



Cowichan Watershed Board

Prepared for: BC Old Growth Strategic Review Panel

Date: January 30, 2020

Who we are.

The Cowichan Watershed Board (CWB) is a local governance entity created in 2010 to promote water and watershed sustainability in the Cowichan/Koksilah watersheds, ancestral home of the Quw'utsun First Nation. Co-chaired by Cowichan Tribes and the Cowichan Valley Regional District, the CWB represents a unique partnership between First Nations and local government. Through this model, Cowichan Tribes and the CVRD work together to advance whole-of-watershed health, demonstrating a commitment to moving down the path of reconciliation.

Water has provided the critical vehicle to support this partnership and the opportunity to learn from each other respectfully while working towards improving the health of the watershed. The Board has an enviable track record of planning and implementing technical work, creating a culture of water conservation, promoting science-based advocacy and implementing respectful community-based solutions.

The CWB's mandate is to provide leadership for sustainable water management to protect and enhance environmental quality and the quality of life in the Cowichan watershed and adjoining areas.

Climate Change and Indigenous Rights – Overarching Concerns.

When conducting a review of old growth management policy and strategies – or indeed any natural resource management program, two overarching principles should be taken into account:

- Recognition of unceded Indigenous lands should be acknowledged and brought to the forefront of this review process and any further discussions on land management practices in our watersheds. Indeed, when it comes to consideration of how we “manage” our remaining old growth forests, the indigenous perspective should not be ignored. In New Zealand, the Te Urewera Forest was granted personhood in 2014 - codified into law are the lines “Te Urewera has an identity in and of itself, inspiring people to commit to its care.” (<http://extwprlegs1.fao.org/docs/pdf/nze159972.pdf>). It should be noted that adopting the indigenous perspective that old forests are entities worthy of care and respect would result in enumerable cultural, health and environmental benefits to all British Columbians
- The importance of recognizing and planning for the impacts and effects of climate change cannot be overemphasized. Simply put, status quo is not good enough to ensure a sustainable future for the generations to come. In the Cowichan Valley we are already feeling significant impacts: Inflows to Cowichan Lake have dropped by over 30% over the past few decades (Cowichan Water Use Plan,

2018); drought conditions have necessitated dropping Cowichan River flows below licensed minimums 5 out of the past 6 years; sub-critical flows in the Koksilah watershed resulted in a Section 88 Order under the *Water Sustainability Act* in 2019; cedars and salal are dying from repeated summer droughts. In these circumstances, with critically low surface water flows and static levels in test wells at unprecedented lows, land use practices – including how we manage the last remaining old growth trees in our watersheds, must be reviewed and adjusted.

Accordingly, we appreciate this opportunity to recommend revisions to government policy and strategies for protecting old growth forests in BC and believe the following recommendations if followed, will help to ensure old growth values in BC are protected and restored.

Require old growth protection on private managed forest lands.

As indicated on the maps provided in the background materials for this strategic review, old growth forests on the east slopes of Vancouver Island are rare. Land clearing for agriculture, urban and rural development, and logging on private managed forest lands have converted most of the local forests from old growth to younger forests or other uses. A current study in the Koksilah watershed¹, a major sub-watershed of the Cowichan watershed, suggests that only 1% of this landscape is old forest where pre-Contact most of the area was old growth forest.

While certain rights may come with private land ownership, there is also a high degree of responsibility toward the greater community who depend on other values provided by the watershed. With respect to the forested lands, peer-reviewed research in watersheds similar to the Cowichan has concluded that summer flows were 50% lower in basins with approximately 40-year-old forests when compared to summer flows in basins with old forests². Therefore, retaining older forests throughout our local watersheds is an important mitigation strategy with respect to the climate crisis. Considering climate change impacts (outlined previously) that we are currently experiencing in the Koksilah and Cowichan watersheds, protection of and recruitment for old forests in all watersheds, regardless of ownership, is required. Because of the high proportion of private managed forest lands in the Cowichan watershed, legislated requirements for old growth retention for private land are required.

Develop legislation to protect old growth that is applicable to all industrial sectors.

Legislation to protect old growth in BC is limited and does not apply equally to all industrial sectors. For example, Old Growth Management Areas (OGMAs) established under the *Land Act* apply only to the forest sector operating on Crown lands. There is no legal requirement for other industrial operations to adhere to the protection of established OGMAs therefore limiting their effectiveness. A single “Old Growth Protection Act” that applies to all sectors would more effectively protect old growth in the province.

¹ Pritchard, H., E. Doyle-Yamaguchi, M. Carver, and C. Luttmer. 2019. Ecosystem-based assessment of the Koksilah River Watershed Phase 1 report: Watershed character and condition (pending approval). Prepared for the Cowichan Station Area Association. Duncan, BC. 81pp.

