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	Chris Duncan		3204 - 39th Avenue
	Wayne Lintott		Vernon, BC V1T 3C8
	Brian Mulvihill		Tel: 250.503.2199 Fax: 250.503.2250
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	Matt Wealick		Website: www.interiorlogging.org

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**TRUCK
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TLA ILA

WINTER 2018 / VOLUME 40 / NUMBER 4

Editor Brenda Martin

<i>Contributing Writers</i>	Jacqui Beban	John Horgan
	Robin Brunet	Ken Houlden
	Doug Donaldson	Trish Kohorst
	Chris Duncan	Wayne Lintott
	David Elstone	Casey Macaulay
	Jim Girvan	Ian MacNeill
		Pieta Woolley

For editorial information, please contact the Truck Loggers Association:
Tel: 604.684.4291
Email: trucklogger@tla.ca

For advertising, please contact Advertising In Print:
Tel: 604.681.1811
Email: info@advertisinginprint.com

Truck LoggerBC magazine is published four times a year by the Truck Loggers Association, with content and support from the Interior Logging Association and the North West Loggers Association. Its editorial content seeks to reflect issues facing the industry and to provide readers with current information on BC's forest industry. All rights reserved.

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Advertising Sales & Design Layout office:

Advertising In Print

Advertising In Print
200 - 896 Cambie Street, Vancouver, BC V6B 2P6
Tel: 604.681.1811 Fax: 604.681.0456

Publication Mailing Agreement No. 40010419.
For subscriptions, contact office@tla.ca or 604.684.4291.

Send change of address notices
and covers of undeliverable copies to:

The Truck Loggers Association
Suite 725-815 West Hastings Street
Vancouver, BC V6C 1B4
E-mail: contact@tla.ca
Tel: 604.684.4291
Fax: 604.684.7134
Website: www.tla.ca



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FROM THE EDITORIAL BOARD DESK...

When you opened this issue of *Truck LoggerBC*, I'm sure you noticed it's a bigger magazine than usual. At almost 100 pages, it's actually the biggest magazine in over 10 years. So I want to take a moment to thank our advertisers for making this possible. It's their advertising copy that allowed us to grow the Winter2018 issue.

The TLA is celebrating its 75th anniversary in 2018 and in this issue we have an article that looks back over the TLA's 75 year history. The TLA got its start when a group of loggers came together because they felt their voices weren't been heard at government and industry tables. Today, the TLA is still making sure the voice of the independent timber harvesting contractor is heard.

Anniversary celebrations aside, there are some informative articles in this issue that will appeal to a wide range of readers.

In Business Matters, Chris Duncan tackles how to best structure your business to work well with First Nations tenure holders. This is part three of his four-part series on structuring your contracting business. Our Safety Report focuses on the Professional Log Truck Driver Competency Program being piloted across BC right now. We hear from contractors involved in developing the program and what they hope it will achieve.

In our feature articles, we dig into a real cross-section of issues. One feature asks, what does First Nations capacity

building look like in 2018? While everything evolves over time, I think natural resource capacity building within First Nations communities has changed a lot over the last 10 years and will change even more in the near future. Another feature looks at communications between consultants, contractors and licensees. Logging contractors don't know all the regulations restricting the forest industry and consulting engineers don't always understand how their decisions impact loggers' safety and productivity. Our other two features focus on waste wood left behind post-harvest and what should be done with it and how BC can support both log exports and local mills at the same time. Both these issues have multiple factors at play and we hope these articles can lend some clarity to the discussion.

As you can see, we have an interesting line-up of articles for you to read in this issue. As always, we hope you enjoy the magazine and find it informative. If you have any feedback or comments, please contact Brenda Martin, Director of Communications, at 604.684.4291.▲

Ts'ayweyi:lesteleq
(Matt Wealick, MA, RPF)
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A PRESIDENCY TO REMEMBER: WORKING TO BUILD CONTRACTOR SUSTAINABILITY



My presidency and my time as a TLA director has been an incredible experience. As the TLA celebrates its 75th anniversary, it's clear we're an Association that's still as relevant as our founders intended so many years ago. The TLA was created by logging contractors because their voices were not being heard by government and industry. Today, I am proud to say that we continue to be a strong and unifying voice for BC's forest communities.

Our biggest advocacy effort during my presidency was obtaining government's commitment to take action on the contractor sustainability file. It's clear to many contractors that not all licensees view us as partners. That fact is a shame and it's doing considerable damage to BC's forest industry. However, contractors must remember that while individually we are small players, collectively we create a combined voice larger than even the major licensees. We saw that power in action when the Contractor Sustainability Review was announced by government at the TLA's 74th Annual Convention & Trade Show last January. At the time of writing, the TLA is waiting to hear the final results from the Review and looks forward to working with government and industry to build contractor sustainability throughout our province.

Over the last two years, the TLA developed a new type of associate member—communities. We now have eight communities whose leaders have seen the value of the TLA and the benefit our members provide for their communities. Campbell River, Gibsons, Port Alberni, Port Hardy, Port McNeill, Powell River, Sayward and Tahsis—we appreciate your support and look forward to welcoming more communities as we grow.

During my presidency, the TLA has continued to work on our strategic goal of building mutually beneficial First Nations partnerships by acknowledging rights and title and engaging First Nations leaders and their communities.

While on the *Truck LoggerBC* editorial board, I encouraged inclusion of First Nations voices in the magazine and we highlighted successful First Nations forestry ventures. More recently, we've shifted the editorial slant to include First Nations perspectives throughout each issue and to ensure our First Nations focused content is relevant to both First Nations people in forestry and those wanting to build relationships with First Nations.

I have also witnessed the strength of a collective voice and I'm proud to say the TLA and ILA have continued to work together on key issues during my presidency. The TLA board meetings held in Vernon to show support for the ILA during its conference have been invaluable. And, at our December board meeting—the last meeting I would ever chair as president—we hosted the ILA executive as our guests.

I'm happy to say that we're doing a better job of telling our good news story as an industry. I've seen a revival of forestry pride both in real life and on social media. The TLA is part of the Forestry Friendly Communities campaign, which tells good news forestry stories through its website and on Facebook.

We also struck a positive note with our "Forestry Feeds My Family" bumper sticker. We've now mailed out over 800 stickers—over and above the 10,000 we inserted in the magazine last fall—to places as far away as Quebec, Nova Scotia, the Northwest Territories, New Jersey and Pennsylvania. Clearly, forestry feeds families across North America and forestry pride is on the rise. This pride needs to continue to grow as we look to recruit our next generation of forestry workers. Also, we must ensure each of us is building a culture of safety within our companies with our own actions and encouraging our employees to put safety first on the ground. Our employees are our biggest asset and their families depend on them to come home safe.

I look forward to celebrating the TLA's 75th anniversary with you at the

Convention later this month. During the first session, Jim Girvan will walk us through 75 years of TLA history. We've also produced a book celebrating our anniversary and honouring our history, which will be available for purchase.

I'd like to thank all those people who supported me during my presidency. First and foremost, to all of my fellow directors—your voice and your commitment are what makes the TLA strong, and your support and friendship were invaluable to me. David Elstone is a devoted executive director who works hard to ensure the TLA's message is heard. Our staff—Stacie, Brenda and Monica—are some of the most dedicated people I have worked with and their commitment helps us meet our strategic goals. The executive—Vice President Mike Richardson and Past President Don Banasky—have provided steady support and good advice over the last two years. The natural progression for our executive is for the vice president to be elected to the role of president. I want to wish Mike Richardson, TLA presidential candidate and partner in Tsibass Construction Ltd., luck in the election at the AGM this month. Mike has provided a strong voice on the executive and would make an excellent TLA president. As every GOPP (grumpy old past president) knows, you would not be able to fulfil your duties as president without strong family support. My mom has always encouraged me to step outside my comfort zone—and this was a huge leap! I thank her for this motivation. And finally, my husband Justin has provided support and encouragement throughout my time on the executive. I couldn't have done it without him.▲

Jacqui Beban, President, TLA

Tel: 250.951.1410

Email: jacquibeban@gmail.com



TIME FOR ANOTHER LEAP OF FAITH

Look back over the last 75 years of the Truck Loggers Association is as simple as flipping through past issues of *Truck LoggerBC* magazine. It is remarkable to see how our industry has changed: loggers no longer dress in suits like they did in the 1940s and 50s; logging gear is smaller and more efficient compared to that of the 60s, 70s and 80s (although some of that big iron is still used today); and the industry itself has become smaller.

Many of the contractors mentioned in the older magazines no longer exist today. This is a reflection of the overall decline in the provincial timber harvest as well as other darker factors such as unfavourable contracting conditions. It is also fair to say that the number of issues contractors face, and what the TLA attempts to tackle on their behalf province-wide, has never been greater. There is a palatable sense of urgency in the need to find a sustainable path forward.

The last major forest policy foray of the early 2000s, the Forestry Revitalization Plan, had profound effects. Motivated by US softwood lumber concerns, the government of the day made intertwined changes to the provincial stumpage system, facilitated the 20 per cent take-back, created BC Timber Sales (BCTS) and introduced the market pricing system (MPS). Other changes enacted included the removal of the 5 per cent take-back upon a transfer of a major forest tenure, allowance for consolidation of tenure, relief on cut control mechanisms and changes to the *Timber Harvesting Contract and Subcontract Regulation* from a notional “cost-plus” regime on rate setting, to one based on “fair market rates.” Timber harvesting contractors went along with these changes given there was compensation for their lost harvest volume that came under the Forestry Revitalization Plan. However, the primary motivation was hope. Hope that these policy changes would improve contracting conditions for those who remained in the industry.

We now know from the dearth of completed arbitrations over the last 15 years, the “fair market” rate test did not include any acknowledgement of sustainability for contractors. Such a fact comes as an utter irony. Replaceable contracts (aka Bill 13 contractors) were supposed to embed contractor rights and address the imbalance created by the provincial timber tenure system. Furthermore, the frenzy of tenure consolidation that occurred without the 5 per cent take-back and allowing major licensees to participate in BCTS has come to the detriment of the many. And yet, all of these changes were accepted as a leap of faith needed to provide a new framework to support the relationship between contractors and timber licence holders. As most of the contractor base and the communities they operate within can attest to today, that grand experiment has failed.

It is time to stop giving a damn about US concerns and focus internally on the needs of our industry.

And what did we gain as a province? Despite changes to our stumpage system, we are engaged in Lumber War V. The US government is citing the very same issues they did in the last go-around and the imbalance of power within the industry has gotten worse for contractors over the last two decades. The discontent is in plain sight. With little to show for progress on the softwood file, given all the hoop-jumping we have done, it is time to stop giving a damn about US concerns and focus internally on the needs of our industry (which, believe it or not, is not just major licensees).

Fortunately, the collective voice of contractors and logging associations across the province has been heard. As you receive this magazine, it is our deepest hope that we will yet again be on the cusp of a new incursion in major forest policy and regulation in this province, and hopefully, this time we will get things right.

The Contractor Sustainability Review being conducted by independent

facilitator George Abbott will result in a report summarizing the state of the industry, the issues that afflict it and, we trust, recommendations to government on how to address the issues. The Review has been based on financial data collected by PNL Consulting and extensive interviews with contractors and licensees conducted by Abbott and his partners over the last six months.

Some have said we are rolling the dice on the future of our forest industry and the contractor base. Perhaps. However, 122 contractors provided their most private financial information to a stranger. This is evidence that things can't get much worse for contractors in terms of their relationship with the tenure holders and their financial futures. This initiative is a last gasp for contractors before utter turmoil takes place unless it is averted by meaningful change that

restores a balance in power. So indeed, from my perspective, the pressure is on to create solutions.

The TLA ethos from almost the beginning—75 years ago—has been one of essentially rallying against the tenure system. TLA members of yore could see the problems that would come from an imbalance within the forest industry created through the allocation of major tenures.

When I took over the role of TLA executive director, a respected representative of the major licensees asked me to take a leap of faith and work with them for the benefit of the industry. On the cusp of the George Abbott report, I now ask that we all take another leap of faith to make things right, not just for contractors, but for the whole industry.▲

David Elstone, RPF, Executive Director, TLA
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Just a reminder to mark your calendar for the ILA's 60th Annual Conference & Trade Show to be held in Kamloops on May 3-5, 2018. This year's theme is "Our Strength ... A Unifying Voice for 60 Years." Inside and outside displays will be set up at the Tk'emlúps te Secwépemc Powwow Grounds, 100 – 345 Powwow Trail, just off the Yellowhead Highway in Kamloops. Registration packages and further information will be mailed out this month. Information will also be posted to our website: www.interiorlogging.org.

Our host hotels are the Sandman Signature (phone: 250-377-7263) and the Coast Kamloops Hotel (phone: 250-828-6660). When registering, please request the ILA delegates booking rate.

For the third year running, I am pleased to advise that the Interior Safety Conference will be held just prior to our conference on May 3, 2018. The theme for their conference is "Safe Behaviours = \$mart Business." Registration information and the agenda will be posted on our website early this month.

I know I regularly write about forest safety as well as our equipment operator and log truck driver training programs. However, both these topics are major concerns for the industry. I recently completed a phone survey of five major contractors in the Caribou and southern BC. My question to the owner/contractor was: "Will you be hiring any employees for the following operator positions within the next few months?" Here are their responses:

Operator Position	Number of Contractors Polled	Contractors with Open Positions	Number of Positions Open
Feller Buncher Operators	5	4	4
Processor Operators	5	4	4
Skidder Operators	5	5	8
Log Loader Operators	5	4	5
Log Truck Drivers	5	4	9



From just five contractor businesses there is an opportunity to place 30 workers into a piece of equipment or a logging truck. Can we find them? YES. Are they trained? NO. Can we train them? YES. Do we have the funds? NO.

There are many more operator job classifications that I did not request as part of this survey, but my point is there are many jobs available in the timber harvesting sector and many students that want to be trained. We have the courses, the instructor, the university, the licensee, the contractors and

the students. Unfortunately, we don't have the funding. We will continue to work with the current provincial government and the Labour Market Information Division of the Ministry of Advanced Education, Skills & Training in an effort to receive funding so we can continue on with a course that has trained more than 150 students over the last four years.

