and had to question the technical evaluation that enabled the MOF and MOE decision to approve the road location through such steep and unstable terrain: **it was obvious that the cut-bank was going to be a chronic problem.** The observers returned to this location on May 20, 1996, one year later, to find that almost the entire length of the cut-slope had indeed failed, burying the road width for about 100 metres. The observers videotaped this site, and video footage of this trip was provided to MOF and MOE staff. Some of this footage was also broadcast on CKVU Television.

On page 14 of West Fraser's June 27, 1996 submission to Bill Young, they stated that their senior roads foreman, Roy MacDonald, had "observed a slide on the road" from an aircraft at this location on April 15th, 1996. On May 22nd, 1996 the same foreman:

"... made an on the ground inspection of the Road and concluded that **minor, routine spring maintenance was required** when ground conditions permitted. He concluded that, **overall, the road did not look bad.**" [bold emphases]



(Video) **Photos #81, #82**, May 20, 1996. Just up the road from photo #80 toward Long Creek bridge. Excessive avalanche debris from cut-slope across road prism, ditch and culverts buried.

According to the District Manager the major slumping here on the Long Creek mainline logging road was not reported to his office. ²² Did Roy MacDonald consider the slide site to be "minor", and if he did, then what is his criteria for what a minor slide is, and what does he consider to be a "major" concern?

²² Personal communication with Bill Young, September 26, 1996.

On June 4, almost two weeks later, when MOE and MOF staff came to inspect the Long Creek mainline:

- the slide material had been removed;
- the ditch was re-established;
- and the culverts were temporarily functioning again.

The MOE staff, who had viewed the observers' video, concluded that the overall matter was without concern:

“Upon the inspection conducted 04 June 1996, West Fraser already had equipment operating on maintenance tasks at Long Creek, and this work was being conducted in a satisfactory manner. For example, where there had been slumps of glacial till off high cuts on the “Point” where the road turns down to Long Creek, **material had been end-hauled to pre-established dumps** [bold emphasis], drainage was re-established. It was clearly evident to all present that the road was not at risk at this point and that none of the slumped material was transported to any watercourse.”²³

(Video) **Photos #83, #84**, May 20, 1996. Adjacent to and north of the severe cut-slopes are gigantic, vertical fill-slopes, composed of highly erodible materials. Note one of the observers in red outline for perspective.



(Video) **Photo #85**, May 20, 1996. In the area to right of photo #84 is a culvert protruding out of the middle of the fill-slope. The water which flows out of the culvert erodes the fill-slope material below.

²³ Observations of BC Environment Regarding Long Creek and Penfold Mainlines. Letter from Cariboo Regional Director Gyl Connaty to Norm deWynter, Operations Manager, MOF Horsefly District, June 13, 1996, pages 2-3.

The material may or may not have been “transported to any watercourse” immediately below the cut-slope cliffs, as Connaty noted, but the material was removed and then “transported” by truck and dumped into the secondary channel of Long Creek just to the north of this site, where sediments did enter a watercourse. The Approved Forest Road Specification Checklist that accompanied the April 1994 Road Approval for the Long Creek mainline mentioned full bench construction and end-hauling in this area but did not indicate disposal site locations. In fact, West Fraser did not apply for a dump site. Under Section 11(1)(e) of the *Forest Road Regulations*, it states that the licensee must locate “... end haul disposal sites in areas where eroded soil materials or other harmful materials will be prevented from entering streams”. It is quite clear that this dump site violates this section of the *Road Regulations*. There seemed to have been no questions asked, no investigation required, and certainly no charges filed by either ministry on this unauthorized dump site.

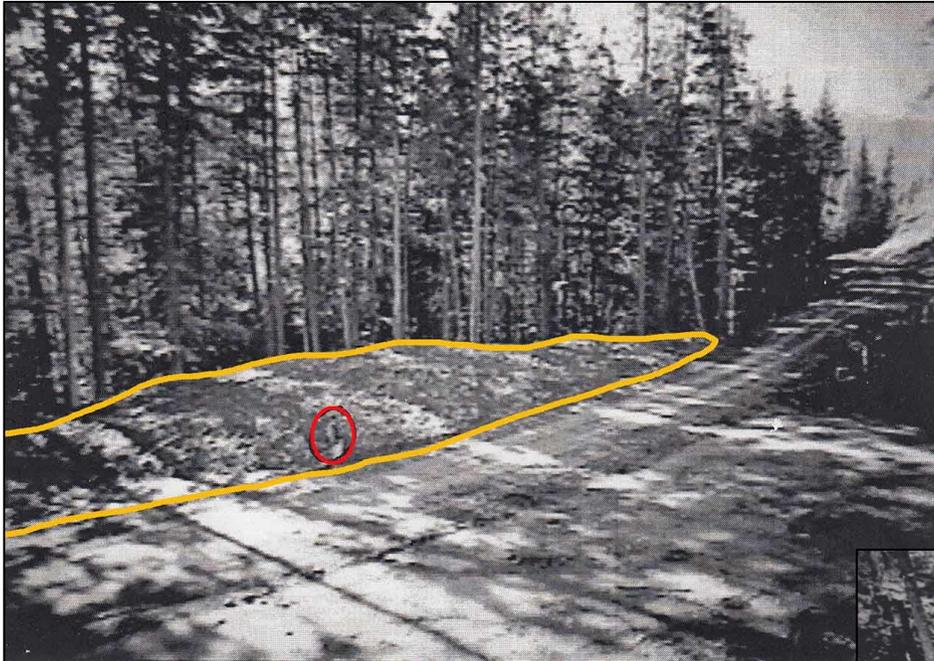


Photo #86 (left), June 16, 1996 (copy of black and white photo from January 1997 report). Looking from top of cut-slope down at the dump site. Note the large area of the site beyond the road width. For scale, note individual marked in the middle left of photo.

Photo #87 (below), June 16th, 1996. Looking down long slope of dumped clay material amidst the forest. At the bottom of the dump slope is the secondary Long Creek stream channel.



John Werring, Sierra Legal Defence Fund’s fisheries biologist, made the following comment in his report after surveying the dump site on June 16, 1996:

“The survey crew located an area beside the road where hundreds of cubic metres of clay from a major cut-slope failure had been dumped into the forest covering approximately 500 square metres of the forest floor in mud up to 1.5 m deep. This material was dumped into a fairly steep slope (50% grade) and entered the old main channel of Long Creek in two locations. The material at the base of the slope was essentially a viscous liquid and was continuing to flow downhill into the old stream channel. This could be highly problematic if Long Creek regains its original channel, a situation that cannot be ruled out.”²⁴

²⁴ A Review of Forestry Roads in the Quesnel Lake/Horsefly River System, Sierra Legal Defence Fund, July 30, 1996, pages 30, 31.

Just north of this unapproved dump site, a high and wide clay cut-slope had eroded adjacent to the secondary Long Creek stream channel, where the observers documented a thick deposit of silt on May 20th, 1996 (see also photo #67) which had completely filled the ditch. These extremely fine sediments flow northward down the ditch. The same location was identified by MOF staff in the official August 1, 1996 post-Determination Road Inspection Report of the Long Creek mainline, mainly because this site was featured in the observer’s video:

“(Kilometre 1.65) Water ponding in ditch line - no culvert was installed during construction, but with the proximity of the old Long Creek dry channel bed, the Licensee [Roy MacDonald and Lorne Haddow, from West Fraser] felt a cross drain may contribute to sedimentation of the old channel.”



(Video) **Photo #88, #89** (above), May 20, 1996. The clay cut-slope adjacent to the former Long Creek stream channel released cumulations of fine clay sediments into a thick mass, smothering the former profile. The filled ditch channel flows into a culvert, and then into the former Long Creek stream channel.

(Video) **Photo #90, #91, #92**: Doug Radies tests the depth of the cut-slope ditch deposits by jiggling his arm as far as possible into the wet cold mass. When he pulled his arm out, the suction made a popping sound.



What is the Licensee's concern here? Everywhere else along the mainline, sediments from clay banks are draining directly from cut-slopes, roads, ditches, and culverts into streams. West Fraser staff, who showed concerns about fine clay sediments entering a stream channel from the erosion of a large cut-slope, were merely metres away from a site where they had just dumped an enormous volume of similar material into the same stream channel. This channel is not a "dry channel bed", as described above by the MOF Horsefly road engineer, but maintains a minor seasonal flow.



TIMBER HARVESTING

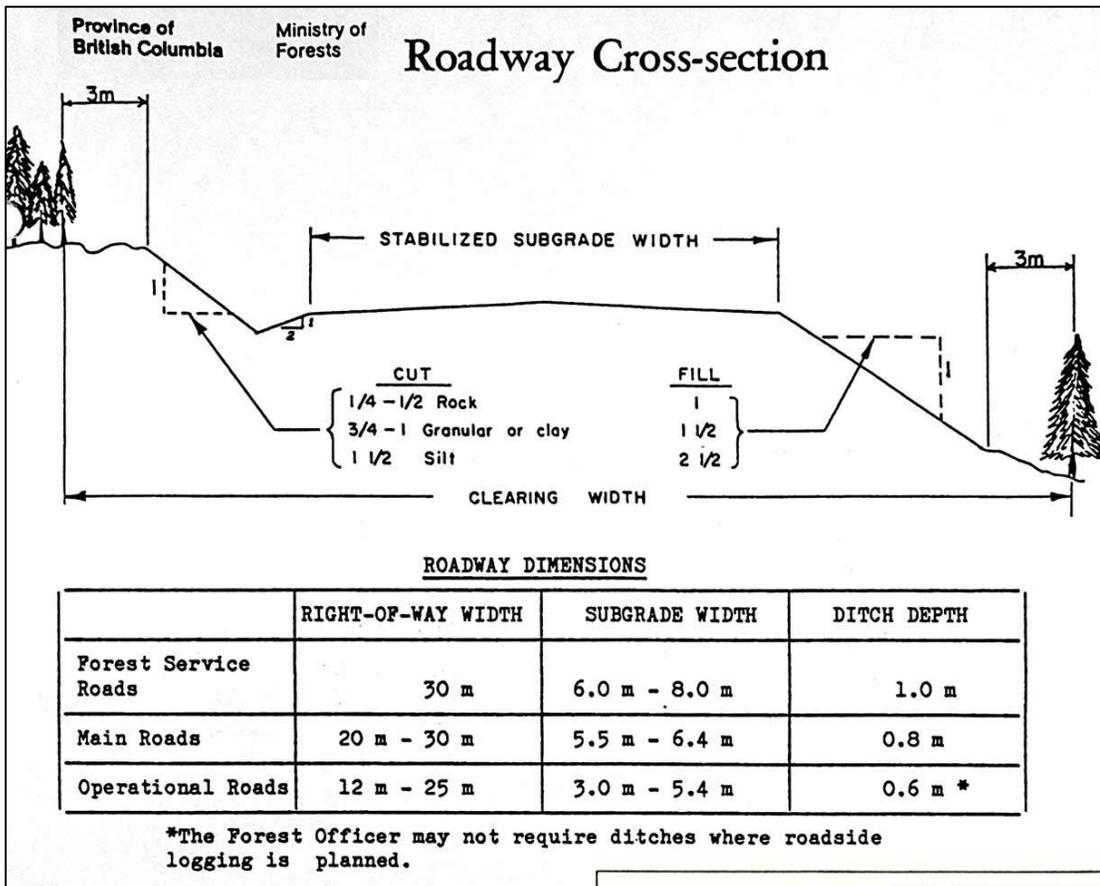
Soil conservation guidelines for timber harvesting



Province of
British Columbia
Ministry
of Forests

Interior British Columbia





Above: Illustration from Ministry of Forest road construction manual.

Right and below: Risk Assessment form for West Fraser Timber's Cutting Permit No. 57 for Service Creek, North Arm, Quesnel Lake. Risks for "on site and downslope downstream values are "high" for "water supply," "moderate" for "fish habitat," and "high" for "wildlife habitat."

TABLE 5 RISK ASSESSMENT FORM

LICENSE: WEST FRASER TENURE: R01399 ROAD PERMIT NO.: 5/95 DATE: 95-10-2
 FOREST DISTRICT: HOESLEY REGION: CMR1800 CUTTING PERMIT NO.: 57 FILE: R01399
 PLANNING AREA DESCRIPTION: SERVICE CREEK MAP REFERENCE: 93A 0.65 66 AIR PHOTO REFERENCE: B.C.C 92047 153-156

| DATE | ROAD LOCATION INFORMATION | | HIGHEST CONSEQUENCE RATING | HAZARD POTENTIAL RATING | METHOD | RISK RATING | NOTES |
|---------|---------------------------|------------------|----------------------------|-------------------------|----------------------------|-------------|--------------------------------------------------|
| | ROAD INTERVAL | ROAD SEGMENT NO. | LOW, MOD., HIGH | LOW, MOD., HIGH | VERY HIGH, HIGH, MOD., LOW | | |
| 95-10-2 | 1+015 - 1+033 | 1 | H | H | 2 | H | and haul |
| | 3+400 - 3+470 | 2 | M | M | 2 | M | Place haul construction between 2 riparian zones |
| | 4+419 - 4+857 | 3 | H | H | 2 | H | and haul |
| | Demanded | | M | L | 2 | L | |

| RISK ASSESSMENT | | | CONSEQUENCE RATING ASSESSMENT | | | HAZARD POTENTIAL RATING ASSESSMENT | | |
|-------------------------|---------------------|--------------------------------|--------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|------|------------------------------------|--------------------------------------------------------------|----------------------------------------------|
| HAZARD POTENTIAL RATING | CONSEQUENCE RATING | RISK RATING | ON SITE/DOWNSLOPE/ DOWNSTREAM VALUES | CONSEQUENCE RATINGS (CHECK (✓) THE RATING) Rating for an entire watershed, whole road system, or individual road, as appropriate. | | | Road Segment No. (Space provided for up to 10 Road Segments) | Hazard Potential Ratings (Circle the Rating) |
| High, Moderate, Low | High, Moderate, Low | Very High, High, Moderate, Low | | LOW | MOD. | HIGH | | |
| High | High | Very High | 1. Water Supply | | ✓ | | 1 | Low, Mod, High |
| High | Moderate | High | 2. Fish Habitat | | | | 2 | Low, Mod, High |
| Moderate | High | High | 3. Wildlife Habitat | | | ✓ | 3 | Low, Mod, High |
| High | Low | Moderate | 4. Forest Site Productivity | | | | 4 | Low, Mod, High |
| Moderate | Moderate | Moderate | 5. Human Life/Private Property | | | | 5 | Low, Mod, High |
| Low | High | Moderate | 6. Utilities | | | | 6 | Low, Mod, High |
| Moderate | Low | Low | 7. Landscapes | | | | 7 | Low, Mod, High |
| Low | Moderate | Low | 8. Recreation | | | | 8 | Low, Mod, High |
| Low | Low | Low | | | | | 9 | Low, Mod, High |
| | | | | | | | 10 | Low, Mod, High |

Ministry Representative: [Signature] Name (Print) [Name] Date 95-10-2

| CONSEQUENCE RATING ASSESSMENT | | | HAZARD POTENTIAL RATING ASSESSMENT | | |
|--------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|------|------------------------------------|--------------------------------------------------------------|----------------------------------------------|
| ON SITE/DOWNSLOPE/ DOWNSTREAM VALUES | CONSEQUENCE RATINGS (CHECK (✓) THE RATING) Rating for an entire watershed, whole road system, or individual road, as appropriate. | | | Road Segment No. (Space provided for up to 10 Road Segments) | Hazard Potential Ratings (Circle the Rating) |
| | LOW | MOD. | HIGH | | |
| 1. Water Supply | | ✓ | | 1 | Low, Mod, High |
| 2. Fish Habitat | | | | 2 | Low, Mod, High |
| 3. Wildlife Habitat | | | ✓ | 3 | Low, Mod, High |

4(C): THE WASHOUT

In Section 3, this report described an area of severe road surface erosion just below the switchback at the Convirs Creek bridge. Both ministries expressed the greatest concerns in this area. On their May 20, 1996 reconnaissance, the observers also documented extensive road surface erosion at another location, at the junction of the secondary road to cutblock 56-1.²⁵ Here erosion and rilling occurred because:

- there was no ditch block or culvert to prevent runoff from escaping onto the secondary road and down along the Long Creek mainline;
- there was no drainage ditch to intercept the run-off along the entire outer curve of the secondary road to its junction with the main road.

At one section just above the road junction, the entire width of the road had eroded down about 15 centimetres or more in depth to the coarser material in the subgrade, and all of the sediments were washed either into the road ditch on the west side of the mainline, or transported down the middle of the road, where more road surface erosion occurred, both sources traveling for about 150 metres from the road junction into a medium-sized creek (see photos). There are no culverts between the road junction area and the unnamed creek, exhibiting the inescapable conclusion that most of these sediments had washed into the creek. This unnamed creek spills into Quesnel Lake at Welcome Point, a known kokanee spawning area on the Long Creek shoal. The observers' edited video, seen by MOF and MOE staff, included footage and comments as described here, but there was no reference to this video evidence in the government's investigation reports, nor a request by the government to interview the observers.

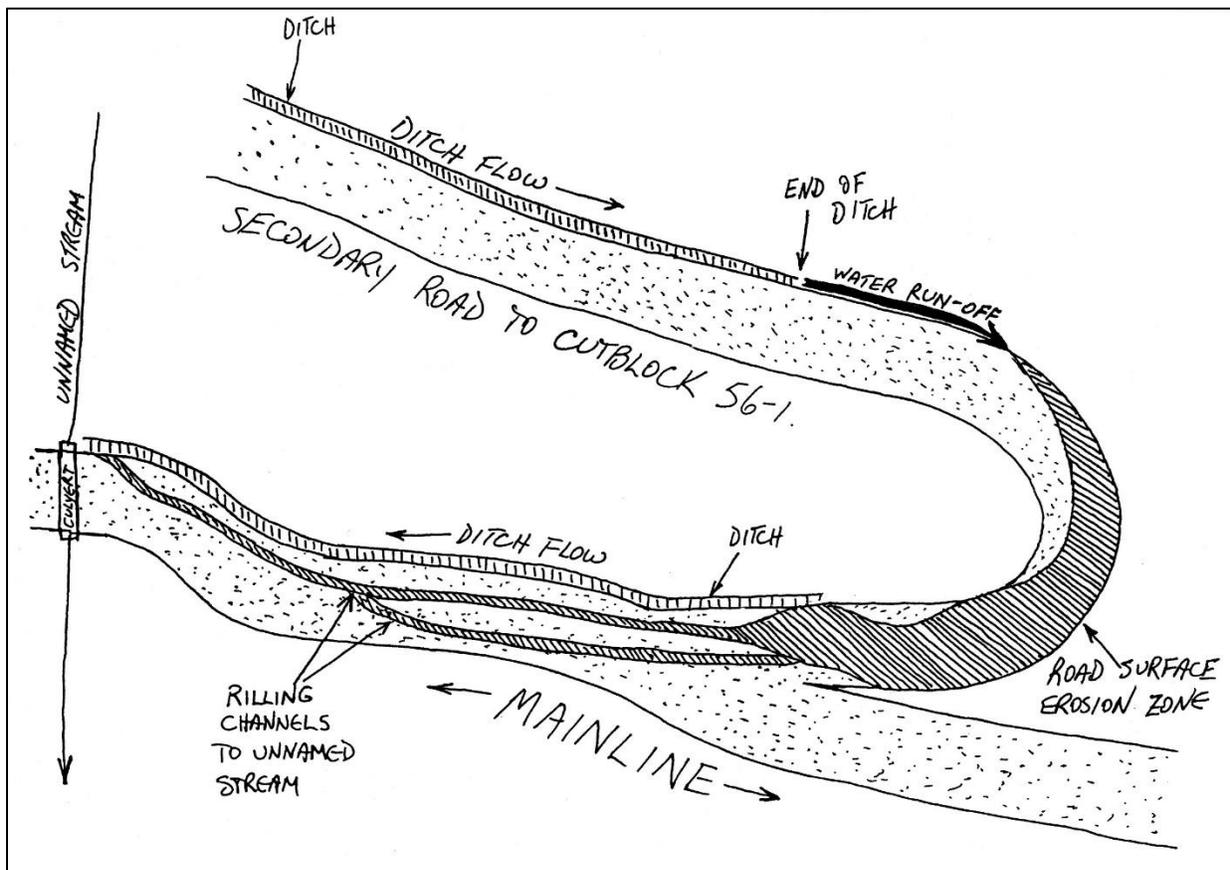


Diagram #4. (Refer to Map #5 on page 59 for location.)

²⁵ Cutting Permit 56, block #1. For location see Map #5.

According to MOF road engineering regulations, switchbacks can have “one of the worst erosion potentials.”²⁶ West Fraser did not take the necessary measures to prepare this switchback for the onset of winter - no waterbars or ditch along the perimeter of the switchback.



(Video) **Photos #93, #94, #95**, May 20, 1996. The switchback washout area in Diagram #4, located on Map #5. Rilling on road outlined in red pathways. Right, washout area in switchback. Note observer in red outline, for scale.

(Video) **Photos #96, #97** (below). Extensive rilling and washout of road prism on switchback area, Diagram #4.



²⁶ *Engineering Specifications for the Planning, Location, Design, Construction, Maintenance and Deactivation of Logging Roads and Drainage Structures in the Cariboo Forest Region*, 1990, page 16.



(Video) **Photo #98**, May 20, 1996. Road rilling (in red) extends from switchback down the road and exits into ditch just above the creek, as shown in Diagram #4.

4(D): THE CUMULATIVE IMPACTS OF THE LONG CREEK ROAD: CUT-SLOPES, FILL-SLOPES, AND DITCHES

The Long Creek mainline makes a gradual ascent from the log dump at Quesnel Lake (elevation 730 metres above sea level) to the Long Creek bridge, 2 kilometres north. From the bridge location, at an elevation of 800 metres, the Long Creek mainline climbs steeply for 4.4 kilometres to the switchback, at 1,240 metres (for aerial perspective, see photo #110, page 75). This new section of road, quickly constructed in the latter half of 1995, targets the high elevation Engelmann Spruce, the most profitable market species in this area. Because the lower slope of the mountain drops down steeply to Quesnel Lake, the road ascent continually transects alternating landforms: cliffs, undulating ridges, valleys, and benches. For instance, there are quite a number of locations along this section of road where the slope is so steep, that the fill-slope, which must accommodate the road width, descends anywhere between 10 and 30 metres from the road, and adjacent exposed cut-slopes are undesirably steep, long, and high.

An enormous amount of mineral soils, composed mostly of clays, silts, and sands, have been exposed to the elements along the length of the road. The majority of these mineral soils are highly erodible and easily transportable by weathering. The Long Creek mainline is located within the Interior Wet Belt, where there is an average of 1,500 millimetres of precipitation per year: 50% rain, 50% snow. Snow-packs can reach depths of 4 metres. Rainfall can often occur in short heavy bursts or be continuous for days at a time, saturating the mountainside soils with water, transporting tremendous volumes of sediments from the road to Quesnel Lake.

“... erosion increases with increasing severity and extent of soil disturbance. An undisturbed cover of vegetation and forest floor reduces the impact of falling rain by absorbing and dispersing surface runoff. The removal of the forest floor exposes mineral soil to direct rainfall. Rainfall impact detaches soil particles, destroys soil structure and reduces water infiltration.... Increasing amounts of water available for surface erosion lead to channelization and easily recognizable rill and gully erosion. Deep disturbance, particularly gouging into hillsides, intercepts seepage and surface runoff channeling large volumes of water capable of eroding extensive gullies. The steeper

the slope gradient the greater the potential erosive capability.... Soil mass movement can also be extensive on steep terrain and may persist for many years after the initial road construction.”²⁷



(Video) **Photo #84**, May 20, 1996. One of the many immense fill-slopes along the Long Creek mainline. This particular fill-slope experienced a lot of erosion, channelization, and slumping.

When roads are constructed through steep mountainous terrain, they can intercept and significantly alter the natural hydrology of the mountain slope. On a steep road grade, the ditch quickly re-directs surface and sub-surface water run-off to the nearest stream or culvert. The outlet of a culvert either directs the run-off into the forest and downslope, often connecting with natural or other altered stream courses, or directly into local receiving streams. This unnatural hydrological process is amplified and complicated when:

- switchback roads are constructed above an existing lower road;
- clearcutting occurs within the same area as these roads.

Road drainage systems concentrate and re-direct surface and groundwater. As the road gradient increases, water velocity increases, thereby increasing erosional forces and the transport of sediments. During the Spring melt, especially at higher elevations, and when rainfall accompanies this process, water is collecting and running everywhere in torrents:

- down forested slopes;
- over, through, and down cut-slopes, causing channelized erosion, slumping, and transportation of sediments into the ditch, increasing the volume of ditch flow, actions which could cause a culvert to become plugged, thereby increasing the danger of erosion and flooding of the road area;
- along roads, at various stages of snowmelt. As the snowpack melts, roads experience continuous levels of saturation, causing the road material to soften. Depending on the steepness and the durability of the road surface, run-off from snow-packs and rainfall will result in channelization along the road, transporting sediments either into the ditch or down the fill-slope. When the fill-slope is intercepted with run-off, it will cause either a section of the fill-slope to become over-

Research Note

No. 88 1981

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Logging and soil disturbance on steep slopes in the Quesnel Highlands, Cariboo Forest Region.



Province of
British Columbia
Ministry of
Forests

by J.W. Schwab
and
W.J. Watt

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²⁷ *Logging and Soil Disturbance on Steep Slopes in the Quesnel Highlands, Cariboo Forest Region. MOF Research Note No. 88, 1981, page 8.*

saturated, causing portions to slide to the bottom of the slope, or the run-off simply gouges a channel into the artificial slope, transporting sediments below. Both actions weaken the road structure.



(Video) **Photos #99, #100, #101, #102** (above), May 20, 1996. About one kilometre below the switchback. *Top left*: cut-slope slumping into ditch with stumps and roots, blocking ditch line. How long did this last?

(Video) **Photo #103** (right), May 28, 1995. Contractors used boulders to buttress the cut-slope from failing around an ephemeral creek and near to a vertical culvert to right of boulders (see page 73).



This is precisely what the observers witnessed on their May 20, 1996 reconnaissance - the results of the Spring melt and accompanying rainfall events on the Long Creek mainline. However, these conditions and environmental impacts for “**green**” roads in the Quesnel Highlands are considered by the government and industry to be an acceptable or normal impact, as demonstrated from the following excerpts:

“Our inspection, of the portions of the road that were completed prior to last winter, indicated that the ditches for almost the entire length of the road were in need of spring maintenance or better construction.”²⁸

“The amount of sediment accumulation was not inordinately great given that we were dealing with green road but was probably higher than need have been.”²⁹

“The finished portions of both roads required substantial spring maintenance common to most forest roads of the area. Even where fall maintenance works are exemplary, spring efforts are frequently needed as soon as soils dry to address breakup related material movement. Side-cut slumps, ditch and culvert cleaning needs were obvious and not unexpected for each road.”³⁰

In light of the above, necessary questions to ask are:

- how many square metres of soil have been exposed to the elements on this particular section of the mainline road, including the material on the road surface,
- and would such an estimate be helpful to begin to understand the dynamics of sediment transport from the mainline road infrastructure down towards Quesnel Lake?

From rough calculations³¹ a minimum area equivalent of 13 Canadian football fields of mineral soils and road surface material have been exposed as a result of this 4.4-kilometre section of road. The observers witnessed frequent road surface erosion and excessive eroded material in the ditches and below the fill-slopes of the mainline and secondary roads. This was clearly demonstrated in their videotape provided to the MOE and the MOF, which West Fraser staff continually alleged to have been a fabrication.

²⁸ Chapman, June 12, 1996, page 2.

²⁹ Ibid.

³⁰ Gyl Connaty, June 13, 1996, page 2.

³¹ To obtain a calculation we would have to estimate the average width of the road, the average width of the fill-slope area, the average width of the road slope down to the ditch, the average width of the ditch area, and the average width of the myriad cut-slopes. Based then on a road width of 6 metres, a road fill-slope width to the ditch of 1 metre, a ditch width of 1 metre, an average cut-slope height estimate of only 3 metres, a fill-slope average of only 4 metres, our final estimated figure would be 66,000 square metres of exposed mineral soils and road surface materials. Put more plainly, the exposed surficial area for 4.4 kilometres of road would equal the area of 13 Canadian football fields (a measurement of 55 yards by 110 yards, goal post to goal post). This estimate would of course depend on our averages, so it could vary a few football fields, but it is probably a conservative estimate. Now, if we were to imagine that 1 centimetre of the entire exposed mineral soils and road material had eroded and been transported from the road structure to the forest and streams below, then that figure would be 660 cubic metres of material, and 660 additional cubic metres for every other centimetre of erosion. From this we can compute that for every kilometre of road, along this particular steep section of road, and for every centimetre of erosion of the road construction area, there are 150 cubic metres of erosive material deposited into the ditch and below the road. The weight of every cubic metre of material is about 4,500 pounds, or 2.25 tons (2.05 metric tonnes), depending of course on the level of saturation. This demonstration helps the reader to imagine, in Bill Young’s words, what the “potential” is for damage to the environment and to fish-rearing habitat. The weakness of the model of course is that it is too uniform and that some hydroseeding has been introduced on cut-slopes and fill-slopes. Of course, hydroseeding was introduced to this section of road only since late June 1996, and even hydroseeding cannot address more serious exposed slopes and road surface areas. But the principle of the matter is what is important, and it will also help us later analyze estimates made during the early June inspections and a related complaint by West Fraser Timber.

Why is it that there is almost a complete absence of any details in the investigation reports, such as descriptions of sensitive exposed cut-slopes, fill-slope erosion, or sediments below road culverts? Why is it that these ministries were unable to collect “evidence” of materials which were clearly being deposited in every stream course along the Long Creek mainline? ³² After all, this was the original expressed concern of the United Fishermen and Allied Workers Union.



(Video) **Photos #104, #105, #106**, May 28, 1995. During the May 20, 1996 field trip, a number of similar vertical culverts, connected to a sloped culvert underneath the road prism, were plugged from collapsed and slumped cut-slope material. Vertical culverts are harder to maintain because of the difficulty of scooping out plugged materials. When culverts get plugged, water is rerouted down the ditch and/or over the road, and because of its concentrated force, can cause great erosive damage and the transport of soils and silts.



(Video) **Photos #107, #108**, May 20, 1996. Both these culverts were plugged and later freed by maintenance crews. Photo to right shows damaged one metre wide culvert from large rocks tumbling down cut-slope and down creek. When culverts funnelling creeks are plugged, the rising water, which is diverted, can cause considerable damage.

³² The MOE failed to collect Total Suspended Solids water samples at any of the locations.



(Video) **Photo #109**, May 20, 1996. Secondary road to cutblock 56-1. Road prism is extremely soft and muddy, and fill-slope to right was eroding.

4(E): THE SWITCHBACK

One of the flaws of the official investigation of the Long Creek mainline is that West Fraser's road crew reconditioned the upper mainline before the investigation proceeded on June 6, 1996. West Fraser literally buried the evidence on the 250 metre stretch of road below the switchback at the Convirs Creek bridge (refer to pages 24 and 25 of this report):

“(West Fraser) was actively carrying out spring maintenance at the time (June 6th). Ditches and culverts were being cleaned.”³³

“Machinery activity had covered much of this [rilling] by the second inspection, but it was still obvious in spots.... Because of construction, at the time of the inspection we could not tell where the sediment had been transported....”³⁴

“At a major switchback located near Converse [Convirs] Creek it was apparent that a considerable portion of the road material was washed away. This was not conclusive as viewed on this day [June 6th] as maintenance work was well underway.”³⁵

“On Thursday, an excavator was working on road maintenance in the vicinity of the switchback area.... At the time of this inspection, the road surface had been maintained and I could not estimate the volume of material movement. Evidence of scour caused by water running down the center of the road had disappeared.”³⁶

This action, which prevented the investigative team from making a proper determination on a number of matters, could have been delayed had a Stop Work Order been issued by either the MOE or the MOF. According to the MOF District Manager,³⁷ he decided not to issue a Stop Work Order because he thought

³³ Norm deWynter, June 12, 1996, MOF Horsefly District Report to Bill Young, page 1.

³⁴ Bill Chapman, MOF Regional Report to Bill Young, June 12, 1996, page 2.

³⁵ Gyl Connaty, MOE Regional Report to Bill Young, June 13, 1996, page 3.

³⁶ Barry Trendholm, Engineering Manager for Cariboo Region, June 14, 1996, page 2.

³⁷ Personal communication with Bill Young.

that the condition of the road had to be addressed immediately to prevent any further damage to the environment. His consideration makes little sense, because sediments were flushed down the road long before their visit. One of the MOE staff on June 4 could have halted West Fraser's cleanup as well but did not exercise that discretion.



Photo #110. Aircraft flight photo of Long Creek mainline road. Main switchback is to middle right.

The section of road at the top of the switchback and down to Say-No-More Creek area is referred to as section “B” in the MOF reports. The road which continues above the switchback area to the south is designated as section “A” in the reports, where the road surface condition was similar to and worse than the switchback, because the road was left in an unfinished state in November 1995. The MOF initiated the investigation primarily due to the condition of these two sections of road, an area which the MOE was also quite concerned about:

“The one exception where we did see sediment transport of concern on the unfinished road was below “the switchback”.³⁸

³⁸ Chapman, June 12, 1996, page 2.

“The unfinished portion of the Long Creek road was a source of extreme concern to B.C. Environment”.³⁹

Fortunately, government representatives, including the MOF District Manager, did witness the state of this road section below the switchback on their June 4, 1996 inspection before it was reconditioned by West Fraser Timber. It is obvious from interviewing ministerial staff, who were present on June 4, that everyone was clearly dismayed at what they saw:

- severe erosion on an unfinished road, with a grade of about 10%;
- no ditch in some sections and the absence of sufficient cross-drains;
- sediments transported “into the forest” and into a tributary of Convirs Creek.

The road below the switchback after spring thaw and run-off was not constructed to acceptable standards in its unfinished state, with extensive road surface erosion through highly erodible materials. When the observers visited this site, they could barely walk up the road, as it was a sea of deep mud, with three to four separate water channels running down its lower course. Even during the cleanup of the road on June 6, 1996, Trendholm could still see some evidence of what had preceded his visit:

“... there was evidence of rilling of the material (at the very top of the switchback on the road surface) that appeared to be three to five cm deep indicating water and material had been transported down the road surface that would cause further scouring of the road surface.”⁴⁰



(Video) **Photo #111.** Up past the switchback, West Fraser Timber’s prize objective was to log the high elevation Engelmann Spruce forest. West Fraser was paying \$0.25 cents a cubic meter for spruce that was over 300 to 400 years old in its Cedar Junction forest license! (Refer to pages 9 and 10 in the Preface for this history.)

There were estimates by both MOE and MOF staff in their reports of the amount of material which had been eroded and transported off of road section B. Chapman estimated one hundred tons, which is about 44 cubic metres of material (an estimate of 2.25 tons per cubic metre), and Connaty estimated a maximum amount of 200 cubic metres, an equivalent of about 450 tons. West Fraser responded by disputing these estimates in their June 27, 1996 submission to Bill Young, as “pure speculation”:

³⁹ Connaty, June 13, 1996, page 3.

⁴⁰ Trendholm, June 14, 1996, page 2.

“Their reports fail to describe as to how... the estimates were determined.... West Fraser submits that any estimates of material transport provided by the MOE or MOF are contradictory and cannot be relied on for the purposes of the determination hearing.... To have 200 cubic metres of material removed from Section B of the road would, by simple mathematics, require an 8-metre wide road and a 0.1 metre depth for the entire length and width of Section B. The road design specifications for the Road were only 6-metre wide subgrade.” [pages 6 and 7]

Photo #112, #113, are copies of photos #15 and #16 in Norm deWynter’s June 12, 1996 report to District Manager Bill Young. Photos are from the second tour of Long Creek road on June 6, 1996 by government and West Fraser staff. Caption to right reads: “Another picture of erosion near the switchback. Most of the 200 metres of road looked like this on the previous inspection, but much of it had been covered up by the second visit.” Caption for photo below, reads: “Recently disturbed road surface below photo 15. Surface was formerly rilled. Note absent or minimal side ditches.” Note on bottom photo that West Fraser had recently graded the road ‘ahead’ of the June 6 inspection.



