

## **Rainforest Solutions Project Statement**

**Re: logging plans in the Phillips watershed in the southern Great Bear Rainforest**

**May 19 2017**

Greenpeace, Sierra Club BC and Stand.earth, collectively known as Rainforest Solutions Project (RSP), acknowledge the Kwiakah First Nation's Indigenous rights and title. We expect the BC government and Western Forest Products (WFP) to seek agreement in the Phillips watershed with the Nation consistent with their Indigenous rights and title and the requirements for meaningful First Nations consultation found in the Great Bear Rainforest Agreements Land Use Order (GBRO) proclaimed February 1, 2016.

The environmental groups involved in the Rainforest Solutions Project take Kwiakah First Nation (KFN) concerns seriously and our organizations are deeply committed to ensuring that the concurrent goals of Ecosystem-Based Management (to maintain ecological integrity and achieve high levels of human well-being) that underlie the GBRO continue to be met. We continue to monitor the situation in the Phillips to ensure that the spirit and intent of the GBR Agreements is successfully applied. We have consistently communicated with the representatives of WFP and the provincial government that we expect the mechanisms and options built into the 2016 GBRO to be used to ensure that both ecological and cultural values are safeguarded and Indigenous rights and title respected. It is our ardent belief that in the spirit of the Great Bear Rainforest Agreements that took twenty years to develop and finalize, collaboration and principled problem-solving will prevail between the parties to create a mutually satisfactory and durable solution.

In response to a recent article in The Tyee (May 8) about the conflict between the Kwiakah, WFP and the province over the rate of cut and amount of logging planned in the Phillips watershed, we also would like to offer clarity, background information and our perspective about what the Great Bear Rainforest Agreements can and cannot do relative to this conflict.

### **BACKGROUND & CONTEXT**

Final implementation of the Great Bear Rainforest Agreements was announced by First Nations governments and the BC government, with the support of our organizations and five forestry companies (including WFP) as stakeholders, on February 1, 2016. The 2016 Agreements increased protection and strengthened conservation mechanisms (e.g. legally required reserve planning, First Nations cultural objectives etc.) across the region as a whole. Overall conservation levels are higher in the northern portion of the GBR than in the southern portion in recognition of the greater portion of intact old-growth rainforests in the northern portion and greater impacts from extensive logging history in the south.

From a regional perspective, the Great Bear Rainforest Agreements (as systematized in the Great Bear Rainforest Land Use Objectives and the Great Bear Sustainable Forest Act of 2016) set 85 percent total (3.1 million hectares) and 83% of all the old growth forests of the Great Bear Rainforest's coastal temperate rainforests permanently off-limits to industrial logging. The remaining 15 percent of the forest is subject to the most stringent commercial logging legal standards in North America under Ecosystem-Based Management. The combination of Strategic Engagement Agreements, new institutional mechanisms and new legal & policy instruments were designed to strengthen First Nations decision-making powers and oversight of their lands by institutionalizing over-arching co-management at a government to government level, requiring stronger consultation requirement with individual First Nations and by increasing legal protection for a suite of First Nations cultural and heritage sites, and

food and ceremonial plant species. The underlying spirit and intent of this Agreement Framework was that logging activities would be carried out with the consent of First Nations in their corresponding territories. In the absence of consent, licensees are expected to engage more creative problem-solving mechanisms with First Nations to find a workable solution.

Because the Great Bear Rainforest Agreements were negotiated largely at a regional strategic level and recognized that better information would be available in locally specific areas, the capacity to problem solve at the local level was also developed to allow for continuous improvement and to anticipate the availability of higher quality local information and/or localized disagreements over logging rates such as those currently occurring in the Phillips. In addition to requiring 85% of the forested area being off limits to logging, the far-reaching conservation and human well-being framework covering over two dozen Indigenous territories and 6.4 million hectares, also requires a follow-up reserve design process. The reserve designs map out critical layers of information based on cultural and ecological values while maintaining regional cut levels.

#### AVAILABLE SOLUTIONS

All the conservation targets in the GBR Land Use Order are developed to protect enough of each type of ecosystem to maintain the diversity and ecological health of the forests regionally. The follow-up reserve design process is intended to refine this process and ensure that these values were appropriately met at the landscape unit / watershed level. A reserve design process in areas where industrial logging is allowed is required by law to map out where conservation will be in each watershed, while also providing opportunities to address Indigenous and non-Indigenous community concerns and input from stakeholders or other new information. If needed it is possible to make additional adjustments to conservation targets in specific watersheds/landscape units to address serious concerns. This process and other built-in problem solving mechanisms should and must be used as a way forward for the Kwiakah, WFP and the province.

Rainforest Solutions Project will continue to closely monitor the reserve planning process and discussions about an acceptable rate of cut in the Phillips watershed with the Kwiakah First Nation, WFP and the Province. We strongly encourage the parties to use the existing Great Bear Rainforest Framework problem-solving mechanisms to come to a mutually agreeable resolution which ensures that the new legal and policy rules in the Great Bear Rainforest benefit both the environment and communities, while upholding Indigenous rights and title are respected. In the event that the problem solving approaches currently available are exhausted without mutually satisfactory resolution, then we will advocate strongly for more creative problem solving approaches to be developed and applied.