Finally, I'd like to thank the TLA executive for inviting the ILA executive to attend the TLA's December board meeting and Christmas party. Attending the meeting was a great experience and helped the ILA better understand the TLA's advocacy goals for 2018. We look forward to hosting the TLA board again at our conference in May and working together throughout the next year.▲



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NWLA WELCOMES NEW STAFF AND ADVOCATES FOR UPGRADING RURAL HIGHWAYS



As I sat down to try and pry this quarter's NWLA Message for *Truck LoggerBC* magazine out of my brain, snow began to fall outside. It brought to mind my winter log hauling days. Hoping for minus five degrees and enough snow to smooth out the bush roads but not so much as to make the highways a problem. There was a time in the northwest when you could count on frozen bush roads from early November to mid-April. Load restrictions on the highways never occurred before April. These conditions provided prime hauling opportunities and the most profitable time of year for trucking. Those days appear to be gone.

These days, the freezing level goes up and down like a yo-yo all winter, resulting in several mini breakups through the season that cause damage not only to the road and highway networks but the trucks themselves. Hauling patterns change over time as well, the result being previously lightly used roadways become heavily used whether they be highways or resource roads. The highway between Terrace and Prince Rupert is a good example of these changing trends. With the rapid expansion of the port facilities in Prince Rupert and the increased Asian demand for resources from North America, the commercial volumes travelling that corridor have multiplied substantially. The provincial Ministry of Transportation and Infrastructure has been doing upgrades to the corridor to try and keep up with the increase in usage.

The transportation corridors in rural British Columbia are an important component of the economic health of rural communities. Many of the bulk commodities being transported originate from rural areas and the extraction of those commodities provides stable, well-paying jobs for people living there. Regular upgrading of the province's transportation infrastruc-

ture is necessary for new opportunities to develop. The bug infestation that has ravaged the provincial forest will result in more changes to the demands on our road networks. Hauling patterns will change to access areas not heavily impacted by bug kill in order to keep mills supplied with logs. Industry and the relevant ministries will need to stay abreast of the coming changes and be prepared for them. Getting products to market is a key component for bulk commodities as well as manufactured products such as lumber, pellets and a multitude of other products. Good roads and highways make the activity

cation without having to contact multiple individuals for feedback on important issues and they give members a powerful voice to achieve improvements in how the industry's business is conducted. I would like to express my gratitude to the membership for giving me the opportunity to fill the general manager position for the last few years and hope that I have achieved our goals to their satisfaction.

I am happy to report that we have found the right individual to be general manager on a permanent basis. Brian Lindenbach is a long-time Terrace resident. He has an extensive

The transportation corridors in rural BC are an important component of the economic health of rural communities.

safer, more cost effective and reliable.

The membership of the NWLA would like to congratulate the TLA for its 75 years of service to its members and the forest industry in general. It is worth noting that the TLA, the ILA and the NWLA have been in existence for a very long time. That longevity demonstrates the importance of these organizations to industry and their success in attaining their respective members' support over many years of operation.

A few years ago, I agreed to take on the general manager position for the NWLA on an interim basis. Interim turned out to be quite a spell. I have enjoyed becoming re-involved in the organization and renewing old acquaintances. It's been interesting to see how many of the people I have had contact with over the years are still active in the industry as well as with the organizations that represent them. Organizations like the TLA, ILA, and the NWLA are very important to this province's forest industry. They give government entities a forum through which to achieve effective communi-

background in media and has been heavily involved in various clubs in the area. Although not intimately involved in the forest industry, he is keenly interested in expanding his knowledge of forest industry issues and reaching out to our membership to help facilitate the activities of the NWLA. With membership support, Brian has the opportunity and the ability to improve our organization by providing steady, reliable management and a consistent contact for others to communicate with. Brian's goal will not only be to communicate regularly with members and the Association, but to pursue membership opportunities locally and regionally to improve the NWLA presence in representing the northwest forest industry. He also looks forward to liaising with the other associations on joint initiatives affecting our members. Once up to speed, Brian looks forward to attending the TLA and ILA annual conventions as well as providing editorial to this magazine.▲



PACIFIC LOGGING CONGRESS: PERSPECTIVES ABOVE & BELOW THE 49TH PARALLEL

Early in November, I attended the 108th Pacific Logging Congress (PLC) in Scottsdale, Arizona. Massive cacti and tall palm trees replaced the evergreen forests that most of the delegates work in; however, it is a central (and warm!) location for most of the delegates.

Founded in 1909, the PLC's mission is to provide sound technical education about the forest industry and to educate politicians, educators, their students and the general public about the need for responsible forestry to supply global wood fibre needs. The PLC membership consists of contractors, suppliers, licensees and timberland owners from around the Pacific Rim. The annual conference seeks to provide opportunities for members to learn, network, collaborate and ensure they are on the forefront of emerging logging technology, best operating practices and recruitment strategies.

President Jacqui Beban and myself represented the TLA. The following are the main themes that we heard.

Skilled Labour Shortage

A shortage of skilled labour is prevalent on both sides of the border. In the Pacific Northwest, logging truck drivers are in shortest supply. The younger generation is not attracted to the industry. Whether this is due to the environmental stigma associated with the forest industry or working conditions (low wages and long hours) was unclear. While the BC industry certainly does not pay low wages, we still need to compete against relatively higher-wage industries like oil and gas and the negative stigma associated with our industry.

One way the PLC has begun to counter the labour shortage is their Adopt a High School Program. (See their website at: www.pacificloggingcongress.org for more details.) Essentially, a contractor or forester engages with a local high school and works with teachers and students to introduce all that goes on in the working forest, including providing hands-on experience with the contractor's heavy machinery. The hope is to create awareness in young minds about jobs in the woods.

Technology is one of the key pathways to achieving greater safety in the Pacific Northwest.

In BC, the TLA helps fund three high school programs led by dedicated teachers who carry out their own forestry programs supported by contractors, consulting foresters and licensees. Furthermore, we are fortunate to have the very successful Festival of Forestry program in BC that takes 20 or so teachers out annually and tours them around harvesting sites, sawmills, nurseries, etc., so they can see for themselves the technology, science and sustainability our forest industry incorporates. And the TLA is also lobbying hard for a training tax credit to incentivize contractors to hire and train new workers.

Both the TLA and PLC also offer scholarships to students seeking post-secondary education in forestry.

Safety

Technology is one of the key pathways to achieving greater safety in the Pacific Northwest. At the PLC, I learned about CAT safety initiatives that include fatigue monitoring systems for drivers

and alarm systems RFIDs on front-end loaders (particularly useful on dryland sorts). Almost every grapple yarder in New Zealand now has a grapple camera according to presenter Hunter Harrill of the University of Canterbury. Other tech systems to improve safety and productivity are being developed, such as the teleoperations (aka remote-control operations) of backline machines as presented by Paul Milliken of Applied Teleoperation. Summit Attachment's

Bruce Skurdahl says his company's innovations are motivated by using technology to address the shrinking labour pool. One innovator, Mark Standley, is trying to develop a drone to carry straw lines to the backline. He says he is almost there—after many drones have been sacrificed in the learning process. Clearly, innovation in safety is still a motivating force.

Softwood Lumber Dispute

I gave a presentation on the Canadian perspective of the softwood lumber dispute. One of my main premises was that BC lumber exports to the US have seen their peak, given restraints to the BC Interior SPF (spruce-pine-fir) timber supply. The US perspective, presented by Duane Vaagen of Vaagen Bros. conveyed that Canada had an unfair advantage largely because of the incredible hurdles that independent US sawmills face in accessing timber supply from US public lands due to onerous bureaucracy and persistent litigious environmental

(Continued on page 89)

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Congratulations to the Truck Loggers Association on their 75th Anniversary from the City of Port Alberni



The coastal forest industry is deeply rooted in Port Alberni. In honour of your anniversary and for this ad, we started a list of the companies, individuals and families who have operated in the industry and built our community.

The list became far too long to publish on a single page.

In the 75 years of the TLA, Port Alberni operations have produced forest products renowned for their quality, generated tens of thousands of jobs, contributed billions of dollars to the country's GDP, paid hundreds of millions of dollars in taxes to all levels of government, saved millions of cubic metres of trees from burning and provided for millions of dollars' worth of amenities for the entire community and our visitors.

Thousands of TLA members have come from Port Alberni.

We are pleased to be carrying on your good work with those who continue to operate in our community, and others who are creating the new maximized-value, wood-biomass industries here in Port Alberni.

Thank you and congratulations!



Hayes Anderson truck of Nitinat Lake Logging circa 1940s. Photo PN05811 used with permission from Alberni Valley Museum AV Museum.



PROFESSIONAL LOG TRUCK DRIVER COMPETENCY PROGRAM— CREATED BY LOG TRUCK DRIVERS

As the Professional Log Truck Driver Competency Program is piloted in British Columbia, some important questions are being asked by contractors, log truck drivers and industry associations. For any safety initiative to be successful, the people who are directly affected need to understand why the initiative is taking place, how it will affect them (and what is expected of them), and they need to trust that the initiative is something that is meaningful.

Why did contractors build the program?

Dave Barden, owner of Barden Contracting Ltd. and a member of the Log Truck Technical Advisory Committee (LTTAC), says: “In the late 1980s it became unfashionable and even demeaning to be in the trade industry. Silicon Val-

ley and the tech world was the way of the future. Couple that with kids watching their dads come home tired, late and discouraged, and dads telling their kids ‘Go get an education and stay out of the bush,’ and it is no wonder that we lost a generation of workers in our industry.”

Barden became involved in 2005-2008 with the log hauling champion, Mary-Anne Arcand (now deceased) and numerous others who were concerned about safety, public reputation, and winning back people to the log hauling industry. More recently, LTTAC was formed to focus on these concerns. “There was much skepticism in the industry and the public alike that nothing could or would be done,” says Barden. “But with a lot of work from a lot of dedicated people I honestly believe that we can and are accomplishing what we set out to do. We desperately

need young, skilled people back in the industry and with this log truck program we have developed I think we can provide a base where someone can be proud once again to say ‘I’m a log truck driver.’”

Peter Bueckert of J. Bueckert Logging Ltd. and also a member of the LTTAC, was similarly motivated to get involved in the program: “I saw the erosion of the professionalism of the drivers. I felt we needed a consistent message about driver expectations. I know firsthand the knowledge and experience of the people developing the program and with the passion these people have for our industry this program was the best one in the world to make a difference.”

What’s in the program?

The program is based on the identification of the skills, knowledge and attri-



Logging spruce for aircraft in Haida Gwaii, in the 1940s.
Image NA-07107 courtesy of the Royal BC Museum and Archives.



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on your achievement.**

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to stand tall, strong and safe.***

Because safety is good business.



butes (occupational competencies) that are required to be a successful, safe log hauling professional.

Ron Volansky, Principal of R&A Logging Ltd., based in the Kootenays, worked as a subject matter expert on the development of the training and says "I tried to have input that would be understandable across BC as different regions have different challenges and logging language. My goal was to create a program that would recognize workers' capabilities and strengthen the areas that they are weak in; provide the driver with the basic concepts of safety, knowledge and ability to do the task at hand; and, to create documentation that is standard across BC and can be provided to an employer as a transcript of driver qualifications."

How is the program being used?

In addition to providing a training standard for industry to train new drivers, the program is also being used to recognize the competency of experienced drivers and identify any gaps in knowledge, skills or attributes that may have gone unrecognized.

Bueckert is using the program to train drivers and has been impressed with the results. "Not only does the driver have a

solid base of training for our industry, the assessment identifies the gaps and I know where I need to focus my time, making training much more efficient," he says. "This will bring the professionalism back into our industry."

Volansky explains that "The trucker competency program will create a tool that can make the hiring process easier. The transcript will provide me with a detailed ability of the worker and eliminate the overlapping of training, because it provides me with documentation of past experience and creates an avenue for me as the employer to continue training the worker."

The standardized tools are currently paper-based for the pilot program, but will be made available electronically post pilot with training modules. Tools include a competency conversation and a practical assessment tool to measure an individual's ability to operate the log truck safely to meet the competency requirements. A safety critical competency conversation and the practical assessment are used to assess experienced log haulers. The assessments are conducted by professional log truck drivers who have been selected through a review

process and have successfully completed assessor training.

No action required unless you want to be part of a pilot

There has been significant interest in the program, with assessments currently underway in the Kootenays, Northwest Coastal, the Interior and on Vancouver Island. The pilot phase started October 12, 2017, and will continue through October 2018. Contractors, log truck drivers, trainers, assessors and licensees will provide feedback to help shape the final program. While the program is in its early pilot stage—and was developed as a guideline—many are already saying that this guideline could become a benchmark.

If you have questions regarding the program, or would like to participate in a pilot, please contact me at 250-562-3215 or email tkohorst@bcforestsafesafe.org.[▲]

Trish Kohorst, RFT, is the Transportation Safety Manager for the BC Forest Safety Council and works out of their Prince George office and can be reached at 250-562-3215 or tkohorst@bcforestsafesafe.org.

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STRUCTURING YOUR CONTRACTING BUSINESS

Part Three—Working with First Nations

As the modern-day treaty process unfolds in BC, more and more contractors are beginning to form business relationships with First Nations in the forest industry. Engaging Indigenous peoples in business helps to build stronger communities and allows individuals to pursue careers previously not offered. When doing business, the unique history and traditions of the First Nations must be respected along with the relationship with the land, social priorities and internal governance.

“First Nations are ready now, more than ever, to get into business and have spent significant time and money to develop business and governance structures to provide more certainty to their business partners,” says Jameel Sayani, regional leader of Aboriginal Services for MNP LLP. “What they now need is genu-

ine and willing partners to work with them for the long-term mutual benefit of both parties.” There are several different ways that contractors can set up agreements with First Nations, including service provider agreements, joint ventures, and partnerships.

Service Provider Agreements

A service provider agreement is a contract between a contractor and a First Nation to provide a specific service for a set fee.

As a contractor working under a service provider arrangement with a First Nation you have an obligation to provide that service under the terms of the contract. The relationship between contractor and First Nation is a pure business arrangement with little room to grow outside the contract terms.

The typical structure you would use in this case is to have an incorporated company perform the service for the First Nation. This may be your existing company or a newly formed company depending on the risk profile of the work you will be performing for the First Nation.

The risks associated with this type of arrangement are no different than the general business risk you have doing business with a non-First Nations customer.