This brings us back to estimates of road structure surface area (discussed above, page 72) where a road width of 6 metres was incorporated. Given a road width of 6 metres, a cut-slope of 2 metres, and a road length of 250 metres below the switchback (not including fill-slope area), the area would be 2,000 square metres. If only 5 centimetres of material had been uniformly eroded from this entire area, a total of 100 cubic metres, or about 225 tons, of material would have been transported to the bottom or off the side of the road. This figure is one half the total estimate by West Fraser of 0.1 metre, or 10 centimetres, of erosion mentioned above.



Photo #114, June 10th, 1996. Special tour of the “switchback” for two representatives of the United Fishermen and Allied Workers, after the road was re-graded, ditched, and dried out by West Fraser contractors. The prearranged “TWA meeting” with the representatives actually turned out to be a helicopter tour with about 7 top West Fraser administrators and the North Cariboo Liberal MLA. West Fraser Woods Manager Guenter Weckerle in foreground.

MOE’s greatest concern on the Long Creek mainline was the transport of sediments from forestry operations which affect water quality, the biological health of tributary feeder streams, and fish habitat, the same concern of the Department of Fisheries and Oceans (DFO). West Fraser argued that there was no evidence of siltation to impact any of these three criteria:

“All of the evidence in the Investigation Reports, **with the exception of Ms. Connaty’s report**, states that **no sediment entered any watercourse**. This being the case, WF submits that the drainage system was effective in achieving the principal objective of section 12 [to “maintain surface drainage patterns”], which is to **minimize** the effect of water and silt transportation on

forest resources. **There was no demonstrated adverse impact on any water body or any other forest resource. The evidence establishes that any silt transported off the road prism in Section B was dispersed within the right of way or onto the forest floor.** [bold emphases]

Ms. Connaty's report indicates that sediment entered an unnamed tributary. However, Mr. Rand [West Fraser Mills] accompanied the MOE investigator, Andrew Anaka, on the inspection on June 6, 1996 and his evidence is that the investigator never left the road right of way, and accordingly, WF disputes the MOE investigator's conclusions."⁴¹

Ms. Connaty's report is in fact a synthesis of comments from three MOE staff: Dolighan, Stewart, and Anaka (see bottom of page 23). Anaka was not present on June 4 when MOE staff did leave the road right-of-way to inspect where sediment had left the road, as he was only present on June 6 for the investigation. West Fraser went on to state that Anaka, during his solo inspection of the mouth of Convors Creek on June 16, 1996, never traced any sediments "from the road right of way to any unnamed tributary or to Converse [Convors] Creek" [ibid.]. This is interesting, because on August 12, 1996 the observers saw hip chain string running up the entire length of Say-No-More Creek to the logging road, and up Convors Creek from the confluence of Say-No-More (see page 37). **Interviews have confirmed that MOE, MOF, and DFO staff did not run the hip chain in this area, nor did West Fraser's engineer** (personal communication with R.A. Patrick). So, who did? Could it have been West Fraser's biologist who was mentioned in a June 23, 1996 article?

"We have employed an independent biologist and an independent road engineer who have discovered no substance to the serious charges contained in the UFAWU letter."⁴²

Andrew Anaka - Oct 2/96 (page)
11:30 am

re:

- He and Roger wrote Gyl Connaty's letter to Norm.
- He did not go below the Long Cr. Rd. The only time he left the road on the June 6 investigation was up @ the switchback at the top - he dropped down to Convors Creek.
- His June 16 investigation of the creek mouths included Long Creek and the creeks up to and including Convors Cr. and one creek beyond.
- he did have field notes but I would have to make a FOI request.
- he did see our video
- he did not inspect the end haul site.

Notes from a telephone call with Anaka, October 2, 1996.

In a telephone conversation with a Mr. D. Hebert of Bio Terra consultants, which is the Aquatic division of Inland Timber, a major consultant for the forest industry in the Cariboo region, Hebert stated that he did visit the Long Creek mainline above the Long Creek bridge. He was reluctant to specify the date of his visit, what he had done, and whether he had written a report. **Hebert stated that he was unable to comment without authorization from West Fraser's attorneys, Blake, Cassels & Graydon**, and that a Mr. Paul R. Cassidy would personally have to provide the clearance. Mr. Cassidy later stated by telephone that **he could not "deny or confirm that the biologist had ever done any work for my client**

⁴¹ West Fraser submission to Bill Young, June 27, 1996, page 6.

⁴² Quesnel Cariboo Observer, "Accusations About More Than Just Salmon". Letter to editor, by Wayne Clogg, West Fraser Mills, vice president of B.C.

(West Fraser)". Though his presence was not noted in Norm deWynter's June 12, 1996 investigative report to Bill Young, Hebert was present on June 4, 1996, with West Fraser staff during the initial inspection of the Long Creek mainline. So, the question remains: did Hebert, or another biologist, later inspect Say-No-More Creek?

Doug Radies, one of the observers, visited the offices of West Fraser Mills on September 13, 1996 and asked Woods Manager Guenter Weckerle if the company had hired a biologist to examine Convors Creek, and if their biologist had written a report. Weckerle stated to Radies that West Fraser had not hired a biologist and that there was no report.

However, according to statements from John Werring of the Sierra Legal Defence Fund, and Mark Warrior of the United Fishermen and Allied Workers Union, West Fraser did hire a consultant to examine Convors Creek. **On August 28, 1996 during an inspection of the Long Creek mainline, Bill Rand of West Fraser Mills told John Werring that their biological consultant found sediments in Convors Creek.** When Werring asked Rand for the biologist's name and if there was a report available, **Weckerle interjected that his name was irrelevant and that his report was unavailable.** If a consultant for West Fraser did survey Say-No-More, then, because of the information presented in Section 3 of this report, West Fraser is both withholding critical information from the MOF's investigation, *Determination*, and *Review*, and is cognizant of unnatural sediment input into Say-No-More and Convors Creeks. After all, West Fraser, who had a copy of the observer's May 20, 1996 video footage, showing fresh sediment deposition at the confluence of Say-No-More and Convors Creeks, were cognizant of sediment transport below the Long Creek mainline.

FROM: NDEWYNTE--MFOR01 Date and time 06/21/96 15:08:12
To: WYOUNG --MFOR01 Bill Young (9)

From: Norm deWynter
Subject: FW: Long Cr./Converse Cr.

Regards,
Norm deWynter
Operations Manager
Horsefly 620-3205
*** Forwarding note from GCONNATY--GREEN 06/20/96 16:47 ***
Subject: FW: Long Cr./Converse Cr.
To: "Stewart, Rodger W." <RWSTEWAR@WILLIAMS.env.gov.bc.ca>,
"Dewynter (Norm) FOR:OV" <NDEWYNTE@MFOR01.FOR.GOV.BC.CA>

FYI

From: ANAKA, Andrew
To: DOLIGHAN, Rob
Cc: CONNATY, Gyl; Lirette, Maurice; Slavens, Roy
Subject: Long Cr./Converse Cr.
Date: Tuesday, June 18, 1996 3:14PM

I attended Converse Cr. (and a couple of others in the area) on Sunday to try and determine if there was any degradation of spawning habitat in the lower reaches of Converse Cr. I walked about 400m upstream and could note no evidence of siltation in the gravel, the water level was dropping and I believe any serious sedimentation would have been readily apparent. Please keep in mind that I am not an expert. I also had a good look at the outlet at Quesnel Lake. I found some considerable siltation here, however from looking at the other streams in the area this seemed parr for the course and did not concern me.

If you still have concerns regarding potential habitat damage you will have to survey the stream with an expert, however I don't think this necessary. Your call.

I will maintain my file on the matter open until MOF makes their determination. At this time I am no longer actively investigating unless I am directed to do so.

Copy of the June 18, 1996 email from Andrew Anaka, forwarded to Bill Young on June 20, 1996.

R.A. Patrick → Sept 27/96

4:18 pm.

- Will refers to his letter.
- he said
- didn't go down to the tributary.
- siltation at the end of the switchback.
- didn't walk down the
- what I did - when I saw any material I walked it down
- "typically on that site it didn't go anywhere"
- most significant transport
- I didn't even see a whole bunch of siltation below the road.
- most of
- it hadn't gone into a stream.
- the worst offender was higher up, towards the switchback - saw the exit point into the forest and down into the landing.
- he went there to look @ the area above the switchback
- his job was to look @ the road above the switchback.
- recognizes the media event.

4(F): THE MISSING EVIDENCE

At 8 am, on a quiet August Sunday morning in 1995, residents on the mid-western shore of Quesnel Lake's North Arm were shaken from their slumbers by an enormous blast. A West Fraser road contractor had set an explosive charge of such a magnitude that the foundations of cabins shook, windows cracked, and someone's prize clock fell off the wall. A verbal complaint was made to the Horsefly Forest District, and blasting was temporarily halted. The event initiated a series of meetings and tours of the Long Creek mainline by West Fraser staff with the local residents.

On August 25, 1995 Lorne Haddow, the on-site supervisor for West Fraser Mills, escorted property owners Clyde and Suzanne Convirs and Anthony Wittman up the Long Creek mainline in a Dodge pickup to show them West Fraser's road construction and logging operations. The truck high-centered and could not proceed any further than the bottom of the road below the switchback,⁴³ where the road was being pioneered by heavy machinery. According to Mr. Convirs:

“The mud was flowing down from the switchback, past the turnoff for the block 4 [cut-block 56-4] landing, 4 to 12 inches deep. Vern Williams (equipment operator) saw my wife having trouble walking up the muddy road. He assisted her around (off to the side) over the worst parts.”⁴⁴

In other words, the condition of the road was so bad in late August of 1995 that sediments were already being transported down toward Convirs Creek at that time. Mr. Convirs was extremely concerned about the operations above Convirs Creek, especially on the proposed clearcut, cut-block # 56-4 (for location, see diagram #1, page 29). On August 28, 1995, Clyde Convirs wrote a letter to Bill Young:

“As homeowners (Lot 11519) on the North Arm of Quesnel Lake since the 1940's, we are primarily concerned with the proposed logging on the West side of Quesnel Lake behind our house. In particular, we are concerned that the logging will affect the integrity of our stream, which provides us with our drinking water. On your maps our stream is referred to as “the Mutt & Jeff Stream” and Block 4 borders the stream. We have received numerous verbal assurances from West Fraser that Block 4 will not be too close to the stream.... We would like you to eliminate Block 4 or move it significantly away from the stream.... Preserving Mutt & Jeff stream is our primary concern, and one we believe that West Fraser must address adequately.

Additionally, we are concerned with the number of blocks proposed for the West Side. As you are aware, the greatest number of houses and cabins on the North Arm are located directly below the proposed 8 cuts. Many other springs and streams will be impacted by these proposed cuts.

In conclusion, our comments concern the following issues:

- (1) the impact on the quality of the streams and rivers
- (2) the number and size of the proposed cuts
- (3) the emphasis on clear cutting over selective cutting
- (4) the destruction done to the ecosystem and
- (5) the damage done to the beauty of Quesnel Lake.

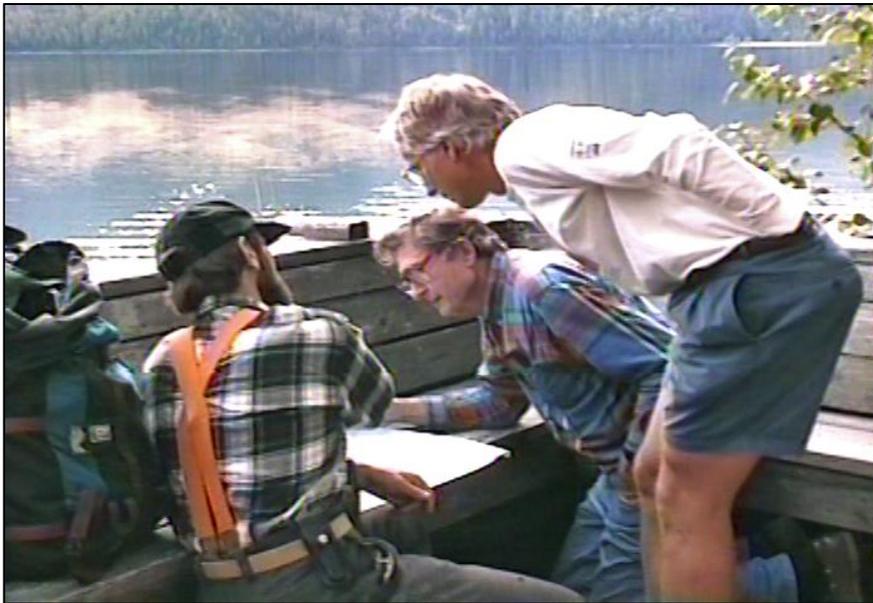
We would be interested in seeing any and all environmental studies that have been done with regard to logging on Quesnel Lake.”

⁴³ This area is referred to in the investigation reports as section B: see pages 75-76.

⁴⁴ Letter from Clyde Convirs.

Mr. Convirs was clearly concerned about how forestry operations were going to impact Convirs Creek, and clearly stated to the District Manager that he should address those concerns. On September 14, 1995, Bill Young wrote the following response:

“Cutting Permit 58-4 [error: 56-4] was issued prior to the implementation of the *FPC [Forest Practices Code]*. However, an on-site inspection of the boundary along “Mutt and Jeff” [Convirs] Creek was made to ensure that the reserve area on the banks of this creek was adequate **to maintain water quality during and after timber harvesting operations** [bold emphasis]The cedar / hemlock stands found in the North Arm area are not well suited for selective harvesting from an ecological perspective.”



(Video) **Photo #119**, August 12, 1996. Doug Radies (far left) speaks with Quesnel Lake’s North Arm property owners, Clyde Convirs (middle) and Duane Evans (far right), who are directly affected by the Long Creek road and future logging. They are examining the MOF’s five-year logging development plan map.

What did the District Manager mean by “maintaining water quality”? The explanation, or should one say, the riddle, behind this definition is discussed below in report section 4-H. Nevertheless, Bill Young assured Mr. Convirs that water quality would be maintained - empty assurance for Mr. Convirs who had already seen what was developing near the switchback area.

The story doesn’t end there. Mr. Convirs and Anthony Wittman went on another trip to the switchback area with West Fraser staff on October 23, 1995. Larry Gardner, from West Fraser, drove the Dodge pickup but got stuck in the mud right at Say-No-More Creek (see diagram #1, page 29, for location), about 300 metres below the area they couldn’t drive beyond in August, two months previous.

“We could not get to the switchback to blocks 4, 5 and 6. The mud was 10 inches or more on the road. It was difficult to walk up to the switchback. A front [end] loader was hauling equipment up the road to the switchback, making the road impassable to anything but heavy equipment or walking. Larry Gardner stopped the front [end] loader from continuing to use the road. The mud was ten inches or more deep and flowing down the road and spilling off toward Convirs Creek and Say-No-More Creek. It was snowing hard and the mud was still flowing down the road because of the continued use of heavy equipment.”⁴⁵

⁴⁵ Letter from Clyde Convirs.

When Mr. Convirs got out of the truck at Say-No-More Creek during that tour mud was flowing down the deep and wide tire ruts from heavy equipment operating in the area. When they walked up to the bottom of the switchback, Mr. Convirs gazed up the steep road grade where ahead he witnessed how the mud “moving like a glacier” down the road, especially along the deep and wide wheel ruts. In fact, as he looked back, the mud kept moving down the road beside the landing, all the way to Say-No-More Creek, like long, muddy parallel rivers. Larry Gardner became quite embarrassed at this point and walked up ahead to the equipment operator and asked him to shut down the operation, at which time the operator and Gardner had a disagreement.

“We continued around the north and east boundaries of block 4, and I complained about the landing on block 4 next to Convirs Creek being too close to the stream and all siltation and ash would be in the stream in a matter of minutes in a hard rain. Larry didn’t feel it was a problem!”⁴⁶

There was another observation by Mr. Convirs which is also relevant. There was a steady stream of erosive material coming onto the top of the switchback area from the road leading southwards above the switchback, otherwise referred to as the northern segment of section “A”.⁴⁷

At this point all lights should begin to flash, and all bells begin to ring. West Fraser staff had known, and some local residents had known, that inordinate amounts of sediments were flushing into Convirs Creek and its tributary system from August 1995 onward. Did West Fraser attempt to prevent rivers of sediments from entering Convirs Creek and its tributary? Did West Fraser know that Convirs Creek is a fish-bearing stream? Did West Fraser alert the MOE that sediments were entering this fish-rearing stream? Was West Fraser concerned about the residents below the Long Creek mainline, who had always relied on this stream for their domestic water supplies of clean water?

These accounts registered by Clyde Convirs help to answer the question, principally, of why there was so much sediment in Say-No-More Creek as detailed in Section 3 of this report. It also points the finger back at West Fraser in terms of the entire investigation of the Long Creek mainline, because they knew. The predication: if no one says or admits anything, no one will know. West Fraser stated that there was no “evidence” that sediments had entered “any water body” and “that any silt transported off the road prism in Section B was dispersed within the right of way or onto the forest floor”. The testimony of residents and the information in this report demonstrates that excessive sediments did enter streams.

The MOF conducted only one road inspection of the Long Creek mainline in 1995, on July 25. The MOF are required to conduct road inspections on a regular basis, especially roads pioneered in the sensitive Wet Belt. **In fact, the MOF had previously issued a precedent warning to West Fraser Mills in 1994 about the company’s road construction practices in Blue Lead Creek** (located southeast of Long Creek, on the East Arm of Quesnel Lake), another drainage in West Fraser’s Quesnel Lake forest licence operating area, a warning which was predicated upon the MOF conducting regular and careful monitoring of West Fraser’s operations (see Appendix B, Blue Lead Creek). There was no inspection of the upper Long Creek mainline after July 25, 1995, meaning that West Fraser’s road construction activities, and the conditions of the road, went unrecorded. Previously, the MOF conducted only three inspections of the Long Creek mainline in its initial stage of construction in 1994 – April 28, August 11, August 31 – inspection reports which have almost no descriptive information about the conditions of the road.

Why did the MOF not conduct regular inspections of the Long Creek Mainline? And if MOF did, would the road inspection reports have helped the government investigators understand what had occurred near

⁴⁶ Ibid.

⁴⁷ Refer to pages 75-76 for a brief summary.

the switchback, and would the MOF and MOE have enforced the *Forest Practices Code* to protect Convirs Creek? And why did the MOE fail to take Total Suspended Solids grab samples?

MINISTRY OF FORESTS

ENGINEERING SPECIFICATIONS FOR THE PLANNING,
LOCATION, DESIGN, CONSTRUCTION, MAINTENANCE
AND DEACTIVATION OF LOGGING ROADS
AND DRAINAGE STRUCTURES
IN THE CARIBOO FOREST REGION

- E. Pollution to adjacent lakes, rivers and streams (whether continuous or seasonal) by soil and debris entering their waters must be prevented.

VI Maintenance of Water Quality

Cross drain culverts or catchment basins which divert ditch water away from sensitive areas are to be installed and maintained in a manner which ensures water quality.

Borrow pits and waste areas should be planned to ensure erosion is minimized.

Material, including road excavation material, shall not be dumped or spilled into any body of water unless the material forms the base of the subgrade and the operation is approved by the Forest Officer.

Road building operations that cause erosion or siltation must be suspended, especially during heavy rainfall and runoff or when soils are saturated. Modify the road building site to ensure that erosion during any shutdown is minimized.

Consideration of special construction techniques and excavating equipment is required in sensitive areas. Where mass wasting, surface erosion and poorly drained soils are potential problems, side casting must be minimized. Hydraulic excavators are the preferred equipment in these areas.

Road maintenance is required to reduce erosion and maintain water quality. Necessary action will include crowning or sloping roads to shed surface water, removing all unnecessary berms and providing swales or waterbars to divert water draining from snowbanks.

B. Waterbar Guidelines

The following waterbar guidelines and comments are intended for use by personnel with knowledge of the area to be deactivated and demonstrated experience in road deactivation and rehabilitation work:

1. Waterbars are to be spaced in a manner which will limit the amount of water or velocity build-up (and thus reduce erosion), direct ditch or road surface water back into its natural drainage pattern (or disperse it as quickly as practical) and avoid directing water onto unstable or erodible fills or toward other sensitive sites.

4(G): SECTION 17, FOREST ROAD REGULATIONS

The *Forest Practices Code Forest Road Engineering Guidebook* is quite specific about constructing roads during precipitation events which cause the transport of sediments into sensitive stream courses:

“The objective of the procedures described here is to ensure that works are halted before such saturated conditions are reached and unacceptable sediment levels or mass soil movement is initiated. Operations have **exceeded** the shutdown standards if soil material begins to flow and it is clear that:

- the material or siltation has or will reach the receiving point of fisheries habitat;
- the material or siltation has or will reduce the productivity of the forest site;
- the material or siltation is increasing the risk of adversely affecting improvements, other resources, utilities or life.

Works should cease **before** the following conditions develop, or where they are anticipated to develop:

- soils are visibly soft or muddy and associated silty waters or sediment are flowing toward fish streams, fish lakes or marine-sensitive zones;
- water is moving fine-textured soils toward fish streams, fish lakes, or marine-sensitive zones;
- visible siltation is being carried beyond the clearing width toward fish streams, fish lakes or marine-sensitive zones;
- rilling is occurring on exposed soils and will carry sedimentation toward fish streams, fish lakes or marine-sensitive zones.

All of the above streams are assumed, by way of inventories and assessments, to have direct connectivity and sediment transport capability to fish habitat.” [pages 127, 128]

When road construction conditions deteriorate in the proximity of fish streams, the operator, foreman, contractor, licensee, or MOF staff are responsible for shutting down the operation - immediately:

“The operator is usually the first to recognize signs of pending erosion at an operational level.... Before shutdown, the site should be inspected to ensure it is stable. The drainage should be controlled to ensure that no subsequent adverse impacts occur. Protective measures should be carried out in the localized work area, primarily on sites where works are not at a completed and controlled stage. Note the following general requirements:

- All ditches and installed culverts should be left clear and functional, with adequate depths and opening sizes to prevent plugging by sediment or debris.
- ... Any erodible soil in or adjacent to a drainage course that has been exposed by construction should be armoured with clean shot rock or other erosion-resistant material or fabric, or with the use of sediment containment structures such as silt fences and diversion dams.” [Ibid., page 130]

During the construction of the Long Creek mainline logging road in the latter half of 1995, did West Fraser staff:

- halt their 1995 road pioneering operations during rainfall events near Convirs Creek?
- construct sediment traps during their 1995 operations near Convirs Creek?

- notify the Horsefly District Manager, the MOE, or DFO of the circumstances at Convirs Creek when sediments were running into the Convirs Creek system?

When circumstances arise where road construction is affecting fish habitat and water quality and measures are not taken to prevent such occurrences, then charges may be laid under various sections of the *Forest Practices Code Act* and the *Forest Road Regulations*. Section 17 of the *Forest Road Regulations*, which relates to obligations of road inspection and maintenance of road integrity, deals with “prevention of sediment transport”:

17. (1) A person who maintains a road under section 63 of the Act must inspect the road and repair the road to ensure that
 - (a) the structural integrity of the road prism and clearing width are protected,
 - (b) the drainage systems of the road are functional,
 - (c) the transport of sediment from the road prism and its effects on other forest resources are minimized.
17. (2) Road maintenance inspections under subsection (1) must be carried out at a frequency that takes into account
 - (a) the risk to fish streams caused by the road’s proximity to the streams.
17. (3) If, as a result of inspection under subsection (1), the person required to maintain the road under section 63 of the Act, or the district manager, is of the opinion that there are deficiencies in the road, the person required to maintain the road must remedy the deficiencies by the earliest of the following:
 - (a) a time that is reasonable taking into account the risk to the road, its users, and the environment;
 - (b) a time specified in the inspection report;
 - (c) a time determined by the district manager.

Two of the June 6, 1996 government investigation reports specifically mention the consideration of charges under Section 17. The MOE’s concerns, outlined in Connaty’s letter, specify that Convirs Creek is a known rainbow trout rearing stream. The MOE understood that there were excessive sediments transported below the Long Creek mainline and had observed sediments at a tributary to Convirs Creek from the Long Creek mainline, implying that there was a need to consider charges under Section 17(2). Barry Trendholm cited Section 17 in relation to “deficiencies found with the road, [and] timing of remedial action to fix the deficiencies”.

On June 26, 1996 Horsefly District Manager Bill Young sent a letter to West Fraser advising the company that, amongst other charges, they were operating contrary to Section 17. On June 27, 1996 West Fraser responded to Bill Young with a written submission outlining the reasons why they felt they had not violated Section 17. West Fraser refers to Section 17 of the *Forest Road Regulations* on pages 13 and 14 of their submission, stating that there was “no evidence to suggest that the road was not properly inspected and maintained.” West Fraser is correct, in one sense, because the MOF staff were negligent in that they did not inspect the Long Creek mainline road from August to November 1995 when sediments were moving into Convirs Creek.

However, in 1994 the MOF had also stipulated that West Fraser had to carefully monitor and police its own road building activities in order to avoid erosion problems to streams: “Increased monitoring and supervision by both licensee and ministry staff when working in these sensitive areas.”

JUNE 18-19, 1997 ◊ THE LANDMARK HOTEL AND CONFERENCE CENTRE ◊ VANCOUVER

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- Identifying Road Maintenance Priorities
- Implementing Silt Control Mechanisms
- Achieving the Code Standards for Road Deactivation
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CHAIR
Eric L Kay
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In June 1997, the author of this report attended the conference seen above. During an intermission, the author spoke with a top representative from the Ministry of Forests and began asking him a series of questions about the state of logging roads in the province. The conference chair and coordinator, Mr. Kay, who had noticed us talking, came over and promptly escorted the Ministry official away!

Bill Young cited Section 17 in his July 2, 1996 *Determination* of the Long Creek mainline. However, without explanation, Young laid no charges against West Fraser. Bill Young merely stated that he believed that “the potential did exist to affect fish rearing streams through excessive siltation.” So, did Bill Young consider charging West Fraser under Section 17, or did he simply overlook this option?

In the investigation reports provided to Bill Young there was no mention or inclusion of pre-1996 Road Inspection Reports for the Long Creek mainline, especially of road sections A, B, and C, which were constructed in the latter half of 1995. These road inspection reports, which we now know were not conducted by the MOF, would have indicated if West Fraser had or had not been properly maintaining their roads during construction, and if the roads were complying with Section 17. From the accounts of private citizens regarding the upper Long Creek mainline, it is obvious that the *Forest Practices Code* planning, construction, and maintenance procedures were being violated after June 15, 1995 when the *Code* became law.

When Ron Davis, MOF’s provincial Policy & Standards Engineer, received a copy of Bill Young’s *Determination* for his Review, Davis did not address the fact that Bill Young overlooked failing to cite West Fraser under Section 17.

How much sediment was transported from section “B” of the Long Creek mainline towards Convirs Creek? From the descriptions and estimations in this report we can conclude that there was a significant volume of sediment. The amount of sediment transferred from the newly constructed road depended on the amount, duration, and intensity of rainfall which occurred from August to November 1995, and the Spring melt in 1996. It is not uncommon in late Fall and early Spring to have rain-on-snow events, which intensify water run-off and significantly accelerate erosional processes. The amount of sediment transport seen by the observers on May 20, 1996, and the amount the MOF and MOE staff estimated from their inspection on June 6, 1996, is minuscule in comparison to the amounts witnessed by Mr. Convirs in late 1995.

How much sediment may have been distributed into Say-No-More Creek? If Say-No-More Creek, from the lower road down to its confluence with Convirs Creek, is one kilometre in length, and is on the average 1.5 metres wide, and if a minimum of 5 centimetres of sediments were evenly dispersed along its length, then there would be 75 cubic metres, or 169 tons, of sediments along its course. In our hypothetical analysis we should then also attempt to predict how many sediments may have been transported directly into Convirs Creek through the Say-No-More drainage and then into Quesnel Lake. A similar minimum estimation of 75 cubic metres of sediments could also be made. This exercise demonstrates why Andrew Anaka observed a lot of sediments in Quesnel Lake at the mouth of Convirs Creek.

Can West Fraser really dispute the MOE’s and MOF’s estimates of sediments transported from the switchback area? It is obvious that West Fraser was well aware of the extreme conditions of this section of the road as early as August 1995. Instead of spending efforts to prepare the road for the end of the construction season, and to prevent excessive sediments from entering Convirs Creek during that period, West Fraser simply continued to pioneer road beyond the switchback late into November without apparent concern for the runoff into Quesnel Lake.

UNITED FISHERMEN AND ALLIED WORKERS' UNION

June 3, 1996

B.C. Ministry of Forests
Horsefly Forest District
P.O. Box 69
Horsefly, B.C.

Attention: Mr. Bill Young, District Manager

Dear Mr. Young:

Recently, some of our representatives had the opportunity to view some rather disturbing video footage of recently constructed roads by West Fraser Mills Ltd. in the Long Creek and Penfold River drainages on Quesnel Lake. The video was taken on May 19-20, 1996. It very clearly illustrates that West Fraser's roads in these areas were poorly planned, hastily constructed, unsatisfactorily maintained and did not show any signs of either temporary or seasonal deactivation. The following are some of the problems that were noted on these roads:

- Massive road cut slope failures in the Long Creek area have resulted in tonnes of fine sediments being deposited onto road surfaces and in ditches, plugging culverts and rendering them ineffective;
- road surface erosion on one of the steeper branch roads in the Long Creek area, which clearly had not been properly deactivated prior to the onset of winter (there were no waterbars evident), has resulted in almost the entire road surface being eroded away during the spring melt. This road surface material was clearly carried into a medium sized mountain stream that drained directly into Quesnel Lake potentially causing extensive damage to fish habitat;
- many culverts did not have ditch blocks, several were drastically undersized for the stream flow that was draining into them and a number were blocked by sediment and debris or the ends crushed by large rocks;
- ditches were inundated with fine sediments, in some cases up to a metre or more deep, from rapidly eroding cutslopes. It was obvious that none of these culverts had been cleaned out or maintained since the snow began melting. This material is easily eroded and easily mobilized and, during wet weather will most certainly be transported to adjacent creeks causing further damage to fish habitat in the creeks and in Quesnel Lake;
- recent rains have carved deep erosion grooves in the ditchlines indicating that hundreds, if not thousands of cubic metres of glacial flour-like sediments have, in the very recent past, eroded into the streams which receive the ditch drainage and this material has most likely been transported downstream into fish bearing stream reaches of Long Creek and the Penfold River and into Quesnel Lake; and,
- the road surface, in several locations and over long stretches, in both areas, had a consistency of loose, watery, calf-deep muck and, in some areas, there were deep wheel ruts etched into the road surface indicating recent vehicle passage. This indicates the erodibility of the road surfaces and the ease with which this material will be transported to nearby watercourses. It also indicates that West Fraser is operating vehicles and equipment on these roads during wet weather without making attempts to stabilize the road surface to prevent erosion.

We also have in our possession copies of several reports (Moore, 1993; Sierra Legal Defence Fund, 1995; Ricker and Hansen, Feb. 1996) and letters from DFO and BC MOELP officials to both West Fraser Mills Ltd. and the B.C. Forest Service which clearly indicate that poor road building by both West Fraser and Riverside Forest Products, and the failure to properly maintain and deactivate roads has resulted in major problems with excessive amounts of road-related sediment entering the Horsefly River, Roaring River, Bill Miner Creek and Blue Lead Creek which are all fish producing systems tributary to Quesnel Lake.

The Quesnel Lake/Horsefly River system is the second most important sockeye salmon producing system in the entire Fraser River drainage . At times, its production surpasses that of the number one producer, the Adams River. Therefore, the health of the Quesnel/Horsefly system is vital to the health of the Fraser River salmon stocks. Currently, however, it appears as though West Fraser's indiscriminate, poorly planned road building throughout this system and the failure to adequately maintain these roads is compromising the health of these stocks.

Accordingly, we demand that you **do not issue any further road permits or allow any further road construction in the Quesnel Junction area** until the following have occurred: 1) a full review of all current road building, maintenance and deactivation standards in this area; 2) that MoF take all the necessary steps to ensure that appropriate penalties are levied against West Fraser for non-compliance with the Code and regulations; and 3) that MoF issue appropriate remediation orders pursuant to s. 118 of the Code.

In support of these demands, we rely on the performance-based provisions of the Code and the Forest Act. Specifically s. 41(1)(b) and 41(3) of the FPCBC Act, s. 63.1 of the Forest Act and, s. 3.0 of the Performance-Based Harvesting Regulation (B.C. Reg 175/95). As you are aware, these provisions give you the authority to refuse to issue road permits if a company has failed to comply with the Code and that failure has resulted in damage to the environment and other forest resources. The Code explanatory document, "Forest Practices in British Columbia", states the following:

"...the right to apply for virtually every tenure under the Forest Act is performance based. If licensee rights are suspended, if the licensee owes money to the Crown for timber or as a security under the Forest Practices Code Act or if the licensee has failed to carry out obligations imposed by a cutting permit, road permit or the Forest Practices Code Act and its subordinate laws, applications may be rejected until the problem is corrected.(Emphasis added)"

We are certain that if you investigate our allegations surrounding the conditions of the roads in the Long Creek and Penfold areas, you will find these assertions to be true. You will find that significant remedial works are required to bring these roads up to the standards expected by the public and anticipated by the Code. In the meantime, it would not be prudent to approve any new road permits or permit any new construction to take place until this is done.

We have also brought this matter to the attention of the Honourable Moe Sihota, the Honourable David Zirnhelt, the Honourable Dennis Streifel, and the Department of Fisheries and Oceans Habitat Protection Branch.

If you choose to ignore our concerns and issue new road permits or allow new construction to take place, we will be compelled to consider legal action under the Forest Practices Code and/or the Fisheries Act.

Sincerely,

David Lane

Chair, Environment Committee

United Fisherman and Allied Workers' Union



cc: The Honorable Dennis Streifel, Minister of Forests
The Honorable Moe Sihota, Minister of Environment Lands and Parks
The Honorable David Zirnhelt, Minister of Agriculture, Fisheries and Food
John Allan, Land Use Coordination Office
John O'Riordan
Assistant Deputy Minister, Regional Operations Department, MoELP
David Griggs
Executive Director, Habitat and Enhancement Branch, DFO
Mike Carlson
Regional Manager, Ministry of Forests
Jack Leggett
Cariboo Region Fisheries Biologist, MoELP
Bruce MacDonald
Head, N.B.C. Interior, DFO
Scott Benton
Mid-Coast Management Committee
CBC
BCTV
CKVU
Vancouver Sun

4(H): THE FOREST PRACTICES CODE: WHERE'S THE LINE?

Throughout the investigative reports, West Fraser's response, the *Determination*, and the *Review* of the *Determination*, there is continuous vague reference to the impacts of road building on the immediate environment, water quality, and fish habitat, and the following are quotations from each of these four sources:

- “sediment accumulation was not inordinately great”;
- “(sediment accumulation) was probably higher than need have been”;
- “to minimize the effect of water and silt transportation”;
- “no demonstrated adverse impact”;
- “to maintain water quality”;
- “contraventions...posed a threat to water quality and fisheries resources”;
- “the potential did exist”;
- “excessive siltation”;
- “negative water quality impacts can not be reasonably expected to occur”;
- “some evidence of surface erosion”;
- “minor siltation”;
- “moderate scale transportation of sediments”;
- “more than acceptable amounts of sediments”;
- “the amount of sediment was not inordinately great”;
- “[sedimentation] was probably higher than need have been”;
- “(the material) is an inconsequential amount relative to natural sediment loads in area creeks”;
- “the relatively minor consequences”;
- “the need to sustain natural drainage patterns”;
- “there was no risk to impact of fish”;
- “no apparent deposition of sediment into a stream”;
- “the stream could have been at risk”;
- “no forest resources were adversely impacted”.

A careful examination of observations in the reports reveals a barrage of subjective, undefined, and extremely vague expressions of what government staff and industry observed, understood, or assumed. How was anyone able to conclude that fine and coarse sediments, released and dispersed from the exposed mineral soils into streams and the forest, were minor, inconsequential, minimal, excessive, adverse, or even moderate? How would a professional government employee judge, by existing standards, what posed a risk to the environment, and how could such conclusions be made without completing a comprehensive investigation? What are the standards, rules, and tolerances for altering stream flow and increasing the transport of sediments, regulations which would allow a government official to determine when environmental impacts become significant?

