



Tenure reform: moving the process forward

by Melissa J. Hadley, RPF

Most forest stakeholders agree that it's time to change British Columbia's forest tenure system, but how do we get there from here?

As noted in the September/October 1998 issue of FORUM, a review and update of British Columbia's forest tenure system is long overdue. While stakeholders seem to agree that the current forest tenure system is inadequate, there is no common vision of what constitutes a better system or how to proceed with tenure reform.

This article identifies some objectives and principles to guide tenure reform in British Columbia and a process for making the transition from existing tenures to new ones.

Current Forest Tenures

British Columbia's forest tenure system has evolved over a period of about 130 years (Figure 1), following government's early goal to establish a competitive timber processing industry as a major engine of provincial economic growth. During this period, other sectors of the economy have developed, knowledge has grown, world markets for timber have changed, and public objectives for provincial forests have shifted. Views on how decisions should be made and how forests should be managed have also changed. Despite such changes, forest tenures continue to reflect primarily a timber production focus and a forest industry perspective.¹

Calls for Change in Forest Tenures

Calls for tenure review and reform have come from many quarters—recommendations unfulfilled from various royal commissions, existing tenure holders, and new groups wanting access to timber and other forest resources. Forest companies, industry associations, professional associations, environmentalists, workers, governments, and communities have all expressed discontent with current tenure arrangements.

As might be expected, the calls for change include differing perspectives (e.g., whether AACs should rise or fall) and common ground (e.g., need for a competitive log market, greater access to wood, more variation in size and types of tenure holders).

A portfolio of diverse tenure arrangements is needed to serve the varied and often conflicting objectives that British Columbians have for their provincial forests. New tenures must provide for a greater range of forest goods and services, for expression of different management philosophies, and for a broader spectrum of tenure holders. These objectives place a tall order for a new tenure system. They also lead to questions of who decides and who manages, how to establish relationships between participants, what is government's role, and how to provide for review and change.

¹ A notable, recent exception is the new community forest tenure agreement passed by the B.C. legislature in July 1998.



Devolving Responsibilities

Throughout most of the Province's constituted history, forest planning has been undertaken from the perspective of British Columbia as one area and one community. Planning and decision-making must now recognize that British Columbia is a collection of communities with different aspirations and needs, and with strong interests in the location and timing of forest development in their locales.

A new tenure system should transfer more responsibility for forest planning and management from central government to subregional and community levels of administration. Much of the management and planning of the forest landbase should eventually be under the strong influence, if not control, of community-based resource boards.

At the same time, a new tenure system must safeguard forest ecosystems and address provincial objectives. Some agency or board must be responsible for ensuring that development does not exceed sustainable carrying capacities, and that tenure allocations meet both community and provincial objectives for a flow of economic, social, and environmental benefits.

Transition to a New Tenure System

The transition to new tenures should minimize the impact on workers, communities, the industry, and government revenues. The transition process should be inclusive and transparent, with communication a high priority.

British Columbia's existing land-use processes and the scheduled replacement of major tenures offer a useful vehicle for transition. While they may not represent an ideal model for the identification of tenure opportunities and the allocation of tenures, they provide a known starting point, therefore avoiding the potential confusion and conflict that might accompany a new process.

By linking the identification of tenure opportunities and tenure replacement to ongoing land-use planning processes, tenures will keep pace with the changing social, environmental, and economic needs of the areas in which they are located. With some refinement of the process, subregional land and resource management planning (LRMP) could identify tenure opportunities as part of the strategy it develops for each resource management zone.

Under such a system, new tenures would be introduced in one area at a time, through scheduled LRMP development or update processes. This would minimize disruption to the province and forest sector stakeholders, and maintain customer and investor confidence during the transition period. Each successive LRMP process could build on the experiences of previous ones. The step-wise progression would help to build confidence among stakeholders and allow their roles and relationships to evolve over time. Communities would take on a more prominent role, local resource boards would develop, big industry would adjust to purchasing a significant portion of its fibre needs from a competitive log market, and the Ministry of Forests would change its focus to managing the landbase instead of the industry.

The conversion of current timber tenures to new forest tenures would occur through the licence replacement mechanism for both major long-term timber tenures (TFLs and FLs). To enable and encourage conversion of existing tenures to new ones several issues must be addressed:

- new tenures must offer something (e.g., security, exclusiveness, duration) in return for what is given up (volume or area)



- new tenures should contain incentives for excellent forest management (e.g., certification) and the production of value-added and higher value products (e.g., tax incentives)
- new legislation will be required to enable
 - the Minister of Forests to offer a different (new) tenure as a replacement to an existing one, and to make replacement offers to all licensees in one planning area at the same time
 - existing tenure holders to voluntarily surrender their existing licences in exchange for new licences.

Over time, the schedules for LRMP review and amendment (every ten years) and the offer of replacement licences for existing tenures (every 5 years) should be coordinated so that tenure contracts can be adjusted to changing local circumstances.

The Will to Move Forward

Change requires a new mindset. Tenures must provide for more than rights to cut timber. They must safeguard forest ecosystems and convey rights and management responsibilities for a range of forest values and benefits.

Tenure reform will present a gain to some and a loss to others. The challenge in tenure reform will be to ensure that the same or greater benefits (environmental, social, economic) are realized from a new portfolio of tenures, and to be sensitive to how these benefits might be redistributed in an equitable manner.

There has been no better time in the last 20 years to address tenure reform. Most stakeholders are sufficiently disenchanted with the current tenure system to be ready for change. Government has opened the door by introducing a new community forest tenure. It now falls to the other stakeholders to identify and support a portfolio of tenures that will meet their collective needs.

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Figure 1 Chronology of Forest Tenure Development in British Columbia