Joint Ventures

One way to structure doing business with a First Nation is using a joint venture. These are very common structures and can have benefits or drawbacks depending on how they are administered.

A joint venture agreement is a formal document that outlines a business



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arrangement between two parties. Details included are the purpose of the venture, who brings what to the table, how the business will be conducted and

agreements is for the joint venture to attain its own independent legal and accounting advice outside of the partners involved. This helps when it comes to

those looking to share their expertise with a First Nation as well as learn about the traditions, teachings, culture and land from the First Nation.

The opportunity to work with a First Nation could be a very beneficial business venture; however, it can be just as harmful if not approached in the correct manner.

what the profit entitlement is for each party.

In many cases, one of the parties will manage the joint venture and bill back expenses to the joint venture. This runs the risk of a perceived lack of transparency between partners, which can result in disputes between parties.

Joint ventures can sometimes be lost in translation with changes in the elected chief and councils, which becomes problematic for contractors trying to maintain ongoing business relationships. The added cost of time, to invest in a new relationship on a periodic basis, due to changes in elected officials can be taxing on contractors.

One method to avoid potential dis-

crepancy because an objective third party is involved.

The typical structure you would use in this case is an incorporated company that is a venture or partner with the First Nation or one of its entities. This may be your existing company or a newly formed company.

Limited Partnerships

Limited partnerships are another way to work with First Nations and can be very beneficial in driving the push for a First Nation to learn, evolve and grow into a business. Partnerships that are well set up from the outset can be beneficial for contractors looking to grow with a First Nation. This is especially true for

Partnerships help contractors to work with First Nations and allow the partnering First Nation to make decisions as a stakeholder of the partnership. Stakeholders can work together to bid on jobs and shape the future of the business together. A partnership also allows the contractor to do business with a board of directors on the First Nation side that is usually not elected and thus subject to the election cycle, which provides more certainty.

This structure would require a contractor and the First Nation to consult their advisors on how this would fit within their existing structures. The unit ownership details would need to be worked out so that all parties agree with the ownership structure. Depending on the end goals of the partnership, ownership may not be set up as a 50/50 split.

This type of structure has its own set of unique risks. Although this structure

(Continued on page 91)



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HOLDING FOREST PROFESSIONALS TO ACCOUNT

Forest professionals are expected to adhere to a code of ethics and standards of professional practice, both of which are explained in detail in the bylaws of the Association of BC Forest Professionals (ABCFP). In simpler terms, these bylaws require forest professionals to do the following:

- Ensure they are competent in their practice
- Retain their independence and integrity
- Be willing to be held accountable for their decisions and recommendations
- Exercise due diligence
- Act ethically in their practice

What Does a Complaint Look Like?

Each year, the ABCFP receives six to 12 complaints against members, an amount similar to other regulators given the size of our membership. This process can be used by the public or by Association members to seek accountability for the work or conduct of forest professionals that does not comply with the *Foresters Act*, bylaws, or resolutions of the ABCFP.

Here are examples of some of the types of complaints the ABCFP receives:

- Professional negligence and breach of ABCFP bylaws and/or the *Foresters Act*.
- Improper construction of crossings and missing the appropriate paperwork.

- Instructing the complainant to modify plot data for silviculture surveys relating to plot locations and tree counts.
- Providing consulting services to clients while working for an employer who did not condone this activity.
- Failing to be duly diligent in the management of free-growing declarations and seed transfers.
- Failing to disclose conviction of an indictable offence in Canada within the previous 10 years.
- Submitting substandard and inaccurate appraisal data.

How Does a Complaint Unfold?

How are members held to account if they aren't competent or don't act ethically? Each complaint is carefully



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considered since there are always different sides to a story and all the facts may not be apparent until a proper investigation is conducted.

The ABCFP complaint process has five key stages and is based on principles of fairness in administrative law. This means that an ABCFP member is innocent until proven otherwise. The process also provides the member with an opportunity to respond to the initial complaint and the subsequent investigation report should the case be investigated. Because there are multiple stages of review and response, the process can take one to two years to complete, a time frame that is not unusual across regulatory associations.

Opinion Versus Law

Another dynamic in the complaint process is the varied values and expectations the public holds about resource management. In some cases, these expectations do not align with the values assigned in current law by the government on behalf of the public. This means that even when the expectations of a segment of society are not met, the legal system may not view that as a breach of

professional obligations when all other laws of the land have been followed.

The ABCFP's Regulatory Scope

A further complication can be about the scope of the Association's complaint process. The ABCFP has no regulatory mandate over companies and employers should the complaint be related to a tenure holder's obligation. In these instances, other accountability mechanisms such as the provincial government's compliance and enforcement practices or the Forest Practices Board may be more appropriate.

Understanding the Decision

If a member is found guilty of the complaint, they can be fined, suspended, required to take remedial courses or stripped of their practice rights. The ABCFP strives to be transparent about the outcomes of investigations into complaints. Complaint decisions are published by the Association and include as much detail as possible regarding the circumstances, while respecting the privacy of the parties involved and the confidentiality of evidence. While it is not possible for each decision to include all

information that led to a decision due to the limitations of disclosure, we post case digests on our website at www.abcfp.ca.

Maintaining the Public Trust

Ultimately, the complaints process is tied to maintaining public trust in the profession. Public trust requires the regulator to have and use its complaints processes effectively and the ABCFP takes this responsibility seriously. Across regulatory associations, the disciplinary process is evolving with the goal being to seek remediation, learning, and corrective action.

Outside of the complaints process, the ABCFP strives to support its members by delivering a high standard of professional practice. To this end, the Association randomly conducts practice reviews as well as a peer review program to help members ensure they are best meeting their professional obligations.♣

Casey Macaulay, MA, RPF, is the Registrar & Director of Act Compliance for the Association of BC Forest Professionals (ABCFP). He can be reached at 778.471.1950 or cmacaulay@abcfp.ca.

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THE TLA: 75 YEARS OF INNOVATION AND ADVOCACY

By Jim Girvan

The TLA would like to thank Rick Jeffery, David Browstein and all those TLA members and directors who contributed their insight to the writing of this document. Special thanks to the late Ken Drushka; his article "50 Years of Achievement" published in the December/January 1993 issue of *Truck Logger* magazine was drawn upon greatly to inform this expanded history.



The founders of the Truck Loggers Association (TLA) never intended to create one of the most enduring and influential organizations in the BC forest industry. The primary concerns of the handful of small, independent loggers that first met on Vancouver Island more than 75 years ago were far more modest than the major forest policy issues that have preoccupied the TLA ever since.

Although the organization celebrates its 75th anniversary this year, its birth dates to the summer of 1939 when a politically astute Qualicum Beach logger, Bert Welch, sent a letter to 30 small operators working between Nanaimo and Campbell River, inviting them to a meeting at Qualicum. In most respects Welch was typical of those who received invitations. Where he differed from his contemporaries was in his broad political interests, made possible by his willingness to rely on good logging managers.

At the time, the coastal logging industry was in a state of rapid and drastic transition. The industry was dominated by about 40 large logging companies, several with mills that worked with steam-powered yarders and loaders feeding railways that hauled logs to saltwater.

for the railway operators in locations the latter could not get to. Being relatively inexpensive, the trucks and gas donkeys were quickly acquired by enterprising loggers with a disinclination to work for wages in the big company camps.

During the economic recovery that oc-

Over the next two years, the world was plunged into war and it became increasingly difficult for loggers, especially small contractors, to obtain equipment and supplies.

In the 1920s, the first trucks began to appear, and with the introduction in the 1930s of Caterpillars and dozers that could build roads, their numbers multiplied. They were used to haul logs yarded by relatively inexpensive gas donkeys, a stump-to-dump combination ideally suited to long strands of timber too small

current during the last half of the 1930s, the independent sector grew quickly, particularly on the east coast of Vancouver Island, up the Fraser Valley and along the Sunshine Coast. The larger railway companies were represented by the BC Loggers Association, a third of which supplied their own mills. While a



few members of this organization were also owner-operators who had begun as hand loggers, the majority were larger companies with powerful and, usually, distant owners. The BC Loggers Association had little to offer the emerging truck-logging sector.

In 1939, with war looming, the major problems facing truck loggers were snag-felling and slash-burning regulations introduced by the Forest Branch in the wake of the 1938 Campbell River fire. At this time, the railway loggers were creating huge clearcuts, littered with heavy slash. Their steam boilers and trains were notorious for starting fires. While the new regulations may have made sense in the context of railway logging, they were an onerous and unnecessary burden on truck loggers and, as it's recognized now, silviculturally and ecologically destructive.

Only two loggers responded to Welch's

first invitation. They talked for a few hours and that was that. Over the next two years, the world was plunged into war and it became increasingly difficult

were operating under the same regulations, the larger companies were more adept at dealing with them, and when they encountered problems, the BC Log-

As the largest proportion of output of logs in BC is handled by the small operators, those present felt that they should have some voice in legislation pertaining to the industry.

for loggers, especially small operators, to obtain equipment and supplies. A vast, distant bureaucracy developed that the average truck logger had neither the time nor the resources to penetrate. Tires, gasoline and trucks were particularly hard to buy, even though they might be stockpiled in warehouses and garages in every town on the coast. Workers were hard to find, and the log market was strictly controlled, as were prices. Although they

gers Association was able to lobby on their behalf.

Welch's second invitation in 1941, met with a better response. A dozen companies were represented at this gathering to discuss the "feasibility of the Truck Loggers of British Columbia becoming organized." Those present agreed unanimously to form an association and appointed a committee of Bert Welch, Frank Parker, and W.F. Clark, to come up

with a plan to present at another meeting two weeks later.

On October 17, 1941, the original group, along with another nine loggers, elected a slate of officers and directors, with Bert Welch winning the election. The initiation fee was set at \$5, with the first receipt for that amount issued to Welch's Olympic Logging. No business was conducted at this meeting, but on adjournment someone discovered that BC's Forests Minister, A. Wells Gray, was addressing an election campaign meeting upstairs. He was invited to meet the group, which at this point was calling itself the BC Truck Loggers Association.

A few days later, in response to an inquiry from the editor of the *BC Lumberman*, Welch described the organization as a group of "some 30 truck loggers, who felt it would be desirable to have a body of men, joined together, whose interests were practically identical and whose wide experience in the industry gave them a standing worthy of consideration by our Legislators when modeling laws affecting the industry." As the largest proportion of output of logs in BC is handled by the small operators, those present felt that they should have some voice in legislation pertaining to this industry.

In October of that year, the Association passed a resolution and wrote to the National War Services asking that Norman Madill be exempt from military service. "Mr. Sam Madill," the letter explained, "whose plant is in Nanaimo, takes care of the bulk of the logging truck, trailer and woods equipment repair work for the loggers in the district between Duncan and Courtenay, and as the greater por-



Credit: Gary Kingman

In the beginning. The TLA had four presidents during its early years in the 1940s. Left to right: Bert Welch, Clair Smith, Harold Clarke and A.P. Allison. Welch served for two terms as president during that decade.

For several years the Association was based in Nanaimo and held its first annual meeting there on October 25, 1942, but only eight members attended. It was rescheduled for November 8 and, following an urgent appeal from Bert Welch, a large turnout was accomplished. The financial statement revealed expenditures during that past year amounting to \$11.25, and a cash balance of \$99.10. Membership fees were set at one cent per thousand board feet logged and Bert Welch was re-elected president. Two representatives of the government tire rationing office attended, along with a manager from Goodyear Tire who showed a film, "Wings for Victory." This first annual meeting cost the Association a total of \$31.50—\$9 for ho-

- (a) To obtain, prepare and disseminate information as to better logging and operating methods among its members.
- (b) To educate its members in better logging practices.
- (c) To assist the Forest Branch and Other Departments of the Government to carry out better logging practices.
- (d) To educate the general public as to the position and efforts of logging operators.
- (e) To assist the members to cooperate among themselves for the better protection of the national resources of the country and the interests of the operators, and to enable the members to set up the necessary machinery to assist each other with their logging and operating problems.
- (f) To do all things necessary, or incidental to, the carrying out of the above objectives.

However, the original name of the group, the BC Truck Loggers Association, was not accepted by the provincial registrar because of its similarity to the BC Loggers Association, so it was changed to The Truck Loggers Association. Thus, the 2018 annual meeting is the 75th gathering of the organization that met in Nanaimo in May 1943. There were almost 50 members, all but one from Vancouver Island. The directors had earlier announced their decision to seek members from the Interior but, with a few exceptions, this intention was never vigorously pursued.

The basic policy position the TLA has supported ever since: support of proper forest management and opposition to the corporate and state monopolies that he predicted the forest management licences would create.

tion of this work requires attention of an experienced electric welder and lathe man, which is the type of work handled by his son, the above mentioned Norman Madill, we feel it is essential to the logging industry that Norman be classified as in an essential industry or occupation." A few days later the Association was granted the request and so it became the TLA's first formal advocacy success.

tel rooms for three guests and \$22.50 for dinner for 30.

Another general meeting was held in May 1943 as was required by the recently approved articles of incorporation. The incorporation papers were signed by Bert Welch, Parker Belyea, Ole Buck, John Braten and Ted Robson and included the following objectives of the Association:



Credit: Gary Kingman

The 1950s. Presidents of this decade included, left to right: Don Mackenzie, Larry Ekhardt, L.S. McQuillan, J. Fletcher and Jack Baikie.

Unknown to any of the TLA members at this time, a plan had been hatched in Victoria that would drastically affect their futures and alter the focus of TLA members. In July 1942, BC's Chief Forester, sent a confidential memo to Forests Minister A. Wells Gray that, among other things, advocated the adoption of sustained yield forest legislation, that in-

cluded the creation of public and private working circles, policies that favoured large corporate forest companies. Wells Gray passed the memo, along with draft legislation, along to Premier Hart, who discussed it with his friends in the industry—none of whom it appears were members of the TLA.

The Premier, Mr. Hart, was "sold" on the proposals but thought they couldn't hope to get such a radical change of policy through the legislature if it were introduced "cold." He, therefore, proposed to appoint a Royal Commission, headed by Chief Justice, Hon. Gordon Sloan, to canvas the proposition, both for the value of his findings and as a measure of public education.