Since June 15, 1995 all forest management activities on Crown Lands must conform with the *Forest Practices Code Act*. The strongest legislation in the *Forest Practices Code* regarding damage to the environment, as a result of forest practices, is defined in Section 45, where it states:

- (1) A person must not carry out a forest practice that results in damage to the environment.
- (3) A person must not carry out a forest practice if he or she knows or should reasonably know that due to weather conditions or site factors, the carrying out of the forest practice may result, directly or indirectly, in

- (a) slumping or sliding of land,
 - (b) inordinate soil disturbance, or
 - (c) other significant damage to the environment.
- (4) A person who contravenes subsection (1) or (3) must
- (a) stop the forest practice in the area affected,
 - (b) prevent any further damage to the environment,
 - (c) promptly notify the district manager, and
 - (d) take any remedial measures that the district manager requires.⁴⁸

Legally, the important language in Section 45 – “damage”, “environment”, “slumping”, “sliding”, “inordinate”, “significant” – which determines charges under the *Act*, **is nowhere defined or carefully expressed. The *Act*, and its attendant regulations and guidelines, does not define “damage to the environment” or “water quality”.** In other words, there is no standard for defining what constitutes an environmental transgression other than possibly **an obvious extreme**, such as a massive slide which obliterates a bridge, a stream course, a public highway, public property, and fish habitat. Why would government legislators, who wrote the *Act*, not include the definitions of the language used in the *Act*, an omission which makes this section of the *Act* almost ineffective? **What is the definition of “environment”, what is “damage”, what is “inordinate soil disturbance”, what is “water quality”, and what is “fish habitat”?**

Spoke with Ron Townsend (356-1293) of the Forest Practices Board on Sept.24/96, just after 11am. I asked him for an inter-related definition of what constitutes “damage to the environment” and “damage to fish habitat”. He said that he could look up the information under the Code. I said that I had section 45 of the Code, and he responded if I had the guidelines for the topic. NO. He said that he could look it up for me and that he could also make a personal interpretation of the matter. I first asked for his own interpretation. I then contextualized the matter by explaining that after Fall and Spring high water, an excess amount of sediment had entered the creek channel and then into the lower reaches where there was a fish-rearing area. He then stated that that would be “something of a concern”. He said that he would be looking up information for me and calling me back later.

Called Townsend again at about 11:50am. He said that there was no definition under section 45 of the Code of what damage to the environment is. He said that the situation (of there not being a definition) was of some concern to the Board, as it was the subject of several appeals already, and an ongoing concern. He said that further details are present under the Forest Road Regulations under the Code, and that I could get the information through the internet ([HTTP;\ww.for.gof.bc.ca\](http://www.for.gof.bc.ca)) as well as through other guidelines. After I discussed the matter some more with Ron, he ended by stating that according to him, given the information that I related to him, that there was definitely damage to the environment.

I then asked Ron if it was possible to bring in a counter-appeal of Bill Young’s determination, based on new evidence of damage to the environment. He found the question very interesting and said that he would call me back around 2pm.

Above: Copy of the author’s notes from his conversation with Ron Townsend, Forest Practices Board.

⁴⁸ Note: fines under this particular section of the *Act* cannot exceed one million dollars, and/or imprisonment.

When an undisturbed landscape is proposed for forest extraction, the most common approach to removing the “timber” is to gain access by constructing a road. **By its very nature, building a road is “damage to the environment”**. When the trees are removed by cutting, when the tree roots and soil profile are severed and displaced, when the natural hydrology network is interrupted and altered, when winds, insects, wildlife, and vehicles use these unnatural corridors, this is damage to the environment, actions which can lead to what some call “significant” damage to the environment. For the long term, especially in mountainous regions, one could argue that a road is continuous damage to the environment. To a certain point, the *Forest Practices Code* maintains that road building is an accepted form of risk, requiring that the disturbance level or damage to the environment is minimized and carefully monitored. But these are regulations which are rarely enforced or properly defined. This is where definitions of “inordinate soil disturbance” and “water quality” come to bear.

According to forest hydrologists, water quality in an un-tampered natural drainage area can only begin to be understood when consistent daily monitoring is done for a minimum of three years. Of course, if there has been no consistent monitoring of sediment dispersal and water flow for a given stream, then expressions about natural sediment levels for a given water course are completely arbitrary. In other words, when roads are built through sensitive soils in steep, mountainous terrain, with a climate of high precipitation and snowfall, then effects to stream channels, water runoff, and turbidity will increase, sometimes substantially, and statements of maintaining normal water quality under such conditions are entirely fictional, because there is no data to support such a view. Of course, all these matters ultimately depend on how and where a road is constructed, and how much of the forest is later clear-cut. In reality, protecting water quality under such sensitive conditions is an impossible task. Disturbing and removing the protective forest mantle and interrupting the almost timeless natural complex processes of drainage channels, processes which a host of life forms either live in or depend upon, can lead to life-threatening and cataclysmic events for these creatures. Unless baseline data has been collected for a fish bearing stream it is ridiculous to state that sediments flushing from a green road are “normal” for an area. Where is the line for acceptable limits of sedimentation and run off into a stream channel from forest practices, and who defines “inordinate soil disturbance”, especially for areas of fish habitat?

One of the complaints by the Forest Practices Board investigators and other related governmental agencies is that “inordinate soil disturbance” is only defined in the *Silviculture Practices Regulation* of the *Forest Practices Code*. Part 4 of the Regulation, entitled “Protecting the Environment and Soil Rehabilitation”, states:

25. (1) For the purpose of section 45 (3) (b) of the Act, “**inordinate soil disturbance**” means soil disturbance that ... (b) exceeds the soil disturbance limit specified in a silviculture prescription.

That is all the *Act* states – there is no elaboration, there is no definition. “Inordinate” is left to be defined by the standard dictionary meaning of “excessive”. Who then defines what “excessive” soil disturbance is for any given forestry practice? Is this simply a matter of field experience interpretation and personal opinions, and if it is, can another experienced investigator agree with that person that it is “excessive”? Were the sediments which flushed down section B of the Long Creek mainline “excessive”? Some of the government investigators surely thought so, because they knew that the road was left in an unfinished state causing sediment transport above and into a fish-bearing stream. But what are the allowable limits? After the observers carefully described the condition of Say-No-More drainage to Ministry of Forests, Ministry of Environment, and Federal Department of Fisheries and Oceans staff who were not involved in the investigation, they all agreed that the amount of sediments would be considered excessive. Unfortunately, Say-No-More Creek was not investigated by government staff.

ATTENTION: GREG MCDADE.

OCTOBER 25, 1996.

BRIEFING NOTES.

FAXED TO:685-7813.

I would like to discuss with you some glaring problems with the Forest Practices Code. When it comes to defining "water quality" and "damage to the environment", there is nothing specifically stated in the Code, anywhere, which defines or qualifies what these terms mean.

I have spoken with a number of administrators from MOF and MOE, including the Forest Practices Board, and they all agree that there are no definitions for these terms. These discussions are linked with a very large report document that I have almost completed, which is a long critique of Bill Young's Determination of the Long Creek mainline, that is of charges against West Fraser.

As you are probably aware, the government are going to amend the Forest Practices Code, probably in December, and the forest companies are busily at work with all their lawyers to erode what little power the Act does have. This is particularly true for Section 45 of the Act, with the heaviest penalties.

I have sent along Paul Ramsey's speaking notes for a conference he attended on October 24th in Vancouver, by the Canadian Water Resources Association. There was short article on page B5 of the Vancouver Sun today, October 25th, announcing that Ramsay was going to amend the Water Act, and that he was delaying action on water quality protection.

Call me as soon as you can next week. Thanks. Will Koop,

Above: Copy of a facsimile sent to Greg McDade, Sierra Legal Defence Fund.

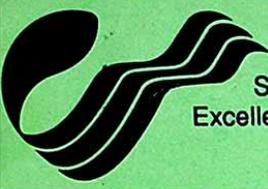
The *Forest Practices Code* only defines water quality with respect to community water supply drainages. However, baseline data is only being gathered for twenty of the hundreds of community water supplies in the province, many of which have already been clear-cut and road accessed.

The language and intent of the *Code* must be upheld with more specific requirements, strategies, and maintenance objectives for protecting B.C. watersheds, objectives which maintain the integrity of streams, wildlife values, and long-term life benefits to society. Logging is occurring in approximately 12,000 watersheds throughout B.C.

Why is it that the *Code* has left water quality undefined for the majority of the province's watersheds? Theoretically, if water quality for every stream in the province were to be maintained as closely as possible to their natural levels, then roads would have to be pioneered and maintained in an entirely dissimilar manner and approach to current methods. There are many places in this province where roads should not have been constructed (as the Long Creek mainline), and places where roads should have been constructed much differently. Road design and construction should have the highest governmental priority, with a long-term vision of environmental protection. Roads are often built quickly and cheaply, negatively impacting the environment and costing taxpayers millions of dollars in the long term. The biggest obstacle to reducing the extent of road construction is the MOF appraisal system, which

encourages road construction through formulaic cost-plus subsidies. The MOF should provide incentives to both reduce and improve road construction in the province.

Administrators at the MOF, MOE, and the Forest Practices Board all agree that these issues need to be addressed and defined. On the other hand, administrators are constantly being pressured by the forest industry to re-write and weaken the already debilitated *Forest Practices Code*.⁴⁹ For instance, there are plans underfoot to redefine Section 45 of the *Act*, and to reduce the high penalties associated with violations under Section 45. Furthermore, the forest industry is also asking the government that it be given authority to self-regulate their private operations without governmental interference.⁵⁰



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Hydrology and Water Use for Salmon Streams in the Quesnel Habitat Management Area, British Columbia

Kenneth M. Rood and Roy E. Hamilton

Fraser River Action Plan
Department of Fisheries & Oceans
555 West Hastings Street
Vancouver, B.C. V6B 5G3

1995

Canadian Manuscript Report of Fisheries and Aquatic Sciences No. 2296



Fisheries and Oceans
Pêches et Océans



⁴⁹ The NDP administration began to weaken the *Forest Practices Code Act* in late 1997 due to sustained pressure from the forest industry.

⁵⁰ The BC Liberal Party administration passed legislation in 2004 onwards for self regulation.

4(I): SCRUTINIZING THE CONSTRAINED REVIEW OF THE *DETERMINATION*

After Bill Young filed five minor charges against West Fraser Mills on July 3, 1996,⁵¹ all charges were appealed by the company to the MOF for a review of Bill Young's *Determination*. West Fraser argued that Bill Young:

1. ...erroneously based his finding ... on an irrelevant belief that the alleged actions or inactions of (West Fraser) created a potential to affect fish rearing streams and posed a threat to water quality and fisheries resources. The sections of the Regulation which are the subject of the Senior Official's *Determination* and this Request for Review are not contravened where there is a potential threat to fish rearing streams, fisheries resources, and/or water quality.
2. The Senior Official failed to properly consider the evidence. There was no evidence before the Senior Official to properly base a conclusion that the relevant sections of the Regulation had been contravened, or that a threat to fish rearing streams, fisheries resources, and/or water quality existed.”⁵²

The MOF assigned Ron Davis, the Provincial Policy and Standards engineer in the Resource Tenure and Engineering Branch, to conduct the formal Review of the *Determination*.

According to Ron Davis, who had over 25 years experience by 1996 in road engineering with the Ministry of Forests, and who had been partially responsible for creating the language in the *Forest Practices Code Act*, this was his first Review of a District Manager's *Determination*.⁵³ Davis stated to the author of this report that the Review process was restricted by the following conditions:

- he was not permitted to actually visit the Long Creek area;
- he was only permitted to review the written evidence presented to Bill Young, and the rebuttals by West Fraser and the MOF, as a judge in a debate;
- he was confined to investigate only the five charges laid by Bill Young.

In other words, the Review process was not a thorough investigation, which is what ought to be required with an appeal of a *Determination* where evidence is scrutinized, and investigators are cross-examined. Davis only reviewed written and photographic information sent to him and did not interview government staff. Davis did not receive the observers' videotape as evidence which had been sent to government on June 3, 1996, which Barry Trendholm refers to as being “the direct result of” the investigation, “showing siltation and questionable road subgrade construction on the Long Creek and Penfold Creek roads.”

After Ron Davis had reviewed the documentation sent to him and weighed the rebuttals from West Fraser Mills' lawyers and the MOF's lawyers, he rescinded four of the five charges against West Fraser. The following are the rescinded charges under the *Forest Road Regulations*:

1. **Forest Road Regulations. 10.** “Road site preparation. (6) A person must not deposit slash and debris (a) into a watercourse.”

⁵¹ See page 53.

⁵² West Fraser legal letter, July 10, 1996.

⁵³ Personal communication.

2. Forest Road Regulations. 11(1). “A person who constructs or modifies a road under section 62(1) of the Act must do all of the following when constructing or modifying the subgrade of the road: (a) build drainage systems, whether temporary or permanent, concurrently with subgrade construction and ensure that the drainage systems are fully functional to accommodate surface and subsurface drainage runoff during the construction period.”

3. Forest Road Regulations. 12(1). “A person required to construct or modify a road under section 62(1) of the Act must do all of the following when constructing the drainage system for the road: (a) construct bridges, culverts, fords and ditches that are necessary to maintain surface drainage patterns.”

4. Forest Road Regulations. 12(1). “A person required to construct or modify a road under section 62(1) of the Act must do all of the following when constructing the drainage system for the road: (c) ensure that the drainage system (i) intercepts surface or subsurface drainage from the cut-slope.”

Under charge number 1, the MOF and MOE investigators frequently observed and described in their reports piled logs in ditches alongside the unfinished road sections. Davis, who argued over the definition of “debris”, which was what West Fraser also argued, stated that the MOF’s charges were not consistent with “evidence that wood in the watercourses met these descriptions, or that merchantable timber could possibly be construed as debris”. The MOF defined the logs as debris in their rebuttal to Ron Davis: “until timber is loaded

on a truck and taken to market, it is debris.” If the *Forest Road Regulations* address the deposition of all material in a drainage ditch as a violation, then Davis should have agreed with Bill Young that West Fraser was not in compliance with maintaining clearance of the drainage ditch. Distinctions between what constitutes “debris” and “merchantable timber” are irrelevant, since any objects which interfere with water flow are a violation of the Code. This is consistent with another section of the *Forest Road Regulation* which requires removal of “stumps, roots, embedded logs, organic material and unsuitable soil within the road prism width”.⁵⁴ West Fraser attempted to argue that one of the sites where contractors had piled logs in a ditch was done purposely, in order to dissipate the energy of water running down the ditch.

MOF staff had also observed and reported debris strewn in streams on June 6, which West Fraser’ maintenance crew had not even removed by the August 1st, 1996 final road inspection, details which Davis overlooked.

R. Davis

- did he view our video? no
- did he redo a more detailed report than the summary of the review, no
- what information/evidence ~~to~~ did he review, no
- written
- Subs. from MOF/WF.
- did you look @ '95 Rd. inspection reports no
- terms of reference - just charges
- did he go into the field, no

⁵⁴ 10. (1)(d).



Photo 5- Area near 400 metres from road end where ditch is missing, small rills evident.



Photo 6- Another place where the side ditches were not built or had filled in.

Photo exhibits from Norm deWynter's June 12, 1996 report to Bill Young.

Under charge number 2, West Fraser argued that:

“All necessary measures were taken to install all appropriate drainage systems concurrent with subgrade construction There is no evidence that the system was not appropriate.”

However, MOF and MOE staff had clearly observed that West Fraser did not finish constructing ditches and enough cross ditching on the upper Long Creek mainline. Norm deWynter’s report included numerous photographs with descriptions of missing and incomplete ditches. Davis stated: “I see no evidence to suggest that West Fraser did not construct drainage systems concurrently with subgrade construction.” How could this be the case, if deWynter’s photos and observations by the investigation team all comment that drainage structures were not constructed?

- Photo 4 states: “Area of corduroyed trail. Cuts have been made but few drainage structures to control water movement. Corduroy would have helped reduce erosion.”
- Photo 5 states: “Area near 400 metres from road end where ditch is missing, small rills evident.”
- Photo 6 states: “Another place where the side ditches were not built or had filled in.”
- photo 7 states: “A ditch block made out of mud (or a slough) that is not blocking the ditch anymore.”
- Photo 11 states: “Absence of side ditch or water bars going up hill at approximately 1,044m from road end.”
- Photo 16: “Recently disturbed road surface below Photo 15. Surface was formerly rilled. Note absent or minimal side ditches.”

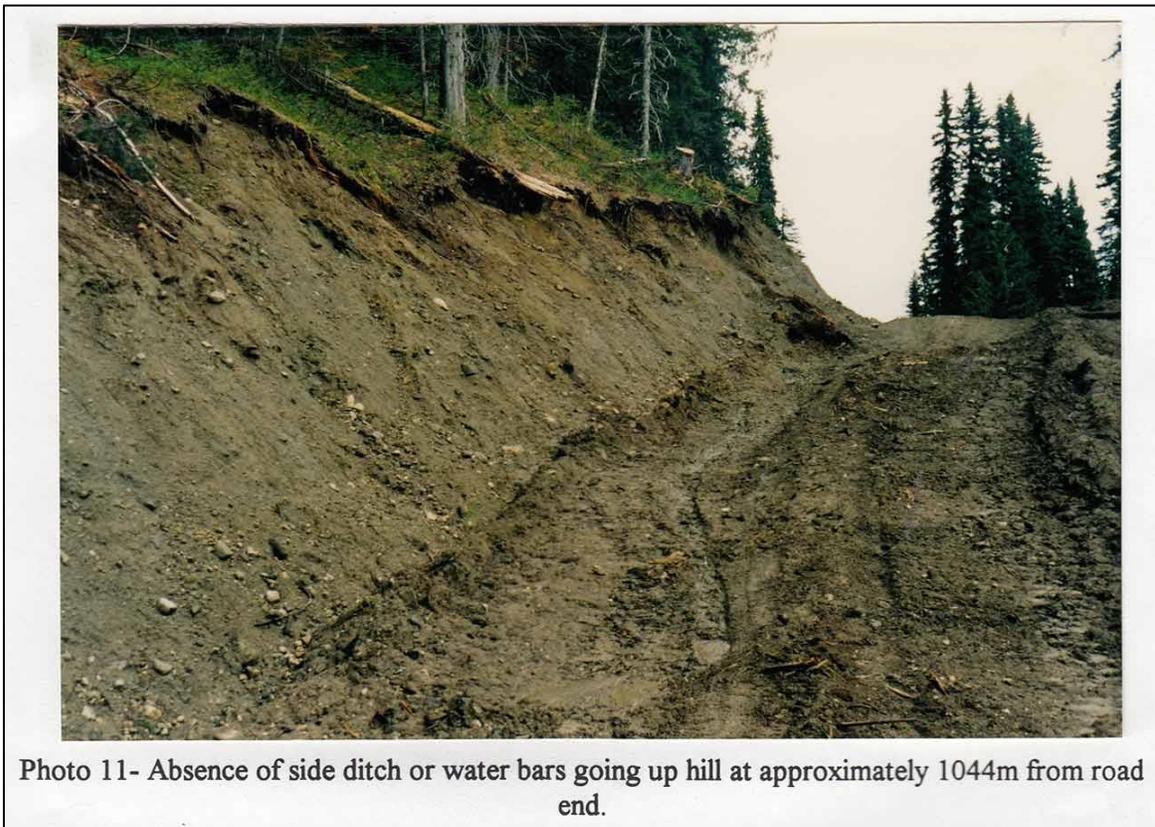


Photo exhibit from Norm deWynter’s June 12, 1996 report to Bill Young.

Regarding section B, Norm deWynter writes:

“Section B starts at a switch-back and leads downhill at an average grade of ten percent. It is roughly 250 metres long....The ditch-line was not completed and had rock protrusions causing blocks in the ditch-line.”

Bill Chapman writes of section A and B:

“In the areas where culverts were not yet installed, the road had been cross ditched, however, some of the cross ditches were poorly constructed. Side ditches were constructed in places but not in others.... Water barring was almost non-existent, I can only recall seeing one water bar in the partially constructed section of road. It is my opinion that West Fraser left too much road in a partially finished condition with inadequate water control structures in place.”

“The road was not finished in that it did not have adequate ditches, was not crowned and waterbars were not installed.” [section B and C?] “Our inspection, of the portions of the road that were completed prior to last winter, indicated that the ditches for almost the entire length of the road were in need of spring maintenance and better construction. There were several blocks in the existing ditches, some of which appeared to be rock outcrops that were not removed during ditch construction.”

Barry Trendholm writes of section A:

“Due to freezing of the subgrade and snow accumulations, the road was not completed leaving it in various stages of construction. This resulted in a questionable situation of opened-up ground (logged, stripped, and grubbed) without the necessary culverts, drainage systems or a properly crowned road surface to shed the spring snow melt.” “There was attempts to install water bars (2 instances)” “Due to the nature of the soil material and uncompleted road, there were blockages in the cross ditches and water was percolating through the road fill.”

Photo exhibit from Norm deWynter’s June 12, 1996 report to Bill Young.

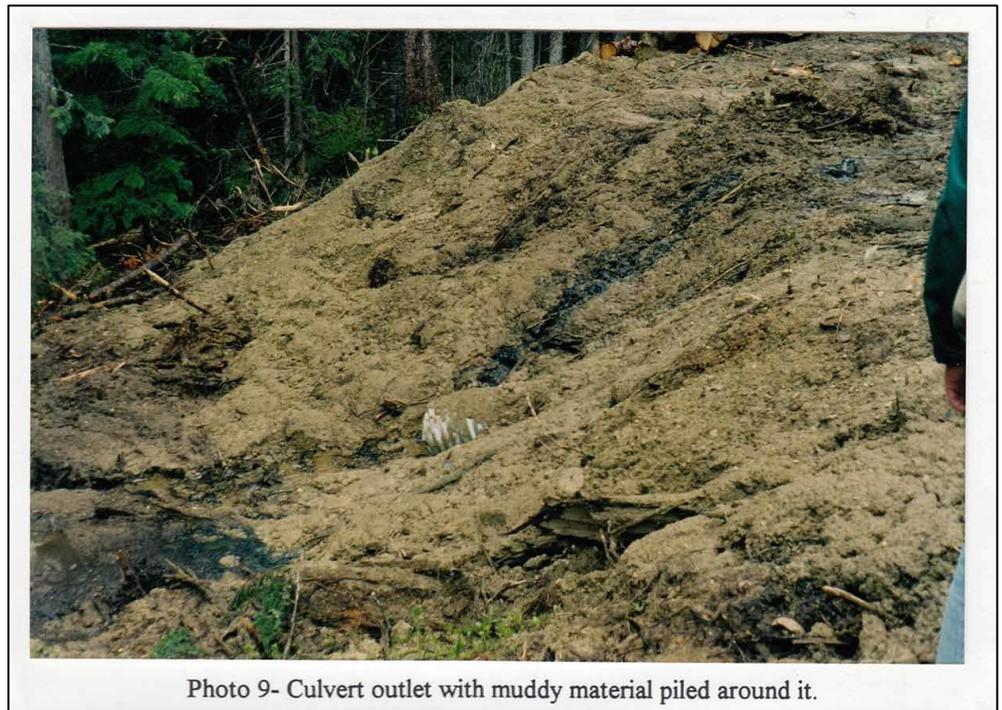


Photo 9- Culvert outlet with muddy material piled around it.

Gyl Connaty writes of sections A and B:

“The unfinished portion of the Long Creek road was a source of extreme concern to B.C. Environment.... There was a clear lack of ditches, cross-ditches/culverts or waterbars at key locations on the unfinished road such that much of the exposed subgrade surface was severely eroded.”

Bill Chapman summarizes his report with the following:

“The road construction practices at Long Creek were marginal in some respects. I do not believe that all of the portions of the road under construction last fall were left with adequate water control structures.... In general, the consequences of the observed poor practices; ie absence of water bars, absent poor or blocked ditches and poorly installed culverts...”

Are the statements and photographs by government staff not evidence, and if they are not, what would constitute as evidence? According to Ron Davis he never contacted the investigative team or the staff who visited the area on June 4 in order to clarify matters pertaining to the condition and description of the Long Creek mainline.⁵⁵ Had Davis done so he may have come to a different conclusion regarding charge number 2.



Photo #120, June 4th, 1996. MOE photo of the top end of the switchback area. Middle right of photo shows cut-bank and no ditch. Spring melt, from the upper mountain slope, ran over and down cut-bank, then onto the road (from right to left in photo), and rilling then proceeded uninterrupted down the length of the road below the switchback, shown in accompanying photo #121. Note initial rilling marks on road along the bottom of the photo. A ditch at the top outside edge of the switchback would have intercepted this runoff, similar to the improper condition of West Fraser’s other switchback mentioned in subsection C of this chapter.

⁵⁵ See investigators’ notes on page 99.

For instance, the most important photographic evidence of why rilling occurred below the Long Creek mainline switchback, showing that an absent ditch failed to intercept Spring melt runoff over a cut-slope, was not included nor described in the investigation reports (see photo #120). Why this evidence was not included with the MOE report is not known, but a thorough investigator would have tried to obtain as much evidence and personal interviews as possible before reaching a conclusion, especially when so many comments on the issue were made by the investigative team. And had Davis understood that there was no drainage ditch at the top of the switchback, he may not have rescinded charge number 3.



Photo #121, June 4th, 1996. MOE photo showing condition of road below the switchback before West Fraser’s road crew reconditioned it the following days. Rilling on the road proceeded down the two heavy equipment tire ruts on the road all the way to the bottom of the hill, and beyond, as seen in the photo. There is no indication in the photo of waterbars across the road.

It is unfortunate that descriptive comments from each of the government staff on their June 4, 1996 inspection of the switchback area were not incorporated as evidence with the June 6 investigative reports given to Bill Young. The government visitors on June 4 observed road conditions on the Long Creek mainline before West Fraser Mill’s road contractors busily rectified some of the upper road area, information which would have helped strengthen the legitimacy of the charges against West Fraser.

According to Davis, he had difficulty with the four investigation reports because he felt that they lacked “correlation”. Originally, the investigative team were to construct one carefully worded cooperative report, but, at the last moment, they were suddenly instructed to write individual reports, which may explain some of Davis’ confusion. But Davis was unaware of this internal history. Davis also commented that, in his interpretation of the photographic evidence, he could have benefitted from the government investigators personally clarifying what he was observing, and where the photographs were taken:

“In terms of interpretation of a photograph, it would certainly have been valid for a submission or a rebuttal process. Again, that didn’t take place.”⁵⁶

So, when Davis had trouble with the four investigation reports which lacked correlation and proper interpretation and full inclusion of photographic evidence why did he not pursue assistance from government staff? Was Davis powerless because of the Terms of Reference in the Review process for obtaining clarification, or did he simply not exercise his powers?

Under charge number 3, Davis states:

“I see no evidence from the MOF that West Fraser has moved surface runoff water from one drainage to another. In fact, the spacing of the drainage structures would indicate a reasonable number of such structures to keep the drainages self-contained there is no evidence that surface drainage patterns have not been maintained”.

One of the greatest concerns which launched the investigation of the Long Creek mainline was rilling down some 250 metres of road below a switchback, referred to as section B in the investigation reports. The principal reason this rilling occurred was because there was no ditch installed at the top of the switchback at the end of the 1995 construction season, a matter which was not properly clarified in the investigation reports. Had a ditch been placed, it would have intercepted Spring melt and rainfall which cascaded off the cut-slope at the top of the switchback, onto the road and down 250 metres of an unsurfaced road subgrade length. This section of road either lacked water-bars to deflect road surface water, or the water-bars were ineffective in the extremely muddy conditions. Rilling continued to the bottom of road section B where it split in two directions, one eastward into the forest, and the other continuing southward down the road for another 150 metres or so to a tributary of Say-No-More creek (refer to diagram on page 10). Evidence of the latter rilling branch to the tributary creek was videotaped on May 20, 1996. Further evidence from Clyde Convors from the working season of 1995 also corroborates this matter. This evidence supports the charge under 12(1)(a), demonstrating that West Fraser was responsible for moving “surface runoff from one drainage to another”. From this evidence, further charges can also be laid under section 13 of the *Forest Road Regulations*, which deals with road surfacing procedures for subgrade construction:

13. A person required to construct or modify a road under section 62 (1) of the *Act* must apply surface materials if (b) erosion of the subgrade material may adversely affect adjacent watercourses.

Under charge number 4, which requires the installation of ditches to intercept and transport surface and subsurface water flow from cut-slopes, once again, as explained in charge number 3, the investigators found the absence of ditches in a number of locations. Because of this evidence, and the fact that there was no ditch present at the top of the switchback road, additional charges can be laid under another subsection of charge number 4:

“... ensure that the drainage system prevents water from being directed onto potentially unstable slopes or soil material.”⁵⁷

⁵⁶ Personal communication, October 7, 1996.

⁵⁷ 12 (1)(c)(iv).



Photo 7- A ditch block made out of mud (or a slough) that is not blocking the ditch anymore.



Photo 8- A close-up of logs in ditch. This was found in several places.

Photo exhibits from Norm deWynter's June 12, 1996 report to Bill Young.

KEITH MOORE
FOREST PRACTICES BOARD CHAIR,
7th FLOOR, 1802 DOUGLAS ST.,
VICTORIA

JANUARY 21, 1997

FAXED TO: 387-7009

ATTENTION: MR. KEITH MOORE

**RE: QUESNEL RIVER WATERSHED ALLIANCE (QRWA) AND THE CARIBOO
CHILCOTIN CONSERVATION COUNCIL (CCCC) AUGUST 12, 1996 REQUEST FOR
REVIEW OF THE HORSEFLY DISTRICT MANAGER'S JULY 2ND, 1996
DETERMINATION OF THE LONG CREEK MAINLINE INVESTIGATION**

I understand from Will Horter's discussion with John Pennington yesterday that the Board has made a decision on the QRWA / CCCC's request for a Review of Bill Young's *Determination*. Mr. Pennington related to Mr. Horter that you had not yet signed the Board's decision letter. If you haven't signed this letter, and if the Board's decision is not to pursue the request for review, then I urge you to delay your signing, because I have information which I feel is pivotal for the Board. If the Board's decision is to pursue a request for review, I would like to know how I can present my information to the review panel.

I have prepared a draft report which presents findings of my field work on the Long Creek mainline conducted on May 20th and August 12th, 1996. Last summer's field work revealed that the Long Creek mainline road was the source of excessive sedimentation into Convirs Creek, a fish-bearing stream. This discovery:

- challenges the public statements by West Fraser Mills' staff who have stated in the press that there was no evidence that the Long Creek road caused damage to the environment or to fish habitat;
- confirms the findings by Ministry of Environment staff who estimated that an inordinate amount of eroded sediments was transported from the logging road into Convirs Creek;
- substantiates Bill Young's belief, that the potential did exist "to affect fish-rearing streams through excessive siltation";
- confirms the position of the United Fishermen and Allied Workers Union that road-related sediments were transported into a fish-bearing stream of Quesnel Lake.

The report is a thorough analysis of the inter-ministerial investigation, the *Determination*, and the *Review*. The report also reveals other *Forest Practices Code* violations by West Fraser Mills that were unreported in the Long Creek investigation.

Last October 1996, I provided an eight-page summary critique of Ron Davis's Review for the Board's consideration, at which time I notified the Board that I was preparing a full report on the Long Creek *Determination*. Since the Board decided not to appeal Ron Davis' Review before the Forest Appeals Commission, the only opportunity for this information to be presented in a formal government review now hinges on the Forest Practices Board moving forward with the QRWA / CCCC Request for Review of Bill Young's *Determination*.

Please notify me of your decision as soon as possible. Thankyou Mr. Moore for your attention to this matter.

Sincerely, Will Koop
cc. Sierra Legal Defense Fund
QRWA
CCCC
UFAWU



7th Floor, 1802 Douglas Street
P.O. Box 9905, Stn Prov. Gov't.
Victoria BC, Canada V8W 9R1

INFO reviews and appeals

The Role of the Board in Reviews and Appeals

This paper is adapted from a speech presented by Board Chair Keith Moore on November 29, 1996, to the Forestry Law in B.C. conference, sponsored by the Canadian Institute. It has been updated in July 1997.

The Forest Practices Board is an important part of B.C. government initiatives to improve forestry practices in the province. An independent government body set up in 1995 under the Forest Practices Code of British Columbia Act, we provide reports to three cabinet ministers and the public about compliance with, and enforcement of, the Code and the achievement of its intent.

The Board has four major responsibilities:

- audits—The Board must undertake periodic independent audits of forest practices and enforcement of the Code.
- investigations—The Board must deal with complaints from the public about forest practices or enforcement of the Code, and undertakes complaint investigations. It may also initiate special investigations into Code-related forestry issues.
- reviews and appeals—The Board may request administrative reviews of certain decisions of government officials and appeal review panel

decisions or become a party to appeals of panel decisions to the Forest Appeals Commission.

- reports—The Board must provide reports to the public and the three ministers (Forests; Environment, Lands and Parks; and Employment and Investment) about our activities, findings and recommendations.

PURPOSE AND EXTENT OF OUR INVOLVEMENT IN ADMINISTRATIVE REVIEWS AND APPEALS

Enforcing and interpreting the Forest Practices Code requires numerous decisions by officials of the three responsible ministries—Forests; Environment, Lands and Parks; and Employment and Investment. In practice, most of these decisions are made by Ministry of Forests district managers. Agreement holders who wish to contest certain decisions affecting them (described by section 127 of the Act) have the right to obtain a review by a panel of public servants. They can appeal the review panel's decision to the Forest Appeals

Commission and ultimately to the B.C. Supreme Court.

In our involvement in reviews and appeals, we respond to public concerns and represent the general public interest in ensuring that decisions are both fair and consistent with appropriate interpretation and enforcement of the Code.

When it developed the Forest Practices Code, the government recognized the importance of public participation in ensuring that sound decisions are made about the interpretation and enforcement of the Code—not only because of public demand for involvement but also because there is a wide public interest in forest management. At the same time, the government had a legitimate concern that direct public intervention through the review and appeal of countless decisions could create an unmanageable situation and excessive

4(J): THE FOREST PRACTICES BOARD AND THE APPEAL OF RON DAVIS' REVIEW

Shortly after the government announced that four of the five charges against West Fraser were dropped, the Sierra Legal Defence Fund approached the Forest Practices Board to request that the Board appeal Ron Davis' Review of Bill Young's *Determination*. The final level of appeal for provincial forest management complaints is the Forest Appeals Commission, which, ironically, only the government and the forest industry can directly approach. If the public wishes to approach this Commission, they are only permitted to do so through the Forest Practices Board, the public's arbitrator.

On October 15, 1996 the observers provided a seven-page critique of Ron Davis' Review to the Forest Practices Board, where they carefully:

- examined the rescinded charges in relation to the *Forest Road Regulations*;
- scrutinized the investigative reports and photographic evidence;
- interviewed the inter-ministerial investigative team, the Horsefly District Manager, and Ron Davis.

The contents of the critique are essentially summarized in section 4-I of this report.

After the Forest Practices Board reviewed the observers' critique and considered the issues, the Board decided not to appeal this matter to the Forest Appeals Commission. Keith Moore, Chair of the Board, in a November 4, 1996 letter to Will Horter of the Sierra Legal Defence Fund, presented the following summary:

“After weighing factors in this case, the Board decided that the factors which dissuade it from filing an appeal outweigh the factors which suggest that an appeal might be appropriate. These factors include the fact that many of the identified problems at the site in question have apparently been remedied, the lack of documented evidence of serious negative environmental impacts, the long time between the alleged contraventions and the likely date of an appeal, and **the resources involved in undertaking an appeal, in light of competing priorities.**” [bold emphasis]

Moore summarizes only the factors which favored the Board's decision against an appeal without mentioning why an appeal might be appropriate:

Rationale #1. “Many of the identified problems at the site in question have apparently been remedied”. The ministerial investigators found contraventions of the *Code* on the Long Creek mainline. Because a violation has “apparently been remedied”, is the Board interpreting that West Fraser didn't contravene the *Code*, or is the Board simply waiving the violation? The Board is clearly not dealing with West Fraser's infractions.

