

OUR LAND IS OUR FUTURE

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UNION OF B.C. INDIAN CHIEFS
52ND ANNUAL GENERAL ASSEMBLY
SEPTEMBER 29TH TO 30TH, 2020
VIRTUAL MEETING

Resolution no. 2020-23

RE: Implementation of an Old Growth Strategy that Protects First Nations' Welfare and Endangered Old Growth Forests

WHEREAS Indigenous peoples sustain vital cultural and spiritual relationships with the environment and have derived their livelihoods, way of life, health, and well-being from the care and stewardship of their lands and waters since time immemorial;

WHEREAS old-growth forests are considered “heritage habitats” with ancient trees, some up to 2,000 years old, that not only play an integral ecological role in the biodiversity and health of BC ecosystems, but possess incalculable cultural value and significance for First Nations who use old-growth yellow and red cedar for traditional purposes, such as clothing and regalia, canoes, totem poles, and long houses;

WHEREAS logging has reduced the grandest stands within the ancient temperate rainforest in BC to [less than 3% of its original size](#) and despite Vancouver Island’s old-growth forests approaching extinction, the government agency BC Timber Sales (BCTS) and private corporations are responsible for the logging of irreplaceable swathes of ancient trees, including those in Nuu-chah-nulth territories and the Nahmint Valley in Hupacasath and Tseshaht First Nations territories;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples*, which the government of Canada has adopted without qualification, and has, alongside the government of BC, committed to implement, affirms:

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Article 19: States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.

Article 26(1): Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.

(2) Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.

(3) States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.

Article 29(1): Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resource; and

WHEREAS around 4/5ths of old-growth logging done on Crown land is attributed to private companies who are encroaching into increasingly controversial and endangered areas of ancient forests that hold irreplaceable cultural value for Indigenous Nations and, rather than being destroyed in the short-term, could be left standing to accrue long-term value as part of a diverse economy;

WHEREAS although the provincial government claims 55% of old-growth forests on Crown land in B.C.'s coastal region are protected from logging, the majority of the protection extends over the Great Bear Rainforest and fails to protect much of the old-growth on Vancouver Island where there are several private companies which — combined with BCTS logging — are clearcutting about 10,000 hectares of old-growth a year, or more than 30 soccer fields per day;

WHEREAS logging in the Nahmint Valley has led to the felling of some of the largest and oldest trees in the province, and after the Ancient Forest Alliance submitted a complaint in 2018 to the compliance and enforcement branch at B.C.'s Ministry of Forests, Lands and Natural Resource Operations and Rural Development (FLNRORD), two subsequent [investigations](#) revealed that the BCTS was violating old-growth management plans and protection rules, as well as Vancouver Island's official [Land Use Plan](#) which designates the Nahmint Valley as a Special Management Zone with a critical mass of old-growth that needs to be retained;

WHEREAS it is deeply concerning that despite making recommendations that the BCTS should put a hold on future harvesting tenures and be prevented from legalizing new old-growth management areas until they address ongoing overcutting, the senior compliance and enforcement specialist conducting the internal investigation of BCTS was told to close his investigation and that the government would not charge the agency;

WHEREAS the current landscape of old-growth logging has been exacerbated by years of the BC government fostering an economic dependence on old-growth for First Nations communities by arranging

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agreements for revenue-sharing, employment, joint ventures, and tenures in old growth timber in contentious areas for First Nation bands who face limited economic opportunities as a result of years of colonialism and racism;

WHEREAS the provincial government has allowed BCTS and logging companies to over-harvest old growth and to operate with no accountability and repercussions for their infractions and compliance issues, allowing low enforcement standards to jeopardize salmon-bearing streams and other wildlife habitat already under duress from the climate crisis, forest fires, and carbon emissions linked to intensive development and logging;

WHEREAS a conservation financing model similar to the one administered by Coast Funds in the Great Bear Rainforest can be applied to Vancouver Island in order to permanently finance First Nations stewardship, sustainable economic development, and the conservation of old growth;

WHEREAS the First Nation Forestry Council (FNFC) has a mandate that includes advocating on forestry matters on behalf of BC First Nations, and by UBCIC Resolution 2012-14 “Support for First Nations Leadership Council Renewing its “Declaration & Protocol of Recognition, Support, Cooperation and Coordination with the First Nations Forestry Council” and UBCIC Resolution 2016-15 “Support for First Nations Forestry Council and Improved Forest Range Revenue Sharing and Tenure Solution,” UBCIC has consistently supported the work of the FNFC;