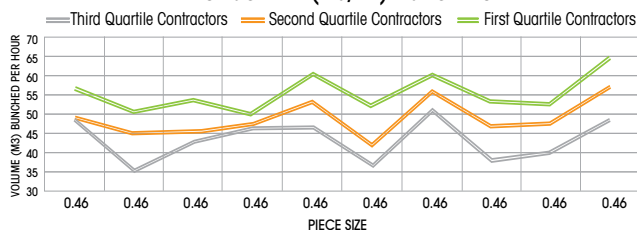
The primary concerns of TLA members during the first phase of its existence related to the practical issues of supplies, equipment and Forest Branch regulations. But an omen of the future was revealed at a directors' meeting in late 1943 when Gerry Wellburn, a Duncan logger and sawmiller, was appointed chairman of a committee to prepare a response to the Sloan Royal Commission on forestry.

Unaware of the government's hidden agenda, Wellburn's committee prepared the TLA's brief that was presented to Sloan by Bert Welch in mid-1944. It was mostly concerned with refuting suggestions that truck loggers were inefficient and incompetent compared to railway loggers. The TLA also made a joint submission with the BC Loggers Association and the six companies then comprising the pulp and

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paper industry. It gave strong support to the idea of forest management, but made no mention of the concept of sustained yield management units.

Sloan's report, issued in December 1945, advocated a program of sustained yield forestry, but he studiously avoided any guidance as to just how it might be applied to the BC forest milieu. This was when the concept of a public-private partnership through the medium of the newly conceived forest management licence (or FML) was first proposed and draft legislation was prepared.

The following year was a tumultuous one. The war ended, and the peacetime economy slowly gained momentum. The International Woodworkers of America staged the industry's biggest ever strike, which ended after 36 days and the arbitration of Chief Justice Sloan.

In 1946, Bert Welch was elected as an independent MLA for Comox, with Ole Buck taking over as president. In Victoria, the government was busy preparing new forest legislation in the wake of the Sloan report. By early 1947, the TLA membership had grown to well over 100 companies, including Bloedel, Stewart & Welch and the Powell River Company. It was a hectic time, as the new president, A.P. Allison, died shortly after being elected to office. The organization was gaining in status and concerned itself with a variety of practical issues.

On April 3, 1947, amendments to the *Forest Act* were passed in the legislature. Eight days later Bert Welch attended a TLA directors meeting and spoke on the new *Forest Act*. Welch explained the implications of the new legislation, particularly the provisions for FMLs.

From that point on, the focus of the TLA shifted from a preoccupation with practical matters to the broader field of provincial forest policy. The agenda of the 1948 TLA convention was changed to accommodate an open forum on FMLs. Minister of Lands and Forests, E. T. Kenney chaired the afternoon session, with the government defending the concept, and John Mottishaw of Bloedel, Stewart & Welch backing him. Bill Keate, speaking on behalf of the independent loggers, articulated the basic policy position that the TLA has supported ever since: support of proper forest management and opposition to the corporate and state monopolies that he predicted the FML system would create.

The following year, 1949, delegates listened to H.R. MacMillan, Prime Minister-to-be John Diefenbaker and several others lambaste the socialists. The exception was Leif Erickson, a former Montana Supreme Court judge and active opponent of similar monopolistic forestry legislation in the US, who told the convention "I am one of those who fears for private enterprise as much from all-encompassing monopolies, which will destroy the competition that makes free enterprise work, as I am of the schemes of the Socialists or the Communists or anyone else."

The TLA made its first formal objection to the new tenure scheme in a brief submitted to the government by staff members, Dumaresq Brothers and Smith & Osberg, protesting the imminent allocation of FML #2 to Canadian Western Lumber for an area of the Johnstone Strait previously considered a public working forest. At that point Clair Smith was TLA president, and Sam Dumaresq was a director. "The principles expressed herein are those principles believed and agreed upon by the Truck Loggers Association... (Which) comprises at present 114 operating members in the Coast Forest



The 1960s. Presidents during this difficult era were, left to right, Bob Malpass, John Drenka, Wallace Baikie, Bill Moore and Bruce Welch.

District, with an approximate combined annual log production of 700 Million feet or 28 percent of the log production of the Coastal District." The brief, which contained several far-sighted predictions, warned of the dangers inherent in allowing the forest minister to allocate FMLs. It went on to argue that FMLs would become monopolies and predicted that

the owners of these licences would then move into the public working circles.


The growing TLA opposition to the FML system created a split in the organization. The larger companies, such as Bloedel, Stewart & Welch, which planned to acquire FMLs, pulled out and soon the coastal industry was divided into two camps, with the TLA

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opposed to FMLs and the BC Loggers Association and its members supporting them.

Over the next few years the worst predictions of the TLA were more than realized. Instead of modest-sized FMLs operated by established firms, the early ones awarded were enormous. The first, in Forest Minister Kenney's riding, was for two million acres and went to a New York company that had no previous interests in BC. Word spread fast throughout the industry that the licences could be bought under the table.

With the election of the Social Credit government in 1952, and the appointment of Forest Minister Robert Sommers, the system of FML corruption established by the previous administration of politicians became semi-formalized. Under-the-table payments were made to C.D. Shultz's consulting company, which passed them on to another company, Pacific Coast Services, which in turn paid off Sommers and, possibly, others in the Socred government.

Several TLA members were offered FMLs, usually in exchange for cash paid through Shultz. Only two TLA members obtained the controversial licences. The remainder, and the Association itself, remained steadfast in their opposition. As the corruption became more blatant, the TLA led the cry for another Royal Commission.

In 1955, Justice Sloan conducted his second public inquiry into forest policy, this one consisting mostly of a review of FMLs. During its hearings, lawyer David Sturdy appeared to say he had evidence the Minister accepted a bribe to issue a FML. By the time the dust settled, Forest Minister Sommers was in jail, the president of one of the companies that had paid the bribe, BC Forest Products, had shot himself, and the industry was in an uproar. Gordon Gibson Sr., whose company was a long-time TLA member, had been elected to the legislature and attacked the government steadily. But by this point—the late 1950s—almost 30 FMLs had been issued and the vested interests represented by them wielded enormous power in the corridors of the legislature and the inner sanctums of the province's legal and judicial institutions.

With the revelations of the Sommers affair bringing into the open what every logger on the coast knew to be the case—that the tenure system was corrupt—the



The 1970s. With the contracting era in full swing, TLA presidents were, left to right, Ken MacKenzie, Ian Mahood, Dave O'Connor, Jack Sexton and Viv Williams.

struggle shifted from the political to the legal front. Gordon Gibson's explanation for failing to wage a full-scale fight at the Lord Commission, set up to investigate his charges of corruption in government

they began moving in on cutting rights in the public working circles.

By the early 1960s, the TLA was reluctantly forced to face new grim facts, which took it into the third phase of its

In retrospect, it is likely that if the major companies...had played it straight with the contractors, an amicable relationship could have prevailed. But this was not to be...

was that "The big companies hired every lawyer in town and we only had \$12 million—it wasn't enough." As a consequence, the TLA lawyer through this turbulent period, Larry Ekhardt, was elected TLA president during 1959 and 1960.

Following the introduction of the FML system the industry underwent an enormous structural change. Most of the 40 firms that made up the BC Loggers Association in 1945 had been taken over by a much smaller group of larger corporations, most of them controlled in distant cities. A typical example was BC Forest Products, cobbled together by E.P. Taylor of Toronto, who bought up several existing mills and logging operations, paid Shultz and was allocated an FML. According to Gibson, the award of that licence alone, Number 22, at Tofino, increased the value of BC Forest Products' shares by \$22 million—a measure of the economic power confronting the TLA. It was these corporations that controlled the new tenures, and from there,

existence. In spite of the evidence submitted to the Sloan Commission and the jailing of Forests Minister Sommers for bribery, the FML system remained intact. It was clear the big companies were too powerful to oppose given they had bought control of the industry and the government, and that they rented the legal profession whenever an independent logger began making noises about the legalities of what was going on. The system of administering the province's forest had been corrupted and no one, except a few small loggers, seemed to care. At the same time, a growing number of TLA members were moving from the ranks of independent loggers into the contract sector. Others, who logged private timber on Vancouver Island, found their access to public timber cut off when the quota system was introduced in 1960, leaving them with the choice of either buying quota or becoming full-time contractors.

In 1963, the convention theme was "Let's Work Together," which pretty much described the official policy of the TLA for the next 20 years. A few members bowed to the inevitable and pulled out of the TLA to join the newly created Council of Forest Industries (COFI). Right here, the BC Loggers Association becomes COFI, the voice of big forest firms. The focus of the TLA shifted from representing the interests of small independent loggers to dealing with the concerns of logging contractors.

As the programs and proceedings of the conventions reveal—and the minutes of meetings and recollections of the directors attest—through the 1960s and 70s, the TLA members made a serious attempt to make the contracting system work. As a concession to the independents, the second Sloan report included the so-called "contractor clause," stating that a certain portion of the FMLs (now called Tree Farm Licences—TFLs) had to be logged by contractors. Unfortunately for the contractors, the regulations did not require written contracts, a pricing mechanism or arbitration procedures. These matters became of paramount concern to the TLA during this period.

By the late 1960s, the tensions in the TLA wrought by the change in agenda were complicated by a financial crisis that almost destroyed the organization. Essentially, it was broke, surviving on loans and outright gifts from some member companies. This situation ended with the appointment in 1967 of the first general manager with a background in logging, Don Mackenzie, who spent the next 14 years building a solid financial foundation.

In retrospect, it is likely that if the major companies, which by the late 70s also controlled most of the cutting rights outside the TFLs, had played it straight with the contractors, an amicable relationship could have prevailed. But this was not to be and the working together phase came to an end in the market decline of the early 1980s when many of the large companies tried to ride out the recession on the backs of contractors. The stage for this scene had been set after 1975 with the cozy relationship that developed between Bill Bennett's Socred government and some major companies, represented by COFI. When the major companies failed to pass on to contractors the benefits obtained from

the behind-the-scenes implementation of a selective program of “sympathetic administration,” the split between the small independent companies and the major corporations widened.

Relations were further strained with the eruption of the Shoal Island scaling scandal involving BC Forest Products and five contractors, all members of the TLA. *The Hopwood Report*, commissioned by the TLA, revealed, among other things, that some of the big licensees were paying their contractors substantially less than they were reporting to the Forest Service for stumpage appraisal purposes. These, and other events, ushered in the fourth phase in the TLA's evolution.

In 1986, the incestuous relationship between many of the big forest corporations and the provincial government ended with the election of a Social Credit government headed by Bill Vander Zalm. He spoke to the 1987 convention, which for the first time in decades featured a panel discussing basic policy issues, and he promised a major shakeup for the industry. Although Vander Zalm was never able to implement his promised changes, some significant measures were brought



The 1980s. The decade of “sympathetic administration” had the following presidents, left to right, Bruce Russell, Norm Jacobsen, Pat Martin, Dan Hanuse and Cliff Coulson.

about before he was chased from office. One of these was the revival of the Legislature's Select Standing Committee on Forestry, which had been mothballed under the Bennett regime. Its first task was to consider the need for written logging contracts that include an arbitration clause, a long sought-after goal of

the TLA that was strenuously resisted by most of the larger companies. Legislation granting these provisions marked the first significant victory of the independent sector in many years.

Vander Zalm's first Forests Minister, Jack Kempf, was forced to resign and his replacement, Dave Parker, attempted to

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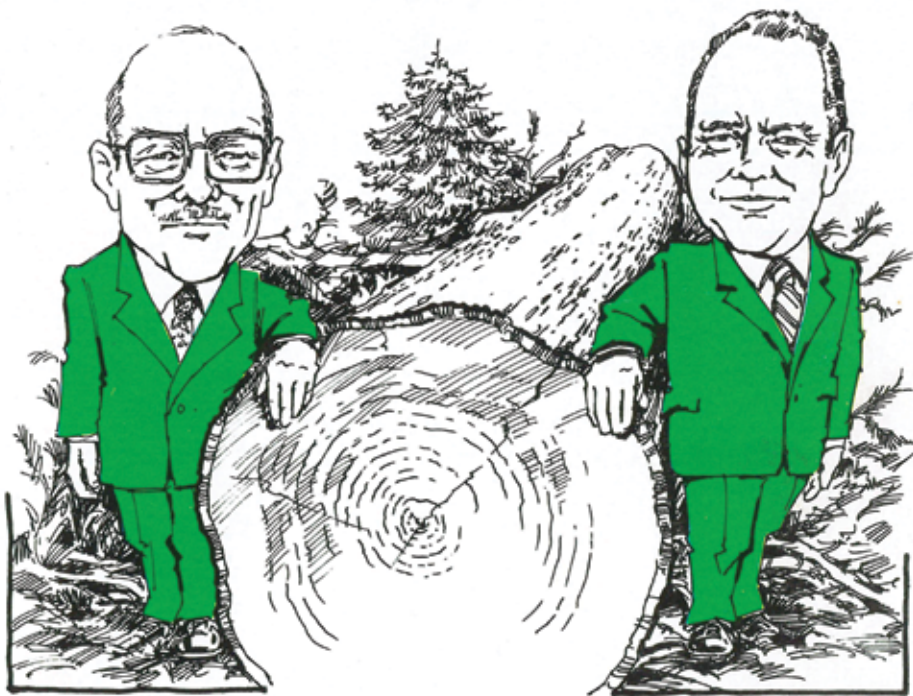


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The early 1990s. The two Dons of the early nineties, Don Williams (left) and Don Edwards, were at the helm of the TLA during a number of significant legislative changes.

revive a Bennett-era plan to create more TFLs. This plan was met with widespread opposition from the public and the non-COFI sectors of the industry, including the TLA. In the end, Parker was forced to set up a Forest Resources Commission to

widespread public support and its basic arguments formed the core of Peel's Commission report, *The Future of Our Forests*, issued in 1991. Among other things, this process revealed that, while there was widespread public opposition

"The stability of many families and, indeed, many communities are dependent of contractors maintaining secure and fair contracts with the holders of timber rights in their vicinity."

consider, among other matters, the question of the tenure.

Never before in the history of the province had forest policy been such a burning public issue. In part this was due to the concerns of other forest users, as well as the new appearance of a widespread, urban-based environmental movement. But it was also fuelled by growing alarm over the economic deterioration of the industry and the closing of mills by some of the large, integrated companies. More than 1,700 briefs were submitted to the Commission, headed by A.L. (Sandy) Peel, including one by the TLA calling for a drastic revision of the tenure system.