Rationale #2. “The lack of documented evidence of serious negative environmental impacts”. This statement is not relevant to Ron Davis' Review because West Fraser was not charged for serious negative impacts to the environment. It is true that there are shortcomings with the Long Creek mainline investigation, as presented in this report, and the fact that West Fraser may have seriously impacted the environment, but this was inconsequential to Ron Davis' Review.

Rationale #3. “The long time between the alleged contraventions and the likely date of an appeal”. The contraventions are not alleged; the District Manager charged West Fraser, based on a *Forest Practices Code* inter-ministerial investigation. All of the procedural time lines for investigations and appeals were met as per the *Forest Practices Code*: after the July 3rd, 1996 *Determination*, West Fraser requested a review of the *Determination*, July 10th, 1996; on September 12th, 1996, Ron Davis provided his Review; on the week of October 7th to 11th, 1996, the Sierra Legal Defence Fund requested that the Forest Practices Board appeal Ron Davis' Review. The Forest Practices Board's statement that this progression of events has taken too long conflicts with the required timelines for investigations and appeals conducted under the *Forest Practices Code*.

Rationale #4. “... and the resources involved in undertaking an appeal, in light of competing priorities”. West Fraser violated the *Forest Practices Code*, the investigation was inadequate, Bill Young’s Determination was incomplete, and Ron Davis’ Review was extremely limited in its scope. The Forest Practices Board’s inability to act on the public’s behalf, despite obvious violations in an area with extremely high natural values and public concern, undermines government commitments to fair public process.

In the same letter Keith Moore qualified the directives of the Forest Practices Board, in relation to its public mandate under the *Forest Practices Code*:

“The Board is given a statutory discretion as to whether or not it will appeal a review panel decision. In exercising that discretion, the Board considers, among other things, whether an appeal will:

- help to improve forest management;
- help to sustain public confidence in forest management;
- encourage fair and consistent application of the Code; and
- provide clarification or interpretation of important sections of the Code.”

Based on information presented in this Say-No-More report, a successful appeal of the Long Creek road affair would have accomplished all four of the items mentioned by Moore. Instead, the Board chose not to approach the Forest Appeals Commission, even though the Board recognized that there were shortcomings with Ron Davis’ Review:

“The Board was concerned about possible inconsistencies between the review panel decision and the findings about conditions in the field that are described in some of the investigation reports that led to the original determination.”

“... the Board is concerned about general issues of process that this case highlights. In particular, the Board is concerned about the practice of using a single member review panel and relying solely upon written submissions, when reviewing a determination that involves complex technical evidence and a high degree of public interest.”

In light of the above, and the fact that the Forest Appeals Commission has sweeping powers, the ability to consider new evidence, and to conduct formal hearings, the obvious question needs to be asked: **why did the Forest Practices Board choose not to appeal the case to the Forest Appeals Commission?**

The Board decided to circumvent the appeal process by releasing a report on the Ron Davis Review process, claiming that this “is a better way to address the issues raised”:

“The aim of the report will be to make recommendations for improvement in the review process, and to bolster public confidence in the administration of the Forest Practices Code.”

The result of the Forest Practices Board’s decision is that:

1. West Fraser was vindicated on four of the five charges made against the company;
2. It questions the Forest Practices Board’s capability to handle legitimate public concern.

The Fish Protection Act is a cornerstone of the recently announced “BC Fisheries Strategy”. The first and fundamental priority of the strategy is to protect fish by ensuring healthy fish bearing streams and plentiful stocks.

This Act is a strong statement of government’s continued commitment to environmental protection. It represents a fundamental change in fisheries protection and management in British Columbia and is the most comprehensive fish protection legislation of its kind in Canada today. It is designed to anticipate problems before they happen and it is also designed to redress problems where they exist today. This legislation will contribute to the sustainability of fish that are fundamental to our history, culture, economy, and the livelihood of many thousands of people.

The Fish Protection Act and supporting legislation ensures that fish and fish habitat will be sustained for future generations. It provides powerful and practical tools to protect water flows and habitat needs for fish. This legislation also has the capacity to actively involve communities in important fish protection activities, including the development of watershed management plans.

The new legislation focuses protection activities where they are needed most – on sensitive streams where fish are in danger. For these streams, the development of recovery plans – with stakeholder involvement – will help to rebuild and restore fish to historic levels. This Act represents an important step for the province to ensure the protection of fish and fish habitat.

Fish Protection Act

PROTECTING FISH AND FISH HABITAT

HIGHLIGHTS OF THE NEW LEGISLATION

- No new bank-to-bank dams on provincially-significant rivers.
- Better protection of water flows for all fish in British Columbia by improving the water licencing process.
- Designation of “sensitive streams” where fish are in danger. These streams will require stronger management measures, including the development of recovery plans.
- Improved riparian protection for urban streams.
- Tax incentives for landowners to use conservation covenants to protect fish habitat.
- Expanding the definition of threatened and endangered species to allow such designations for fish at risk.
- Strengthening the powers of local governments to protect the environment, including fish habitats.
- Allowing government to take a broad planning approach when managing water issues, with the assistance and direction of stakeholders.
- Granting water licences to conservation groups for the purpose of protecting water flows for fish and to promote stream stewardship activities.
- Establishing new, creative sentencing provisions.

Appendix A: Long Creek Chronology ⁵⁸

Long Creek is located on the western slopes or west side of Quesnel Lake's North Arm. Except for very small-scale cedar shake enterprises along its shoreline, the North Arm of Quesnel Lake remained pristine until 1985, when Starline Cedar Mills Ltd. began roading and clearcut logging the east side near Roaring River.

On May 13, 1988, West Fraser Mills Ltd. (West Fraser Timber Co. Ltd.) took over the Quesnel Lake Junction Cedar Forest License from Starline Cedar and logged to the headwaters of Roaring River, and later built a new log dump at the far end of Quesnel Lake and began to log near the Penfold Valley.

The west side remained pristine until 1990, when West Fraser began logging across from the Penfold at Service Creek.

The following is a chronological account of recent events leading up to and including the road building and logging of the Long Creek area on the west side of the North Arm of Quesnel Lake:

1990/1992. West Fraser clearcutting of CP 26 Blocks 2, 3 & 4 at Service Creek, west side of Quesnel Lake's North Arm. (For Service Creek location, see Map #3, page 19.)

1992. West Fraser's 1992-1997 Five Year Forest Development Plan (5 Yr. FDP) proposes new road and log dump at Long Creek to access Cutting Permit CP-56 on the west side north of Long Creek. Note that West Fraser's 1991 5 Yr. FDP proposed access to this area via the Service Creek logging road and log dump to the north.

February 1992. West side of Quesnel Lake's North Arm submitted as study area proposal by B.C. Environment for the Protected Area Strategy (PAS).

1993. West Fraser clearcutting of CP 26 Blocks 1 & 5 at Service Creek.

January 1993. West side of Quesnel Lake's North Arm proposed for protection by Multi-sector (conservation interests) during Cariboo-Chilcotin Commission on Resources and Environment (CORE) process.

March 1993. West Fraser's Long Creek CP-56 Blocks 1-8 Pre-Harvest Silvicultural Prescriptions (PHSP's) approved by John Menning, Horsefly Forest District Manager.

July 14, 1993. Cariboo Regional Protected Areas Team (RPAT) propose entire west side of the North Arm as "Mount Stevenson" PAS Area of Interest #42. The principle rationale for selection was:

- high value caribou and grizzly bear habitat;
- important waterfowl staging area;
- representation of AT, ESSFwc3, ESSFwk1, Ichwk2 ecosystem forests;
- large deep-water lake;
- important fish habitats and recreational fisheries values.

⁵⁸ This chronology, found in the author's files, was in a draft form, and was not part of the original report.

September 1, 1993. Department of Fisheries and Oceans conduct scuba survey of proposed Long Creek Log Dump Site and anticipate low environmental impacts.

September 9, 1993. West side of Quesnel Lake North Arm remains proposed for protection in Cariboo RPAT's revised PAS Study Area Proposal (Area 'H' – Mitchell-Stevenson).

November 10, 1993. Cariboo-Chilcotin CORE Table agree to allow logging to continue in the interim at Service Creek within RPAT Area 'H,' but all other road building and harvesting plans in this area would be postponed until after break-up. Interim was defined as up to March 31, 1994.

December 2, 1993. BC Environment identify all the low mid-elevation forests along the entire length of Quesnel Lake's North Arm as critical early winter habitat for Caribou.

March 5, 1994. Final CORE Table meeting. No consensus reached.

April 7, 1994. CORE releases "Choices: An Options Report for Land Use in the Cariboo-Chilcotin," which identifies the west side of the North Arm as one of the top priority areas for protection to meet the representational criteria of the PAS.

April 7, 1994. Norm deWynter, Acting Horsefly District Manager, approves the Long Creek mainline road, RO 1399, 8/92.

Summer 1994. West Fraser lobbies government to issue final approval for Long Creek mainline road.

Summer 1994. Victoria directs MoE to allow Long Creek log dump and mainline road to begin.

Summer 1994. Final approval granted for log dump and road construction at Long Creek.

August 2, 1994. West Fraser begins construction of Long Creek Mainline Road RO 1399, 8/92.

September 1994. Chief Frank Bouchier Jr., Red Bluff Band, Quesnel, visits Long Creek mainline road and registers opposition to this development to Bill Young, new-Horsefly Forest District Manager.

October 4, 1994. West Fraser submits 9-point "List of Needs for Giving up the Niagara" valley to cabinet during final stages of land use plan negotiations for the Cariboo-Chilcotin. Their third demand to government was: "Remaining areas around Quesnel Lake, North Arm, Lynx Creek, Blue Lead Creek, and Killdog Creek must not be subject to an LRUP process or unreasonable planning or harvesting constraints."

October 24, 1994. Cabinet announces Cariboo-Chilcotin Land Use Plan (CCLUP). West Side of the North Arm of Quesnel Lake designated as "Special Resource Development Zone."

December 17, 1994. Quesnel River Watershed Alliance (QRWA) submission to John Allan, CCLUP Implementation Chair, states: "Within the Quesnel River watershed, areas with extremely high ecological value proposed for protection by the Multi-Sector [i.e., West Side], February 1994, are now in the Sensitive Resource Development Zone (SRDZ) It is absolutely essential that these high valued areas and other sensitive areas that did not receive protection status by the Cariboo-Chilcotin Land Use Plan are not compromised in any way."

May 28, 1995. Will Koop and Doug Radies inspect Long Creek mainline road during Quesnel Lake North Arm reconnaissance. Concern noted regarding extreme cut-slopes and Long Creek bridge site.

1995. West Fraser clearcutting of CP 58, cutblocks 1, 2, 3, and 4 at Service Creek.

August 1995. West Fraser takes property owners for tour of Long Creek mainline road.

May 20, 1996. Koop and Radies revisit the Long Creek mainline road and document extreme road related problems on videotape, copies of which they provide to Sierra Legal Defense Fund (SLDF) and the United Fishermen and Allied Workers Union (UFAWU).

June 3, 1996. UFAWU send complaint letter to Bill Young regarding Long Creek and Penfold roads and request a full-scale investigation into road building within the Quesnel Lake Junction Licence Area, and provide video footage to MoE Victoria and Williams Lake.

June 4, 1996. MoE and MoF inspect Long Creek and Penfold mainline roads and Bill Young orders an investigation under the Forest Practices Code (FPC)

June 6, 1996. MoE and MoF conduct investigation.

July 2, 1996. Bill Young charges West Fraser for 5 violations under the FPC Road Building Regulations on Long Creek mainline road.

July 9, 1996. Bill Young approves 2.8 km road permit amendment RO 1399 1/95 for the Penfold Valley.

July 10, 1996. West Fraser requests a review of Bill Young's *Determination* regarding Long Creek.

August 12, 1996. SLDF, on behalf of QRWA / CCCS registers a complaint with the Forest Practices Board against Bill Young regarding his failure to make a Determination regarding Long Creek.

August 12, 1996. Koop and Radies investigate Convirs Creek and confirm the Long Creek mainline road as the source of excessive siltation to this fish bearing stream.

September 12, 1996. Ron Davis, MoF Victoria, overturns Bill Young's Determination, rescinding four of the five 5 charges, citing lack of evidence.

October 1996. SLDF requests the Forest Practices Board to appeal Ron Davis' Decision to the Forest Appeals Commission (FAC).

Late 1996. Forest Practices Board advises SLDF that they will not be appealing Ron Davis' review to the FAC.

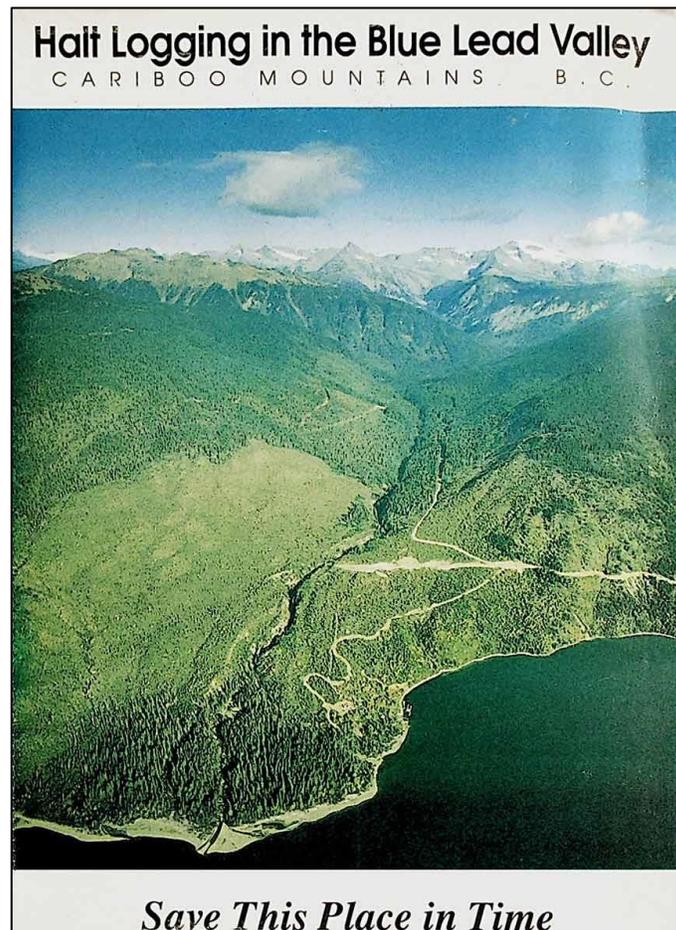
Late 1996. SLDF request action from the FPB regarding their August 12, 1996 complaint.

January 20, 1997. Koop notifies FPB that his Long Creek report is finished and requests opportunity to meet with the Board to present his findings which substantiate QRWA and CCCS complaint.

APPENDIX B: BLUE LEAD CREEK

The Blue Lead Creek drainage is located at the northeastern end of Quesnel Lake's East Arm, and is within West Fraser Mills' operating area. The Blue Lead drainage is about 9,100 hectares in area, half of which is forested, with high wildlife values. At the lower section of the Blue Lead Creek there are high fish values, with sockeye, coho, chinook, kokanee, bull trout, rainbow trout, with the highest value for kokanee due to the kokanee shoal.

The first road construction in the Blue Lead drainage began in 1990, and by the end of 1992 there were about 26 kilometres of road established, much of which was constructed through sensitive and highly erodible soils, surficial soils similar to the Long Creek area. The persistence of environmental impacts to the integrity of Blue Lead Creek and its tributaries from road-related erosion of fine clay silts has continued since road construction first began in 1990. These problems have been observed and recorded since 1990 by governmental agencies and the Sierra Legal Defense Fund.



Before road construction began, concerns by DFO and MOE were raised over the related effects of erosion to fish habitat and water quality:

- in the lower section of Blue Lead Creek;
- a critical kokanee shoal adjacent to the mouth of Blue Lead Creek;
- and into Quesnel Lake.

Warranted concerns by the public both over the significance of the Blue Lead drainage as a protected wildlife connector between northern Wells Gray Park and the Niagara and Penfold valleys and as a significant recreational area, caused the provincial Cabinet to conduct a paper and field audit of the Blue Lead drainage in early 1993. After the audit, government permitted logging to continue instead of establishing a deferral.

The excerpts from government reports and correspondence (see below) indicate the various problems of West Fraser's logging operations in the Blue Lead drainage. **Unfortunately, the lessons from logging in the sensitive Quesnel Highlands around Quesnel Lake were not taken seriously by the government, matters which should have become an important precedent for the remaining areas of West Fraser's Quesnel Lake Junction forest licence.** The circumstances unfolded in this report regarding the Long Creek mainline road reflect that reality. The long-term cumulative impacts from all West Fraser Timber's and other companies' roads which surround Quesnel Lake, which have been permitted by government, have and will be significant for stream stability, fish, wildlife, and tourism. Roadbuilding lessons learned in the Blue Lead drainage were ignored.

Excerpts

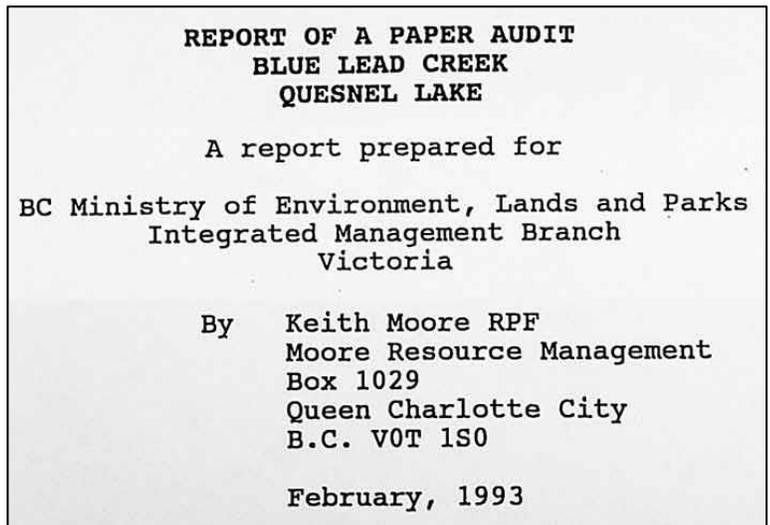
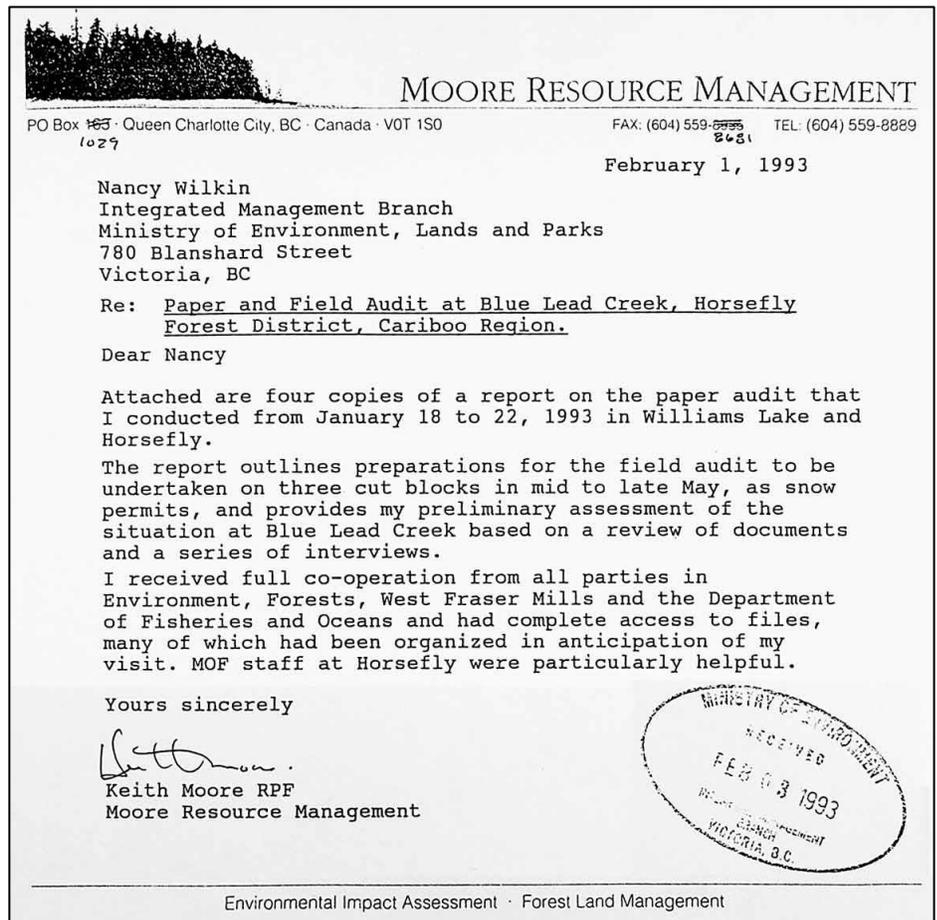
B-1. Report of a Paper Audit, Blue Lead Creek, Quesnel Lake, by Keith Moore, Moore Resource Management, February 1993.⁵⁹

“Fisheries values in Blue Lead Creek and on the shoal at the creek mouth are considered to be very significant in a regional context and the most significant in the East Arm of Quesnel Lake. This assessment is based on:

- the significance of the shoal at the mouth of the creek for spawning kokanee, which may be genetically distinct from other lake populations of kokanee;
- the significance of good spawning and rearing habitat in the lower watershed for a population of very large bull trout;
- significant runs of sockeye salmon in two out of the normal four-year cycle; and
- the diversity of other species (including rainbow, coho and chinook) which use the watershed in low numbers.” (Page 5)

“Fisheries concerns were clearly stated in Five Year Plan letters in 1988, 1989 and 1990. The letter of June 8, 1988, states, with regard to CP 34, that “water quality must be maintained to minimize impacts on fisheries resources in Blue Lead Creek and shoal.” (Page 7)

“The Five-Year Plan letter of October 11, 1990, states that because “of downstream fisheries values” and because Blue Lead Creek is “already a hydrologically unstable watershed” a more conservative approach to harvesting was needed.” (Page 8)



⁵⁹ In 1995, Keith Moore was appointed chair of the newly established Forest Practices Board.

“... after 1990, concerns for Blue Lead Creek appear to have diminished. This occurred as a result of staff vacancies in the Habitat section and priority being given to other areas.” (Page 8)

“The significance of the fisheries values and the concerns for slope stability and hydrology held by the Fisheries section were not communicated to the Habitat Section and were not reflected in the letters or meeting comments after 1990. As a result, the Fisheries section feels that the fisheries sensitivity and the habitat protection needs in Blue Lead have been underestimated.” (Page 9)

“There is very little evidence in the [ministry] files that logging and road construction have not been in compliance with requirements in the approved cutting permits, logging plans, road permits, and PHSP’s. A total of 14 MOF inspections of road construction and logging has been made between October 1990 and January 1993 The most common notes on the inspection reports are “looks good” and “no problems.” (Pages 9, 10)

“A number of operational problems have been noted. These include sedimentation from road construction in October 1990 that led to a suspension of construction for 12 days, water running across the road in March 1992, a failed culvert in block 34-3 during the spring of 1992, a slide associated with road construction on the west side of Blue Lead Creek and continued seepage of water and sediment at that site.”

“In October 1992, fisheries staff noted fine sediments deposited in the ditch line and a small pond near Blue Lead Creek below block 34-2 and observed that this fine material had washed down the ditch into the stream at high flows.”

“In January 1993, MOF regional staff observed that skid trails were cut into small tributary stream channels in block 34-1 and logging debris was deposited in gullies.” (Page 10)

“Despite these assessments on the PHSP’s, the planned skidder logging and the close proximity of blocks to Blue Lead Creek and Gardner Creek, there was apparently no field review or consideration by MOF of the soil erosion hazards or the potential for sedimentation impacts on the downstream fisheries values in any of the blocks. MOELP does not see PHSP’s and was not aware of this information.” (Page 11)

B-2. Attention: Norm DeWynter, Operations Manager. *Re: Blue Lead Creek Inspection, June 10, 1993.* DFO letter, North Habitat Management Unit.

“Access Road to Block 34-3: The culvert washout on the road to Block 34-3 appeared to be caused by installing an undersized culvert. The stream crossing should have been a temporary bridge. Significant sediment input to Blue Lead Creek likely resulted from the washout. Furthermore, the approaches to the crossing (ditches) were not constructed to a high standard.”

“Road Ditching. The ditches require cleaning as many have slumped and are partially blocked. The ditches at one logging block (Block 34-1) are almost completely blocked with logging debris. On one occasion a watercourse was intercepted by a ditch and allowed to run down the ditch-line instead of through a culvert maintaining the natural watercourse. There is a significant danger in directing streams down ditch-lines. A temporary blockage of the ditch could direct the watercourse down the road resulting in significant erosion or a road washout.”

B-3. Following quotations are from a Ministry of Environment report by Keith Moore, Moore Resource Management, July 1993, *Report of an Audit of Cut Blocks 34-1, 34-2, and 35-4, Blue Lead Creek, Quesnel Lake.*

“Fisheries Values. Fisheries values in Blue Lead Creek and on the shoal at the mouth of the creek are considered to be very significant in a regional context and the most significant in the East Arm of Quesnel Lake Species using the lake shoal and the lower portion of Blue Lead Creek include kokanee, bull trout, rainbow, sockeye, coho and chinook.” (Page 2)

“The number of culverts in this block is inadequate. Only 4 of the 6 streams had culverts installed at the time of construction and only one of these is functioning properly following logging The larger of the small streams in this block (1.8 meters wide) was diverted by a blocked culvert down the ditch and onto the road where it ran for over 500 meters from its channel These two culverts damaged by logging and blocked by debris have caused surface and ditch erosion on a total of 841 meters of road and skid trail within this block. Thirty-five per cent of the road within

5.2.4 Culverts, cross drains and ditches

Two of the three small streams crossed by the mainline road have culverts of adequate size. One of these existing culverts is too short and is partially blocked by logging debris. One small stream approximately 400 m from the south end of the block has no culvert.

A 450 m stretch of road at the south end of the block appears to have no culverts despite crossing one small stream and two depressions. Water is ponded in the ditch line at one location and the ditch is full of debris. If a culvert does exist at this location, it is not functioning. At least two, and probably three, additional culverts should have been installed in this stretch of road.

On the spur road to the north of the main bridge, none of the six small streams crossed appear to have culverts and neither of the two cross drains is functioning. The small streams are diverted out of their channels down the ditch lines and out into the slash or, in one case, back into its channel below a lower road.

There is no culvert in the spur road up to landing 5 in the centre of the block. This blocks a small stream, diverting it down the ditch, around landing 6 and down the ditch along the mainline. The total diversion is 163 m before it re-enters the stream channel.

caused sedimentation at the time of construction.

- surface erosion and sediment transport from small streams diverted onto roads, landings and skid trails in Blocks 35-4.
- the 26.5 kilometres of mainline road constructed to date. Construction and subsequent use must have contributed some unknown level of sediment to Blue Lead Creek.” (Page 25)

REPORT OF AN AUDIT OF CUT BLOCKS 34-1, 34-2 AND 35-4

BLUE LEAD CREEK QUESNEL LAKE

A report prepared for

BC Ministry of Environment, Lands and Parks
Integrated Management Branch
Victoria

By Keith Moore RPF
Moore Resource Management
Box 1029
Queen Charlotte City
B.C. V0T 1S0

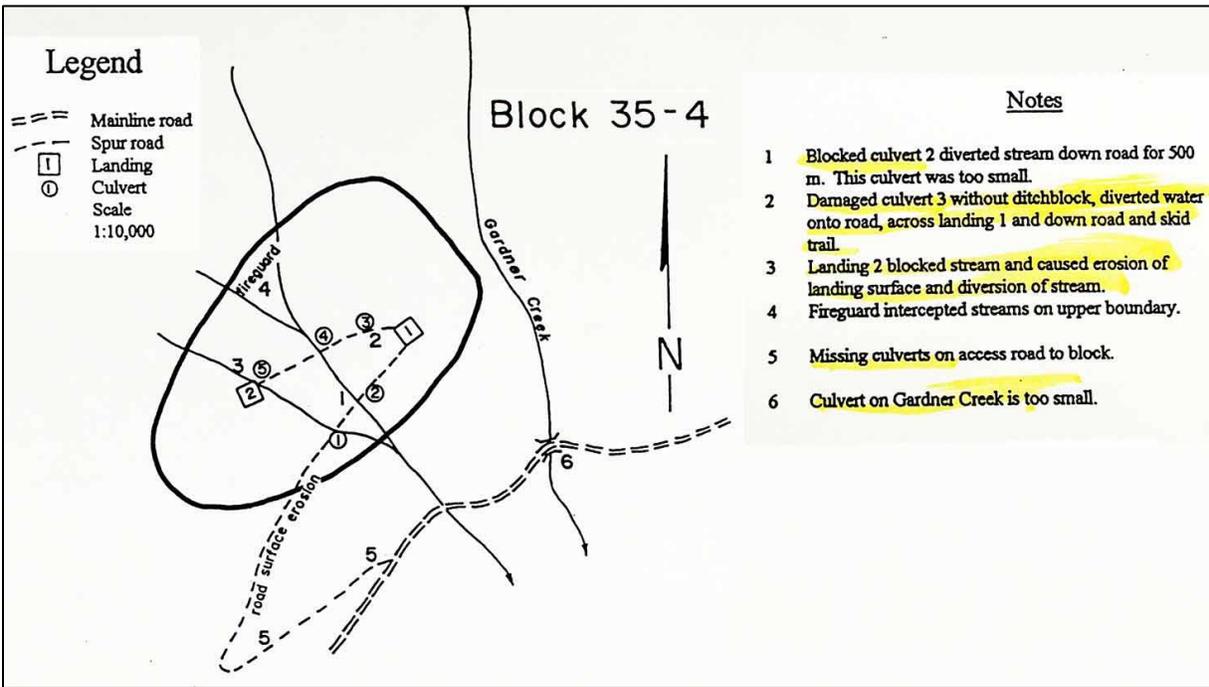
July, 1993

the block showed signs of surface erosion. This was the most serious road surface erosion seen during the audit.” (Page 18)

“Summary of Field Audit Findings. ... the impacts of road construction prior to 1992, particularly at four stream crossings ... Significant quantities of sediment have been introduced into Blue Lead Creek from excessive disturbance and poor end-hauling at Hoffman Creek and McDonald Creek and from side cast failures following construction.” (Page 24)

“The highest impact sites identified in the audit were

- the crossings of Hoffman Creek and McDonald Creek where excessive side cast and bank disturbance must have



5.5.2 McDonald Creek Bridge

The wooden crib, log stringer and wood deck crossing of McDonald Creek is adequate to handle stream flows and pass debris. It is a good crossing.

However, the amount of disturbance associated with road construction on the approaches to both sides of this crossing is excessive and has resulted in a considerable amount of material being deposited in the stream channel. Road fill material encroaches on the channel for 86 m on the north bank (camp side) and for 77 m on the south bank. This material has been eroded by the stream and a large volume of material has been transported down into Blue Lead Creek. Erosion of this fill will continue in high flows.

End hauling was used during construction but some of the end haul material on the north bank has been dumped on slopes where it continues to ravel and slide into the stream.

Two sidecast failures (one 39 m wide at the road; the other 22 m) on the south approach have also deposited sediment and debris into the stream channel and ultimately into Blue Lead Creek. The smaller failure may have been caused by water from a culvert at this location. There is potential for additional failures at this site on an 85% side slope as the culvert is nearly blocked and water is ponded in the ditch on the uphill side.

A plan for retrieving material, revegetating slopes and diverting ditch water to avoid future side cast failures should be developed and implemented.

5.5.3 Hoffman Creek Bridge

The crossing is of similar construction to the one at McDonald Creek and is suitable for the site.

Disturbance at this crossing site is also excessive and has resulted in a considerable amount of sediment deposited in the channel and eroded downstream. A large volume of material has also been transported down to Blue Lead Creek at this crossing site as well.

Excessive clearing has occurred both upstream and downstream

5.3.4 Culverts, cross drains and ditches

The number of culverts in this block is inadequate. Only 4 of the 6 streams had culverts installed at the time of construction and only one of these is functioning properly following logging. The 60 cm culverts on the mainstream through the centre of the block are too small for the flow.

The larger of the small streams in this block (1.8 m wide) was diverted by a blocked culvert down the ditch and onto the road where it ran for over 500 m from its channel. The eroded material did not enter any streams near the block and probably did not enter Gardner Creek.

A damaged culvert and lack of a ditch block farther up the road caused surface erosion on the edge of landing 1 and on a skid trail below the road but also did not appear to contribute sediment to any stream.

These two culverts damaged by logging and blocked by debris have caused surface and ditch erosion on a total of 841 m of road and skid trail within this block. Thirty five per cent of the road within the block showed signs of surface

5.6 OTHER OBSERVATIONS

Although review of the blocks proposed for logging in the future was outside the Terms of Reference, some observations were made in proposed cut block 34-3. A major tributary stream of Blue Lead Creek runs through the centre of the block and there is at least one other smaller tributary with several stream channels. Both of these streams have already been impacted by road construction and poorly constructed or inadequate culverts. There is a potential for the channels of both of these streams to be altered by falling and skidding practices.

The potential for erosion and for sediment and debris transport associated with any stream channel changes in these high velocity, unstable channels is high and the potential impacts from this block are felt to be greater than from the three blocks logged to date. The layout of block 34-3 should be further reviewed.

Outside the blocks, the impacts of road construction prior to 1992, particularly at four stream crossings, are substantially greater. Significant quantities of sediment have been introduced into Blue Lead Creek from excessive disturbance and poor end-hauling at Hoffman Creek and McDonald Creek and from side cast failures following construction.

3. There are a number of ways in which logging and post-logging practices in the three cutblocks are not in compliance with existing recommendations, guidelines and permit requirements. These include:

- missing or inadequate number of culverts in two of the three blocks
- blocked or damaged, non-functioning culverts in all three blocks
- landings too large and located too close to streams in all three blocks
- lack of water bars and deactivation of roads and skid trails following completion of logging in all three blocks

5.5.5 Unnamed Creek (Block 34-3) Bridge

The crossing of the 6 m wide tributary to Blue Lead Creek in the middle of the unlogged block 34-3 has failed and been replaced on at least 2 occasions in the past. It is still too small and is an inadequate structure for such an active stream channel.

B-4. Letter from MOF Horsefly Acting District Manager, M.G. Ambach, to West Fraser Mills Operations Supervisor, W.E. Rand, June 27, 1994, concerning Blue Lead Creek Road maintenance.

“Avoidance of these problems in the future:

1. High mass wasting hazard areas require professional geotechnical advice to assess stability of the area and recommend appropriate road construction methods.
2. Roads must be properly designed with plans and profiles identifying end haul areas, proper drainage, and soil problems.
3. Increased monitoring and supervision by both licensee and ministry staff when working in these sensitive areas.”

“Please prepare a comprehensive road monitoring and maintenance/deactivation plan on all roads under permit for submission to this office prior to July 30, 1994. Failure to comply may result in suspension of Road Permit R0/399.” [Quesnel Lake Junction Licence, bold emphases]

B-5. Memo from Brian Bentley, MOF Regional office, to Dan Begg, MOF Horsefly District officer, June 1994.

“We must have more supervision by Ministry staff when licensees work in sensitive areas. This road should have been properly designed with plans and profiles, end haul sections identified, proper drainage identified, and soil problems identified. The new Forest Practices Code will give us guidance for proper procedures in sensitive areas.”

B-6. Letter from Bill Watt, Cariboo Forest Region pedologist, to Dan Begg, MOF Horsefly District, June 22, 1994, regarding a road failure on CP34, Block 4.

“We must remain aware that this is a highly sensitive site for road construction and even proper techniques and diligence will not necessarily preclude further problems. ... The mass wasting hazard for the area of the failure keyed out to very high. Our current procedures are that geotechnical advice is required to assess the stability and recommend appropriate construction requirements. This was not formally in place at the time this road was built but it was known and a common practice with some licensees.”

B-7. Letter from Rodger Stewart, Horsefly Forest District Forest Ecosystem Biologist, to W.C. Rand, West Fraser Mills, June 23, 1994.

“The present approach to planning, construction, maintenance, and deactivation, as defined by the Forest Practices Code, should ensure reduced risk of environmental damage from forest road development. B.C. Environment will be participating in all road planning in the West Fraser operating area, and will continue to recommend measures to protect fish, wildlife, and water resources. Compliance with these measures will be subject to field inspection, and enforcement action where warranted.”

