

Forest Farming Agroforestry in BC

A Beneficial Management Practice or a New Forest Tenure in BC?



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March 17, 2012



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By Keith Hunter, First Nations Wildcrafters BC (March 17, 2012)

I have prepared this as a response to Agroforestry on Public Lands---Where Costs and Benefits Can Divide written by George Powell, Ph.D., P.Ag., which was posted March 15, 2012 as a blog article on the AgForInsight.com Blog at <http://www.agforinsight.com/?p=434>

As I have come to enjoy from the quality of articles and information on the AgForInsight.com blog, this was very well written and well thought out comparison of management practice “code words” and jargon. I am in hopes this response will add to the discussion and consideration of my initial thoughts as specifically regard the closing proposition in the blog article. The proposition I am referring is:

"...if agroforestry is ever to really become firmly established as an option in jurisdictions where the public owns and dictates land use standards, new integrated agroforestry tenures need to be created. Then the costs and benefits will fall on the same balance sheet, and management can be dictated by a clearer system of risks and rewards."

It is my understanding that forest farming Beneficial Management Practices (BMPs) have been accepted and advanced by the Crown as alternate crops forest farming agroforestry being a "practice" and land use designation neutral. I strongly believe that to move agroforestry BMP principles from the realm of a management practice into the political and long term area based timber supply/timber license realms (and/or as a basis for land value evaluations and taxation issues) would be extremely detrimental to wider acceptance and thus wider adaptation of agroforestry as a BMP. If the desired outcome is the wider adoption of BMPs within the context of forest farming, the integrity of agroforestry as a “practice” must be maintained and not blurred with the idea of creating long term area based timber tenures.

It is important, and prudent, to keep in mind that developing an agroforestry forest farming tenure would carry a constitutional legal obligation of due diligence attached for the Honor of the Crown. This would include the Crown’s legal consultation obligation to consider the impact of this type of tenure on First Nations rights and title interests. I can appreciate that the article was necessarily brief, but the lack of a mention of First Nations constitutionally protected interests is, in my opinion, paramount to be included in discussions of this magnitude. In moving from concept and theory into implementation there are certain questions that would need to be addressed and have answered prior to venturing down the proposed trajectory as contemplated in the article.



Along those lines I would ask how an agroforestry tenure system would be developed in BC that would not create an infringement liability. Consultation with First Nations at the planning stages on developing such tenure would be required. Are there identified sources where the funding for First Nations engagement would be obtained? The proposition as set forth would add additional costs not only to the consultations of the tenure development but also localized adverse economic impacts of the additional costs of referral processes and the need for capacity building to make informed evaluations and responses to the referrals for both the First Nations and the Crown. These costs would need to be part of the cost analysis within the proposed solution. Creating and then pushing additional costs upon First Nations and the Crown by the agroforestry sector is definitely an example of where “costs and benefits divide”.

I would also like to comment that with the number of hectares under woodlot licenses and Community Forest Agreements that there are currently public lands under integrated forest resources/product value chain management control where forest farming could be directly implemented on local levels without a tenure change. An additional tenure to achieve wider application of forest farming as an agroforestry practice is not justifiable based upon a premise that the lack of available hectares is a barrier to adopting BMPs.

Additionally, and it is extremely critical when evaluating the proposed solution, that to the best of my knowledge and belief that there are no currently existing policy, practices or tenure barriers on public forest lands that would prevent BMPs from being adopted and implemented. In fact, much of the work we have done with forest farming has been on exactly that type of forest lands.

I bring these perspectives to the discussion because I do not think the case has been made that it is the lack of a forest farming tenure land base and/or that existing policy or forest practice barriers that are preventing adoption of BMPs on public forest lands in BC. To identify a lack of a forest farming agroforestry tenure as the barrier, particularly when agroforestry is a practice and not tenure, is a conclusion I cannot find support for from my analysis and operational implementation experience of forest farming within the current forest practices policies and tenures on BC public (or private) forestlands.

To the best of my knowledge, every silviculture practice needed for stand level management for forest farming is an existing approved forest practice. In the event that there may be a forest practices barrier that I am not aware of, then I would question whether a forest practices barrier could be removed via a new tenure which would also be subject to the identical existing practices. I would advise caution in creating the perception of barriers to BMPs as a forestry practice by the proposing of a solution that appears to be orientated towards obtaining long term area based timber licenses.



Another very important point I would bring for consideration is that this type of tenure as contemplated would require a long term area-based tenure with exclusivity of timber and non-timber harvest rights assigned. This opens the door to such a conceived tenure holder, based upon what up until now has been promoted by the Crown governments as a management practice, to receive a long term area based timber supply based upon vague forest farming outcomes that cannot be adequately defined in a management plan or credibly monitored for license compliance.

The inability to determine whether or not the forest farming management objectives of the tenure are realistically established in a Forest Stewardship Plan (FSP), and particularly absent auditable protocols in place to determine whether or not the outcomes objectives are actually being met, coupled with the tenure holder's implied ability to restrict access to other users (traditional use, recreational, hunting, etc) is a recipe for a completely unenforceable conflict riddled tenure agreement. The conflict generation of such an approach can be completely avoided when BMPs are taken at their core meaning as a "practice" which takes all stakeholder interests into consideration in developing forest farming management plans and implementation.