In its basic principles, this brief restated the same points the organization had articulated in the 1940s—the need for proper forest management and the opposition to monopoly control of the forest resources. The TLA brief received

to some of the big companies and COFI, which purported to speak for the entire industry, the public generally, supported the locally based sector of the industry, including the TLA.

On the heels of the Peel report, then Forests Minister Claude Richmond introduced the original Bill 13 legislation in 1991 giving contractors the right of replaceability to their logging contracts. Although not comprehensive in nature, it was the start to what would become Bill 13 today. As stated by Richmond on the introduction of the bill: "the purpose of Bill 13 is to address logging contractors' security in British Columbia. Independent contractors and subcontractors who harvest timber for larger forest companies are extremely important to British Columbia's forest sector. The stability of many families and, indeed, many communities are dependent on

contractors maintaining secure and fair contracts with the holders of timber rights in their vicinity. This amendment will enable us to improve the balance in these contractual relationships. It will also provide a quick and inexpensive system for resolving contract disputes. This will ensure security and fairness for all parties involved in timber harvesting in British Columbia."

Bill 13 did not, however, level the playing field as hoped, and abuse of contractors and rumours of extortion against contractors by the majors continued despite the legislation to protect them. TLA policy advisor, Rick Jeffery under direction from former NDP MLA and then TLA President (now called executive director) Graham Lee, researched the cut control position and contractor compliance record on TFL 19 and found that the contractors were still being treated unfairly, despite Bill 13. With data in hand, the TLA went back to the government demanding improvements to the legislation. In 1992, the Act was updated by the new NDP government to clarify amount of work provisions, and in 1996 it was again updated to become the legislation that endured until 2003.

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TLA ON 75 YEARS**

During this period, the TLA recognized the increasing scrutiny that was being brought to changing forest management policy by both the public and the burgeoning environmental movement and that it may, in the long run, be detrimental to the members. It was then that the TLA allowed Association resources to be spent addressing the grow-

(CORE), where the TLA was again invited to participate as a stakeholder.

CORE was a collaborative planning model whereby participating stakeholders were to negotiate a consensus-based agreement on regional and local resource use goals. CORE's commissioner was Stephen Owen. As a stakeholder, the TLA hired consultant economist John DeWolf

to influence a land use plan that survives today was significant.

The 1990s were also a busy time for the newly elected NDP government wanting to create more value and jobs from BC's forest resource. In April 1991, the Forest Resources Commission (FRC) recommended, in a report on the state of forest management in BC, a "single, all-encompassing code of forest practices." The code would consolidate the existing legislation, regulations and guidelines governing forest practices in BC. In July 1994, Bill 40—*The Forest Practices Code of British Columbia Act* was passed in the Legislature. On its heels, the Forest and Jobs Commission was established with a goal to create more jobs from forest resources. This then led to the creation of Forest Renewal BC and the implementation of "super-stumpage" to pay for it. The Jobs and Timber Accord promised to create an additional 20,000 jobs in the forest industry (which it didn't) and Forest Renewal BC was unionized with disastrous consequences. Finally, the provincial stumpage system was changed to

Throughout these tumultuous times, the TLA had seats at all the tables, having established itself as a vested stakeholder with valued insight into the industry.

ing issues. They created the Old-Growth Committee within the organization to address the pressure to save old-growth forests and made recommendations to the Socreds to balance forest policy. In response, the government created a stakeholder-populated "Values Committee" and the TLA gained a seat at the table. The report that followed became the template for the province-wide Commission on Resources and Environment

to prepare a position paper that outlined the concept of land base zonation as a means to address resource conflicts and made the economic case for how it could be implemented. The perspective was presented to CORE, and while it was not adopted directly, the concept of zonation survived to form the basic outline of the eventual Vancouver Island Land Use Plan finalized in 1996. That forest contractors could mobilize



The presidents who took us into the new millennium were, left to right, Jack McKay, Ralph Torney, Ken Dyson and Monty Mosher.



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the so-called “Comparative Value Pricing System.” Throughout these tumultuous times, the TLA had seats at all the tables, having established itself as a vested stakeholder with valued insight into the industry. Consistent in their approach was continued support for protection of the working forest land base and their contractor members as policy evolved.

By the end of the 1990s, the industry was suffering under the weight of the Code and wanted a change from the dampening economic policies of the NDP. The Liberal party was gaining pub-

luc support would be needed to ensure its success.

In 1999, Graham Lee left the executive director role and was replaced by Tony Toth, who, after a short stint, was replaced in 2000 by long-time Vice President of Forestry and Policy Rick Jeffery, under a contract arrangement. The TLA hired professional communications and event planning support staff, engaged communications consultants and outsourced the quarterly magazine to a professional publishing house. This all resulted in a more fo-

“...we are concerned that these acquisitions will essentially allow Western Forest Products to dominate, if not control, the coastal log market.”

lic support. The TLA recognized that to remain a respected stakeholder in policy discussions, it needed to innovate and become more sophisticated in its approach. With an annual convention that was drawing close to a thousand participants annually, professional administra-

cated communications effort.

While the TLA innovated, so too did COFI. In 2001, COFI was split, and Coast Forest Products Association became the voice of the coastal majors with Brian Zak at the helm. COFI represented the bulk of the Interior majors and the Interior Lum-

ber Manufacturers’ Association spoke on behalf of southern Interior mills.

NDP Minister of Forests Gordon Wilson attended the 2001 TLA convention, where he suggested they would consider establishing a Working Forest in legislation. Wilson also warned TLA members that if the province elected a Liberal government, it would rekindle confrontation with both environmentalists and First Nations. By sticking with the NDP, Wilson intoned, citizens would get a moderate policy that protected both the forest industry and environmental goals.

Opposition leader Gordon Campbell and Premier Ujjal Dosanjh both addressed the TLA convention as well. Both parties had committed to market BC wood products abroad, zone a portion of lands as “working forest,” and reform the tenure system. However, Campbell also promised that forestry would be his government’s top priority, with a new market-based stumpage system and the reduction of regulatory burdens. Dosanjh championed both strict rules regarding logging via the
(Continued on page 85)



The presidents of the early 2000s were, left to right, Rob Wood, Ted Arkell and Mike Hamilton.

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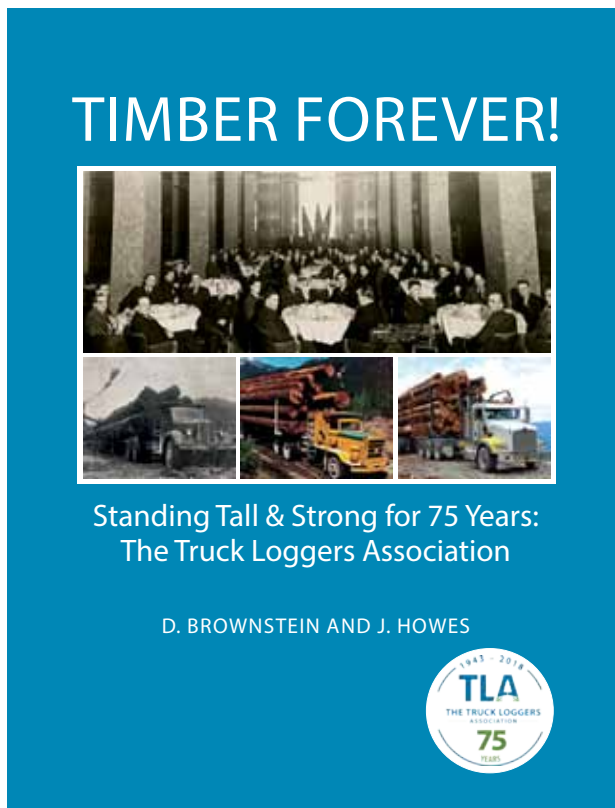
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STANDING TALL & STRONG FOR 75 YEARS: A CONVENTION TO REMEMBER

By Brenda Martin

At the TLA Convention & Trade Show this year, we're celebrating more than usual. The theme for this year's event—in honour of the TLA's 75th anniversary—is "Standing Tall & Strong for 75 Years." We're kicking off the three-day event with a look back over the last 75 years and what the TLA has achieved as an organization. Jim Girvan will provide insight on who we are, what we do and why we do it. For a sneak preview, read the "The TLA: 75 Years of Innovation and Advocacy" starting on page 24.

This convention is about celebrating the technology, issues and people that have shaped the timber harvesting business in our province. Through it all, the TLA has been a strong and unifying voice of the timber harvesting contractor community, striving to ensure that the people who work in the forest share in the prosperity of the forest resource. How we will achieve another 75 success-

ful years in the forest industry will be the central focus of our convention.

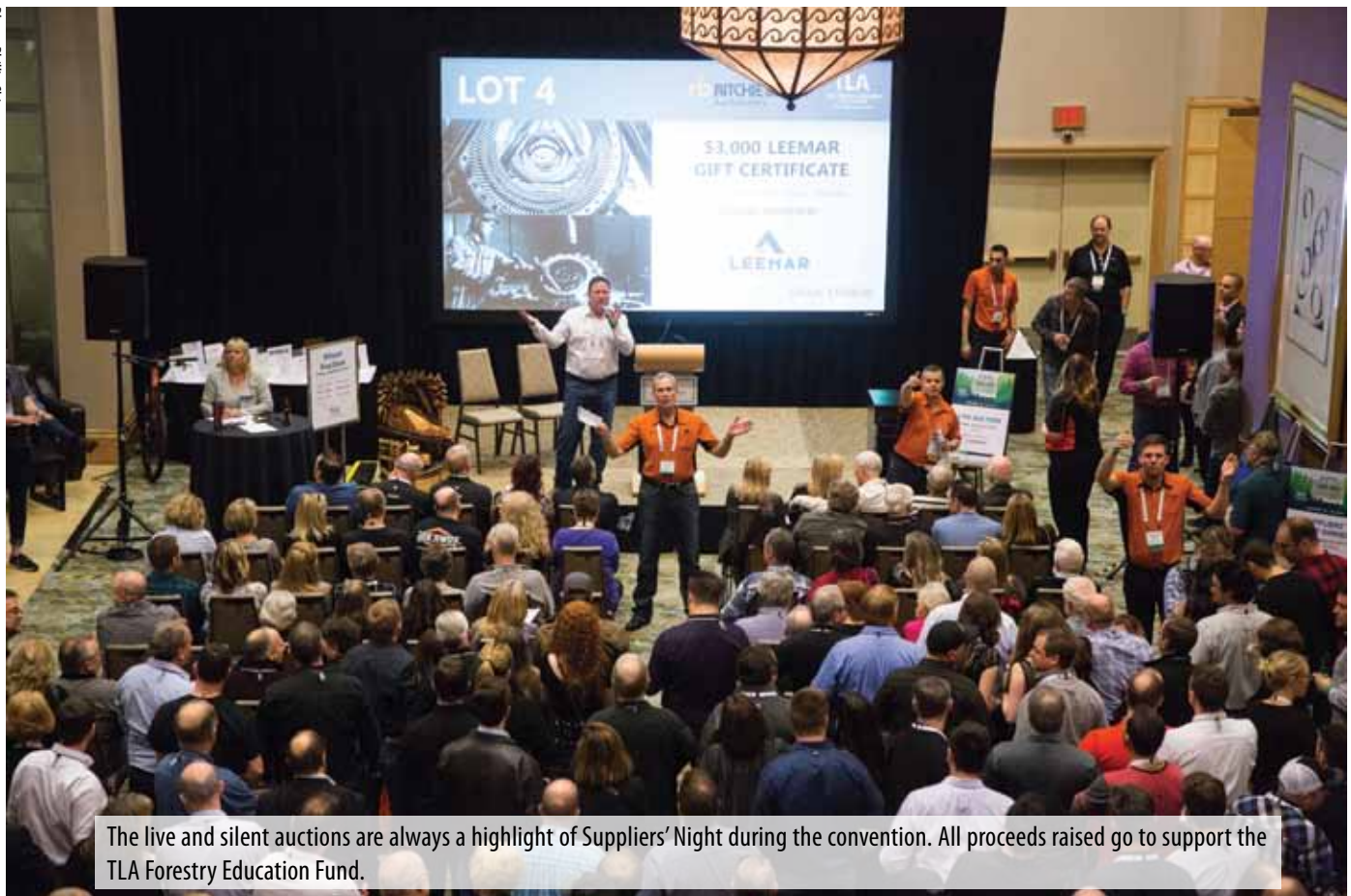
This year we welcome new government representatives and honoured guests to the Convention—Premier John Horgan and Minister Doug Donaldson. Premier Horgan will address delegates at the Leaders' Luncheon on Thursday and share his perspective on the forest industry. Minister Donaldson will give an update on the work his Ministry has achieved and his thoughts on the forest industry on Friday at the Minister of Forests, Lands, Natural Resource Operations and Rural Development Breakfast. This is also an opportunity for Minister Donaldson to congratulate the TLA scholarship winners—many of whom will be in the audience.

During the first sessions on Wednesday, we look at two cutting-edge aspects of technology. First, we'll take an on-the-ground perspective on steep slopes and look at how this work is affected by

occupational health and safety regulations. Then we'll explore tools for success. How can contractors maintain the value of equipment critical to their business? And, as a nod to the future, how can drones help harvesting operations become more efficient?

The Keynote Lunch on Wednesday is entitled, "Dr. Patrick Moore—Reflections on 90 Years in the Bush." Moore, a co-founder of Greenpeace and a passionate advocate for forest conservation and the use of wood, will share his perspective of being a part-owner in W.D. Moore Logging Co. Ltd.—one of the oldest stump-to-dump contractors in the business—that closed in 2017 due to the resounding lack of contractor sustainability in BC's forest industry today. (The closure of W.D. Moore Logging was the cover story of our Fall 2017 issue).

After the Keynote Lunch, we jump right into sessions critical to contractors



The live and silent auctions are always a highlight of Suppliers' Night during the convention. All proceeds raised go to support the TLA Forestry Education Fund.

Photo: Philip Chin

today. The topics are finding employees and ensuring you're getting paid for what you harvest. In "Who is Going to do the Work?" speakers from the BC Forest Safety Council, Homalco First Nation and a labour lawyer provide insights on addressing our labour shortage. In "Are You Getting Paid for What You Harvest?" Aaron Sinclair of PNL Consulting will moderate a session looking at the scaling and grading system in BC that underpins contractor pay. During the session, a lawyer will also provide their views on signed contracts that outline how contractors should be paid.