**A Compilation of Key Points Regarding Resource Values
and Resource Use in Blue Lead Creek, Cariboo Mountains, B.C.**

by

Silver Moon Educational Projects

P.O. Box 34293, Station D, Vancouver, B.C.

Doug Radies January 1993

Freshwater Fishery

- *Blue Lead creek is crucial to the renowned Quesnel Lake fishery. Large kokanee populations provide the foundation food source for rainbow trout, lake trout and bull trout (Dolly Varden char) up to 13 kilograms in weight.
- *The Blue Lead Creek watershed has extremely high kokanee salmon values. It is estimated that on dominant years, tens of thousands of kokanee deposit their eggs at depths of 3-30 meters on the gravels of the Blue Lead Creek shoal, a rich alluvial deposit at the mouth of Blue Lead Creek that "percolates" with oxygenated glacial waters. The shoals of the Blue Lead are the largest spawning grounds for kokanee salmon on the entire east arm of Quesnel Lake. The only other major shoals on Quesnel Lake are located on the north arm. Genetic studies of kokanee on the north and east arms are being conducted to determine whether they are segregated stocks. (Rob Dolighan, Fisheries Technician, MoE, Williams Lake personal communication, 1992).
- *Blue Lead Creek is one of just four bull trout spawning creeks on Quesnel Lake). Bull trout are highly sensitive to habitat alteration and are listed as a threatened species in North America (American Fisheries Society). Bull trout have adapted to cold glacial streams to minimize competition with other fish (ie.rainbow trout) for spawning substrate. (Maurice Lirette, Fisheries biologist, MoE, Wms. Lk, pers.comm. 1992).
- *"Quesnel Lake supports one of British Columbia's finest and most diverse sport fisheries for both trophy-sized and smaller rainbow trout, kokanee, lake char and to a lesser extent, bull trout, burbot and mountain whitefish.....Annually, the lake supports approximately 20,000 angler days, with trophy-sized rainbow trout being the preferred species....This represents 4 percent of the total fishing effort for the entire Cariboo Region, or nearly 5 percent of the total fishing effort on lakes in the Cariboo. Given the size and number of lakes (over 8000) in the region, this is considered a relatively high proportion of fishing effort for one lake".(DFO QHMARA pgs 299,301).

This, and the following three pages, are excerpts from Doug Radies' "Compilation of Key Points" notes.

Imminent Logging Plans in Blue Lead Creek

*To minimize impacts on the dominant and sub-dominant sockeye runs, the Department of Fisheries and Oceans had West Fraser adjust their harvesting schedule to avoid logging in the Blue Lead watershed in 1993 and 1994 (see amendments to West Fraser's 1991-96 and 1992-97 Five Year Development Plans). Consequently, and ironically, West Fraser began harvesting the lower portion of CP34 Blk2 December 1 1991, one month after a dominant run of kokanee salmon (which are under provincial jurisdiction) had laid their eggs on the Blue Lead Creek shoal. This block was originally scheduled for 1993, hence the primary and secondary roads and landings were less than 6 months old.

*West Fraser's plan to cut CP34 Blk2 right to the river was approved by the district manager Sept 1 1991, despite the MoE 1990 comments stating that for CP34 BLK2 "an inspection will be necessary to determine stream protection requirements. A buffer strip may be required along Blue Lead Creek." The company claimed that a buffer strip would blow down.

*On Dec 17 1991 (after logging had commenced on CP34 Blk2) an "on-sight decision" was made in the absence of Pat Harvey (DFO), by Pat Dealman (MoE), Sydney Monteith (MoF) and Larry Gardener (West Fraser), to cut right to the river bank leaving only the trees leaning over Blue Lead Cr..

*West Fraser have now completed the upper portion of CP34 Blk2, and plan to log CP34 Blk1 (approved to the canyon wall), and CP35 Blk4 (a spruce block in the "chute" which drains into the Blue Lead shoal) before break-up, 1993, even though DFO stipulated no logging in 1993 and 1994 in the Blue Lead Valley. This is particularly distressing given that neither CP34 BLK1 nor CP35 Blk4 have had on-sight inspections despite MoE requests to determine stream protection requirements. A sub-dominant run of kokanee has just spawned at the mouth of Blue Lead, and a dominant run of sockeye is expected for 1993, and there are resident Dolly Varden in the lower reaches of Blue Lead creek.

✓ General Impacts of Logging on Water and Fish Habitat

*"Salmon, trout and char require high-quality stream environments in which to live....Forests play an important role in regulating fish habitat. Trees intercept rainfall and, by evaporation and transpiration, influence the amount of water that reaches a stream. Trees and ground vegetation also take up large quantities of groundwater; their roots stabilize and bind the soil, thus reducing erosion on hillsides and along stream banks. Removal of forest cover by harvesting or natural events (e.g. forest fires) can result in more fallen snow and accelerated snow melt. In turn, these

effects can advance spring run-off and affect the timing and magnitude of storm-peak stream flows. The tree canopy also limits the sunlight reaching 'the forest floor, thereby maintaining cool stream temperatures". (Department of Fisheries and Oceans-"Fish Habitat and Forestry" Report #499, 1985 (DFO #499 1985)).

*"Logging practices, by their very nature, disrupt the complex and delicate equilibrium of the forest environment" (B.C. Fish and Wildlife Branch - Logging in the Quesnel Lake Area and Water Transportation of Logs on Quesnel Lake, Beets/Young, 1981, pg 6).

*"Clearcut logging, construction and maintenance of logging roads, skid trails, and landings cause the most damaging impacts to salmon habitat from forestry activities. Forest harvesting reduces the amount of vegetative cover required for soil stabilization and moisture retention leading to increased erosion and runoff rates, sedimentation, bank failures, and loss of spawning and rearing habitats. In some cases, a dramatic event such as a debris torrent may severely impact a stream channel. In other cases, increased upland erosion by itself may not seriously degrade a creek, but when combined with elevated peak flows can lead to significant channel impacts (B.C.Ministry of Forests, 1987)." (DFO QHMARA Vol.1 pg147)

*"(Logging) operations can affect fish habitat by accelerating erosion, introducing logging debris or removing large natural debris from streams, and eliminating stream-side vegetation....Road construction results in changes in water drainage patterns which can lead to surface erosion and landslides....Clearing the land of trees when combined with snow-melt may produce stream flow increases which cause major changes in stream channels. Such changes may result in shifting or displacement of gravel used by spawning fish....Some of the most serious problems are associated with increased soil erosion or soil mass movements such as landslides and earth slumps....Erosion accelerates the transport of sediment into streamsSediment fills the spaces between the gravel, reducing the flow of oxygen-rich water that is vital to fish egg survival....when it is time to rise from the gravel and begin stream life, the emerging young fish can be trapped and killed by sediment."(DFO #499 1985)

*"Forest management practices can result in significant inputs into and alterations of the hydrological cycle. Logging can result in water

temperature increases in the summer, modification of stream flow, nutrient leaching and increases in sediment transport....(Sediment transport) is of greatest concern in the steeper slope and upper elevation areas where site specific impacts can be severe....sediments can have serious effects on fish production" (U.B.C.Westwater Research - Water in Sustainable Development - Volume 2 pgs 86,87).

*"The effects of forest harvesting practices on water quality were examined within a watershed 80 km east of Prince George in the central interior of British Columbia between 1971 and 1975. Suspended sediment loading in the study stream, Centennial Creek, increased 4 to 12 times over corresponding levels in an adjacent control stream. Mainline road development was the main source of increased levels of sediment which persisted for the duration of the three years of study. (Brownlee, M.J., et.al., MoF - Land Management Report Number 72, 1991, pg 30).

*"In Oregon, Fredricksen (1965) found a 250-fold increase in stream turbidity and sedimentation during the first rainstorms following construction of 2.5 km of forest road on a 100-ha watershed. Sediment levels continued to be higher than in a companion undisturbed watershed for the next 2 years. It was partly concern over water quality in coastal British Columbia which resulted in resource agencies and the forest industry adopting the Coastal Fisheries-Forestry Guidelines (1988)." (MoF-Basic Soil Interpretations- Land Mgmt. Report #63, October 1991, pg2)

*The first government-ordered audit to extensively examine compliance with the Coastal Fisheries-Forestry Guidelines was conducted by Tripp Biological Consultants Ltd. of Nanaimo in 1992. It concludes six Class 1 and 2 streams, prime fish bearing waterways, suffered a "complete habitat loss" as a result of poor logging practices. In all, 34 of 53 streams surveyed "were affected to some degree" by non-compliance with fish/forestry guidelines. "Logging appears to have caused a substantial reduction in stream stability in the cut blocks examined, partly because of the increase in debris loads present in the Class 3 and 4 streams, and partly because of the increase in sediment volumes behind debris jams". (Tripp-The Application & Effectiveness of Coastal Fisheries Forestry Guidelines in Selected Cutblocks on Vancouver Island - April 1992).

*Various government agencies are currently working on the development of B.C. interior fisheries forestry guidelines.

EBA Engineering Consultants Ltd.

June 26, 1996

Blake, Cassels & Graydon
1700-1030 West Georgia Street
Vancouver BC, V6E 2Y3

Attention: Paul R. Cassidy

Assessment of Recent Road Building at Long Creek and Penfold Valley Quesnel Lake, BC

Dear Sir:

At your request, I attended the above captioned sites to assess the recent road construction with respect to the Forest Practices Code of British Columbia (FPC), (in particular the Forest Road Regulation Parts 3 and 4).

On June 13, 1996, accompanied by Mr. Bill Rand of West Fraser Mills Ltd. (WF), I walked the upper 4km of Long Creek Mainline. The lower portion of the road was observed during a drive over. The Penfold Mainline was walked from the start of new construction for approximately 1km and the remainder flown over by helicopter.

During preparation of this letter, I have reviewed the following:

- A video recording made partially on May 19 and 20, 1996.
- A video recording made June 7, 1996.
- Investigation reports prepared by Mr. Norm deWynter, Ms Gyl Connaty, Mr. Bill Chapman and Mr. Barry Trenholm.
- The road permit for the Long Creek and Penfold Valley construction.
- Photographs taken by Mr. Rand on June 6, 1996, concurrently with photographs taken by MOF personnel during an investigation and inspection of the Long Creek and Penfold Valley road construction.

#1 - 4376 Boban Drive, Nanaimo, B.C. V9T 5V1
• Telephone (604) 756-2256 • FAX (604) 756-2686 •



Concerns have been raised regarding water management along sections of the Long Creek road construction. Based on my site visit and review of the material noted above, there was no evidence that the existing culverts did not satisfactorily pass the flows experienced in the Spring of 1996. Ditch blocks and inlet basins had been formed to control the movement of sediment and there was no evidence of significant sedimentation in the drainage courses downslope of the road.

The condition of the sites visited will require maintenance of the type which is considered typical for newly constructed roads. It is noted that access to perform maintenance has only recently been possible due to the saturated condition of the road surface. It is therefore my opinion that WF has met the general requirements of the FPC with respect to culvert installation and sediment control.

Below the upper switchback on the Long Creek Mainline there was evidence of rilling which indicates flow down the road surface. There were small wedges of sediment evident on the slope extending down from the mainline to the end of the lower spur road. As well, there was minor sediment accumulation on the end of the spur road bench and in the slash beyond the end of it. However, little sediment was evident below this spur. There was also sediment on the road bench near the junction of the spur with the mainline and below the road in the area of the junction.

None of the sediments observed approached a visible body of water and the sediment deposition was considered to be minimal. There does not appear to have been a significant transfer of sediment in this area and the impact on forest resources due to the flow appears to be minimal.

Based on the observation made in the Penfold Valley, I am of the opinion that the recent road construction in this area conforms to the general requirements of the FPC.

Respectfully Submitted,
EBA Engineering Consultants Ltd.



Handwritten signature of Robert A. Patrick in black ink.

R.A. Patrick, M.Sc., P. Eng.
Senior Geotechnical Consultant



APPENDIX A: The Media and the Politics of the Long Creek Controversy

This appendix is a collection of newspaper article excerpts based on events resulting from the Long Creek mainline road investigation. Almost all the articles are sourced from Williams Lake and Quesnel newspapers – the Williams Lake Tribune, the Williams Lake Advocate, and the Quesnel Observer – cities in which West Fraser Mills had a concentration of its fibre, processing mills and political investment.

Over a period of three decades, West Fraser aggressively and substantially increased its forest operations land base in British Columbia and was, by the 1990s, far ahead of the forest industry giants in quarterly profit margins. At \$72,750, West Fraser was cited as the highest forest company contributor of direct political campaign funds to the B.C. Liberal Party for the 1996 provincial election, which the Liberals lost. On another level, West Fraser’s president and CEO, Henry H. Ketcham III, “former chairman of the B.C. Council of Forest Industries”, and “a founding member of the Forest Alliance of B.C.”,⁶⁰ became a director of Hollinger Inc. in March 1996, Conrad Black’s newspaper empire transnational corporation. Furthermore, David Radler, president of Hollinger Inc., had been on West Fraser’s Board of Directors since 1991. As of April 1996, Southam Inc.⁶¹ became full owner of the Williams Lake Advocate and 100 Mile Advocate, both of which are printed by the Prince George Citizen, also owned by Hollinger Inc.

D4 ★ The Vancouver Sun,
Wednesday, February 26, 1992

**WEST FRASER TIMBER
CO. LTD.**



Dr. Clark S. Binkley

Mr. H. Ketcham, President and Chief Executive Officer of West Fraser Timber Co. Ltd. announced the appointment of Dr. Clark S. Binkley to its Board of Directors. Professor Binkley is Dean of the Faculty of Forestry at the University of British Columbia. Prior to joining the faculty of U.B.C. Professor Binkley served on the faculty of Yale University, both in the School of Forestry and Environmental Studies and in the School of Organization and Management.

Professor Binkley holds degrees in Applied Mathematics as well as in Engineering from Harvard University and a Ph.D. in Forestry and Environmental Studies from Yale University.

1992

Directors and Officers

The names and municipalities of residence of the directors of the Company, their principal occupations during the past five years and the periods during which they have been directors of the Company, are as follows:

| <i>Name and Municipality of Residence</i> | <i>Principal Occupation</i> | <i>Period a Director of the Company</i> |
|----------------------------------------------|---------------------------------------------------------------------------------------------|-----------------------------------------|
| Henry H. Ketcham, Jr. Seattle, Washington | Chairman of the Board of the Company | Since December 1, 1966 |
| Henry H. Ketcham, III Vancouver, B.C. | President and Chief Executive Officer of the Company | Since September 16, 1985 |
| Clark S. Binkley Vancouver, B.C. | Dean, Faculty of Forestry, University of British Columbia | Since February 13, 1992 |
| Janet W. Ketcham Seattle, Washington | Investor | Since November 21, 1977 |
| William P. Ketcham Seattle, Washington | President of Henry H. Ketcham Lumber Co., Inc. (private investment company) | Since December 1, 1966 |
| C. Calvert Knudsen Seattle, Washington | Retired Chairman and Chief Executive Officer of MacMillan Bloedel Ltd. (forest products) | Since June 12, 1980 |
| F. David Radler Vancouver, B.C. | President and Chief Operating Officer of Hollinger Inc. (newspaper publishing and printing) | Since December 10, 1991 |
| Charles R. Tittlemore Calgary, Alberta | Retired Executive Vice-President of Abitibi Price Inc. (forest products) | Since September 15, 1981 |

H. Douglas Floyd, who was a director of the Company since September, 1979, died on April 26, 1992.

Each director has held the same or similar principal occupation with the organization indicated or a predecessor thereof for the last five years, except Clark S. Binkley who, in 1990, was the Frederick K. Weyerhaeuser Professor of Forest Resources Management, Yale University and before that was a Professor of Forestry at Yale University.

The Company’s audit committee consists of five directors. Clark S. Binkley, Janet W. Ketcham, William P. Ketcham, C. Calvert Knudsen and Charles R. Tittlemore. The Company’s compensation committee, which makes recommendations to the board of directors regarding the remuneration of directors and senior officers, consists of four directors, Henry H. Ketcham, III. C. Calvert Knudsen, F. David Radler and Charles R. Tittlemore. The Company has no executive committee of the board of directors.

⁶⁰ Vancouver Sun, March 26, 1996, page C7.

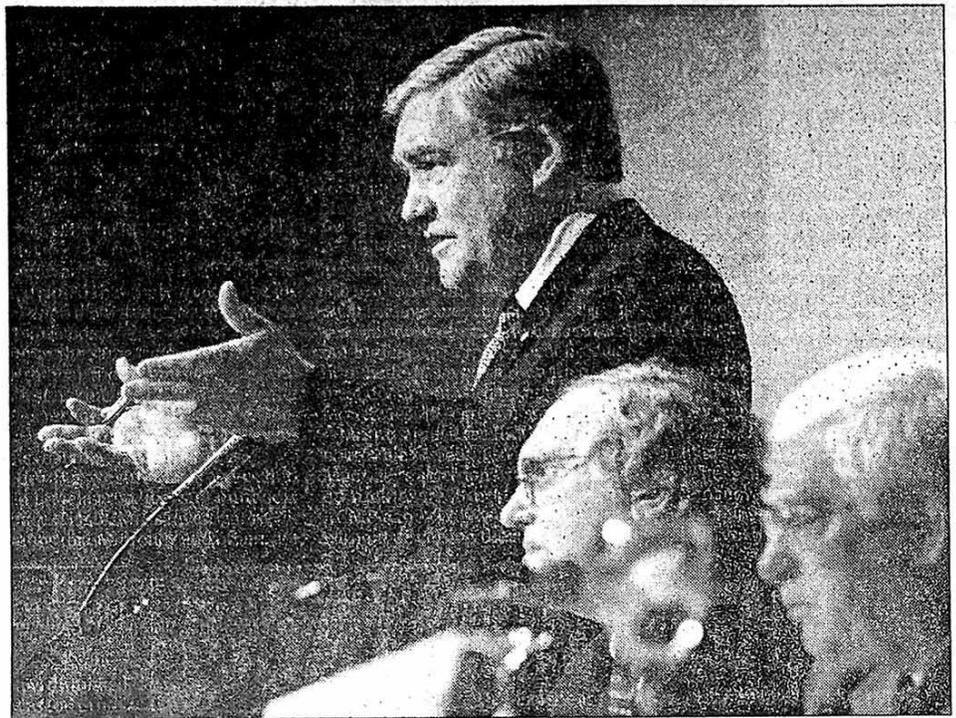
⁶¹ Controlled by Hollinger Inc. in 1997.

Immediately after the United Fishermen and Allied Worker's Union (UFAWU) filed its June 3, 1996 letter of complaint with the Ministry of Forests, requesting an investigation of the Long Creek mainline road and all roads within the Quesnel Lake forestry operations area, West Fraser Mills' staff and the local Williams Lake IWA began to pressure and ridicule the UFAWU asserting that the information presented to the MOF by the "observers" was fabricated, inconsequential, and politically motivated. Ironically, the IWA rallied behind West Fraser, primarily a non-union company. As union members joined under the B.C. Federation of Labour umbrella, the IWA and the UFAWU quickly became entangled in union protocol, infighting, and control – the century old issue of timber resource extraction and its effects on the fisheries resource.

Through its web of influence and capital, West Fraser Mills was able to rally an effective public attack on the Ministries of Forests' and Environment's investigation of the Long Creek mainline road, a matter which was painfully evident to the Ministry of Forests Horsefly District Manager, the Williams Lake Regional Manager, Mike Carlson, and David Zirnhelt, the Minister of Forests and MLA for South Cariboo.

D7 - May 30/96

Nothing to fear from Southam ownership, Black claims



ANDY CLARK/Reuter

HAND IT TO THEM: Conrad Black deflects journalistic criticism, encourages Hollinger shareholders at AGM

NEWSPAPERS' PAL

SANDRA RUBIN
Canadian Press

TORONTO — Publishing magnate Conrad Black said Wednesday he's the greatest friend Canadian newspapers have and the only one still buying them.

He insisted Canadians have nothing to fear from his stepped-up ownership.

"You may not like it but I appear to be the only game in town," Black told reporters after Hollinger Inc.'s annual meeting. "If we're the only people buying, where am I a menace to the public interest?"

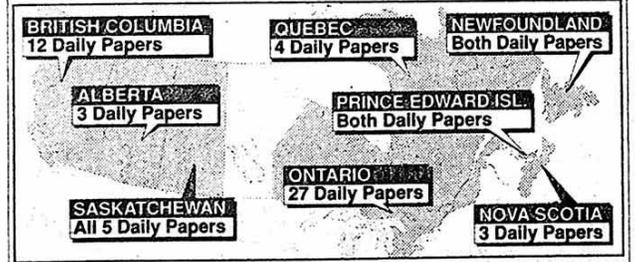
Black doubled his stake in Southam Inc. to 41 per cent late last week and announced plans to take full control of the company and its 19 mostly big-city dailies.

That will leave Black at the helm of 58 of Canada's 104 daily newspapers.

He shrugged off criticism that his recent moves put too much control of Canada's media in the hands of one person. He said daily papers of

HOLLINGER INC.

Hollinger Inc. expanded again by buying control of Southam. The deal gives Hollinger, controlled by media mogul Conrad Black, 58 dailies across Canada.



Sean Vokey/CP

Hollinger and Southam combined reach only 7.2 per cent of the Canadian population.

"Go to a hotel and turn on your TV set and you get 60 channels courtesy of Ted Rogers," he said. "What are they talking about?"

He said he hasn't seen much evi-

dence of government concern beyond "three NDPers."

"I don't think there's been much criticism. There's the predictable people from schools of journalism they dredge out on these occasions, and a

Please see **BLACK, D8**

Newspapers aren't what they used to be

VICTORIA - I hate to sound like a wounded old dinosaur, but the newspaper business ain't what she used to be.

There was a time when newspapers were run by newspaper people, who actually believed that the space between the ads counted for something. That's gone the way of the dodo bird. Today, newspapers are big business, I mean big.

What's even more worrying, the power of the media in general and the press in particular, is concentrated in fewer and fewer hands. And yet, the man who controls the Western world's third-largest newspaper company says there's no reason to be concerned about ownership concentration in the media.

Canada's own Conrad Black owns 43 per cent of the country's newspaper circulation, read by more than half of Canada's population. That, by any standards, gives him an extraordinary position of power.

Aside from admiring Black's awesome business acumen, I have never been one of his fans, the reason for which may, in part, be that he doesn't think much of newspaper people either, as a quote from the man will show:

"My experience with journalists authorizes me to record that a very large number of them are ignorant, lazy, opinionated, intellectually dishonest and inadequately supervised. The profession is heavily cluttered with abrasive youngsters who substitute commitment for insight, and to a lesser extent, with aged hacks toiling through a miasma of mounting decrepitude. Alcohol is endemic to both groups."

At age 61, I suppose, I fit into the "aged hack" group, but having been in the newspaper business for about 35 years, I remember a time a time when there was true competition in the newspaper industry, something Black wouldn't have a clue about.

When I covered the municipal beat for the Winnipeg Free Press and later the Victoria Daily Colonist, city hall didn't get away with anything. If I didn't get a story before council even dealt with it, my opponent from the other paper would.

Today, without competing papers in most cities, and tight budgets, controlled by bean counters, many papers don't even cover city hall on a full-time basis anymore and, as a consequence, municipal politicians get away with murder.

A recent example at Victoria city council serves as a case in point. Acting on a "confidential report" by senior city hall staff, council set the wheels in motion for the most far-reaching administrative reorganization in decades.

The conference centre will be privatized, the city's parks department will be wiped out and added the engineering department, people will lose jobs and others will be demoted. We're talking about a major hatchet job here.

Not only did the daily paper have any inkling beforehand of what was coming down the pike, they had nobody at the meeting when it happened. The only reporter present was Russ Francis of Monday Magazine, a weekly publication

which still believes that city hall coverage is important.

In the "good old days" of journalism, that story would have surfaced long before, and the council chamber would have been packed with irate citizens, demanding explanations from their elected officials.

Alas, there wasn't a member of the public present when councillors decided to strip the City of gardens of its parks department.

I just don't trust Black when he says we have nothing to fear from the concentration of newspaper

ownership. If you take your newspapers seriously, you have everything to fear from Black and others like him.

With the majority of newspapers in fewer and fewer hands, bigger and bigger newspaper empires are catering more and more

to profit and less to what they were intended for - informing the public.

This is one aged hack who wishes Black had gone into the fashion industry, instead of buying up every bloody paper he can get his hands on. That's my story and I'm sticking by it.

"A lot of the stuff he [Black] says I did, he did."

David Radler

PAPARAZZI PARTNER

"Employees [at the Sherbrooke Record] were monitored, more or less good-naturedly, but with superhuman persistence . . . When one reporter marched into David's office to present a petition of grievances, David fined him two cents, deducted from his weekly paycheck, for wasting a sheet of paper."

— Conrad Black writing in *Conrad Black: A Life in Progress*, 1993

ELENA CHERNEY
Southam Newspapers

MONTREAL — One of the first things David Radler told me was not to believe everything Conrad Black says.

"Don't think I did all the mean things," the president of Hollinger Inc. said when I told him I was reading Hollinger chair Black's autobiography.

"A lot of the stuff he says I did, he did," Radler said smiling and without rancor as he sat in the back of a limousine en route to the airport after Hollinger's annual meeting in Toronto last Wednesday.

The meeting went well and "the questions were easy," Radler said, sounding pleasantly surprised.

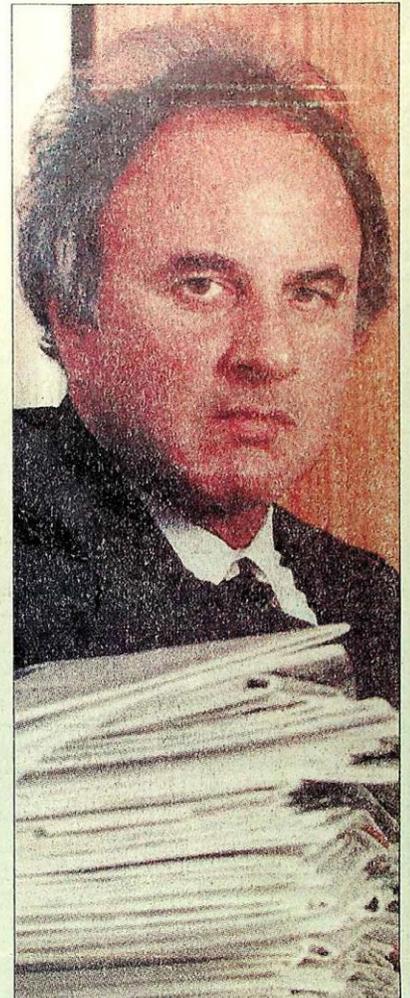
The last few days had not been so easy. On May 24, Hollinger announced it had increased its stake in newspaper publisher Southam Inc., which owns 20 Canadian dailies, to 41 per cent from 20 by buying the shares held by Power Corp. for \$294.3 million.

Black became the most powerful newspaper owner in Canada and the breathless paparazzi crush that greeted Black on the sidewalk before Wednesday's meeting did not lie in wait for the 53-year-old, grey-haired Radler.

Black, as Radler says of his friend and partner of 30 years, "is often considered to be the point man."

Radler, as president and chief operating officer of Hollinger Inc. and American subsidiary Hollinger International Inc., with 115 daily newspapers in the United States and 58 in Canada, has

Please see **Radler, D2**



RADLER: Conrad Black 'often considered to be a point man.'

West Fraser was gambling on political pressure from the support of local politicians, the community forestry coalition, and the local press, circumstances which would influence, politically, the outcome of the inter-ministerial investigation of the Long Creek mainline. When Ron Davis' *Review* (September 12, 1996) vindicated West Fraser of four of the five minor charges filed against them under the *Forest Practices Code*, they, and their political supporters, were then in a position to blame the UFAWU, the Sierra Legal Defence Fund, and the observers for causing unnecessary delays, the waste of taxpayers money, and a bad reputation for logging in the Quesnel Highlands.

Documentation and information provided in the Say-No-More report counters and challenges the claims by West Fraser Mills.

Vancouver Sun, June 11, 1996. Investigation Launched into Forest Firm's Roads.

The investigation of West Fraser Mills Ltd. began after video footage obtained by environmentalists in the Long Creek and Penfold drainages of Quesnel Lake was sent to the United Fishermen and Allied Workers' Union.

One of the environmentalists who obtained the video footage was Doug Radies of the Cariboo Mountains Wilderness Coalition. He said the issue is not the Penfold Creek but the entire Quesnel Lake drainage and the effect of logging silt on fish stocks. "The concern is the cumulative impact", he said. "This is an area of steep mountainous terrain with heavy rainfall. Extremely high [natural] values in this country are being seriously compromised by logging practices."

Jan Sun Sat June 29/96 11/4

Environmentalists denied access to videotape in GVRD watersheds

CHARLES MONTGOMERY
Vancouver Sun

Environmentalists who want permission to videotape logging road erosion in local watersheds must wait until the Greater Vancouver regional district completes its own studies.

The Society Promoting Environmental Conservation had asked the district to overturn a May water board decision refusing its members access to the watersheds to videotape erosion caused by logging roads.

But on Friday, the district declined to let the group create a "video log" of the watersheds, or to pay for a similar project by its own staff.

SPEC president Paul Hundal said the district doesn't want the public to know about logging road erosion in the valleys that provide area drinking water.

"The staff don't want us up there. Staff has the most to lose because if we find there are serious problems with erosion, then they are the ones responsible," said Hundal.

"Why wouldn't they want a video record of roads in their water supply?"

SPEC has been the water district's most vehement critic in recent years. After landslides fouled the Capilano reservoir in October 1995, Hundal and friend Will Koop videotaped roadside erosion in that wa-

tershed without permission.

But water manager John Morse said the district already has a video library documenting erosion problems. Few people — including Hundal — have bothered to use the library, said Morse.

He said erosion in the watershed is normal.

"It's a fact of life. The overwhelming majority of the slides we have are in the undisturbed, natural areas of the watershed," Morse said.

The GVRD is now finishing a series of studies on the Capilano, Seymour and Coquitlam watersheds. In the fall, the water district expects to begin a year-long public consultation process, using the results of those studies.

It wouldn't be fair to let one interest group do a video survey of the watersheds without the participation of others, said water committee chair Jennifer Clarke.

"We can't continually be giving special privileges to a couple of people and exclude everybody else in the process," Clarke said.

Since SPEC has said it doesn't trust GVRD insiders, Clarke said there's no point in the district spending \$16,000 to conduct its own video survey.

She said there has been no logging in Greater Vancouver's watersheds since 1994.

About one month after the May 20, 1996 investigation of the Long Creek mainline road with video camera in tow, the Greater Vancouver Water District (renamed, Metro Vancouver) prevented the same video cameraman from videotaping logging practices in Metro Vancouver's three drinking watersheds (the Capilano, Seymour and Coquitlam), where logging had been occurring since the late 1960s.

Three years later, in May 1999, after Mr. Koop was granted access by the Water District Board to inspect, photograph and videotape logging practices, he found scathing evidence that linked poor road practices to fouling the public's water supply.

Williams Lake Tribune, June 11, 1996. Videotaped Allegations Halt Long Creek Activity.

The video alleges that road building in the area has resulted in silt entering the Long Creek and subsequently Quesnel Lake. That, in turn, according to allegations, impact the salmon habitat.

"We've gone out and looked at the road and we don't see that his (Doug Radies') accusations are valid," said Guenter Weckerle, West Fraser woods manager.

Weckerle said West Fraser will be taking union [Fishermen Union] members to the area this week to show what is happening in the area.

Williams Lake Tribune, June 18, 1996.
Long Creek Damage Claims Toned Down.

[Guenter] Weckerle said culverts are normally damaged over the course of the winter. "There was no sign that any one of those damaged culverts weren't holding water," he said. "... While there are some culverts to be replaced, that is not abnormal."

JESDAY JUNE 11, 1996

Videotaped allegations halt Long Creek activity

BY BILL PHILLIPS
Tribune Staff Writer

An environmentalist's video has halted West Fraser's activities in the Long Creek area near Quesnel Lake.

"We are conducting an investigation in the Long Creek area on the North Arm," said Bill Young, Horsefly Forest District manager, yesterday. "Until that proceeds a little further we won't issue an amendment to the Penfold."

Young has received a video from the United Fish and Allied Workers Union which was apparently prepared by environmentalist Doug Radies. The

video alleges that road building in the area has resulted in silt entering the Long Creek and subsequently Quesnel Lake. That, in turn, according to the allegations, impact the salmon habitat.

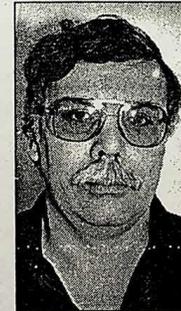
"We've gone out and looked at the road and we don't see that his accusations are valid," said Guenter Weckerle, West Fraser woods manager.

Weckerle said West Fraser will be taking union members to the area this week to show what is happening in the area.

Ministry of Forests and Ministry of Environment staff investigated the sight

last week. Young said he will have a detailed report completed by Wednesday.

Guenter Weckerle



That report will be presented to West Fraser which then gets to state its case to the ministry. "Then I make a decision," said Young.

Should Young decide there have been violations, various penalties can be imposed under the Forest Practices Code.

He added the ministry hasn't restricted road maintenance in the area and West Fraser is conducting basic "spring" work.

"We're taking the situation very seriously," said Young, adding the ministry wants to ensure all roads are built according to Forest Practices Code specifications.

Weckerle feels the ministry [MOF] over-reacted. Even though further permits have been delayed,

West Fraser has not been issued a stop work order on current permits nor has it been requested to conduct remedial work.

"We're being seen as guilty until proven innocent," said Weckerle. "(It's) based on a questionable video by a person who wants to destroy the Cariboo-Chilcotin Land-Use Plan."

Williams Lake Tribune, June 18, 1996.
A Travesty in The Woods - editorial.

Vancouver's favorite pain in the Cariboo's butt has returned. Professional environmentalist Doug Radies is once again weaving his web of misinformation throughout the Cariboo.

Quesnel Cariboo Observer, June 19, 1996.
Not Impressed: West Fraser Mills Questions Credibility of Critics.

In fact, he [Guenter Weckerle, West Fraser Mills' Woods Manager] says, there is no evidence – contrary to a May video produced by environmentalist Radies – that any amount of sediment or runoff from the new road has had any impact on

THE WILLIAMS LAKE TRIBUNE, Thursday February 27, 1997, A 5

Media willing accomplices in forest debacle

Editor:

The dissemination of balanced, reliable information to the public on topical matters by the Cariboo Chilcotin's version of the fourth estate, could most kindly be described as partisan: no Watergate would have surfaced in this elitist atmosphere. Nixon would be safe and made a hero, Woodward and Bernstein the villains.

As an example, when the Long Creek/Penfold story broke, the entire media went into a frenzy of denial before having knowledge of the situation or the circumstance. There were at least 20 witnesses, including the writer, to the infractions in question. Many of these people were highly trained experienced professionals.

Not one of the media outlets waited for the Horsefly district manager's report to come in. Bill Young sent his crew out to do a careful, comprehensive investigation.

Meanwhile, the battle raged. The stalwarts of journalism went into the at-

tack mode; kill the messenger, or at least discredit him as a "foreigner," a meddling troublemaker who lives in the city and is out to discredit our wonderful industry fellows, who for the most part happen to be the real foreigners.

West Fraser officials arrived from Oregon to marshal the troops and take the media on free helicopter junkets. Remedial measures went into high gear, the air over Quesnel Lake was alive with flying objects for days.

When Bill Young's report came in, it substantiated five contraventions and slapped the offending wrist with a measly fine. The company handled the problem with great sensitivity, they threw large sums of money at it. They appealed, hired some very high priced help and succeeded in having four of the five charges dropped.

Young might just as well have sent his men out for a beer, at least someone would have had a good time.

Roy Blake
Williams Lake

the lake or its salmon spawning grounds. Says Weckerle: "We know we're operating in a sensitive area and we're doing everything we can to build top quality roads and to incorporate environmentally-sensitive logging practices."

"The ministry of forests, ministry of environment and the department of fisheries and oceans have all been involved in this process. And all along we haven't been told that we've contravened anything nor have there been charges laid."