² Perry, Timothy D.; Jones, Julia A. 2017. Summer streamflow deficits from regenerating Douglas-fir forest in the Pacific Northwest, USA. *Ecohydrology*. 10(2): 1-13.

Revise criteria for establishing old growth retention levels.

In addition to developing more robust legislation, targets developed for establishing old growth retention levels require revision. The current targets (used when establishing OGMAs) were developed in 1995 using best science at the time. However, over the past 25 years, new knowledge has been gained (on, for example, old growth functionality) and new pressures in the landscape have become apparent (e.g., drought, climate change). Updating the targets ensures best practices are in place for protecting old forest values.

Revising the targets also allows the opportunity for complementary government policies to be re-visited and re-aligned. For example, it seems inconsistent for government policy to classify the Cowichan River as a Heritage River (both provincially and federally) yet place the watershed in a 'low biodiversity emphasis' landscape unit requiring minimal old forest and where an increased risk to biodiversity is considered acceptable³. Because activities occurring in the landscape affect water values, careful attention is required to protect the many values provided by the Cowichan River.

Enlisting an expert scientific panel, including western academic and Indigenous knowledge, to develop new old growth retention targets linked to new legislation applicable to public and private lands will help to ensure old growth values are protected and restored in BC.

Require spatially based, legally established old growth retention areas.

Currently, OGMAs may be established spatially (i.e., a mapped polygon) or non-spatially (i.e., not static locations). This increases the risk to old growth protection primarily because monitoring of non-spatial old forest retention targets relies on forest inventory datasets, which likely contain inaccuracies. Also, datasets provide limited information that cannot reliably estimate the functionality of old growth. Establishing spatial old growth retention areas provides greater certainty that high value, high functioning old growth is retained. Non-spatial OGMAs are also challenging to monitor (both compliance and effectiveness) as discussed below.

Suspend harvesting and development in Coastal Douglas-fir old growth ecosystems and develop a strategy for old forest recruitment.

Coastal Douglas-fir (CDF) ecosystems have an isolated range limited to low lying areas on the east coast of Vancouver Island and southern west coast of BC. Most of the original old forest has been lost to development or logging. Due to the low abundance and high ecological value of these ecosystems, there should be no further development or logging of old CDF forests. We recommend an immediate moratorium on logging of old CDF forests on both public and private lands.

Suspend logging of old growth cedar.

Old growth cedar has become limited in abundance due to extensive harvesting over many decades. More recently, this species has been declining due to successive years of drought. Suspension of harvesting old growth cedar is required until a detailed assessment is conducted that identifies instances where their harvest may be considered (e.g., for cultural purposes).

Provide regular reporting on status of old growth protection in BC.

The Provincial Order for establishing OGMAs was approved in 2004 and contains the requirement for the Province to conduct a review assessing the effectiveness of the Order by March 31, 2007. No results for this review, if completed, were found to be publicly available. In 2012, the Forest Practices Board conducted a

³ Province of British Columbia. 1995. Biodiversity Guidebook. Victoria, BC. 99 pp.

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Special Investigation assessing the implementation of old growth retention objectives in the forest sector, yet there is still no final reporting on actions taken to address the six recommendations. In response to four of the recommendations, in 2015 the Province initiated a review of old growth retention compliance, yet no results are available, although a methodology has been developed (2017) and initiation of at least one pilot has occurred.

The lack of reporting to date combined with the complexities of the current OGMA model (i.e., spatial versus non-spatial; legal versus non-legal) has resulted in a system that lacks transparency and leaves the public uncertain as to whether or not the Province is adequately protecting old growth. In order to create the transparency required to gain public confidence on the Province's commitment to protected old growth, a less complex system for establishing protective measures must be developed, compliance reporting to the public is required on a regular basis, and effectiveness monitoring must be conducted.

In closing, while balancing economic, conservation, and cultural values may seem like an appropriate goal (as stated in the background materials), harvest patterns indicate that economic values have been emphasized to date. A significant proportion of old growth forests in BC have been used to support economic initiatives and in some areas of the province, including the Cowichan Valley, nearly all of the old forests are gone. Careful consideration must be given as to how the remaining old forests are viewed. Cultural use, tourism, climate change mitigation, drought mitigation, wildlife habitat and the emotional, mental and spiritual health benefits of maintaining our old growth forests need to take precedence over declining economic values.

We wish to thank you for carefully considering our comments in your review and are hopeful that our input, along with that of other British Columbians, will result in the implementation of meaningful and progressive change in Old Growth Management policies and strategies in British Columbia. Continuation of the status quo is unacceptable in terms of addressing the well being of our watersheds and the communities they support.



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