Are you curious about who makes up our board of directors? If you're a TLA member, join us for breakfast and the AGM to see the business of the TLA in action.

Thursday kicks off with the TLA's annual general meeting and the Loggers Breakfast! Are you curious about how the TLA is run and who makes up our board of directors? If you're a TLA member, join us for breakfast and the annual general meeting to see the busi-

ness of the TLA in action. There's also a prize draw!

The first session on Thursday addresses a serious issue that gets thrown around with little consideration of the realities: old growth versus second growth harvesting. It's easy to say, "make the transition," but that does not take into consideration what we actually harvest, how we harvest and the existing infrastructure for producing forest products from logs.

The second session on Thursday puts the spotlight on a hot button issue in safety. Covered several times in this

and learn about the First Nations Safety Council of BC and how it relates to the forest industry.

Our final session on Thursday will give you the latest in market direction for the timber you harvest. There will be a US perspective to add context to the BC log market, as well as perspectives from a local log trader and a view on byproducts the industry needs to figure out how to manage.

The first two sessions on Friday look beyond our province for insight. "A View from Afar: Outsiders' Perspectives" takes a look at our industry from the outside. Is our forest sector unique or are we the same as other jurisdictions? What can we learn from these outsiders to help our provincial industry and, in particular, the contracting community? "Defending the Working Forest: Learning from Others" takes a different perspective on how to defend our ever-shrinking working forest. This panel will explore other reasons for maintaining the working forest such as carbon management, reduction of wildfire impacts and First Nations' economic interests.

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Our final session on Friday, "Blueprint for the Next 75 Years" gives four speakers from different parts of the timber harvesting sector a chance to share their thoughts on how this industry can survive—and thrive—for another 75 years.

Even with all this business, we will manage to jam in lots of fun and networking too. At the end of Wednesday, join TLA President Jacqui Beban for the President's Reception. This is a great opportunity to get into the swing of the convention, find out who's attending this year, and get your networking started!

After a great first year, the Loggers Dinner and Comedy Club is back again! Treat your clients, employees and friends to a hilarious night out. A true veteran of comedy, Andrew Grose has performed in the top comedy clubs and theatres across the country and on TV—CTV's Comedy Now!, CBC's Comics!, and The Comedy Network's Comedy at Club 54. Known for his unique perspective on life, he shares his own experiences as a husband and father. Andrew has a well-honed eye for the absurdities in everyday life. Enjoy a delicious dinner and laugh the night away. Afterwards,

there will still be time for a drink out on the town.

Friday is a day not to be missed! Lunch on the Trade Show Floor gives delegates a chance to network with each other and take a good look around the trade show. The Spouse Event will sweep delegates off their feet! High Tea is a grand tradition and the world-renowned Fairmont Empress has served England's most beloved ritual to famed royalty, celebrities and dignitaries alike. Now it is the TLA spouses' turn! Before sitting down to tea, there will be four tasting stations to visit—BC wines, local craft beer, port and chocolate. It will be an afternoon to remember!

Friday night is the culmination of the whole event—Suppliers' Night. This is the best chance to network and see the trade show operating at full tilt! We will have up to 1,000 people there on Friday night as loggers drive down the Island to be a part of the action—we will have a hearty buffet dinner ready to satisfy those logger appetites. There will also be two auctions—silent and live—and all funds raised from both go to the TLA Forestry Education Fund that sup-

ports the TLA's various post-secondary scholarships, local forestry education programs, Festival of Forestry, community logger sports and much more! (See pages 52 and 53 for more information on the TLA Forestry Education Fund.) There will be some exciting items at both auctions so bring your chequebook and support forestry education in BC.

There's something for everyone at the TLA's 75th Annual Convention & Trade Show! At the time of printing, our regular registrations have sold out. But we still have limited session-only registrations as well as tickets to the Leaders' Luncheon, Spouse Event, Suppliers' Night and the Lunch on the Trade Show Floor. We hope to see you there!▲

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E: ppringle@jltcanada.com

Steve Hicks

Senior Vice President
T: +1 250 413 2723
C: +1 250 588 1410
E: shicks@jltcanada.com

Ben Fitzpatrick

Account Manager
T: +1 250 413 2725
C: +1 778 679 9019
E: bfitzpatrick@jltcanada.com

Jardine Lloyd Thompson Canada Inc.

Suite 350, 4396 West Saanich Road, Victoria, BC V8Z 3E9
Tel: +1 250 388 4416 | Fax: +1 250 388 9926 | www.jltcanada.com

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BUILDING A STRONG, SUSTAINABLE ECONOMY FOR BRITISH COLUMBIA

By Premier John Horgan

For 75 years, the Truck Loggers Association has stood tall and strong for forestry and forest-dependent communities. As premier, my job is to stand tall and strong for all British Columbians. A dynamic and sustainable forest economy is key to our province's economic future.

When I was sworn in as Premier on July 18, British Columbia was more than a week into a provincial state of emergency due to our unprecedented wildfire season. More than 65,000 people in the Interior were evacuated, 1.2 million hectares were burned, and direct wildfire fighting costs exceeded \$552 million.

When people are in trouble, communities come together. Firefighters and emergency responders fearlessly and tirelessly protected our communities, and thousands of volunteers opened their hearts and homes to help. Our government recently launched the Above and Beyond Awards program to recognize the exemplary service of these everyday heroes, who stepped up during the wildfires and the devastating spring floods. It will take time to rebuild, but BC will come back even stronger than before. Our government is working closely with communities and First Nations as we recover. Supporting our forest sector is critical to those efforts.

Also in July, I travelled to Ottawa to meet with Prime Minister Justin Trudeau, and to Washington DC, where I met key US officials to press our case for a negotiated agreement on softwood lumber. The softwood lumber dispute affects tens of thousands of BC workers and forest-dependent communities across BC. We're fighting for a deal that's good for BC workers, for the industry, and for our communities.

In November, the US Department of Commerce announced final duty rates totalling almost 21 per cent for the majority of Canadian forest companies. These unfair duties put thousands of BC jobs on the line, creating uncertainty for the people and communities who depend on those jobs.

BC is a fair and competitive trader. Every time the US has imposed unfair

duties on softwood, the courts have sided with Canada and our industry has been vindicated. We stand united with forest workers, industry leaders, and forest-dependent communities in the fight against unfair duties. And we stand united defending the 60,000 people who rely on BC's forest sector for their jobs and livelihoods.

The softwood lumber dispute with the US just reiterates the importance of diversifying markets for BC wood products. To that end, Doug Donaldson, Minister of Forests, Lands, Natural Resource Operations and Rural Development, led a forestry trade mission to China and Japan in November to help increase the value of exports to those two important markets.

That's just one of many actions we are undertaking to meet our commitment to build a strong, sustainable, innovative economy for British Columbia, one that works for everyone. The Contractor Sustainability Review being led by George Abbott is also scheduled to wrap up near the end of 2017 and I look forward to hearing how we can make the industry more sustainable for independent timber harvesting contractors who live and work in BC's rural communities. Finally, I've also tasked Doug to work with the communities and industry to find a fair, lasting strategy to process more logs in the province to deliver more benefits for families and communities.

I've tasked Jobs, Trade and Technology Minister Bruce Ralston to work with Doug on increasing employment in the forest sector and innovative wood manufacturing sector.

Our government continues to explore ways Indigenous peoples can have a broader stake in forestry activities on their lands. We have embraced the United Nations Declaration on the



Photo: Courtesy of the NDP

Rights of Indigenous Peoples, and are determined to build a true partnership with First Nations, based on rights, respect and reconciliation. In my mandate letters to all cabinet ministers, I told them to review policies, programs and legislation to determine how to bring the principles of the declaration into action in British Columbia.

Across the province, we are entering a new era of co-operation and collaboration. The people of British Columbia need to see that government can work across all parties to move forward on the things that matter the most to them. After all, they work hard to build a better life for themselves, and they deserve a government that's working for them. This means making sure the forest sector—one of BC's founding industries—continues to provide well-paying jobs for families across our province.

Over the last 75 years, there have been many changes, and over the next 75 years, there's sure to be many more. I welcome the opportunity to work with you to build a better British Columbia. And I look forward to celebrating with you in January, to mark 75 years of standing tall and standing strong for BC's forest sector.▲

OPPORTUNITIES AND CHALLENGES: STANDING UP FOR BC'S FOREST SECTOR

By Doug Donaldson, Minister of Forests, Lands, Natural Resource Operations and Rural Development



At the time of writing, I've had the privilege of being the Minister of Forests, Lands, Natural Resource Operations and Rural Development for four months. It's been an intense four months. It's not every day you become the minister responsible in the middle of what would turn out to be the longest state of emergency in the province's history.

I was extremely proud of the efforts of our firefighters, emergency responders and volunteers who worked tirelessly to keep British Columbians safe. Remarkably, there was not a single life lost as a direct result of the wildfires. I was also impressed by the resilience of British Columbians and how everyone worked together to keep each other safe. I'd like to think that is what we are about as a government—working together to make life better for all British Columbians.

We began recovery efforts while the fires were still burning, working with local communities and First Nations and co-ordinating government activities in four key areas: people and communities, the economy, the environment, and infrastructure and reconstruction. Close to half of the 1.2 million hectares that burned were on the timber harvesting land base, and we lost millions of cubic metres of timber. Ministry staff are now working with First Nations and licensees to harvest burnt timber while it still holds value. In addition to helping licensees haul wood to mills, staff are also prioritizing areas for reforestation and wildlife habitat restoration. We're working to mitigate the impacts on mid-term timber supply for the next generation.

In order to keep people and property safe, we need to learn from this year's devastating wildfires. To that end, we've commissioned an independent review of both the fires and floods so we can determine what went well and what could have been done better. We will work to implement the resulting recommendations in advance of the 2018 wildfire season.

While it seems that the wildfires have been our sole focus since July, my mandate as Minister of Forests, Lands, Natural Resource Operations and Rural Development is one that I was thrilled to get from Premier Horgan and I'm excited to explore and leverage the opportunities that forestry holds. At the time of writing, I'm about to embark on my first forestry trade mission to China and Japan. In light of the softwood lumber dispute with the US, it's more important than ever that we continue to diversify markets for BC wood products both at home and abroad. That means expanding the growth in China, Japan and India.

That also means expanding the innovative wood products sector. BC has the expertise to be a leader in engineered wood products. You only have to look at some of the amazing structures we've built here with wood—such as the Brock Commons student residence at the University of British Columbia. At 18 storeys, it currently is the tallest contemporary wood structure in the world. Ten years ago, did anyone think that an 18-storey wood-frame structure would be a reality? Who knows what the next great innovation in wood will be. We need to keep pushing new ideas and look for opportunities for commercialization. BC wood products are high quality, and building with wood also has a carbon benefit.

An initiative I know TLA members welcome is the logging contractor sustainability review. George Abbott expects to have his final report to me by the end of January 2018, with recommendations on ways we can adjust the regulatory environment to improve the sustainability of contractors and the competitiveness of licensees.

I am impressed by the work done to date—George and his team have done a thorough job and are asking the right

questions. They met with 160 logging contractors from every corner of BC, all the major licensees, industry associations and organizations such as Forestry Innovation Investment and FPInnovations. And I'm told they had some great feedback, with open and supportive conversations. That's important because this is a tough issue, and we need to be open-minded if we expect to find solid solutions.

I'm also excited to be Minister of Rural Development and working for ways to strengthen rural economies in a meaningful and lasting way. I believe, that to be successful, rural development needs to be grounded in five community economic development principles: self-reliance, meaning an increase of economic independence for communities; community-based, meaning facilitating community control on rural development; sustainability, so communities are resilient for the long term; asset based, meaning building on existing resources, talents and skills in the community; and participatory participation, meaning that everyone has a voice in developing the right strategy for that community.

The same participatory principle applies to modernizing land use planning and implementing the United Nations Declaration on the Rights of Indigenous Peoples. BC's approach to advancing long-term reconciliation is focused on building respectful government-to-government relationships, and improving opportunities and outcomes for Indigenous people in BC. Modernized land use planning will provide new land use direction that responds to new resource development pressures, ensures BC's environmental resources remain healthy, and provides clarity and certainty for rural communities and economies and industry.

As the new minister, I have been given an ambitious mandate by the premier, and I also look forward to meeting those commitments. I look forward to meeting with you at your 75th annual convention in January and discussing the challenges and, more importantly, the opportunities before us.▲



THE TRUCK LOGGERS ASSOCIATION

STANDING TALL + STRONG FOR 75 YEARS

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STANDING TALL & STRONG

A celebration of the changes in technology, issues and people that have shaped the timber harvesting business in our province. Through it all, the TLA has been the strong and unifying voice of the timber harvesting contractor community, striving to ensure that the people who work in the forest share in the prosperity of the forest resource. How we will achieve another 75 successful years in the forest industry will be the central focus of the event.

Fairmont Empress Hotel is SOLD OUT!

Alternate Hotels:

Marriott Inner Harbour
728 Humbolt Street,
Victoria, BC V8W 3Z5

Tel 250 480 3800 or 1888 236 2427 and ask for Truck Loggers Association Annual Conference group rate.

Doubletree by Hilton
777 Douglas Street
Victoria, BC V8W 2B5

Tel 250 940 3100 and ask for Truck Loggers Association Room Block.