Concluded Weckerle: "We have nothing to hide ... and the fact is we are required to tell the truth all of the time while our accusers are not."



Pete

The anchor of S.S. West Fraser

■ *It is hard to imagine Pete Ketcham as the hard driving, tough bargaining negotiator of hundred million dollar business deals.*

He has the face and demeanor of an amiable Baptist minister. Smiles comes easily. He is soft-spoken, courteous and a compassionate listener.

Pete seems to have time for everyone. A walk through the Quesnel sawmill with him takes time. He makes eye contact with people, stops and talks ... the subject matter leaning more to the well-being of the employee's family than about "the mill".

That's always been the Ketcham way. For Sam, Pete, Bill and now Hank. Take the time to know people. Don't act interested. Be interested.

It used to be much easier, Pete confesses as he finds an empty office

Seattle mill yard.

Henry met and married Gina Peters and in 1922, Pete became the first of their three sons. Bill was born in 1924 and Sam in 1929.

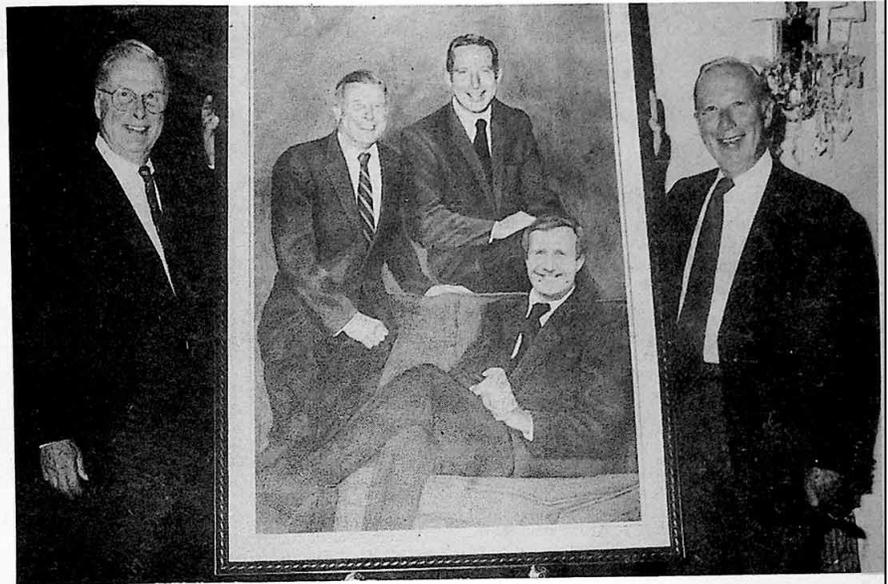
By the mid 1920s Henry had struck out on his own, establishing a lumber wholesale business in an office the size of several large phone booths. His one man operation survived the stock market crash of 1929 and beyond.

The Ketcham boys were never the athletes that their father had been, at least not in the world of sport. The family was tight-knit, spending its summers on what became the family farm on Bambridge Island.

The boys went to prep school and church on Sundays. Says Pete:

"It was as normal an upbringing as you could get ... during the depression."

In 1943 Pete joined the U.S. Air Force and



The Ketcham brothers: Then and now. Pete and Bill with portrait of Sam and themselves in the 1970s.

Williams Lake Tribune, June 20, 1996. Long Creek: Coalition slams video.

Meanwhile, the Cariboo Communities Coalition is not mincing words in condemning the delay in issuing permits to West Fraser. "We're upset groups are trying to come in here and go around the Cariboo-Chilcotin Land-Use Plan," said Brian Goodrich, Coalition Chair. "The video was filled with inaccuracies. It did not present the facts very well."

That sentiment is echoed by Coalition member Wade Fisher who has been to Long Creek and says: "It's a good road ... Radies can say whatever he wants and the workers pay the price."

Williams Lake Tribune, June 20, 1996. Challenge to West Fraser Integrity Insulting, Groups Should Let Good Process Do Its Job.

[Open Letter to B.C. Forests Minister David Zirnheld, from Brian Goodrich and Wade Fisher (IWA), on behalf of the Cariboo Communities Coalition]

Of course it was no surprise to see the media cover the story, based on the conservation group's questionable videotape. It had all the appearances of a carefully orchestrated media campaign to erode the credibility and validity of the extensive checks and balances system put in place by the MOF for monitoring road building plans and operations.

Surely there must be some sanity and commitment to the plan shown by Forests officials. If they continue to react in this manner to questionable and inaccurate information, it will severely erode the foundation of trust upon which people in the Cariboo established the Cariboo-Chilcotin Land-Use Plan.

How will (the Ministry of) Forests react to similar unsubstantiated accusations elsewhere? How many people will not go to work because of these misinformed and inaccurate accusations?

OUR TOWN NOT IMPRESSED:

West Fraser Mills questions credibility of critics

GUENTER WECKERLE is emphatic in his description of environmental preservationists like Doug Radies.

Allegations that West Fraser Mills Ltd. is building sub-standard roads in the Penfold and elsewhere on Quesnel Lake hillsides are "wrong". Indeed, according to the woods manager for the company's Williams Lake operations, a 10 kilometre road punched into the Long Creek area on the North arm of the lake complies with all aspects of the new Forest Practices Code.

In fact, he says, there is no evidence - contrary to a May video produced by environmentalist Radies - that any amount

of sediment or runoff from the new road has had any impact on the lake or its salmon spawning grounds. Says Weckerle:

"We know we're operating in a sensitive area and we're doing everything we can to build top quality roads and to incorporate environmentally-sensitive logging practices."

Weckerle goes further. He says the battle isn't about the Long Creek Road or even logging in the Penfold, it's about a group of preservationists - like Radies - who are trying to scuttle the Cariboo Land Use Plan.

"We've gone up that road with all kinds of

people," says Weckerle. "Nobody's been able to tell us that we've done anything wrong."

"The ministry of forests, ministry of environment and the department of fisheries and oceans have all been involved in this process. And all along we haven't been told that we've contravened anything nor have there been charges laid."

Logging in the Quesnel Lake area accounts for about 20 per cent of West Fraser's harvest - some

128,000 cubic metres made up of modified clearcuts ranging in size from five to 35 hectares. The company gave up

rights to cut in the Niagara area in order to harvest in the Penfold.

"That was the deal-maker," he says of the Cariboo Land Use Plan.

"But now we have environmental groups from the outside using the United Fishermen and Allied Workers' Union to discredit the Cariboo Land Use Plan."

Weckerle warns that if the environmental lobby is successful, the CLUP could fall apart. Upset that West Fraser is in the position of having to prove its innocence and prevented from logging until a government review of the allegations is com-



Guenter Weckerle: We have nothing to hide ...

pleted, he concludes that the system is unfair. Concluded Weckerle:

"We have nothing to

hide ... and the fact is we are required to tell the truth all of the time while our accusers are not."

Quesnel Cariboo Observer, June 23, 1996.

Accusations About More Than Just Salmon.

[Letter to editor, by Wayne Clogg, West Fraser Mills vice president of B.C. woodlands]

The environmentalist [Doug Radies] used a highly misleading video to dupe the UFAWU into thinking salmon-bearing streams were being endangered by our road construction and maintenance. It is simply not true.

... the area has been inspected by two separate government teams and **no remediation orders or stop work orders** [bold emphasis: the MOF failed to enforce them] have resulted to date. We have employed an independent biologist [Hebert, of Bio Terra (Aquatic division of Inland Timber)] and an independent road engineer [R.A. Patrick, page 7 of report] who have discovered no substance to the serious charges contained in the UFAWU letter.

Quesnel Cariboo Observer, June 23, 1996.

Punchlines - Jerry MacDonald.

There was no evidence which indicated that tons of debris were washing into Quesnel Lake. In fact, there was no evidence that any debris had made its way into the lake.

The Williams Lake Tribune, June 25, 1996.

Permit Holdup 'Appropriate'

... Zirnhelt [Forests Minister] has already said a technical group has spent some time clarifying the requirements of the Forest Practices Code. He added: "Whatever infractions there are, were minor infractions." The MLA also said environmentalists "overreacted".

"And it turns out no salmon streams were involved in this," Zirnhelt added.... "And he added that West Fraser's permit [Penfold

Long Creek issue not orchestrated

Editor:

I feel it is time to respond to the rhetoric and innuendo that is circulating in the press regarding the Long Creek controversy.

First off, I would like to say that the issue was not orchestrated by Doug Radies, the Quesnel River Watershed Alliance or any other environmental group. There was no attempt by anyone to mislead either the UFAWU, the Sierra Legal Defence Fund or the government.

Further, it was, and is, simply a matter of protecting and preserving important fish habitat.

The B.C. Ministry of Environment and the federal Department of Fisheries and Oceans have been concerned about the effects of timber harvesting and related road-building activities on the Quesnel Lake/Horsefly River fish stocks for several years.

In 1994 the B.C. Ministry of Environment commissioned a sediment source mapping study in the Horsefly River drainage which subsequently identified 466 major man-made sources of sediment entering the Horsefly River (86 per cent of which are associated with resource development). Timber harvesting and road building accounted for most of these man-made sources.

In response to these findings, the United Fisherman and Allied Workers' Union and the Sierra Legal Defence Fund conducted a review of the forestry roads in the Quesnel/Horsefly area in July 1995.

We found and reported on widespread incidences of improper road building, maintenance and deactivation in several watersheds covering the areas of operation of several of the major licences.

We also found evidence that sediments from road-related erosion were entering local rivers and streams.

The results of our survey were submitted to government agencies in September 1995 for their consideration and accompanied with a demand that action be taken to address these problems. This was done without public fanfare or finger-pointing.

Six months later, an opportunity arose to examine and evaluate some recently constructed forestry roads. Doug Radies informed me that he was going to the Cariboo to visit the Penfold Valley and that he would be stopping in at Long Creek. I requested that he videotape the condition of the roads in those areas.

When he returned, I reviewed the videotape and arranged for a representative of the UFAWU to view the tapes as well.

The much anticipated changes we expected to find as a result of our previous report to government and the enactment of forest road provisions of the Forest Practices Code were simply not there.

So we wrote to the district manager requesting that no further road permits be issued or new construction be allowed to proceed until our concerns were addressed.

Essentially, we were asking that the roads be brought up to code standard and that, if the company was found to be in violation of the code, that the appropriate enforcement action be taken. Apparently both the Ministries of Forests and Environment agreed that there was cause for concern as this precipitated in the recent determination against West Fraser.

It is unfortunate that only West Fraser's roads were the focus of the ministry investigation. It could easily have been the roads within the area of operation of any of the other major licensees.

However, the circumstances are that Long Creek and Penfold were the areas visited on this particular foray.

We have since been back to the Quesnel/Horsefly watershed and documented many similar road-related problems in other areas. This information will be brought to light in the very near future.

What I cannot understand is the vehemence with which both West Fraser and the IWA are attacking concerned public interest groups on this issue.

The company steadfastly denies there were any problems with their roads, yet the Ministry of Forests decided otherwise. The fines levied were not unreasonable considering the extent of the problems detailed by investigators.

The IWA maintains that this action was unwarranted and would result in lost jobs. On the contrary, if both the licensees and the government act responsibly and work to address the problems associated with ferry roads, both old and new, as required under the Forest Practices Code, several additional jobs should be created to the tune of several millions of dollars.

The monies should come from Forest Renewal B.C., in the case of maintaining or deactivating roads under the control of the Ministry of Forests (i.e. roads no longer under permit to a licensee) and/or by monies provided by the licensees in the case where the roads are under their control.

To reiterate, the actions of the UFAWU and the Sierra Legal Defence Fund in this issue were motivated by concern for this valuable fisheries resource. The Quesnel/Horsefly system produces approximately 12 million adult sockeye salmon during peak run years. In 1989, this stock contributed to a landed value to the commercial fishery of approximately \$87 million.

So you see, this is a stock well worth protecting.

John Werring
Biologist/Investigator
Sierra Legal Defence Fund

road permit] "won't be held up unduly. I think that was the fear -- that this would become another Clayoquot. But it won't -- development will happen in there. That was the deal."

Williams Lake Tribune, June 25, 1996. West Fraser Gets CRD Support.

West Fraser Mills Ltd. found support among the Cariboo Regional District directors last week. West Fraser representatives Troy Hromadnik and Bill Rand made a presentation to the board Friday regarding allegations of possible violations to the Forestry Practices Code during road building at Long Creek.... According to Hromadnik, the allegations are not so much about sedimentation as they are about the Cariboo-Chilcotin Land-Use Plan.... He assured the board the roads in question were well planned and met the approval of the Ministry of Forests and Ministry of Environment.

The video that the allegations are based upon, he [Hromadnik] said, does not show any footage supporting the claim sediment is entering Quesnel Lake due to West Fraser's road construction.

Williams Lake Advocate, June 26, 1996. Allegations Unfounded. [Open letter to Premier Glen Clark, from Wade Fisher, IWA financial secretary for local 1-425. Note: Wade Fisher, accompanied by 7 West Fraser officials, the MLA for Cariboo North, and two representatives from the UFAWU, visited the Long Creek mainline on June 10, 1996.]

"I saw no evidence of siltation or damage to fish habitat in Long Creek or Quesnel Lake."

"This is one of the best jobs of road construction that I have seen. This construction typifies the commitment the forest industry has to the implementation of the CCLUP (Cariboo-Chilcotin Land Use Plan)."

Coalition muddies the waters

Editor:

As the MLA for Cariboo South, I have been involved in forest and land use issues very closely over the last two years. As the newly-appointed Forests minister, I have been given responsibility for the area's number one industry.

Both these roles prompt me to reply to the letter of the Cariboo Communities Coalition, printed in your pages, regarding possible Forest Practices Code violations in Long Creek and the Penfold.

As I have already explained to your reporter, I have reviewed this carefully. I believe that the public understands that when there is an allegation that the code is not being followed, this has to be treated seriously by the forest service -- particularly when the possibility of damaged fish streams is involved.

Rather than over-reacting, Bill Young, the Horsefly forest district manager, personally inspected the site and found that there was cause for continuing to a more detailed investigation. This matter should be concluded very shortly.

While the Penfold has been a con-

troversial area in the Cariboo-Chilcotin Land-Use Plan, the Cariboo Communities Coalition should not "muddy the waters" by mixing this isolated Forest Practices Code investigation with

the big-picture land use planning process, which I and the forest service are firmly committed to.

**David Zirnheft
Minister of Forests**

Van Sun Fri July 5/96

West Fraser levied \$9,750 fine for threat to salmon run

GORDON HAMILTON
Sun Forestry Reporter

West Fraser Mills has been fined \$9,750 by the B.C. forest service for road-building practices that threatened sockeye spawning streams near Quesnel Lake.

But the United Fishermen and Allied Workers Union believe the problem of poor logging-road construction and maintenance uncovered at Quesnel Lake is also widespread in the nearby Horsefly River region, which supports one of the province's largest salmon runs.

UFAWU president John Radosovic said he was not particularly happy to see West Fraser fined. What fishers are seeking is a cooperative approach to prevent practices that lead to silt making its way into salmon rivers in the first place, he said.

In bumper years, 12 million sockeye return to the Horsefly, rivaling the Adams River as the province's most important salmon run.

Radosovic said "in all probability" there are other examples of the situation that led to West Fraser being fined. The T. Buck Suzuki Foundation is investigating other road-building problems in the region and intends to forward the information to the forests ministry.

The UFAWU initially brought the West Fraser incident to the ministry's attention.

Using video images of erosion caused by road-building, the UFAWU alleged June 3 that West Fraser's road-building activities caused widespread slope failures, road erosion and siltation of Long Creek, on the west side of Quesnel Lake over the past two years.

The B.C. forest service examined Long Creek, and found logging debris in water courses, insufficient draining systems, and eroded material deposited within metres of a stream.

The fines were levied under the Forest Practices Code and forest-road regulations after the Horsefly district manager found the contraventions posed a threat to water quality and fisheries resources.

There are 1,200 kilometres of logging road in the area. John Werring of the Sierra Legal Defence Fund said the problems that result from poorly-planned roads, poor road building, poor road maintenance and de-activation are ubiquitous.

The issue has pitted forest workers against fishers but Werring said it need not be a logging-versus-fishing fight.

| Latest 12 Month | | Close Apr. 11 | Book Value Dec. 95 | P/E Ratio | 12 mo EPS Dec. 95 | Indicated Annual Dividend | | Exchange Listing | Stock Symbol |
|-----------------|----------|------------------|-----------------------|--------------|----------------------|---------------------------|-------|---------------------|-----------------|
| High | Low | | | | | Rate | Yield | | |
| \$36.000 | \$28.500 | \$29.750 | \$24.30 | 8.4 | \$3.54 | \$0.44 | 1.5 % | 300,T,V | WFT |

Recommendation

(provided by Value Sciences Corporation)

Valuation

Date Apr. 3, 1996 Price \$29.875
P/E 8.4 Fundamentals 8.2
Valuation (8) % Cost of Capital 12.2%
Volatility MED © Fundamentals (2)

Another giant in the lumber game -- but this one is doing well. It does command a higher than normal fundamental cash flow multiple of 8.

Buy Below \$24 Sell Above \$32
Based on the © General Valuation Model.
© Copyright, Value Sciences Corporation, 1987, 1992

DBRS: n.a.

Business

THE COMPANY is an integrated forest products company with interests in eleven sawmills, two medium density fibreboard plants, three pulp and paper mills, a newsprint mill and a chain of 32 retail building supply stores. The company supplies dimension lumber, by-product chips, specialty wood products, linerboard, kraft paper, bleached chemi-thermomechanical pulp and newsprint to North American and other markets.

Latest Results

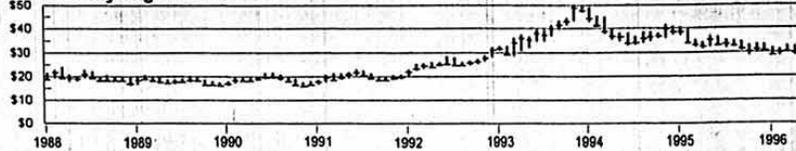
For the year ended Dec. 31, 1995, net income decreased 19% to \$95,848,000 or \$3.54 per share from \$118,478,000 or a restated \$4.71 per share for the prior year. Included in the 1994 results was an after-tax U.S. countervailing duty refund of \$35,900,000 or \$1.42 per share; there were no such items in 1995. Operating revenue increased 17% to \$1,491,789,000 from \$1,280,455,000.

The company noted that operating income increased despite the fact that the wood products division experienced a reduction of over 50% in operating profits due to a sharp drop in lumber prices. Strong prices generated record earnings in the pulp and paper divisions. Historically high chip prices in B.C. reduced pulp and paper margins but added significantly to wood products revenues.

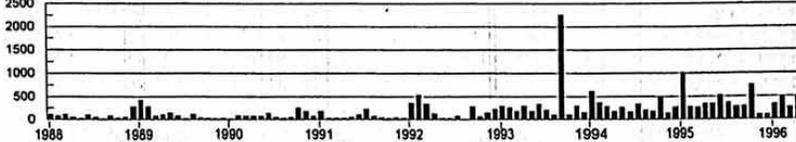
Recent Developments

FEB. 15, 1996 - DIVIDEND INCREASE: The company has declared a quarterly dividend of 11¢ per common share payable Apr. 5, 1996, to shareholders of record Mar. 22; ex-dividend Mar. 18. Previously, quarterly dividends of 10¢ per share were paid from Jan. 9, 1990 to Jan. 5, 1996, inclusive.

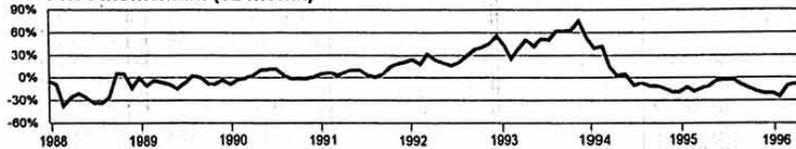
Monthly High Low Close



Monthly Volume ('000)



Price Momentum (12 month)



Williams Lake Advocate, June 26, 1996. Conservationists misrepresent road-building practices.

[Open letter to David Zirnhelt from Brian Goodrich and Wade Fisher, Cariboo Communities Coalition]

Our displeasure stems from the method used by conservation interests that misrepresent the road-building practices ... practices which were continually monitored and approved by Ministry of Forests officials in the area. Despite this intensive monitoring by the MOF, they still over-reacted to a videotape shot of an isolated during spring break-up in the area.

The Burner, June 1996. U.F.A.W. Snags Red Herring, by Wade Fisher.

I, along with some West Fraser management and Mark Warrior and Mitch Anderson of the T.Buck Suzuki Foundation went out to inspect the improper road Workers. Myself, and the executive of the IWA wanted to prove to the foundation that the allegations made by Doug Radies and echoed by the foundation

Long Creek saga is an attack on the land use plan

An open letter to Premier Glen Clark

Editor:

Recently, allegations were made about road construction practices by West Fraser Mills Ltd. in the Long Creek area and the Penfold Valley, near Quesnel Lake.

These are serious allegations and I personally inspected these sites and reviewed the road inspection reports issued by the ministry of forests on June 6, 1996.

I saw no evidence of siltation or damage to fish habitat in Long Creek or Quesnel Lake. I noted only minor instances in some areas which were in need of routine maintenance.

The company was already working on its normal spring road maintenance program and these areas are currently being addressed.

This is one of the best jobs of road construction that I have seen. This construction typifies the commitment the forest industry has to the implementation of the Cariboo-Chilcotin Land-Use Plan.

In spite of broadcast and newspaper stories to the contrary, I know that there are no serious problems with roads in

the Quesnel Lake area that warrant cessation of construction. Therefore, IWA Canada, whose members depend on timber harvesting in this area to work, pay taxes and contribute to the local and provincial economy, respectfully request that development be allowed to continue unhampered.

On a related note, I must question the motives and aspirations of any group that prefers to issue a media release first and then ask for an investigation later. People need to be accountable for the accusations they make, as they seriously impact working people.

This kind of approach clearly ignores the work of the people in the Cariboo who negotiated the Cariboo-Chilcotin Land-Use Plan.

The people who planned and built these roads are proud of what they have done and would gladly host you or any of your ministers who would care to view this area for yourselves. We believe your government is committed to the CCLUP's goals and objectives, and would like to see this plan operationalized in a timely manner.

Wade Fisher
Financial Secretary
IWA Canada Local 1-425

were wrong.... None of us, myself, the West Fraser management or the T.Buck Suzuki Foundation representatives, found any cause for concern over the road building techniques. There were no obvious signs of runoff entering the creeks.

This is a prejudicial and damaging misunderstanding which was instituted and nurtured by Doug Radies and the Sierra Legal Defence Fund. Radosevic (UFAWU president) and the UFAW are pawns who have been caught in this net. This situation paints a graphic example how the radical preservationists will manipulate and manufacture misleading information. ...

UFAWU-CAW

160-111 Victoria Drive, Vancouver, B.C. V5L 4C4

UNITED FISHERMEN AND
ALLIED WORKERS' UNION

Phone: (604) 255-1336

Fax: (604) 255-3162

NEWS RELEASE

For Immediate release

By FAX - One page

Feb. 20, 1997

Fisheries union calls for tough stream protection

VANCOUVER — The United Fishermen and Allied Workers' Union is calling for the Ministry of Environment to take over all stream protection under the Forest Practices Code. The union says it is unacceptable that forest companies are in charge of identifying streams and protecting streams during logging. New evidence released by Sierra Legal Defence shows that most streams are being clearcut right to the streambank and small feeder streams are being wiped out at an alarming rate.

UFAWU Environmental Director Mae Burrows said the problem is that the forest companies were given the responsibility of identifying streams and setting out streamside protection zones, but they have failed miserably. "It's like putting Dracula in charge of the blood bank," Burrows said. "We were promised that the Forest Practices Code would protect all streams, but that won't happen unless the government takes on the task of classifying streams and monitoring logging on the ground."

UFAWU Second Vice-president Jim Sinclair says that the economy and jobs will be losers in the end. "It's bad economics that there is a forest practices code that we are not enforcing — fishing industry workers loose money, forestry workers loose money in the long run and the environment pays in the end."

The solution is give the role of salmon stream protection to fisheries biologists under the Ministry of Environment, says the union. Stream protection zones should be mandatory, and feeder streams should be protected so that sediment and debris does not end up in sensitive salmon spawning and rearing grounds.

For more information contact Mae Burrows: 255-8819 or 526-1956 (home)
or Jim Sinclair: 255-1336

PRESIDENT J. RADOSEVIC • 1ST VICE-PRESIDENT D. BROWN • 2ND VICE-PRESIDENT J. SINCLAIR
UNITED FISHERMEN AND ALLIED WORKERS' UNION / CANADIAN AUTOWORKERS UNION

Williams Lake Tribune, July 2, 1996. Long Creek Saga Is An Attack On The Land Use Plan. [An open letter to Premier Glen Clark, by Wade Fisher, financial secretary for IWA local 1-425]

These are serious allegations and I personally inspected these sites and reviewed the road inspection reports issued by the ministry of forests on June 6, 1996. I saw no evidence of siltation or damage to fish habitat in Long Creek or Quesnel Lake.

In spite of broadcast and newspaper stories to the contrary, I know that there are no serious problems with roads in the Quesnel Lake area that warrant cessation of construction.

Williams Lake Tribune, July 2, 1996.
Coalition Muddies the Waters.
[Letter to editor, from David Zirnhelt, Minister of Forests]

As I have already explained to your reporter, I have reviewed this carefully. I believe that the public understands that when there is an allegation that the [Forest Practices] code is not being followed this has to be treated seriously by the forest service -- particularly when the possibility of damaged streams is involved. Rather than over-reacting, Bill Young, the Horsefly district manager, personally inspected the site and found that there was cause for continuing to a more detailed investigation.

The Quesnel Observer, July 3, 1996. Mayor Defends Logging Practices At Quesnel Lake.

Quesnel Mayor Steve Wallace came out swinging in defence of West Fraser Mills' logging practices this week.

PAGE 8 - WILLIAMS LAKE ADVOCATE - WEDNESDAY APRIL 26, 1995



Timber Supply

IN THE

Williams Lake

TIMBER SUPPLY AREA (TSA)

You are invited to review and comment on the timber supply review discussion paper for the Williams Lake Timber Supply Area (TSA). This is part of a province-wide program by the Chief Forester to examine the timber supply situation in the province. The review will provide the Chief Forester with information to determine harvesting levels that are environmentally sound and that ensure the sustainability of B.C.'s forests.

The discussion paper summarizes the two technical reports -- timber supply analysis and socio-economic assessment -- and identifies the critical areas of public concern in an understandable manner.

Public input on the discussion paper is welcome and will be considered by the Chief Forester before the allowable annual cut is determined for the TSA.

The Williams Lake discussion paper is available at the following locations:

- Williams Lake Forest District**
925 North 2nd Ave., Williams Lake, B.C., V2G 4P7
- Chilcoot Forest District**
Stum Lake Rd., Alexis Creek, B.C., V0L 1A0
- Horsefly Forest District**
Horsefly Lake Rd., Horsefly, B.C., V0L 1L0
- Cariboo Forest Region**
200-640 Borland St., Williams Lake, B.C., VTG 4T1
- Economics and Trade Branch**
Ministry of Forests, First Floor, 1450 Government St., Victoria, B.C.

Please forward written comments to the attention of the district or regional manager at the above addresses.

Deadline for submission is June 1, 1995.

Attend the open houses and learn more about the Williams Lake timber supply review process.

- Monday, April 24, 1995, 1:00-8:00 pm**
Williams Lake Forest District Office
925 North 2nd Ave., Williams Lake, B.C.
- Monday, May 1, 1995, 1:00-8:00 pm**
Alkali Lake Community Centre, Alkali Lake, B.C.
- Monday, May 8, 1995, 6:00-9:00 pm**
Alexis Creek Community Centre, Alexis Creek, B.C.
- Tuesday, May 9, 1995, 6:00-9:00 pm**
Tatla Lake Community Centre, Tatla Lake, B.C.
- Wednesday, May 10, 1995, 6:00-9:00 pm**
Anahim Lake Community Centre, Anahim Lake, B.C.
- Wednesday, May 10, 1995, 4:00-8:00 pm**
Horsefly Community Hall, Horsefly, B.C.
- Thursday, May 11, 1995, 4:00-8:00 pm**
Likely Elementary School, Likely, B.C.



Province of British Columbia
Ministry of Forests

In a letter to Minister of forests David Zirnelt... "West Fraser Mills has always been very conscious of preserving and maintaining the environment and do their utmost to ensure proper methods of operation are used at all times."

LETTER TO THE EDITOR

Williams Lake Advocate June 26/96

Conservationists misrepresent road-building practices

ed. — this is an open letter to David Zirnelt

On behalf of the Cariboo Communities Coalition, we must express our anger and disappointment in the methods used to impugn the integrity of West Fraser Mills' road management practices in Long Creek and the Penfold.

Our displeasure stems from the method used by conservation interests that misrepresent the road-building practices applied by West Fraser in the Penfold — practices which were continually monitored and approved by Ministry of Forests officials in the area.

Despite this intensive monitoring by the MOF, they still over-reacted to a videotape shot at an isolated area during spring break-up in the area. As you know, it's nearly impossible to look anywhere during break-up without seeing mud.

The Sierra Legal Defense Fund (SLDF) and the United Fish and Allied Workers Union (UFAWU) sent letters to MOF district manager accusing West Fraser of road-building viola-

tions based on the conservation group's videotape — without checking the area themselves.

And despite its own monitoring system, the MOF officials descended upon Long Creek and the Penfold seeking violations to lay at West Fraser's feet — calling into question their own monitoring system.

We are extremely disappointed in the willingness of the MOF to avoid due process that has been established under the Cariboo-Chilcotin Land-Use Plan and the Forest Practices Code. Indeed, it seems as though the conservation group decided to use tactics which would invalidate the due process to maintain responsible forest management practices. We view this as a deliberate attempt to question the forest management regulatory and enforcement system by exerting undue media and legal pressure on bureaucrats to make exceptions to their rules.

Our major concern is that if government officials and irresponsible media continue to take such actions based on such flimsy and questionable evidence, it will

call into question the integrity of the entire Cariboo-Chilcotin Land-Use Plan.

We're sure you will recall the extensive and exhaustive dealings that representatives of the major interest groups of the Cariboo-Chilcotin had with the government to hammer out an acceptable land-use plan that was made right here in the Cariboo.

And yet all that work, all those promises and all those commitments seemed to hit a brick wall when a conservation group decided to cry "wolf." We sincerely hope that the MOF's actions in this case were an exception to the system they themselves signed on to under the land-use plan. For West Fraser, this incident casts serious doubts on their integrity. Their president visited the area to see firsthand what the situation was. All who toured the area were surprised with the over-reaction of the MOF officials and media.

Surely there must be some sanity and commitment to the plan shown by MOF officials. If they continue to react in this manner to questionable and in-

accurate information, it will severely erode the foundation of trust upon which people of the Cariboo established the CCLUP.

The conservation group's mischief is that their actions and accusations reflected directly on the responsible management of West Fraser and the workers who took considerable pride in the excellent work they were doing in Long Creek and the Penfold valley.

Finally, we must ask ourselves why the conservation group and its allies chose to go after the Penfold. Despite the fact that West Fraser gave up the entire adjacent Niagara area under the CCLUP, conservation interests expressed concern that the Penfold would be harvested. They ignored the fact that West Fraser still needed a timber supply for its sawmills and the land-use plan made harvesting in the Penfold a major challenge by turning it into a Special Resource Development Zone, requiring all kinds of additional specialized forest management to protect special environmental values in the area.

We must ask ourselves, if this is a new tactic of conservation groups. If they can effectively stall harvesting in such a highly managed and monitored area, what will they do elsewhere? How many people will not go to work because of these misinformed and inaccurate accusations?

And what about the integrity of the CCLUP? What about all the thousands of hours and hundreds of people who gave of their own time — and who continue to give of their time to ensure that the land-use plan remains intact — operating with the same spirit and intent that the people of the area intended when they negotiated the plan with the government?

Let's get a grip here. Let's let reality come back into play. Government officials, whether they're MOF or MOE, need to get back to the CCLUP. The people of the Cariboo-Chilcotin made this plan with government. We all signed it.

**BRIAN GOODRICH
and WADE FISHER**
Cariboo Communities Coalition

Williams Lake Tribune, July 4, 1996. Forests Manager Delivers Ruling.

Five contraventions of forest road regulations in three separate areas near Long Creek have cost West Fraser Mills \$9,750.

While road infractions were found during the Ministry of Forests investigation, a Ministry of Environment investigation of Converse [sic, Convirs] Creek and Long Creek "did not observe abnormal amounts of siltation," according to a Forests information bulletin. The bulletin adds: "However, after reviewing other reports, the district manager (Bill Young) believes that the potential did exist to affect fish-rearing streams through excessive siltation."

The ministry ruling is for Long Creek only. West Fraser has been presented with the ruling and will be asking for a review. West Fraser is concerned that there is no "credible" evidence indicating damage to the environment or fish habitat. "The company is concerned that application of Forest Practices Code in this case may confuse actual damage to the environment with potential damage, which exists in the case of development," states a company news release.

Williams Lake Tribune, July 7, 1996. West Fraser Fined for Road Infractions.

The Ministry of Forests District Manager has **completed** [emphasis] his investigation into construction of West Fraser's Long Creek Forest Road and slapped the company with fines totalling \$29,250.

"The Forest Practices Code is now one year old," Clogg [West Fraser Mills Vice-President] said, "and we believe it is important that we as a company, the industry and government have a firm understanding of its application. This is particularly true as to actual damage to the environment compared to the **potential** [emphasis] for damage."

"Comparing the facts in this case the [observers'] video footage and the commentary circulated by one individual, is cause for great concern," Clogg said. "It should concern us all that misinformation, as is clearly the content of the video and the intent of the producer, can call into question the quality of work conducted by dedicated people, can mislead interested parties and the media, and can almost circumvent an entire community's efforts to reach agreement on future land use."

Despite the fines, Clogg said the findings strongly refuted the claims made by Radies, noting that

after many inspections, there was no credible evidence indicating damage of any kind to the environment, [bold emphasis] including to fish habitat.

Judge upholds trial order on West Fraser

Even though the statute of limitations had run out, Mr. Justice Thomas Braidwood ordered West Fraser mills to stand trial on the charge of endangering a fish habitat.

Braidwood ruled in Williams Lake Supreme Court Wednesday the statute of limitations in the Fisheries Act only invalidates the plea entered and the election of mode of trial, not the charges themselves. The statute gives Crown counsel six months from the date of the alleged offence to swear the charges.

Defence counsel Al Czepil had petitioned the court to overturn Provincial Court Judge C.C. Barnett's decision to order West Fraser to stand trial.

Czepil had also based the petition on the grounds the Crown had failed to prove it was West Fraser that had caused the damage to a stream emptying into Horsefly Lake.

However, Braidwood said be-

fore the proceedings could be quashed there would have to be no evidence at all.

Crown counsel Liz Bayliff said the trial date has still to be set although she expects the case to come up some time in January 1994.

PERSPECTIVES

Fishermen's union fishes for trouble

The United Fishermen and Allied Workers' Union (UFAW), along with the T. Buck Suzuki Foundation, in conjunction with the Sierra Legal Defence Fund have made a concerted attack against the Cariboo-Chilcotin Land Use Plan (CCLUP), the communities dependent on resources and directly against the thousands of workers directly involved in the forest industry.

Largely through the use of misinformation, misleading video footage and outright deception, the UFAW has tried to create the illusion that logging

practices in the Cariboo are in fact responsible for the demise of the salmon fishery.

As an association responsible for representing the interests of forest workers and contractors in the Cariboo we feel that a response is necessary to set some of the facts straight.

The UFAW, in a misguided attempt to direct criticism for a mismanaged fishery away from their own industry, is potentially endangering the livelihood of workers who are already struggling with the implementation of many government initiatives. These include, but are not limited to, the Forest Practices Code, CCLUP, aboriginal referral policies, not to mention an intransigent government bureaucracy which appears hell bent to break the back of the forest industry regardless of the costs to communities or individuals.

Besides ignoring the fact that the CCLUP has indicated a graphic concern for the Horsefly River (designation of a sensitive management zone) and all the restrictions to development, including strict riparian (wetland) protection, the UFAW has also chosen to disregard:

1.) Hydrological studies indicating logging has had negligible siltation impacts on the river since records have been kept in the 1950s.