In order to credibly monitor compliance of defined FSP outcomes for berries and mushrooms (to use the blog article examples) there would need to be a model capable of assessing whether or not the investments into increasing longer term timber market value would also have a direct and verifiable relationship of that investments in obtaining derived abundance benefits of forest foods or other alternate crops. Investment activities targeted at creating higher market value timber may or may not be in sites suitable for the higher value non-timber products that the same site may be capable of producing. For example, does opening the canopy for berries produce a higher non-timber and timber value relationship as compared to managing for canopy closures for certain mushroom species?

In such a scenario, what would the objective criteria be for such management decisions? I would posit, based upon the history of timber management and forest policy in BC, that the decision-making would necessarily be required to be made on the side of the timber value thus rendering the decision-making as relates to the non-timber interests not being given equal weight in the operation of such tenure. By contrast, the basis of this tenure proposition appears to include the presumption that both values would be equally weighted. This proposition also appears to contain a presumption that both values would be incrementally increased in the same stand, and coincidentally in the exact location within the stand, and both directly benefit from a silvaculture investment on the landscape scale of the area based tenure.



I would put forth that these presumptions have not been validated to the point where an FSP could have reliability and credibility and thus not in the public interest to adopt as a tenure. It would be highly unlikely that such a model could be reliably built and applied in the myriad of sites that would be encountered in BC. This is extremely important because there are an infinite set of variables in assessing values of both timber and non-timber products, such as the lack of adequate production yield trials of the variances of age classes, stand stocking considerations, canopy densities, soil types, climatic influences, etc to establish predictable and credible establishment of production responses of non-timber from various applications of silviculture treatments. The development of a forest farming agroforestry tenure system based upon almost entirely untested market values derived from untested stand treatment response presumptions would be speculative at best and thus not able to be validated by any measureable outcome indicators for FSP compliance purposes. This would rightfully call into question the validity of the agroforestry sector itself.

For confidence in agroforestry as a tenure (as compared to a BMP) the FSP would be required to clearly establish measureable, legally binding contractual obligations as to whether or not both timber and non-timber management objectives are being met by the proposed license holders. What would the minimum management objectives of berries or mushrooms be? How would these outcomes be determined and independently verified? How would the abundance be monitored to determine whether or not the increase of non-timber yields was a result of the management practices, seasonal and climatic variations and/or seral stage stand structure development? How would compliance monitoring determine whether the economic values derived are adequate or competitive? How would the decision be made as to whether or not the licensee had made appropriate management decisions to insure that the non-timber resources are producing at an optimum rate and not tilted towards obtaining long timber harvest values and timber volume supply? How would the minimum investment levels of the tenure holder be determined and monitored? How would this be reconciled with annual allowable cut considerations and timber harvest volume obligations of timber licenses?

Without an auditable FSP, and without being able to answer these types of questions, there could be no basis for providing the due diligence needed to establish confidence in determining the award of and the resultant compliance requirements with this type of new tenure. We could very easily draw upon the experiences in the challenges and complexities that have historically proven to be very problematic in terms of monitoring other outcomes of FSPs, i.e., Cultural Heritage Resources (CHR), etc which would also need to be met via the FSP of a forest farming tenure. Since many of the non-timber species would potentially conflict with the CHR this would add an additional unanswered scenario. By contrast, forest farming agroforestry, as



a BMP, does not encounter the same scope of dynamics and complications and in fact can assist in meeting other beneficial outcome requirements as a “practice”.

This contemplated agroforestry tenure system appears to be based upon an economic model of cost recovery from anticipated increased economic value of harvested timber. This of course raises a number of concerns in how many berries or mushrooms (to use the example in the blog article) would the licensee need to produce annually, and increase the abundance and production of, to be able to clearly establish the nexus between the economic investment costs for non-timber production that would be required to obtain the social license necessary to secure the long term area based timber harvest rights to the tenure.

With the current constraints of knowledge and disparate lack of support for development of the non-timber sector, this tenure would very likely result in a poorly defined and unenforceable management objective put in place merely for the purpose of obtaining harvesting rights to the higher value benefit of obtaining a long term area based timber license. This could very easily result in agroforestry forest farming being used as a pretext for timber supply and timber tenure agreements with only a minimal cursory nod to other benefits that the BMPs are intended to attain. I do think there are situations where this would be the case and as such would place forest farming agroforestry BMPs on a very slippery slope. Forest farming agroforestry, in order to maintain social credibility, should not be placed in a situation where the BMP concepts can be used to mask a timber volume grab via long term area based tenures that are incapable of being validated to the same standards as other FSPs.

In closing, I do think BMPs should continue to be viewed as a practice. I have no doubt in my mind that had we approached agroforestry as a long term area based tenure development that would have the end result of having exclusive timber and non-timber rights assigned, that the working forest/multiple stakeholders that we have very successfully worked with would not have provided the successful and needed collaboration we have received. I do not believe with a tenure approach as put forth in the blog article that we would be able to derive the cultural, social, ecological and economic benefits that we have been able to accomplish via a BMP model with alternate crops forest farming agroforestry.

I would be more than happy to discuss First Nations Wildcrafters BC’s observations/lessons learned from our experiences in integrating forest farming agroforestry in a working forest environment within existing forest policy and tenures. I do agree that the economic viability of forest farming is critical to wider acceptance and implementation of BMPs. However, there are other ways that I think could reach the outcome of economic viability of agroforestry in the context of forest farming on public forests in BC.



Respectfully,

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