Start Time	WEDNESDAY, JANUARY 17, 2018	End Time
7:00am	Registration Open	5:00pm
7:00am	Continental Breakfast	8:00am
8:00am	Welcome <i>Presenters: Jacqui Beban - The Truck Loggers Association/Nootka Sound Timber Co. Ltd. and Representative from the Songhees First Nations.</i>	8:30am
8:30am	75 Years of TLA History Looking back at the TLA's history, providing insight on who we are, what we do, and why we do it. The TLA is and always has been the strong and unifying voice of BC's forest community. <i>Presenter: Jim Girvan - MDT Management Decision and Technology Ltd.</i>	9:00am
9:00am	Steep Slopes – Climbing Higher Where are we within the evolution of this new technology? We will look at occupational health and safety regulations related to steep slopes and provide an on-the-ground perspective. <i>Moderator: Dzhamal Amishev - FPlnnovations</i> Panelists: Tyson Lambert - T- MAR Industries Ltd. John Ligtenberg - WorkSafeBC	10:00am
10:00am	Coffee Break	10:30am
10:30am	Equipment – Tools for Success There are many things to consider when trying to achieve success in the harvesting sector. In today's contracting world, all the value of a contractor's business is in the equipment, so we explore how to maintain that value. Cutting edge operational uses for drones may help contractors as they strive to be successful. We will also learn about today's machine engines and the technology built into them. <i>Moderator: Tim Lloyd - Forestech Equipment Ltd.</i> Panelists: Al Waugh – Accurate Appraisals & Marine Surveys Ltd. Ryan Kisko - Finning (Canada) Colin Filliter – SuavAir	noon
12noon	Keynote Lunch Dr. Patrick Moore - Reflections on 90 years in the Bush A co-founder of Greenpeace and passionate advocate for forest conservation and the use of wood, Dr. Patrick Moore shares his unique perspective of being a part-owner of one of the oldest stump-to-dump logging contractors in British Columbia. After almost 90 years in operation, the business of W.D. Moore Logging Co. Ltd. has seen it all! <i>Introduction – Al Johnson, WorkSafeBC</i>	1:30pm
1:45pm	Who Is Going to Do The Work? Skilled labour shortages are now prevalent in our sector. How can we retain and pass on the know-how to our next generation of workers? BC Forest Safety Council thinks competency guidelines are the answer. Learn from a labour lawyer's views on addressing our industry's labour needs. First Nations workforce perspective on getting logs to markets. <i>Moderator: Paul Mottershead - Vancouver Island University</i> Panelists: Russell Robertson - BC Forest Safety Council Michael Kilgallin - Roper Greyell LLP Maxime Lepine - Homalco Forestry Limited Partnership	3:00pm
3:00pm	Coffee Break	3:30pm
3:30pm	Are You Getting Paid for What You Harvest? Expanding the awareness of how contractors are paid in terms of what you harvest, build for road and haul. We will look at the scaling and grading system in BC which underpins contractor pay and get a lawyer's view on signed contracts which outlines how contractors should be paid. <i>Moderator: Aaron Sinclair - PNL Consulting</i> Panelists: TBD - Coastland Wood Industries Ltd. Jeffrey Waatainen - DLA Piper (Canada) LLP	5:00pm
5:30pm	President's Welcome Reception	7:30 pm

Start Time	THURSDAY, JANUARY 18, 2018	End Time
7:00am	Registration Open	5:00pm
7:30am	Loggers' Breakfast	9:30am
8:00am	AGM for TLA Members only	10:00am
10:00am	Managing the Transition <p>Old growth versus second growth forests – it is easy to say “make the transition”, but that does not take into consideration what we actually harvest, how we harvest and the infrastructure for converting to forest products.</p> <p><i>Moderator: Don Banasky - Western Canadian Timber Products Ltd.</i></p> <p>Panelists:</p> <p>Diane Nicholls - BC Chief Forester, Ministry of Forests, Lands, Natural Resource Operations and Rural Development Justin Rigsby - Holbrook Dyson Logging Ltd. Hanif Karmally - The Teal-Jones Group</p>	11:30am
12noon	Leaders' Luncheon	1:30pm
1:30pm	Trade Show Opens	5:30pm
1:30pm	Networking Coffee Break	2:30pm
2:30pm	Where Is Our Safety Net? <p>This panel puts a spot light on the hot button issues in safety: We know the 'Golden Hour' is critical to successful outcomes in a medical emergency, and the BC Forest Safety Ombudsman's report looked at this issue in terms of helicopter emergency medical services – Technical Evacuation Advanced Aero Medical has a solution. First Nations voice in safety is gaining traction. We gain insights from a review of Phase Congestion.</p> <p><i>Moderator: Rob Moonen - BC Forest Safety Council</i></p> <p>Panelists:</p> <p>Miles Randell - Technical Evacuation Advanced Aero Medical Roger Harris - BC Forest Safety Ombudsman Murray Ritchie - First Nations Safety Council of BC</p>	3:45pm
4:00pm	Market Update: Going Up or Going Down <p>Find out the latest in market direction for the timber you harvest. We will have a US perspective to add context to the BC log market versus our closest trading partners. A local log trader will provide insights into domestic and international markets. As well as a view on by-products that the industry needs to figure out how to manage.</p> <p><i>Moderator: David Elstone - The Truck Loggers Association</i></p> <p>Panelists:</p> <p>Joel Swanton - Forest2Market Inc. Alain Deggan - Island Timberlands LP Ian Ross - Terminal Forest Products</p>	5:30pm
5:30pm	Loggers' Dinner and Comedy Theatre <p>Featuring Andrew Grose, a true veteran of comedy, he has performed in the top comedy clubs and theatres across the country. He's also no stranger to performing before huge audiences, starring in several renowned comedy specials, including CTV's Comedy Now!, the CBC's Comics!, and The Comedy Network's Comedy at Club 54. With other televised appearances at the Winnipeg Comedy Festival, the Halifax Comedy Festival, and the world famous Just For Laughs gala, he has the poise and wit to entertain large and diverse crowds. His unique brand of comedy tickles the funny bone of every Canadian. In 2010, he was handpicked by the Mayor of Edmonton to perform at the Mayor's Celebration of the Arts.</p> <p>Known for his unique perspectives on life, he shares his own experiences as a husband and father, tempering anecdotes with common observations to relate with his audiences. With highly accessible and downright enjoyable material, Andrew reveals his well-honed eye for the absurdities in everyday life that will get everyone laughing.</p>	9:00pm

Full Registration are SOLD OUT.

Limited Session-Only Registrations are available. (Session-Only registrations DO NOT include any special events, nor do they include the Minister's Breakfast event) but you will be able to enjoy breakfast and coffee served in the Victoria Convention Centre

You still have the opportunity to network with members of the forestry industry at Lunch on the Trade Show Floor and Suppliers' Night as tickets for both these events are still available.

REGISTRATION FEES

REGULAR REGISTRATION

Member 3-Day	\$75 SOLD
Non-Member 3-Day	\$95 SOLD
Member Spouse 3-Day	\$35 SOLD
Non-Member Spouse 3-Day	\$45 SOLD
Member One Day	\$45 SOLD
Non-Member One Day	\$55 SOLD
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* Does not include Keynote Luncheon nor Minister's Breakfast	
Non-Member 3-Day Sessions only	\$800
* Does not include Keynote Luncheon nor Minister's Breakfast	
Member 1-Day Sessions only	\$300
* Does not include Keynote Luncheon nor Minister's Breakfast	
Non-Members 1-Day only	\$400
*Does not include Keynote Luncheon nor Minister's Breakfast	

EVENT TICKETS

Leader's Luncheon	\$80
Loggers' Dinner & Comedy Theatre	\$10 SOLD
Spouse Event	\$85
Suppliers' Night	\$100
Trade Show Lunch	\$45

TRADE SHOW HOURS

Thursday, January 18, 2018

1:30 pm - 5:30 pm

Friday, January 19, 2018

11:30 am - Midnight

Start Time	FRIDAY, JANUARY 19, 2018	End Time
7:00am	Registration Open	5:00pm
7:30 am	Minister of Forests, Lands, Natural Resource Operations and Rural Development Breakfast An opportunity to hear from Minister Doug Donaldson, the “new guy,” on the direction his government will be going on subjects that matter to the timber harvesting sector in BC. <i>Moderator: Tracey Russell - Inland Group</i>	9:30 am
10:00am	A View From Afar - Outsider's Perspectives A look at the BC forest industry from the outside. Is our forest sector unique or are we the same as other jurisdictions? What can we learn from these outsiders to help our provincial industry and, in particular, the contracting community. <i>Moderator: Brian Mulvihill - Finning (Canada)</i> Panelist: Dr. Clark Binkley - Greenwood Resources Inc. Eric Krume - Krume Logging & Summit Equipment	11:30am
11:30am	Trade Show Open	Midnight
12noon	Lunch on the Trade Show Floor	2:00pm
12noon	Spouse Event High Tea, a grand tradition for over a century, the world renowned Fairmont Empress has served England's most beloved ritual to famed royalty, celebrities and dignitaries alike... and now to the TLA spouses! Join us for pre-lunch samplings specially prepared for our group before sitting down to enjoy in the ritual.	2:00 pm
2:00 pm	Defending the Working Forest – Learning from Others A working forest is vital for more than just creating economic opportunities out of production from traditional forest products. This panel will explore other reasons for maintaining the working forest under the headings of carbon management, reduction of wildfire impacts and First Nations' economic interests. <i>Moderator: Dr. John Innes - University of British Columbia</i> Panelists: Robert Dennis - Huu-ay-aht First Nations Carolyn Smyth - Pacific Institute for Climate Solutions Bruce Blackwell - B A Blackwell & Associates Ltd.	3:30pm
3:30pm	Coffee Break	4:00pm
4:00pm	Blueprint for the Next 75 Years TLA members have been around for 75 years! As we wrap up the Convention this panel will debate opinions on how this industry can survive for the next 75 years. <i>Moderator: George Abbott - Circle Square Solutions Ltd.</i> Panelists: Jonathan Lok - Strategic Natural Resource Consultants Inc. John Lawrence - Brinkman & Associates Reforestation Ltd. Bill Nelson - Holbrook Dyson Logging Ltd. TBD	5:30pm
5:30pm	SUPPLIERS' NIGHT DINNER & AFTER PARTY	Midnight
8:00pm	LIVE AUCTION	9:00pm

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Cancellation Policy: For cancellations prior to or on January 5, 2018 a 10% administration fee will apply. Cancellations after January 5, 2018 will be non-refundable. If you wish to transfer your registration to another individual you will be required to provide 48 hours advance notice.



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Gift bags

Courtesy of the The Bay Victoria

LIVE AND SILENT AUCTION DONORS

SILENT AUCTION ITEMS

Abbotsford Centre

Canadian AxTour Arenacross Suite Rental includes ten tickets and two parking passes

Restaurant Lot 1 Pasta

One \$25 gift card to Lot 1

Bob Marquis Contracting

Four World Logger Golf Shirts and a Bowie Hunting Knife-Engraved

Canadian Tire

Hitachi cordless drill and flashlight

Canada Culvert

Golf package includes one XL shirt, two sleeves of balls, a hat, and a divot repair kit

Cannon Bar Works

Cannon Super Knife

Carihi Secondary

Forestry Carihi suspenders and t-shirt

Cokely Wire Ropes

Women's accessories basket

Coast Hotels

Two-night stay for two in a Comfort Room at a Canadian Coast Hotel of your choice

Columbia Fuels

YETI Cooler

Craft Beer Market

\$100 gift card

Crown Isle Resort

One-night stay and round of golf for two

DLA Piper

Two Club seats to the Vancouver Canucks versus Boston Bruins with parking pass (February 17, 2018)

Fairmont Empress Hotel

Two one-night stays for two in a Fairmont Room

Flyover Canada

Two ride vouchers and one souvenir guide

Harbour Air/Whistler Air/Saltspring Air

Two one-way vouchers to and from Nanaimo Harbour

Inland Group

24" X 36" Eiko Jones Print of your choice

Kaila Jackson

4X4 Custom Wood Art Wall piece

Macandale's

Metal saw sculpture - bear and eagle

National Energy Equipment

Fill Right Pump FR4200G

NexGen Hearing

Pro Forest Chainsaw Helmet System

North Island Communications

Kenwood TK 7360 Mobile 128ch 50 watt two-way radio (Programming & Set-up)

Northern Ropes

Five 3/8 straw line extensions

North Arm Transportation

Two tickets to the Vancouver Canucks versus New York Rangers (February 28, 2018)

Old House Hotel and Spa

One-night Deluxe Suite stay with Spa gift certificate

Port Metro Vancouver

Gift Basket

Rocstar

\$500 Fairmont Empress gift card

Royal BC Museum

Bears Book along with two Museum admissions and calendar

Sladey Timber

Apple Watch GPS and Cellular, gold case with pink sand sport loop

Strathcona Hotel and Sticky Wicket

Strathcona Hotel & Sticky Wicket one night stay, \$50 gift card

Truck Loggers Association

Gift basket

Water's Edge Suites

Two-night stay Water's Edge Suites in a one bedroom with outdoor hot tub

Western Oil Services

Piusi Diesel Pump in a box (Pro Model)

Westin Bayshore

Two-night stay and daily breakfast for two

Westin Bear Mountain Golf Resort & Spa

Two rounds of golf

Woodland Equipment

Rustic wooden patio cooler

Vancouver Island Air

Flightseeing for two for two hours

Victoria Royals Hockey Team

Two Club seat tickets versus Calgary Hitmen (January 28, 2018)

You are invited to join the fun at the TLA fundraising auctions at this year's convention. Ritchie Bros. Auctioneers will entertain you while conducting the live auction at Suppliers' Night Dinner. Proceeds from the Silent and Live Auctions will go to fund the TLA Forestry Education Fund.

LIVE AUCTION ITEMS

Associated Tire

Four Toyo M-55 Tires (for commercial pick-up)

Brandt

John Deere gun safe

Seaspray Log Scaling Ltd.

& TLA Board

Wine Fridge stocked with a selection of various wines

E & B Helicopter

One hour Helicopter Tour

Kal-Tire

Four Nitto Grappler HD Tires

Coast Island Marine

Four-day, three-night instructed fishing trip for two at King Fisher Lodge

Leemar

\$3,000 Leemar gift card

Nootka Marine Adventures

Three-day, two-night Fishing Trip for two

NexGen Hearing

40 WSBC Hear Tests & one Pair Custom Ear Plug

Opsal Steel

#487 Block/ #925 Block

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Two round trip airfares, Encore Class to anywhere in their system

Southstar Equipment Ltd.

Electric Fat Bike

Southstar Equipment Ltd./Quadco Equipment Inc.

Felling Head FD750

TimberWest Forest Corp

Coast Salish Nation carved walking stick by artist Richard "Tomahawk" Thomas

Truck Loggers Association

Four - one-day four-person sturgeon fishing trip - July 20, 2018 (date may be changed based on availability)

Western Equipment

1200ft of 7/8 Western Swaged Wire Rope

TLA FORESTRY EDUCATION FUND: What Your Money Achieves

The TLA Forestry Education Fund only exists because each year TLA members and supporters graciously donate items to the live and silent actions and then bring their cheque books with them to the TLA Convention for auction night. In the hurly-burly of the auction, it's easy to forget what we're supporting. So here's a reminder! Thank you for your generous support.