2.) Sockeye salmon have been returning in record numbers to the river system, increasing steadily since monitoring began some 40+ years ago. The peak run outperformed the famous Adams River run two years ago.

We would suggest that instead of throwing the proverbial mud in our direction, the UFAW would be better served examining the fishing policies, greed

and inability of segments of Department of Fisheries, aboriginal and non-aboriginal fishermen to properly manage which has led to the decimation of salmon stocks.

The habitat for spawning salmon is alive and well in the Cariboo. Simply allowing some fish to survive to reach the spawning grounds will go a long way to ensuring sustainability for the fishing industry without destroying ours.

WILLIAM DAWYDIUK
Chairman, Central Interior Logging Association
Williams Lake

QUESNEL • CARIBOO

WEST FRASER

Wednesday, July 3, 1996

Mayor defends logging practices at Quesnel Lake

QUESNEL MAYOR Steve Wallace came out swinging in defence of West Fraser Mills' logging practices this week.

The move came in light of a recent controversy where environmentalist Doug Radies charged that the company was using poor logging and road building practices in the Quesnel Lake area.

In a letter to Minister of forests David Zirnhelt, Wallace slammed the United Fishermen and Allied Workers' Union for their condemnation of the logging firm.

"I find it very difficult to believe that this company, with as much integrity and dedication to excellence, would at

this point in time, change their entire venue," Wallace said. "West Fraser Mills has always been very conscious of preserving and maintaining the environment and do their utmost to ensure proper methods of operation are used at all times."

"I respectfully suggest that the accusations from the U.F.A.W.U., members

of the media, concerned environmentalists and in particular, Mr. Doug Radies, have not been made with a completely unbiased view," Wallace said. "West Fraser Mills is a company with professional employees who believe in performing quality work and deserve the opportunity to prove they are environmentally responsible."

Williams Lake Tribune, July 9, 1996. Issues Twisted.

His [Doug Radies'] video prompted the United and Fishermen and Allied Workers' Union to allege West Fraser's road building in Long Creek could possibly result in siltation and fish habitat destruction. **While a ministry of environment investigation could not find any damage to fish habitat,** [bold emphasis] Young agreed the possibility existed.... Radies makes no apologies for his videotape and stands by his claim damage was occurring.

As for the United Fishermen and Allied Workers' Union, it was happy there was no damage to fish habitat. Union president John Radosevic, however, maintained [the] union will steadfastly defend fish habitat. "Some of what we alleged was substantiated, some not," he said.

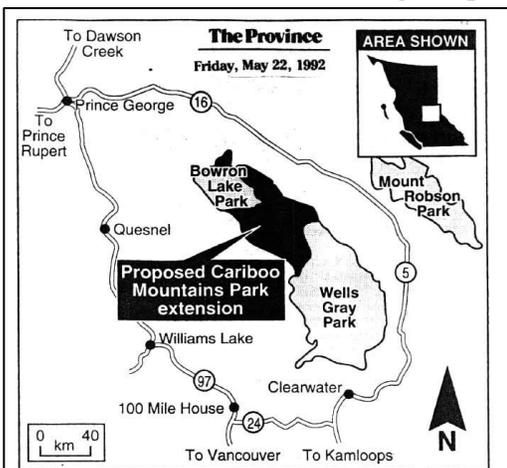
"There was no environmental damage or damage to salmon habitat," said Guenter Weckerle of West Fraser. It is concerned about how the Forest Practices Code will [be] applied regarding "potential damage" compared to "actual" damage to the environment."

Williams Lake Tribune, July 9, 1996. "Battle in the woods begins". Editorial, by Bill Phillips.

I don't think he [Doug Radies] expected to ignite such a maelstrom from his videotape.... But he stuck his neck out by making the videotape. His credibility was on the line and that's probably what's been hurt.

The Ministry of Forests and Ministry of Environment investigation into the Long Creek allegations didn't turn up any environmental damage or damaged fish habitat.

Radies did make a good point, however. He said if it takes people like him armed with video cameras to enforce the Forest Practices Code - - it isn't going to work.



NDP fails to log around clear-cut war

The B.C. government has tried to defuse the hotspots where environmentalists and native groups have declared war on road building and clear-cut logging.

But the government's "log-around" policy and its plans to protect wilderness areas have failed.

Several hotspots are still smouldering.

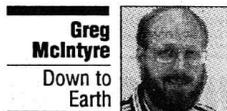
And pressure is mounting for an announcement that would move the logging still farther away from the disputed areas.

One still-unprotected area is the vital Cariboo Mountains corridor connecting Bowron Lake and Wells Gray parks.

A Vancouver couple, Ocean Hellman and Doug Radies, are touring the province with a slide presentation to emphasize the need to protect the Cariboo Mountains area until a proper parks and wilderness plan is in place.

The Cariboo Mountains slide show was in Vancouver on Wednesday and will be at the Newcombe Theatre in the provincial museum building in Victoria at 7:30 p.m. on Thursday, May 28.

The Bowron chain of lakes is one of North America's most valued canoe circuits, and Wells Gray, 30 kilometres to the south, is



Greg McIntyre
Down to Earth

B.C.'s third-largest park. Both parks and the corridor between them lie in the Cariboo Mountains with their diverse landscape of peaks and glaciers, meadows, waterfalls and rivers, deep lakes, old-growth cedar forests, the largest concentration of grizzly bears in the Interior and large populations of sockeye salmon, woodland caribou and migratory birds, say Hellman and Radies.

Yet "if Bowron and Wells Gray are fragmented — the wilderness broken by roads and clear-cuts — it is questionable whether the Cariboo Mountains can maintain their natural fish and wildlife populations."

Hellman and Radies have formed the Cariboo Mountains Wilderness Coalition with membership including the B.C. Environmental Network, the Federation of B.C. Naturalists, the Sierra Club, the Valhalla Wilderness Society, the Western Canada Wilderness Committee and the Carrier-Chilcotin and Shushwap tribal councils.

Pederson new Chief Forester

Many Cariboo residents will know the province's new chief forester.

Larry Pederson, who was the Cariboo Forest Region's regional staff manager three years ago, has succeeded John Cuthbert as the province's top forester. Cuthbert, who served in the position for nine years, retired at the end of the August.

Since leaving the Cariboo three years ago, Pederson has been regional manager of the Prince Rupert Forest Region.

As chief forester, he will be responsible for managing provincial forest and rangeland. He will also be responsible for setting timber harvest levels for each timber supply area and tree farm licence areas in the province.

One of the first harvest level determinations Pedersen will be facing is in his old stomping grounds — the Williams Lake Timber Supply Area. The local harvest level is scheduled to be set this fall.

He has been involved in timber supply reviews and in 1991 was involved in the



Larry Pederson

Review of the Timber Supply Analysis Process for B.C. Timber Supply Areas, a document which led to Victoria initiating of timber supply reviews.

Pedersen will also oversee the implementation of the new Forest Practices Code. His appointment becomes effective September 26.

Williams Lake Tribune, July 9,

1996; Quesnel Cariboo Observer, July 21, 1996. Reporter Distorts Facts In Long Creek Controversy.

[Letter to editor, from Terry Tate, IWA Canada, 2nd Vice President, Local 1-425]

Mr. Hamilton [Vancouver Sun reporter] clearly did not read the report from Bill Young, district forest manager for the Horsefly area, or the report from the B.C. Environment officer, Andrew Anaka who stated in his report there was no abnormal amounts of siltation found in Long Creek or other creeks in the vicinity. The administrative penalties levied to West Fraser had nothing to do with the sensational complaints lodged by the UFAWU, T. Buck Suzuki Foundation or the Sierra Legal Defence Fund.

We in the Cariboo worked long and hard with other sectors in the Cariboo and with government to develop the Cariboo-Chilcotin Land-Use Plan. This plan provides everyone, for the first time, the guidelines, objectives and land use targets needed to guarantee us a secure future with economic development, 17 new parks and strong guidelines to protect our environment and our jobs. Do not be taken in by the systematic efforts of outside unions or other groups that try to persuade people that things haven't changed — its easy to distort the facts.

Controversial report on logging spurs government checkup

Forests Minister Dave Zirnelt says field staff are looking into allegations of stream damage.

MARK HUME
Vancouver Sun

The credibility of a report that accuses British Columbia of failing to protect watersheds from clearcut logging has been challenged by the forest industry and is under intense government scrutiny.

"We're taking it seriously. We have no choice," Forests Minister David Zirnelt said, Thursday, shortly after release of an investigation by the Sierra Legal Defence Fund.

He said field staff members had been sent to look at some of the areas highlighted in the report and promised a more detailed response by today.

He said his government is striving to balance environmental and economic values in the woods and come up with a way to sustain both.

"As far as I'm concerned, our [logging] standards are high," said Zirnelt, whose government has held up the Forest Practices Code as the leading environmental initiative in North America.

Patrick Moore of the Forest Alliance said he didn't think the report would stand up to careful scrutiny.

"What we need is for the government to initiate an independent audit of this report. We don't trust this report," he said.

The report condemns the code, saying the guidelines are ineffective and the image of kinder, more gentle logging in B.C. is a fraud.

The code, introduced in 1995, was supposed to usher B.C. into a new age of logging. But according to the study, 83 per cent of all streams are approved for clearcutting right to the banks and cross-yarding, in which downed trees are pulled across streambeds, is "common and routine."

The report portrays logging as being just as bad as it ever was in B.C., and could be a major blow to both the government and the industry, which has struggled to reform the industry's image in recent years.

Moore said he is skeptical because the report was commissioned by the B.C. Environmental Network, which has long been a critic of B.C. logging practices.

"These are not isolated incidents as some politicians will tell you. This is what 83 per cent of the streams on the coast look like."

Greg McDade

"I see no evidence of fish damage. I see logging," said Moore, gesturing to a series of large pictures the Sierra Legal Defence Fund displayed at a press conference. "You cannot make logging look nice," complained Moore, who feels that the brutal image of clearcutting does not truly reflect the level of environmental impact.

Port McNeill Mayor Gerry Furney accused the Sierra Legal Defence Fund of cooking its report by focusing on small streams that often spring to life only after a heavy rain.

"These are trickles of water and after a heavy rainfall you could see these everywhere. If it stopped raining, these things would disappear," he said. "They are only being used as a horrible example to castigate the forest industry unfairly."

Furney's town is in the Port McNeill forest district, where the Sierra Legal Defence Fund report says 91 per cent of all streams are clearcut to the water's edge.

But Furney said logging practices are good in his district and he worried that tougher guidelines would cost his community jobs. "I think the [Forest Practices] Code is excellent. If anything, it's tougher than it has to be."

Greg McDade, executive director of the Sierra Legal Defence Fund, said the report is irrefutable and is based on extensive research. "We have pictures and ministry of forests documents to back up every statement," he said.

McDade said a team of six investigators spent several months examining ministry records for more than 1,000 streams. That documentation indicated widespread clearcutting had been approved along more than 800 of those streams. The team then went into the field in four forest districts to see if the records accurately reflected what was happening.

The report states that, of 101 streams examined in the field, 82 were clearcut, 18 were given some green buffer strips and one was given the full reserve buffers possible under the Code.

"These streams are clearcut to the bank; they have no protection whatsoever and they have been fallen and yarded across," McDade said.

"All of this is recent logging," he said, pointing to the large pictures that showed streams in the Queen Charlotte Islands and on Vancouver Island stripped of vegetation.

"These are not isolated incidents as some politicians will tell you. This is what 83 per cent of the streams on the coast look like. That is not acceptable."

Responding to attacks on the credibility of the report he said: "The pictures do not lie."

In most cases the logging practices were fully approved by the government. But some streams were overlooked by logging companies, or were incorrectly classified as not having fish in them, said McDade. "Ten per cent of the

streams were not even identified on the plans — and that is a contravention of the law," he said.

Vicky Husband, of the Sierra Club, said she was deeply disturbed by the report. "I think it's a sad day for British Columbia," she said, noting that many people believed the Code had brought a new kind of logging to the province.

Far from the war of words that erupted in Vancouver when the report was released, federal fisheries officer Ray Sjolund sat in his offices in Queen Charlotte City, Thursday, contemplating the forestry dilemma.

According to the report, 87 per cent of the streams in his district are clearcut.

"It's a very complicated thing to classify a stream," he said. "Whether the Code guidelines are effective, I wouldn't want to say. But we're definitely encountering problems that affect fish habitat. I do know we're constantly looking into [logging] incidents here. There's reason to be watching it."

Sjolund also said that over the past 20 years, he's seen a steady improvement in logging practices throughout B.C.

Reported infractions:

What the Forest Practices Code promised and what the Sierra Legal Defence Fund said it found:

- Code establishes buffer strips beside all forest streams; report claims 83 per cent are clearcut.
- Code bans logging on steep slopes prone to landslides; report claims "a substantial

portion of clearcutting" is approved on such slopes.

Code restricts clearcuts to 40 to 60 hectares in size; report found cutblocks in excess of 100 hectares.

Code establishes \$1-million fines; report says no court charges have been laid since the guidelines came into force nearly two years ago.

Quesnel Cariboo Observer, July 14, 1996, Williams Lake Tribune, July 16, 1996. "Quesnel Lake the heart of local river system."

Letter, by Chris Blake, Director, Quesnel River Watershed Alliance.

With videos, reports, provincial and national media coverage, to an investigation and charges being laid regarding road construction of the Long Creek forest road, Quesnel Lake has received much attention these past few weeks.

Local residents who have lived in the Quesnel River Watershed for years have recognized the problems concerning silting and warning of the creeks and rivers that drain this magnificent watershed.

With West Fraser Mill's integrity, video's credibility, IWA's on site views, mayors defences and Community Coalition assertions, we don't have to look too far to see how politics has stirred the clear waters to where we lose sight of the real issues.

Williams Lake Tribune, July 16, 1996. We Can Disagree Without Having To Denigrate.

Doug Radies, spokesman for the Cariboo Mountain Wilderness Coalition, thought a controversial logging road was damaging habitat, and he released a video to make his point. The fishermen's union jumped on the issue and asked Ministry of Forests to investigate in case salmon spawning grounds were endangered. The Cariboo Communities Coalition objected to the investigation, as is

their right, but they devoted as much space to slamming “outside environmentalists” as they did to stating their case.

Why was the rhetoric necessary? Is it to discredit the messenger so people won't listen to the message? Are we supposed to believe all environmental troublemakers from the big bad city who are determined to destroy the Cariboo? Why is it OK to cast aspersions on environmentalists' integrity, but they better not question the activities of big foreign-owned corporations?

And guess what, when MOF investigated, it found five contraventions.”

Williams Lake Advocate, July 17, 1996.
Environmental Group Concerned.
[Letter to editor, by Chris Blake, Quesnel River Watershed Alliance]

With West Fraser Mills' integrity, the IWA's on-site viewing of the Long Creek road and the Cariboo Communities Coalition's assertions, we can see how politics has stirred the clear waters to the point where we lose sight of the real issues. These are issues like sustainability, the high rate of cut, jobs per cubic metre of timber harvested and the long-term effect on fish stocks and water quality.

THE WILLIAMS LAKE TRIBUNE, Tuesday June 25, 1996.

West Fraser gets CRD board support ^{At}

West Fraser Mills Ltd. found support among the Cariboo Regional District directors last week.

West Fraser representatives Troy Hromadnik and Bill Rand made a presentation to the board Friday regarding allegations of possible violations to the Forestry Practices Code during road building at Long Creek.

The allegations come from the Cariboo Mountains Wilderness Coalition and the United Fishermen and Allied Workers' Union.

According to Hromadnik, the allegations are not so much about sedimentation as they are about the Cariboo-Chilcotin Land-Use Plan.

Rand gave the directors a chronological description of the events from June 3, when a letter from the United Fishermen and Allied Workers' Union and a video arrived at the Ministry of Forests.

He said the environmental group used the information to cause the union to be concerned because the

union has more political weight than the Cariboo Mountain Wilderness Coalition.

Although no charges have been filed against West Fraser, a building permit is still on hold.

“We feel it is a situation in which we are guilty until proven innocent.”
Bill Rand

“We feel it is a situation in which we are guilty until proven innocent,” said Rand. He assured the board the roads in question were well planned and met the approval of the Ministry of Forests and Ministry of Environment.

“There have been no unaddressed environmental concerns,” he said.

He concluded by telling the board that once West Fraser is through dealing with the situation, it will

have spent \$100,000.

Hromadnik said later: “I am absolutely positive there is an environmental agenda in people in the ministry.” He continued to say that the whole issue would not have gotten so much attention if the union hadn't responded the way it did.

The video that the allegations are based upon, he said, does not show any footage supporting the claim sediment is entering Quesnel Lake due to West Fraser's road construction.

Hromadnik also commented that people attacking the forest industry in the video had been paid with Forest Renewal B.C. dollars to travel to the Cariboo for the Eyes of the Forest seminar recently.

Director Steve Wallace moved that the board to write a letter to the Ministry of Forests in support of West Fraser. Other directors agreed, and added that the letter will also state the board's support for the Cariboo-Chilcotin Land-Use Plan.

Quesnel Cariboo Observer, July 17, 1996. “Forestry debate must move beyond violence.” Letter.

The violence articulated by a caller to our local radio station reflects the violence underlying forest management in this area. The suggestion to shoot Doug Radies, an individual seeking to bring information regarding current logging practices to the public, is greatly disturbing. It is our inability to stop and listen, to be still and hear our differing opinions as people, that continues to fuel the anger and misunderstanding in our care of the forest.



Ralph Currie photo

■ CARIBOO LOGS, such as these cedars skidding into Quesnel Lake, are falling at a faster rate, but supplies are not expected to last beyond two years.

Cariboo logging 'unsustainable'

By Ben Parfitt
Special to Times-Colonist

As gifts go, it was generous. And if you happened to be the gift bearer, it was perfectly timed to appease confrontational constituents.

As thousands of electors stood outside on a chilly March afternoon, Cariboo South MLA David Zirnheilt stepped to a podium opposite city hall in Williams Lake and opened his goody bag.

For the next two years, Zirnheilt said, the government would allow the forests around Williams Lake to be logged at rates well above what ministry officials considered sustainable.

Logging companies would be permitted in that period to take an extra 850,000 cubic metres of wood per year out of the surrounding forests.

To get some perspective on the extra Zirnheilt was awarding, imagine 48,500 logging trucks lined bumper to bumper from Vancouver to Burns Lake and beyond and you'd be close.

Zirnheilt's announcement came during a rally in which loggers

looked at remanufacturing — or value-added — mills in B.C.'s forest industry.

The committee's unanimous conclusion was that more wood should be freed up for the value-added sector because it created more jobs with less wood.

Two Williams Lake mills prove Evans' point.

Lignum Ltd. is a commodity lumber producer with an appetite for wood not much different from the other big sawmills in town.

Jackpine Forest Products takes commodity lumber and turns it into door jambs, brick moulds and furniture components.

To keep one worker employed year-round at Jackpine requires 400,000 board feet of production, less than half the 885,000 board feet required to sustain one full-time job at Lignum.

Protecting wilderness and jobs is a tricky process, and in both its recommendations for Vancouver Island and the Cariboo, CORE recognized the need for economic transition strategies that see more work done with the reduced amount of timber coming out of the forests.

Parts of environmentally sensitive areas have been proposed for special management by CORE, meaning some area of the "working forest" Colville refers to could be ruled off limits for logging.

That translates to job losses as Colville sees it. But others believe it's possible to protect more of B.C.'s diminishing old-growth forests and create new jobs.

New Democrat MLA Corky Evans recently headed an all-party legislative committee that

However, the feeling at Williams Lake IWA offices is that the end of the beetle kill licences could result in the closure of another mill. Last year, one Williams Lake sawmill owned and operated by Weldwood of Canada Ltd. closed, with a loss of 100 jobs.

With no prospect for work in the local industry, sawmill workers packed their bags for Hinton, Alta., where another Weldwood mill took extra workers on.

Still, Ron Colville, first vice-president of IWA-Canada Local 1-425, and other union members remain convinced the main threat to jobs is the CORE report and the prospect of new protected areas.

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- Wheeled Dog Pull Sat. 11 a.m., Sun. 10 a.m.
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- Craft Sale Sat. & Sun. 10 a.m. to 5 p.m.
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Vancouver Sun, July 27, 1996. Numbers Don't Add Up in Cariboo.

What got everyone's dander up was a video Radies and Sierra Legal Defence Fund researcher John Werring made that appeared to show shoddy road-building practices damaging fish habitat. The local press whizzed up to the site in a company chopper with company guides and an IWA escort and denounced Radies as a manipulative "wacko" peddling a story that was "totally false".

Then - say it ain't so, Joe - the company was nailed for numerous breaches of the Forest Practices Code in the area. Its sins included lousy road building, insufficient drainage systems, eroded material deposited within metres of a stream and logging debris in water courses.

This is significant because the province is not exactly enthusiastic about enforcing its vaunted code, even when led to the crime scenes by the nose. The chap sent in to assess the Radies' allegations that sediment was entering fish-bearing waters began his report by reminding everyone that "I am not an expert".

Everything looked normal to him, he said, adding the qualifier -- "If you still have concerns regarding potential habitat damage you will have to survey the stream with an expert." I guess that makes one lay opinion as good as another....



Sierra Legal Defence biologist John Werring (l) and DFO biologist Don Lawrence tour logging roads in Horsefly watershed Aug. 28.

Logging practices a risk to Horsefly sockeye run

UFAWU presses resource committee for action to protect salmon habitat

By MITCH ANDERSON

One of the crucial runs for the commercial fleet's economic health is at risk because of poor logging practices and plans which ignore salmon habitat.

In 1993, the Quesnel Lake/Horsefly River system produced over 12 million sockeye—half the Fraser River's total sockeye return of 24 million that year. A new study by DFO, to be released this December, says the system's spawning grounds were plugged to capacity in 1993. Any loss of habitat will therefore have a direct effect on the future of the run.

But not everyone in B.C. sees protecting salmon and their

region by producing a plan that will guarantee the industry's access to timber for the next 20 years, while still taking into account other forest values, such as tourism and wildlife.

In order to do that, committees to study the impact of logging on caribou, mule deer, and biodiversity in general, as well as tourism and recreational needs, were struck early in 1995. A committee of the major forest licences was also struck to study timber availability. But a fisheries committee was never struck—a good indication of the priority given to fish and fish habitat.

The UFAWU's involvement in this process began earlier this year with a letter-writing campaign aimed at pressuring the government to form a fisheries committee. One was finally struck, more than a year after the other committees in the planning process began work.

Now that Fisheries Target Committee (FTC) has confirmed that there are serious concerns regarding the rate of harvesting in the critical Horsefly Watershed. The FTC originally recommended that no further cutting permits be issued until more detailed studies in the area had been carried out, although those recommendations have since been watered down under pressure from logging interests.

The T. Buck Suzuki Foundation made three visits to the region to investigate damage to salmon habitat and to meet with representatives from the IWA-Canada, logging companies, local

environmentalists, government representatives, and First Nations groups. The Foundation has learned that despite claims by the Ministry of Forests and the forest companies that the new Forest Practices Code has produced major improvements in road construction and logging practices, there is still a long way to go. Areas logged before the new code still threaten habitat and, in spite of the new code, practices harmful to habitat continue. One company was fined \$10,000 after charges were laid as a result of the UFAWU's investigation.

The visits to the region have also led to the direct involvement of the UFAWU and T. Buck Suzuki in the land use planning process. Earlier this month, Mark Warrior made a submission to the Regional Resource Board, although he had to do it over the objections of logging interests who tried to block both his presentation and his written submission.

As a result of the lobbying, the implementation deadline for the land use plan, originally set for mid-October, then moved up to Oct. 1, has now been pushed back by at least a month—a significant victory for all those interested in preserving fish habitat in the Horsefly Watershed.

The T. Buck Suzuki Foundation is also organizing a tour of the area by a delegation of fishermen for the week of Sept. 23. They want to get across the message that jobs in the fishing industry depend to a large extent on the way work is done in the woods.

Mitch Anderson is an environmental organizer working with T. Buck Suzuki Environmental Foundation on the Horsefly campaign.

Williams Lake Tribune, July 30, 1996, Quesnel Cariboo Observer, July 31, 1996.

Environmentalists Never Satisfied.

[Letter to Editor, from Brian Goodrich, Cariboo Communities Coalition Chair]

Since government agencies found no environmental impact from road development assessments made during field trips to the Penfold Valley [the observers' video included accounts from the Penfold Valley mainline, and there was no ruling by Young on this area], the permit to proceed was approved.

Outcome [of the investigation of Long Creek mainline]? No detrimental effect on fish habitat, water quality or the environment was found by the forest and environment ministries.

Vancouver Sun, August 31, 1996. "Code enforcers force to be reckoned with."

My return is greeted with a chilly letter from Gerry Armstrong, deputy minister of forests. He is disappointed by my ill-informed opinion that the province can't seem to enforce its own Forest Practices Code.

But in the same mail bag as the deputy minister's reprimand comes a brown paper envelope containing a scathing report on forestry roads by the Sierra Legal Defence Fund, this time on one of B.C.'s most important commercial salmon rivers (Quesnel River, Quesnel Lake, Horsefly River).

I'm told copies of this review have gone to the ministry of forests and the federal department of fisheries. Mind you, that doesn't mean much.

These folks are faster of foot the mark when it comes to persecuting native Indians on welfare for "stealing" their own fish, but they slide into peculiar lethargy when it comes to applying the rules to corporations.

The original land use plan had no provision for a fisheries committee.

habitat as a high priority. In the Cariboo-Chilcotin, forest companies still put them low on the scale when logging plans are being drawn up and forest company values are the major influence on decisions currently being made under the Cariboo-Chilcotin Land Use Plan (CCLUP) Implementation Process.

That implementation process is being overseen by Victoria with community input provided by the Cariboo-Chilcotin Regional Resource Board, which has strong forest industry representation. The purpose is to provide a stable forest industry in the

It is heartening to hear that salmon runs in the Horsefly and Quesnel river systems seem to be doing okay. Much concern has been raised recently over the salmon runs in the area and possible damage to spawning channels by the logging industry. Only time will tell if the current run has been devastated -- as some like to howl it has.... The argument can be made that the easiest way to ensure the runs haven't been impacted is halt some of the logging activity in the area. That isn't likely to happen soon.

THE WILLIAMS LAKE TRIBUNE, Tuesday July 9, 1996, A 5

Reporter distorts facts in Long Creek controversy

Editor:

I had thought Gordon Hamilton, so-called Sun forestry reporter, had retired to some out of the way corner to sharpen pencils for some genuine reporters. However, I have been proven wrong after reading another one of his articles (West Fraser Fined For Threat To Salmon Run -- July 5).

Mr. Hamilton clearly did not read the report from Bill Young, district forest manager for the Horsefly area, or the report from the B.C. Environment officer, Andrew Anaka who stated in his report there was no abnormal amounts of siltation found in Long Creek or other creeks in the vicinity. The administrative penalties levied to West Fraser had nothing to do with the sensational complaints lodged by the UFAWU, T. Buck Suzuki Foundation or the Sierra Legal Defence Fund.

Their information was, without question, misleading and meant to be misleading. There is not one road in B.C. developed by a forest company or even the Ministry of Forests' that if you look hard you couldn't find something that could be classified as an infraction under the Code.

We are looking forward to the letter to be forwarded to the IWA from Mr. Radosevic and to others the UFAWA

had contacted, informing them that the UFAWU had based their complaints on misleading and flawed information.

As for the Sierra Legal Defence Fund and comments made by John Werring that this issue has pitted forest workers against fishermen is just so much BULL.

Mr. Werring's hope is to drag others into the game plan for preservation. Mr. Werring and company could care less about the problems facing fishermen or forest workers. We expect only more diarrhea of the mouth from the likes of Mr. Werring as he and others work toward preservationist goals.

We in the Cariboo worked long and hard with other sectors in the Cariboo and with government to develop the Cariboo-Chilcotin Land-Use Plan. This plan provides everyone, for the first time, the guidelines, objectives and land use targets needed to guarantee us a secure future with economic development, 17 new parks and strong guidelines to protect our environment and our jobs.

With this and the new Forest Practice Code now in place, we can continue to move forward with the implementation of the Cariboo-Chilcotin Land-Use Plan. We take pride in the fact that the

Cariboo-Chilcotin Land-Use Plan is the first regional land use plan of its type in B.C. and has been declared a higher level plan under the Forest Practices Code Act of B.C.

We are proud of the work we do in the Cariboo and the doors are always open to anyone to review the land use plan or the work that is taking place throughout the Cariboo-Chilcotin.

Do not be taken in by the systematic efforts of outside unions or other groups that try to persuade people that things haven't changed -- it's easy to distort the facts.

We invite people to see for themselves what's taking place in the Cariboo and talk to the people that live and work in the area. As well, those who were involved in the development of the Cariboo-Chilcotin Land-Use Plan which involved labor, trapping, industry and tourism.

Our plan applies the principles of environmental, social and economic sustainability and a future with secure jobs and stable communities that will benefit everyone.

**Terry Tate
IWA Canada
2nd Vice President
Local 1-425**

REGIONAL NEWS

Horsefly River habitat investigated

UFAWU representatives investigate logging impact on river's fish habitat

By JESSICA WHITESIDE
The Advocate

REPRESENTATIVES from the United Fishermen and Allied Workers Union were in the Cariboo last week to investigate the status of Horsefly River fish habitat.

The UFAWU members intended to take photographs and videos of logging-related sites near the Horsefly River. The union had received reports of possible improper logging practices from some area residents, says Edgar Birch, a member of the UFAWU contingent.

Earlier this year, the UFAWU called for an investigation of West Fraser Mills' logging road construction practices after viewing a video of roads built

by the company near Quesnel Lake. Four of five charges of contravening the Forest Practices Code, based on an ensuing investigation, were recently overturned after a review by the Ministry of Environment.

The review panel's decision in the West Fraser case puts in question the credibility of other criticisms the union may raise against the forest industry, says local IWA representative Wade Fisher.

While Birch agrees the West



WADE FISHER
IWA

Fraser decision will have some impact on the UFAWU's credibility, he says the problem with that case was that the union didn't do enough homework. The UFAWU has not yet decided if it will appeal the West Fraser decision, says Birch.

The visit to Horsefly last week was, to some extent, an attempt by the UFAWU to make sure it's done the footwork needed to assure its members

that fish habitat and their jobs are not being threatened in spawning grounds along the Horsefly River, says Birch.

"Just because you're working in an area 300 miles away from someone else, doesn't mean you're not responsible for the loss of their job if you destroy habitat," says Birch.

The UFAWU is rightly concerned with the livelihood of its members, says Fisher, just as the IWA and others in the forest industry are concerned about the livelihood of their workers.

"They (the UFAWU) are going to see what they want to see," says Fisher. "If they do find anything, hopefully they'll come to us and we'll take it to the people involved and see if it can

be resolved."

However, Fisher warns that he thinks the T. "Buck" Suzuki Foundation which works with the UFAWU on environmental issues is "intent on shutting down logging, no ifs, ands or buts."

"I don't think that's within the spirit and intent of the Cariboo-Chilcotin Land Use Plan," says Fisher. "The intent of the CCLUP is to look after each other's needs."

"Our intention is to help clean up forestry, not close it down," says Birch.

Fisher says he's had a couple of meetings with the UFAWU designed to open lines of communication between the fishing and forest industries.

Williams Lake Advocate, September 18, 1996. Fishermen's union says local stocks threatened.

The risk to the region's fish stocks from forest activities is being underestimated by a Cariboo-Chilcotin Land-Use Plan committee.... Mark Warrior of the United Fishermen and Allied Workers Union... made a brief presentation to the Regional Resource Board Sept. 11. The UFAWU is concerned that a report submitted by the fisheries target committee in August underestimates the risk to fish stocks and habitat from forestry activities.

The report has assessed future risk of damage based on current cut levels, says Warrior. That is a flawed methodology, he says, because current cut levels may just be nearing the point when damage may occur.

Quesnel Cariboo Observer

Sunday, July 21, 1996 A9

Quesnel Lake complaints were misleading

Editor:

I had thought Gordon Hamilton, so called Sun Forestry Reporter, had retired to some out of the way corner to sharpen pencils for some genuine reporter.

However, I have been proven wrong after reading another one of his B.S. articles (West Fraser Fined for Threat to Salmon Run-July 5th).

Mr. Hamilton clearly did not read the report from Bill Young, District Forest Manager for the Horsefly area, or the report from the B.C. Environment Officer, Andrew Anaka who stated in his report there was no abnormal amounts of siltation found in Long Creek or other creeks in the vicin-

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The administrative penalties levied to West Fraser had nothing to do with the sensational complaints lodged by the U.F.A.W.U., T. Buck Suzuki Foundation or the Sierra Legal Defence Fund. Their information was, without question, misleading and meant to be misleading.

There is not one road on B.C. developed by a forest company or even the Ministry of Forest that if you look hard you could find something that could be classified as infractions under the Code.

Mr. Radosevic, President of the U.F.A.W.U. admitted his Union had been given misinformation with regards to this

issue after his member viewed the area in question with the I.W.A.

We are looking forward to the letter to be forwarded to the I.W.A. from Mr. Radosevic and to others the U.F.A.W.U. had contacted, informing them that the U.F.A.W.U. had based their complaints on misleading and flawed information.

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to distort the facts.

We invite people to see for themselves what's taking place in the Cariboo and talk to the people that live and work in the area.

As well, those who were involved in the development of the Cariboo-Chilcotin Land-Use Plan which involved labour, trapping, recreation, youth farming, wild craft, mining, ranching, contractors, small business, forest industry and tourism.

Our plan applies the principles of environmental, social, and economic sustainability and a future with secure jobs and stable communities that will benefit everyone.

I.W.A. Canada 2nd Vice President, Terry Tate

Quesnel Cariboo Observer, September 22, 1996. West Fraser cleared in four of five charges.

West Fraser has been cleared in four of five charges of violating the Forest Practices Code in the Quesnel Lake area.

"This is certainly a relief to us," Clogg (West Fraser vice-president) said in an

interview Thursday. "It's been a very trying time for all of us in the company and for all of those who put so much time into the Land Use Plan. This vindicates our point of view.... The allegations against our company were very serious," Clogg said. "In the end, our road building standards stood up to the most intense scrutiny and no environmental damage or damage to fish habitat was found to have occurred."

The Williams Lake Tribune, September 24, 1996; Quesnel Cariboo Observer, September 29, 1996.
West Fraser appeal nixes road charge.

West Fraser Mills has successfully appealed four of the five rulings it had violated road-building regulations of the Forest Practices Code near Quesnel Lake.

"We're very relieved with the decision," West Fraser vice-president Wayne Clogg said yesterday. "We believe the decision says our road-building practices are vindicated."

He added the action taken against West Fraser delayed the company's Penfold and Long Creek operations for about five or six weeks - from the start of June to mid-July. "... our contention is that this was a case of somebody not accepting the land use plan decision in the Penfold."

Forests Minister David Zirnhelt said he was happy for West Fraser. "These are growing pains where we're working through the Forest Practices Code, and, I think, because of international market situations, we want to be good and sure that we're up to the standard," he said.

THE WILLIAMS LAKE TRIBUNE, Tuesday June 25, 1996, A 5

Long Creek debacle appalling

**An open letter to
Forests Minister David Zirnhelt**

Editor:

You are no doubt aware that a representative of the Cariboo Mountain Wilderness Coalition, supported by the United Fisherman and Allied Workers' Union, laid unsubstantiated allegations against a licensee operating in the Penfold Valley in the Cariboo.

The Horsefly Forest District manager reacted by delaying road building under this permit.

We are appalled that any Tom, Dick or Harry can make environmental impact claims that lead to immediate termination of development or harvesting activity without due process, and appalled that your ministry staff react without first making a preliminary investigation, and are also appalled that

you hold these environmental activist groups in such high esteem that they influence the Ministry of Forests expeditiously.

We would point out that when the public or opposition MLAs make significant allegations against a government in power, government or its agencies are not shut down -- rather, the allegations are investigated to determine validity. Through due process, a decision is eventually reached.

It appears more and more that production and economic activity are dirty words with government and its untold number of "green" activist supporters.

Will this curtailment of resource activity never end in this province?