WHEREAS the FNFC has worked to develop and implement a BC First Nations Forest Strategy that will allow for increased revenue sharing, shared decision-making, and the meaningful involvement of BC First Nations as full partners in the forest sector, and by UBCIC Resolution 2019-24 the UBCIC Chiefs Council fully supported the draft [BC First Nations Forest Strategy and Implementation Plan](#), which provides a supportive framework for increasing the role of First Nations in the management and protection of old-growth forests;

WHEREAS the BC government must consult with and learn from First Nations land and forestry plans and practices, and work in partnership with First Nations to develop sustainable timber harvesting policies that support the UN Declaration, the BC First Nations Forestry Strategy, and First Nations’ need to retain sufficient old-growth for spiritual and cultural purposes;

WHEREAS logging now threatens the Fairy Creek watershed near Port Renfrew, the last unlogged old-growth valley on south Vancouver Island, and activists and land defenders have set up road blockades in August 2020 to prevent clear-cutting from destroying the local environment;

WHEREAS an Old Growth Review Panel appointed by the B.C. government in 2019 was to provide a report and draft [recommendations](#) for a new approach to old-growth management in the spring of 2020 following a public engagement process, but the province did not meaningfully consult with First Nations, including the First Nations Forestry Council who had requested to be a part of the review panel;

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WHEREAS on April 30, 2020, the Old Growth Review Panel presented its report to the Province which concluded that years of mismanagement and the inconsistent application of previous old-growth and conservation plans have led to the current old forest challenges, and included 14 recommendations to guide a four-phased process to develop and implement an old growth strategy that consists of immediate, near-term, mid-term, and long-term actions;

WHEREAS after significant delay, the Province finally released the old growth report and recommendations to the public on September 11, 2020, alongside the announcement of the deferral of old-growth logging within more than 350,000 hectares and the protection of up to 1,500 giant trees;

WHEREAS although the report and the Province's renewed commitment to old growth are promising steps, there are still many concerns, including how BC is continuing with plans to log old growth and critical caribou habitat in the Argonaut Valley north of Revelstoke, and how the logging deferral still leaves almost half of the province's old growth unprotected, does not include vulnerable areas such as the Fairy Creek area, and leaves the most at-risk and contentious areas for First Nations to log while privileging industrial forest corporations; and

WHEREAS although decisions regarding old-growth are a Title and Rights subject, the government has enabled a dangerous and irresponsible system that deprives Indigenous Nations of their consent and leaves them most contentious and at-risk areas for logging: their consent is only honored and recognized when it is given to protect old-growth, but it is never sought and respected by the government when it comes to the destruction of old-growth.

THEREFORE BE IT RESOLVED the UBCIC Chiefs-in-Assembly fully support the First Nations and allies who are protesting the negligent logging and clear-cutting practices enabled by the BC government that have undermined First Nations Title and Rights and pushed Vancouver Island's old-growth forests to the brink of collapse;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs-in-Assembly fully support the Old Growth Strategic Review Panel's report and recommendations that are vital to creating a new, sustainable old growth strategy, and call upon the provincial government to take immediate and sustained action to ensure that the report's recommendations are carried out, with First Nations included and consulted every step of the way;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs-in-Assembly call upon the BC government to provide more details on its plan to shift logging deferrals to permanent protection, and working in partnership with impacted First Nations, to engage in discussions on expanding these deferrals to include all threatened old-growth forests, including areas like the Walbran Valley, Nahmint, Fairy Creek, Tsitika Valley, Mt. Elphinstone, Argonaut Creek.

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs-in-Assembly direct the UBCIC Executive and staff to work with other like-minded organizations to urge the provincial and federal

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governments to provide dedicated funding for First Nations Indigenous Protected and Conserved Areas (IPCAs) and First Nations land use plans, as well as financial support for First Nations communities to manage and steward ICPAs, purchase and protect private lands with old-growth, and pursue conservation-based businesses and economies, including cultural and eco-tourism businesses, clean energy, and second-growth forestry;

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs-in-Assembly urge the Ministry of FLNRORD to consult and engage with First Nation communities and organizations, including the First Nations Forestry Council and the First Nations Leadership Council, to develop and implement a renewed old-growth strategy that entrenches Indigenous consent into its processes; is aligned with the principles of the UN Declaration, the Old Growth Strategic Review recommendations, and the BC First Nations Forestry Strategy; is supported by strong enforcement and compliance standards; and is intended to support sustainable old-growth cultural harvesting as an important First Nations livelihood and source of culture.

Moved: Spokesperson Chris Syeta'xtn Lewis, Squamish Nation
Seconded: Terry Dorward, Tla-o-qui-aht First Nation (Proxy)
Disposition: Carried
Date: September 29, 2020

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