While the logging community totally supports expedited decision making on land base problems relative to the Forest

Practices Code and environmental regulations in relation to day-to-day operations, major significant claims similar to those made by Doug Radies and company should have been made through the Forest Practices Board, who have been mandated to investigate public complaints and who have an established process for accepting public complaints.

The logging communities greatest fear, that recent government acts and regulations liberally exploited by environmental activists is becoming more and more a reality. We seek your assistance, Mr. Minister, in creating a climate where we can work, create wealth and sustain our communities, not a climate that breeds an open season for terminating resource industry activity.

**Frank Drougel
General Manager
Central Interior Logging Association**

Vancouver Sun, October 1, 1996. Logging, fishing land-use conflict looms in Cariboo.

Gillnetter Edgar Birch ... and five other members of the United Fishermen and Allied Workers Union travelled to the headwaters of the Horsefly.... Birch fears it may have been in vain. "The Horsefly watershed is now being logged, right to the Headwaters where the river begins," he said Monday. "They are smaller clearcuts than in the past, but logging is carrying on at the same rate. Our concern is that logging will create warmer water. And with warm water flowing into the Horsefly, the salmon will not spawn."

Birch and the UFAWU will be taking that message to Williams Lake today ... where the Cariboo regional resource board is struggling to put some hard and fast numbers on "made in the Cariboo" land-use plan announced two years ago A department of fisheries and oceans report to be tabled today suggests the proposed timber harvest targets could put salmon at risk.

"The rate of cut is starting to raise some concerns", said DFO resource management planner Mike Romaine, who is to table the report at today's meeting. "The concern is: Can you sustain that rate of cut and still sustain the fisheries? The study shows that in some areas there is a very high risk."

Williams Lake Advocate, October 2, 1996. Horsefly River Habitat Investigated.

Representatives from the United Fishermen and Allied Workers Union were in the Cariboo last week to investigate the status of the Horsefly River fish habitat.... The Union had received reports of possible improper logging practices from some area residents, says Edgar Birch, a member of the UFAWU contingent.

Fishermen's tour warns of Horsefly logging risk

A group of UFAWU fishermen visited the Quesnel watershed last month to see how the fish they didn't catch this year were spawning.

At the invitation of the Quesnel Watershed Alliance, Edgar Birch, Nick Carr, Al Mearns and Mark Warrior joined T. Buck Suzuki Foundation executive director Mae Burrows for a tour of the Horsefly watershed in the Cariboo-Chilcotin Sept. 24, 25 and 26. They were hosted by members of the Quesnel Watershed Alliance who took them to see many areas, mostly clearcuts but also some areas where commercial thinning and selection logging were taking place.

They saw first-hand both the decision-making process that is supposed to protect fish values in logging planning, as well as the amount and kind of timber harvesting going on.

"They are clearcutting the headwaters of the Horsefly River," said Burrows. "We stood on tops of mountains where the delicate rivulets of the headwaters should gather into increasingly larger and larger streams to join the Horsefly and then the Fraser system, but there were only clearcuts. Without the shading protection of the trees, and the holding protection of their root-systems, the headwaters can't be maintained."

The soil in the area is also nutrient-poor, and the conditions aren't favourable for new forest growth.

In addition, mountain-top clear-cuts act like a solar panel causing heavy run-off when the spring melt comes. That leads to erosion and siltation, destroying spawning redds.

"It's also about temperature," said Edgar Birch who has studied the area from both his years as a

fisherman and his time on the Pacific Salmon Commission. "If spawning salmon have to be in water which is too warm, then they'll get sick or won't spawn. So if an area has too much of the forest cover removed, then temperatures increase in the streams, hurting the salmon," he said.

Gillnetter Al Mearns compares the logging damage he has seen in Rivers Inlet with what he witnessed in the Horsefly. He said the devastation logging caused in Rivers Inlet has reduced stocks to the point where there was no opening for sockeye in 1996, which should have been a good cycle year.

"Rivers Inlet used to be one of the greatest salmon producers on the coast, and it's gone," he said.

"It was heartbreaking to see. That Horsefly had a good return this year, but if they keep logging the way they're going, there won't be any more Horsefly sockeye," he said. "It might be too late for Rivers Inlet, but maybe we can save the Horsefly."

Mearns said he believes there is still room for both the logging and fishing industries in British Columbia, but not one at the expense of the other.

"We got accused of trying to put loggers out of work. We're not opposed to logging," he said. "Everybody knows there has to be logging, but there have to be better logging practices."

Burrows added: "The first harvesting principle fishermen have to follow is conservation of the stocks," she said. "That same principle should apply in

Chilcotin-Cariboo forest practices."

The group also attended a Regional Resource Board meeting where they saw the importance for the fishing community to become involved in the implementation of the Cariboo-Chilcotin Land Use plan. The T. Buck Suzuki Foundation is acting as a watchdog on the process to make sure that fish habitat is protected.

Fortunately, the Department of Fisheries and Oceans is also taking a strong position to protect fish habitat in the region. Fraser River Action Plan biologists Mike Romaine and Coral deShield are playing a key role in the meetings, and the week following the fishermen's tour, Dr. Ian Williams, who

'If there's too much forest cover removed, it's going to hurt the salmon.'

—Edgar Birch

has studied the Horsefly for decades, and Al Lill travelled to Williams Lake to address a Regional Resource Board meeting to emphasize the value of the Quesnel River fish.

Dr. Williams pointed out that because the spawning grounds are already at capacity, there is a need to create more spawning area in the watershed without losing any current habitat.

The Suzuki Foundation has called for a meeting with Forests Minister David Zimhelt and Fisheries Minister Corky Evans to discuss interior logging and its effects on salmon habitat.



Delegation members pose during a break in the fishermen's tour of the Horsefly. Seated, l to r, fishermen Edgar Birch and Al Mearns, Quesnel Watershed Alliance members Jenny Noble and Ray Jones, fisherman Nick Carr (on floor); standing, l to r, Ullie Augustine, Nora Nichols, Suzuki Foundation executive director Mae Burrows, Bill Zimmer.

The review panel's decision in the West Fraser case puts in question the credibility of other criticisms the union may raise against the forest industry, says local IWA representative Wade Fisher.... However, Fisher warns that he thinks the T. Buck Suzuki Foundation which works with the UFAWU on environmental issues is "intent on shutting down logging, no ifs, ands or buts. I don't think that's within the spirit and intent of the Cariboo-Chilcotin Land Use Plan", says Fisher.

"Our intention is to help clean up forestry, not close it down," says Birch.

Forests manager delivers ruling

BY BILL PHILLIPS
Tribune Staff Writer

Five contraventions of forest road regulations in three separate areas near Long Creek have cost West Fraser Mills \$9,750.

The fines come as a result of a Ministry of Forests investigation prompted by allegations from the United Fish and Commercial Workers' Union. The union, armed with a video prepared by Doug Radies of the Cariboo Mountain Wilderness Coalition, had alleged West Fraser's road building in the area was possibly damaging fish habitat and causing

siltation.

While road infractions were found during the Ministry of Forests investigation, a Ministry of Environment investigation of Converse Creek and Long Creek "did not observe abnormal amounts of siltation," according to a Forests information bulletin.

The bulletin adds: "However, after reviewing other reports, the district manager (Bill Young) believes that the potential did exist to affect fish-rearing streams through excessive siltation."

The forest road regulation infractions West Fraser is being fined for are logging debris found in water courses; drainage

systems not sufficient nor fully functional to accommodate surface and subsurface water flow during spring run-off; and eroded material from an over-steepened bank of a waste area was deposited within metres of a stream.

The ministry ruling is for Long Creek only. West Fraser has been presented with the ruling and will be asking for a review.

West Fraser is concerned that there is no "credible" evidence indicating damage to the environment or fish habitat.

"The company is concerned that application of Forest Practices Code in this case may confuse actual damage to the en-

vironment with potential damage, which exists in the case of development," states a company news release.

Although no charges have been laid and the penalties could be considered minor, West Fraser vice-president Wayne Clogg says the company is taking the decision seriously.

"We believe it most important that we, as a company, the industry and government have a firm understanding of (the Forest Practices Code) application ... We are confident the review process will provide a better understanding by all concerned."



THE CARIBOO-CHILCOTIN CONSERVATION COUNCIL WILLIAMS LAKE

Cariboune

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THE CARIBOO-CHILCOTIN CONSERVATION COUNCIL WILLIAMS LAKE

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Forest investigation shut down

BY BILL PHILLIPS
Tribune Staff Writer

A Forest Practices Board investigation into allegations forest development plans in the Quesnel River watershed contravene the Forest Practices Code, has been halted.

"We have not made a statement about whether the complaint is substantiated," Keith Moore, Forest Practices Board chair, said Friday. "We think the best approach is to focus on future plans."

The complaint was lodged in December of last year by five groups: The sustainable communities sector of CORE; the Horsefly District Tourism and Ratepayers Association; the Quesnel River Watershed Alliance;

the Cariboo-Chilcotin Conservation Council; and the Quesnel Environmental Society.

The complaint was lodged against five logging companies - Lignum, Riverside, Weldwood, West Fraser and Ainsworth. Also named in the complaint were the Quesnel, Williams Lake, Horsefly and 100 Mile House forest district managers and the Cariboo Mountain Inter-Agency Management Committee.

The complaints alleged that 15 five-year plans for 1995-2000 authorized by the district managers to the companies were not consistent with the Cariboo-Chilcotin Land-Use Plan and that the plans contravened the Forest Practices Code.

The Forest Practices Board, while not determining if the plans did contravene the code, did state they felt implementation of the land-use plan should be sped up.

"The achieving of setting timber and non-timber targets has to be more rapid," said Moore.

To that end, the board made several recommendations pertaining to the 1996-2001 development plans currently being prepared.

It recommended that government clarify an apparent discrepancy between the legal requirements for consistency for operation plans approved after January 31, 1996, and the land use plan, and the Regional Resource Board (RRB)/Interagency Management Committee (IAMC) timeline for the plan.

It also recommended that where

agreement cannot be reached regarding consistency of operational plans with the land use plan, that an independent arbitrator be brought in.

To allow time for integration of the timber and non-timber targets into the 1996-2000 plans, the Forest Practices Board has recommended an extension for approval of the 1995-2000 plans to June 15, 1997 be examined.

The Forest Practices Board met in Williams Lake Friday with 17 of 18 groups involved in the December 1995 complaint. The board has given the groups until October 15 to comment on the board's recommendations. Cabinet will decide whether to implement them.

Forest Alliance's new code characterized as 'most stringent' known

Vancouver Sun
February 29, 1992

BEN PARFITT
Sun Forestry Reporter

A new code of forest practices to be signed by 13 B.C. forest companies will commit some of the province's largest corporations to the most stringent forest practices known, says one of the signatories.

"This morning we're committing our companies to live up to . . . the best forest and environmental practices in the world," Hank Ketchum, president and chief executive officer of West Fraser Timber Co. Ltd., said Friday.

Ketchum's comments came as three company officers representing some of the 13 companies funding the Forest Alliance of B.C. signed a document titled "principles of sustainable forestry." The other 10 companies have committed to signing the document.

The principles were written by an "independent" group of citizens who oversee a \$1-million budget supplied by the alliance's sponsors, Ketchum said.

The alliance was launched last year to clean up the tarnished image of B.C.'s larger forest companies.

The 32-member board of directors, including three senior forest company officers, developed the code of principles in an atmosphere free from industry interference, said alliance director and former Greenpeace campaigner, Patrick Moore.

Among the groups represented in the alliance are the forest industry, academics, politicians, business and labor.

While Ketchum hinted the new principles would be difficult to meet, Ian Donald, president and chief executive of Fletcher Challenge Canada Ltd., seemed to think most companies wouldn't have much trouble adhering to them.

The principles commit companies to not building roads where "major soil erosion is likely to occur;" to plan all logging on a watershed-by-watershed basis that will minimize "soil erosion" and "stream siltation;" to use tree-cutting methods other than clearcutting where "silviculturally more appropriate;" to encourage greater public participation in forest planning; and to agree to an independent monitoring system.

"I would say that essentially we're meeting these principles now," Donald said. "If you go back 10 or 15 years or so, it could be there were some practices that, with our current knowledge today, were inadequate. But I think in recent times we have tried to live by the principles that we've established here."

Moore said the next task of the alliance is to design a proper monitoring system.

NEWS

The Weekend Sun, Saturday, March 1, 1997 A9

Forests code facing changes

Some members of the NDP are alarmed by Glen Clark's views on protecting the environment.

JUSTINE HUNTER
Sun Legislature Bureau

Premier Glen Clark confirmed Friday his administration is close to striking a deal with the forest industry that will trade off changes to the Forest Practices Code for job creation.

Clark said the New Democratic Party government has been too preoccupied with the "green" side of the land use debate.

The premier's comments are sure to enrage members of the green wing of the party, who are threatening to quit if the regulations that dictate environmental standards in the industry are watered down.

In an interview Friday, Clark said negotiations with forest industry leaders are heading to a settlement in the coming months and legislation to amend the Forest Practices Code to make it more workable for industry may be introduced when the legislature is recalled this spring.

"It is a very complex code. It's cumbersome and bureaucratic," Clark said. "It should be possible to reduce the paperwork burden without any diminishment of environmental standards."

The code was crafted during NDP premier Mike Harcourt's regime and the industry has been agitating ever since to make the rules less restrictive.

When Clark took over the party leadership a year ago, he announced plans for a jobs and timber accord that would see the forest industry produce 20,000 new jobs. At the time, he said forest companies would lose their timber cut-

ting rights if they failed to meet his job targets.

Now, Clark says, he is looking at other incentives, including a possible reduction in stumpage fees.

"I think the industry understands my position," Clark said. "They also have some things they would like to see both for the bottom line and for jobs."

Rod Marining, a member of the NDP's standing committee on the environment, says the party's green faction is increasingly dismayed by Clark's attitude towards the environment.



"There is a large section of the party who might walk over this . . . They are ready to burn their membership cards."

The fight is expected to come to the fore this weekend over a resolution put forward by the green caucus that would prohibit changes to the code "which weaken any environmental, visual quality or other standards or reduce obligations to conduct assessments."

The debate over land use has long been a thorny issue for New Democrats, with environmentalists and labor interests often entrenched on different sides of the issue.

Craig Orr of the Steelhead Society, one of the original advisers to government on the Forest Practices Code, said conservationists are angry that the existing standards are not being enforced and streamlining the code will only make things worse.

"What we are seeing is the browning

of the government," he said. "I feel betrayed."

Mike Magee of the Sierra Legal Defence Fund said a number of delegates will be trying to use the convention to signal to Clark their "very strong discontent" with his government's approach to environmental issues.

"We are witnessing a clear abdication of responsibility on the environment," he said. "None of us expected him to be as green as the previous administration, but we didn't think there would be such an aggressive change."

Clark was unapologetic about the new philosophy.

"There is no question that my preoccupation is on the jobs side of the equation."

"We've had huge progress on the preservation side, and I support all of that, but this term we should be spending the same kind of energy and intensity on how we can generate more jobs," he said.

"To that extent it is a shifting of emphasis, but I don't think it should in any way be construed as going back on the environment."

An NDP insider said Clark needs to offer the industry some relief if they are to meet his job targets.

"From an investment point of view, the forest industry is bleeding now — what's going to happen when times are bad?"

What the industry wants, he said, is a more or less unfettered right to cut timber in areas that have not been set aside for conservation.

By making his job creation demands public, Clark has given the industry some leverage, the source added.

"The only hammer the industry has is this crazy job target he laid out."

Members of a Vancouver-based environmental group [T-Buck Suzuki Foundation] are trying to put fishing jobs ahead of forest jobs, according to ... Wade Fisher. Members of the environmental group spoke Tuesday to the Cariboo Chilcotin Regional Resource Board.

Mae Burrows, the group's executive director said ... that land use decisions should factor in the amount of forest cover needed for non-harvesting objectives, then calculate annual cut levels based on the remainder of the productive forest land base.

Quesnel Cariboo Observer Wednesday, May 24, 2000 25

Forestry Industrial Update

Forest Practices Board slams slow pace

By ANNIE GALLANT
Observer Reporter

ACTING AS the public's watchdog for sound forest practices, the Forest Practices Board monitors implementation and interpretation of the Forest Practices Code.

Now into its fifth year, the Board has recently released its findings in the *Audit of the Government of British Columbia's Framework for Enforcement of the Forest Practices Code*.

This audit provided an independent and critical assessment of the government's framework for code enforcement.

"The Code has accomplished good work," said Bill Cafferata, the new Board Chair of the Forest Practices Board. "But the government must look at the larger picture, landscape thinking."

An excellent example of the higher level planning the Board sees as necessary is the Cariboo-Chilcotin Land Use Plan (CCLUP).

This plan takes into consideration the issues of protecting wildlife, biodiversity, recreation and scenery which are still not factored into the planning and implementing of many forestry prescriptions.

"Implementation of the Code is still incomplete and unfinished four and one-half years after it became law," said outgoing board chair, Keith Moore. "British Columbia faces serious repercussions if it is unable to demonstrate that wildlife, scenic and recreational values, and biodiversity are protected in forestry operations."

These values must be managed at a higher "landscape" or "watershed" level rather than at a site-specific cut block level.

With the exception of the CCLUP, most areas of the province do not have higher level planning implemented.

When the Forest Practices Code was first introduced, the industry embraced the need for such a set of rules, but many became disenchanted at the complexity and the cost of implementation.

"It is not inconceivable that higher level planning may ease some of the complexity," Cafferata said. "Many of the processes, which are already in place, are not consistent with higher level planning."

"The public expects the establishment of winter ranges for wildlife, wildlife management areas, scenic areas for visual quality, and old-growth management areas for biological diversity at the landscape level," Cafferata said.



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If the T.Buck Suzuki Foundation had been making the rounds of the Cariboo a couple of years ago, they would have realized that the processes they are recommending are already in place.

Just for the record, the T.Buck Suzuki Foundation is the environmental arm of the United Fishermen and Allied Workers Union. The same union which cried wolf over Doug Radies' video of springtime mud at Long Creek.

Local IWA treasurer Wade Fisher equated this to trading fishing jobs for forestry jobs. He's right. What gives Burrows the right to say fish, as a resource, should take precedence over timber, as a resource?

Williams Lake Advocate, October 9, 1996. Working together.

The IWA thinks that the United Fish and Allied Workers Union is undermining a protocol agreement to verbally by the IWA, UFAWU, the CAW and the T.Buck Suzuki Foundation.

“Let’s get it finalized,” says IWA president Brian Symmes. The union officials have been working towards finalizing a protocol agreement, which would see them working together with regards to fisheries concerns in the Horsefly River area.

Just because there are record numbers of salmon returning to the Horsefly River is no cause for completing this agreement between our two unions.

The protocol agreement could see a joint agreement to study an agreed-to and identified area where fisheries are of concern to harvesting plans. Industry is prepared to fund the study carried out by a mutually agreed-to person.

“There are experts on both sides. We need an impartial body,” says Symmes. “We are getting frustrated. This is not loggers versus fishermen.”

Williams Lake Tribune, October 15, 1996. We are right downtown in the global village.

In the latest land use dispute, local loggers vs “outside” fishermen, I only know what has been reported in the local and provincial newspapers. Local people speaking to the local press indicate it is a territorial issue, Cariboo Chilcotin against the world. I suggest it is not.

Let’s get real. It isn’t a matter of one or the other, logging or fishing. It’s a matter of both. The solution to this one can’t be “made in the Cariboo”, all noses must be considered. Let’s

Changes to B.C.’s Forest Practices Code.

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- beefing up enforcement.

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not assume anyone is “against logging” or “overreacting.”

Let’s assess all the information and examine the possibilities. We’ve made so many mistakes with the land in the past. Let’s try to get it right this time.”

A18 The Weekend Sun, Saturday, February 22, 1997

Forest practices board to probe logging mismanagement charges

The environment and forests ministers have asked staff to conduct a joint investigation into accusations made in a Sierra Legal Defence Fund report.

LARRY PYNN

Sun Environment Reporter

The B.C. government announced Friday it has referred charges of logging mismanagement around streams to the forest practices board.

“We take very seriously allegations that there have been violations under the forest practices code,” Environment Minister Cathy McGregor said in an interview. “We’ll take whatever actions that may be necessary.”

The forest practices board was established by the government to independently investigate violations under the forest practices code.

The government’s announcement follows release of a report Thursday by the Sierra Legal Defence Fund alleging that 83 per cent of streams are approved for clearcutting right to the banks and that cross-yarding, in which downed trees are pulled across streams, is “common and routine.”

McGregor and Forests Minister David Zirnelt have also asked regional staff from both ministries to conduct a separate, joint field investigation of photo examples of improper stream classification provided by Sierra and to report back with a preliminary finding by Feb. 28.

A fuller report by the board into stream misclas-

sification and “any other matters it decides is within its jurisdiction to investigate” will follow later, the ministers said.

“We’ve sent our officers into the field to find out whether these allegations are indeed true,” McGregor said. “They may well lead to charges if they are.”

Greg McDade, executive director of Sierra legal, said he is pleased the government has referred the investigation to the board. “I’m encouraged. It’s high time we got some sort of government investigation into how this stuff is working.”

But McDade said he would be concerned if the government restricted its investigation simply to the handful of photo examples provided in the report rather than treat the information as a wakeup call to wider problems with the 1995 Forest Practices Code.

“In the past, instead of investigating the issue of how we treat our streams, they go out and try to nit-pick the samples we use,” he said.

Sierra’s report has been condemned by the logging industry and by a handful of resource-dependent communities on Vancouver Island, who say the environmental organization has a “history of exaggeration.”

A forests ministry report last fall of more than 31,000 inspections under the code found 2,685 incidents, 1,557 of which were corrected immediately. The other 1,128 incidents required further investigation, leading to 437 confirmed contraventions.

The Green in the Machine

The chairman of B.C.'s Forest Practices Board learns the art of the compromise

By Cameron Young

With his trim beard and wiry athletic frame—somewhat constrained by a tie and a grey tweed jacket—Keith Moore doesn't fit the stereotype of the typical bureaucrat. He just looks too outdoorsy. But as he quickly explains, the coat and tie are necessary because he's headed to the legislature, to see his annual report formally entered into the record.

As chairman of the Forest Practices Board, Keith Moore is in fact one of the province's highest-ranking bureaucrats, appointed in 1995 by a triad of cabinet ministers (forests, environment, and energy and mines) to oversee the Forest Practices Code, the much-heralded and oft-maligned rule book for logging B.C.'s forests. It's Moore's job to determine whether the rules are being followed—not the kind of work you'd expect the government to entrust to someone with environmental credentials dating back to the struggle to create South Moresby National Park.

The green hue on Moore's resumé includes being a member of the blue-ribbon scientific panel that sculpted the stringent logging guidelines for Clayoquot Sound; he's also the author of the report on coastal watersheds that launched the campaign to save the central coast's Great Bear Rainforest. There's more, but today, the last thing Moore wants is to be thought of as an environmental zealot. He's worried that his credibility within the system could be compromised.

Nonetheless, Chairman Moore's greener side was in evidence in March when he sent a letter to his three presiding cabinet ministers, complaining that the big changes the government was then planning for the Forest Practices Code would "eliminate some benefits the Code has brought to forest management in British Columbia and [would] likely lead to reduced environmental standards and a loss of public confidence".

The code was introduced in 1995, supposedly to toughen up environmental logging standards, but primarily it was meant to appease European timber markets concerned about B.C.'s infamous clearcutting of old-growth rainforests. Forest companies have since claimed the code wrapped them in red tape, and lobbied to have procedures "streamlined". Moore's letter opposing various proposed changes reflected environmentalists' concerns that the code wasn't simply being streamlined—it was being gutted.

"It took a lot of guts to write that letter," says John Werring of the Sierra Legal Defence Fund, a Vancouver-based environmental organization that has been tracking the Forest Practices Code like a hawk.

"I thought Keith would be fired for writing that letter," said Jim Cooperman, veteran forest critic and editor of *Environmental Report*, the official publication of the B.C. Environmental Network. (In fact, the chair can't be fired during the term of his appointment.)

Since Moore wrote his hateful words, however, the changes he was protesting have been approved. Forest companies will no longer provide detailed logging plans and fish-stream assessments that the public can scrutinize before logging takes place. Instead, foresters will implement the code with little monitoring by outsiders. Moore and the public can only evaluate the results after the fact. I expect at least a lingering hint of outrage from Moore, even a flash of bright green indignation, but no such luck. Moore is the perfectly grey bureaucrat.

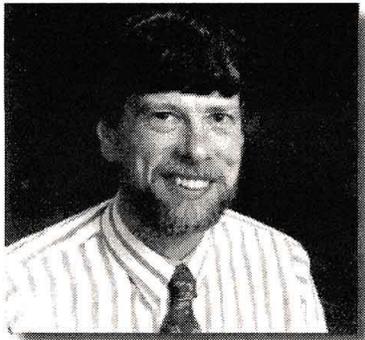
"The government asked for input into their draft legislation, so as a board we provided our comments," he says. "It is our job as public watchdog to ask questions, and that is what we did."

"While it's true that we don't agree with all the changes the government made to the Forest Practices Code, it is time to move on and do what it is that we do, which is to assess the results of forest practices and report to the public."

This is quintessential Moore. As a forester with a graduate degree in geography, he's been trying to reform B.C.'s land use practices from within the system for more than 20 years. He's been willing to take his bureaucratic lumps as long as he can keep focused on the big picture—his optimistic view that the forests can be all things for all people.

"I believe in management of the forests for fisheries, wildlife, cultural and spiritual values," says Moore. "And I believe all of these can be accommodated through an appropriate forest management regime."

When he was fresh out of UBC in 1976, Moore developed a set of stream-side logging guidelines for the forests ministry, an early attempt at bringing ecological order to the chaos of clearcutting. During his tenure as a fish habitat biologist with the environment ministry on the Queen Charlotte Islands, Moore was the ministry's advocate for the creation of South Moresby National Park. Later, when he hung out his shingle as a private forestry consultant, his agenda included working internationally



Keith Moore: a portrait in green, and grey

with the UN to conserve tropical rainforests.

Moore, who is 51, still lives in the Queen Charlottes with his growing family. It feels right to be part of a logging community, says Moore, living "close to the people who carry out forest practices".

When Moore was appointed chair of the Forest Practices Board in 1995, all he had to work with was a briefcase full of government documents. Today he has a budget of \$51 million (slightly greater than the entire budget of the provincial ombudsman), a salary of \$12,000, and a staff of 25 or so that balloons to more than 80 in the busy summer months.

And how is the board doing? From the perspective of the environmental community, not so good.

Cooperman of the BCEN is discouraged by the board's logging audits, which he says simply reinforce the logging status quo. Any serious problems the board identifies "are buried deep in the report".

Werring concurs, saying the board has developed a unique form of government-speak that simultaneously identifies problems and dismisses their significance.

Careful to clarify that he isn't criticizing Keith Moore personally—"I like Keith. But I can't fathom how he can stay in that position"—Werring characterizes the board as "a bureaucracy gone awry".

Werring speaks as a former insider, someone who once tried working for the board investigating FPC complaints. "Everything we did had to be reviewed by the board members, right down to the individual letters we wrote," Werring says. "The board is caught up in a level of detail it shouldn't be."

"As a result the board isn't cost effective," Werring says. "It is a system designed to fail."

The board's 1997 annual report says it completed five timber audits that year, participated in 21 reviews and

appeals on the Forest Practices Code, and since 1995 has completed eight complaint investigations.

Moore acknowledges that this output is skimpy, but points out that the past three years have been an exercise in getting established. There are growing pains. It takes time to develop high-quality data, he says, but they have also been doing important work behind the scenes.

"Take the definition of what a stream is," says Moore. "It may sound dry and technical, but it is really quite important." In a dry summer, an operator may not be sure if he's dealing with an underground stream or a pile of stones. Since the Forest Practices Code puts restrictions on logging around streams, it needs to be clear on what constitutes a stream in the first place. Moore says the board was influential in getting this issue nailed down.

Although he doesn't plan to remain with the board beyond the year 2000, Moore predicts that its most productive years lie ahead. But Werring is skeptical. "I don't think it will get any better in the future," he says, describing the board as bureaucratically cautious. "In the end they don't want to make the Forest Ministry or the logging companies look bad."

Moore bristles at any suggestion that the board is biased. "I have not felt the independence of the board compromised in any way," he says. "It is critical for the public to be assured that they have an independent and objective board."

Judge for yourself: the board currently includes a former provincial chief forester, a former company chief forester, plus three other individuals from the forestry establishment. Moore concedes he is the board's greenest member, but says he's just part of the overall mix. I ask why the board doesn't include at least one outspoken environmentalist, such as the Sierra Club's Vicky Husband. "Would you rather have a board made up of competing stakeholders such as environmentalists, union representatives, and so on?" Moore replies. "Or would they just wind up rehashing their same old arguments?"

The latest test of the board's effectiveness lies in its recently released report on stream-side logging in coastal forests. The report was triggered by a 1997 Sierra Legal Defence Fund study, which showed that over 80% of all coastal forest streams are being clearcut. The board's report finds similar concerns, but plays down their importance. It goes to lengths to proclaim that logging practices around streams have improved since the code was introduced—but admits that forestry companies improperly classified large numbers of fish streams, resulting in logging beyond what the code allows. There's no mention of companies being penalized. The report only says how well the code has been implemented; it doesn't comment on whether the code offers adequate protection in the first place.

That drives David Boyd crazy. The Sierra Legal Defence Fund's executive director says that, apparently, the board will look at a small, sensitive fish stream that is clearcut right to its banks and conclude—correctly—that this meets code requirements. "We look at that same stream, and go 'Jesus,'" says Boyd. "In Washington it would receive up to 300 feet of a no-logging buffer zone [on each side]. So we go, 'There's some problem here.' But you'd never know it from reading their report."

"Where the code was followed we believe stream and fish values were adequately protected," says Moore in reply. "We can't say one way or the other if the code is effective in protecting wildlife and biodiversity values. In our report we recommended that government develop more specific requirements in these areas."

Is that good enough? In the end, I'm left wondering whether there's a principle that says something can't be both green and grey at the same time. There's certainly no such blend on any color chart. You have to pick one or the other. **M**

Williams Lake Advocate, October 23, 1996. “Fishermen’s union fishes for trouble.”

Letter, William Dawydiuk, Chair, Central Interior Logging Association.

Largely through the use of misinformation, misleading video footage and outright deception, the UFAW has tried to create the illusion that logging practices in the Cariboo are in fact responsible for the demise of the salmon fishery.

The UFAW, in a misguided attempt to direct criticism for mismanaged fishery away from their own industry, is potentially endangering the livelihood of workers who are already struggling with the implementation of many government initiatives.

... the UFAW has also chosen to disregard: 1) Hydrological studies indicating logging has had negligible siltation impacts on the river since records have been kept in the 1950s. 2) Sockeye salmon have been returning in record numbers to the river system, increasing steadily since monitoring began some 40+ years ago. The peak run outperformed the famous Adams River run two years ago.

The habitat for spawning salmon is alive and well in the Cariboo.

THE WEST

The Vancouver Sun, Tuesday, March 11, 1997 **D3**

New probe to look at forest practices

An independent agency has told the forests minister it believes charges the regulations aren't enforced deserve a special investigation.

GORDON HAMILTON
Sun Forestry Reporter

The Forest Practices Board has ordered a special investigation into logging around streams after an environmental group claimed the province's forest regulations are not being enforced.

Board chair Keith Moore said in a letter Monday to Forests Minister David Zirnelt that the board believes an independent investigation is warranted.

“The key questions to be addressed are: Do forest practices in the field comply with the Forest Practices Code and protect streams and riparian [stream-side] areas?” Moore wrote. The investigation will focus on coastal streams.

It is in response to a request from Zirnelt after the Sierra Legal Defence Fund released a report detailing stream damage.

Moore said in an interview the board has drawn no conclusions from the SLDF report.

“At this point we don't know what is going on. That is why we are going to do the investigation.”

The investigation will deal with broader issues of the code and of forest practices adjacent to streams on the coast.

The first phase — field assessments and a report on compliance with the code — is expect-

ed to be completed by May 31.

The second phase — impacts of harvesting practices on riparian areas and an examination of procedures followed — is not expected to be completed before the end of summer.

The board decided to conduct the special investigation based on the importance the code places on stream-side management practices and the high degree of public interest in stream protection.

“The requirements for protection of riparian areas are an important part of the code, so certainly that was an important part of our consideration,” Moore said.

The board is an independent agency established in 1995 to provide reports to the public and to government on the code and whether it is achieving its intent.

Vancouver Sun, October 8, 1996. “Forest code shift aimed at speeding harvest, revenues.” British Columbia’s Forest Practices Code is being re-written with the help of the forest industry to speed up the log flow to fibre-starved mills and the cash flow to empty provincial coffers.

Under the knife are: The code’s operational planning regulations, the so-called “guts” of the code, which the government’s own small business forestry program has had difficulty meeting. The code’s forest road regulations, which govern how logging roads are to be built, maintained and deactivated.

An industry committee reviewing road regulations has already made recommendations on changes, including one that would minimize terrain stability assessments.

In the Cariboo, logger Wade Fisher says the code is stifling harvesting. "The code is having a terrific impact on harvesting", said Fisher, IWA-Canada representative on the Cariboo land-use debate. "It can impact harvesting up to 20 percent on some soil types."

But conservationists say handing code revisions over to industry is bound to dilute its environmental protection measures.

TUESDAY, JULY 20, 1999 <http://www.vancouversun.com>

Grossly inadequate' funding threatens B.C.'s forestry roads

JUSTINE HUNTER
SUN BUSINESS REPORTER

Forest Renewal B.C. funding cuts are jeopardizing the maintenance of the province's forestry roads, leaked government documents show.

The "grossly inadequate" funding this year has serious consequences for safety on school bus routes, access to native communities, as well as recreation and commercial use, says a discussion paper written for a government committee on forest engineering.

The province has provided \$10 million this year to maintain the network of about 43,000 kilometres of forest service roads (FSRs), which currently rivals the size of the province's entire public highway system.

That's about a third of the amount needed to maintain the road system safely, according to the documents prepared by the ministry of forests.

Every year, about 1,000 kilometres of forestry roads are added to the province's inventory while direct government funding has remained static, creating a growing backlog of needed maintenance.

FRBC, the Crown corporation created five years ago to invest

SEE FRBC, A2
LOST IN THE WOODS, A10

Logging blamed for greenhouse gas rise

■ An environmental group's report says British Columbia and the Northwest are culprits in continued global warming

The Associated Press

VICTORIA, British Columbia — A Seattle-based environmental group says emissions of greenhouse gases are continuing to rise in British Columbia largely because of logging in old-growth forests.

In a report released Thursday, Northwest Environment Watch said that British Columbia and Washington, Oregon and Idaho increased the amount of carbon dioxide they sent into the atmosphere from fossil fuels by more than 25 percent in the past decade.

"Logging of the region's remaining old-growth rain forests, primarily in B.C., boosts our CO₂ (carbon dioxide) tab," said John Ryan, the report's author.

The organization thinks that by allowing the logging of old trees, which absorb carbon dioxide and produce oxygen, the province is contributing to the greenhouse problem of slow global warming.

The report cites a range of federal and provincial reports as sources for its conclusions, as well as a variety of research on the carbon storage of trees.

The group noted the increase in emissions came after Canada and other industrial nations committed at the 1992 Earth Summit to capping carbon dioxide and other gases that trap heat in the Earth's atmosphere at 1990 levels by the year 2000.

Carbon dioxide emissions have continued to grow despite this commitment, and current provincial and federal strategies are insufficient to stabilize the situation in British Columbia, the group said.

British Columbia's production of greenhouse gases tripled to more than 40 million tons in 1993 compared with 1960, when detailed records of fossil-fuel consumption began, the report said.

Per-capita use of fossil fuel in Brit-

ish Columbia and the U.S. Northwest has rebounded from 1983, when energy prices were high, to levels of the 1970s, it said.

British Columbia could cut its carbon dioxide emissions substantially by reducing the rate of timber cutting and protecting more of its low land forests, the report said.

In the U.S. Northwest, six of eight aluminum smelters have joined a voluntary Environmental Protection Agency program to cut emissions of perfluorocarbons, another heat-trapping gas, by 45 percent by the year 2000, Northwest Environment Watch said.

But the group said the only practical way to reduce carbon dioxide emissions from smelters is to smelt less aluminum.