Founded in 1967 by Bill Moore, the Festival of Forestry takes 20 teachers on a three-day tour and shows them the whole forestry cycle—from seedling to final wood product. The 2017 tour, held in Port Alberni, let teachers see forestry on-the-ground so they could understand the industry better and pass on what they learned to their students. **Annual Spend: \$5,000**




The TLA supports logger sports all along BC's coast. Last year, the TLA supported events in Campbell River, Port Alberni, Port Clements, Port McNeill, Powell River, Sandspit and Squamish. These events are a great way to get the public out and thinking about forestry in their community. This woman is taking part in an axe throwing competition—an event that requires strength, precision and steady nerves. **Annual Spend: \$9,000**

FORESTRY EDUCATION IN ACTION!




 National Forest Week is celebrated nationwide every year. The TLA sees the benefit of publically celebrating our forest and everything they provide for us—timber, recreation and tourism, wildlife habitat, etc. **Annual Spend: \$2,000**




 The TLA budgets for five TLA Trades Scholarships each year at \$1,000 each. This year we had three successful applicants. Tyler Sheppe (pictured above) works out of Chemainus and is the fifth generation of his family to work in forestry. To find out more, visit www.tla.ca/scholarships. **Annual Spend: \$5,000 max.**



 TLA scholarships are awarded annually to students attending the following schools and planning to work in BC's forest industry: Vancouver Island University (VIU), University of British Columbia (UBC) and British Columbia Institute of Technology (BCIT). This financial support allows tomorrow's forestry workers to focus on their education and be better prepared to join the industry. **Approx Annual Spend: \$30,000**



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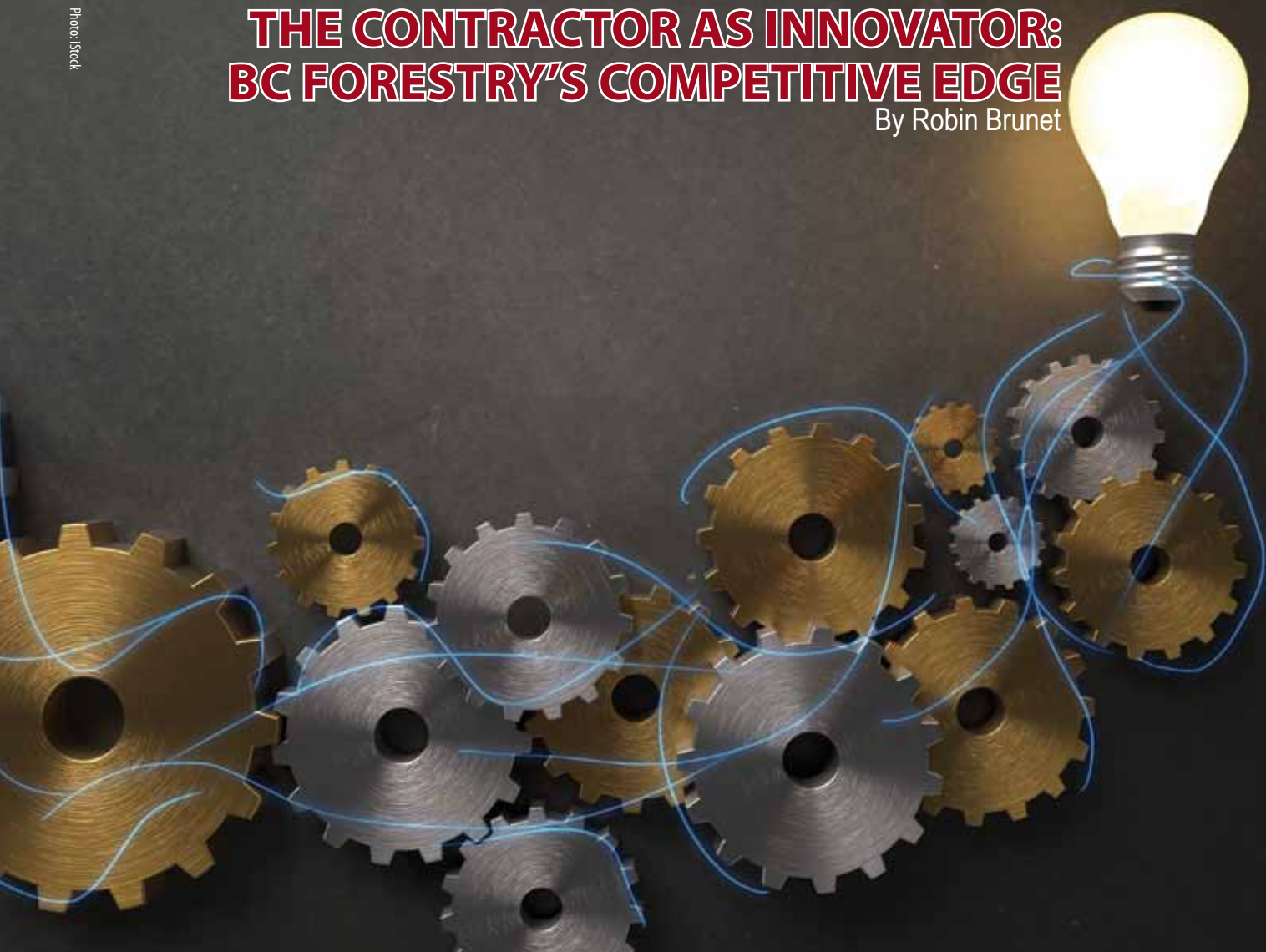
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THE CONTRACTOR AS INNOVATOR: BC FORESTRY'S COMPETITIVE EDGE

By Robin Brunet



Arguably, if logger Harper Baikie hadn't shown up late at a company Christmas party in 1949, logging today in BC as well as in other parts of the world would be substantially different—and perhaps far less efficient.

The Campbell River-based contractor had spent most of the day soaking wet, and when the partygoers good-naturedly chided him for missing out on the festivities, he replied indignantly, “If I had a portable steel spar tree instead of having to rig up something in wood, I’d have gotten here a lot sooner.”

Overhearing this remark was manufacturer Chuck Madill, who imagined Baikie’s brainchild: a portable, self-propelled yarder able to move quickly from site to site, enabling operators to compress yarding cycles that were the most problematic stage of log transportation—and rendering obsolete the riggers who stood in the rain preparing spar trees.

Eventually, Madill and the Baikie brothers (Wallace and Jack, in addition to Harper) got together at the former’s workshop in Nanaimo, and Harper’s invention was rendered in steel in 1955: a

based on the spirit of collaboration that existed between people like Baikie and Madill. “The point of the story was that it was a logging contractor who came up with an idea for equipment that would

“If I had a portable steel spar tree instead of having to rig up something in wood, I’d have gotten here a lot sooner.”

70-foot tower and Skagit donkey mounted on a white logging truck frame. The tower folded down for moving, and the entire unit took only several hours to set up. The Madill 009 Yarder became one of the most widely used logging machines not just in BC, but around the world—and the basic design was copied by many other manufacturers.

It’s a story that especially impresses George Lambert, who along with partner Gord Olafsen founded T-Mar Industries in Campbell River in 1984

change the face of logging for the better, and there are no end of examples of contractors whose input has been influential in the development of new machines and technology,” he says.

T-Mar is well known for being a leader in logging equipment design, remanufacturing and parts supply for the forestry, hydroelectric, mining, and pulp and paper industries, but Lambert stresses that “Just as Chuck Madill was inspired by Baikie’s working vision for a steel spar tree, we take



would take advantage of that acumen—as we do, constantly.”

Of like mind is Brian Mulvihill, forest products manager at Finning (Canada). “I fundamentally believe most innovation is germinated at the end-user level,” he says. “Granted, for every 1,000 ideas only four or five can be marketed, but that doesn’t take away from the fact that innovation—as opposed to refinement of existing technology—has allowed industry to take quantum steps forward in productivity and safety.”

Contractor ingenuity is nothing new—even when Harper Baikie appeared at his Christmas party soaking wet over 60 years ago. Loggers have been credited with the development of overhead cable yarding systems that facilitated true mass production during the first two decades of the 20th century, and it is said they had substantial input in the development of the crawler tractor, which was crucial in skidding logs over moderate terrain.

Richard A. Rajala, author of *Logging British Columbia: A History of Technological Change in Forest Harvesting 1860 to the Present*, notes that further back still, innovative loggers in BC adapted the steam-winches of cargo ships to logging:

The first prototype “Madill Mobile Spartree” arrives at Baikie Bros. Logging in 1956. It’s mounted on an ex-military rubber-tired carrier provided by Baikie Bros.

our inspiration from the contractors in the field.

“To us, it makes perfect sense: these are the guys who know the intricacies of the work they’re faced with, what

type of systems work best and what is lacking. Their technical skill goes a long way in determining practical solutions to problems, and any equipment manufacturer worth his salt

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J.M. Stewart, John McDonald, and W.H. Higgins each mounted small engines on scows and yarded timber off the English Bay shoreline, inaugurating the use of steam power in the 1890s; and it is widely believed that machinery of this type may have been put to use in ground yarding in coastal forests during the same era.

In short, innovation isn't merely a by-product of loggers' time in the field: it seems to be an inextricable part of their DNA. Moreover, people schooled as engineers found it beneficial to gain a first-hand knowledge of logging in order to hone their design skills. Case in point: Frank Lawrence, acknowledged as one of BC's most inventive equipment builders, entered the field in 1922 as a wood splitter for a steam donkey and didn't return to his chosen profession until 1934, when he began building gas and diesel donkeys that enjoyed great demand among coastal loggers.

Rajala characterizes the 1940s and 50s as the decades in which contractor innovation was most prevalent. For example, truck logger Archie McKone designed a pre-loader featuring detachable bunks, steel-inclined ramps, and skids that re-



Photo: Courtesy of T-Mar Industries

laid on gravity; he eventually established a Vancouver company to manufacture his invention.

Another member of the Baikie family, Jack Baikie, was responsible for doing away with the traditional practice of loading logs with steam cable machines and tongs. "In the late 40s, Baikie's crew

was using this process to remove logs from Campbell Lake, and unsurprisingly the intensity of work resulted in them frequently falling into the water," Lambert recalls. "The sight of them huddled in the work shack, soaking wet, caused Jack to consult with a local blacksmith and develop the first line grapple, an idea that,

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Demonstrating how the tower is erected on Baikie Bros. land near the present day Freshwater Marina.



Taken in 1968, this photo shows a slightly more modern steel spar and a heel boom loader.

although refined over the years, has remained the same because it was so good.”
Lambert’s colleague at T-Mar, Ed

Hughes, worked as the senior engineer and designer for Madill for 30 years, starting in 1977. “The innovative spirit

back then was still very strong: we always had people coming in wanting something done,” he recalls. “And even

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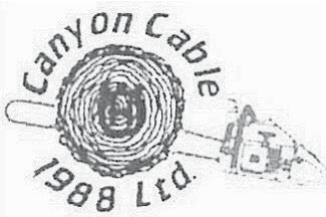
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though the industry has had more than its fair share of challenges, there are still examples of that process. We built a steep slope traction assist device that was the brainchild of a contractor who wanted to reduce the hazards of steep slope logging. We sold the machine to a US client, and now it's in use with another client in Australia, who apparently thinks it's wonderful."

had no money and didn't really know what we were getting ourselves into, we quickly filled a niche and saved clients from going back and forth from one type of company to another, trying to determine who's responsible for what, and who handles the warranties."

Of T-Mar's early years, Lambert says, "All of the ideas for new equipment and refinement came from the guys in the

But although the history of BC logging is replete with examples of contractors coming up with better ways to ply their trade, Mulvihill notes that "I've seen less risk-taking on their part than ever in the past 10 years, simply because the profit margins are gone. Contractors are still innovative by nature, but they can no longer afford to follow through on their ideas; they can't take on their share of risk anymore, and manufacturing companies by and large can't help them because they have to be fiscally conservative.

"Sure, we'll continue to make equipment better, but the quantum leaps such as from hand falling to the chainsaw are no longer. The last substantial, big idea was steep slope, and all I can do is hope that maybe one day we'll see a return of those quantum leaps forward."


When asked what's so bad about contractors having to resort to off-the-shelf solutions, Mulvihill replies by way of conclusion, "Because our industry flourished with those quantum leaps forward. Frankly, without grassroots innovation, I don't see how we can achieve meaningful growth."▲

Frankly, without grassroots innovation, I don't see how we can achieve meaningful growth.

Hughes charitably says of the phenomena of contractors approaching manufacturers with ideas today, "the market is so small you want to get something out there that works right away, because it's the buyers who really fund our development."

It could be said that T-Mar itself was the outcome of innovative inspiration, of sorts. "Gord and I had a vision to develop a heavy equipment rebuild facility with mechanical, machining, and welding services all under one roof," says Lambert. "Nobody else had done this on the west coast, and even though we


seat, so to speak. Our salesman, Wes Cox, was adamant that we travel from coast to coast to seek input and watch machines operate in the field. It was that process that enabled us to develop a questionnaire for equipment operators, which in turn guided us in our development of the steep slope traction technology." T-Mar's Log Champ 550 and 560 Yarders are mainly based on operator input and have been called the most versatile and efficient yarders currently in use in North America and other parts of the world.




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WHAT DOES FIRST NATIONS CAPACITY BUILDING LOOK LIKE IN 2018?

By Ian MacNeill

One of the questions on the recent First Nations survey conducted by the TLA's Aboriginal Affairs Committee asked First Nations forestry contractors and licensees what the TLA could do to help them succeed. The most common request was for more support in meeting capacity challenges in a variety of areas, including forestry and logging, marketing, and general business. To get a better idea of what this means, we spoke to several First Nations forestry executives. The story we write today is what we have learned from them, so far. We say "so far," because what we know now as a result of these discussions is certainly not all there is to say on the subject, particularly given that no two First Nations communities or challenge situations are alike. Solutions need to be custom fit to suit the environment, and for that reason we would like to think of this story as part of the ongoing dialogue between First Nations, the TLA, and the larger community—industrial, commercial, political and social—on the way to meeting capacity challenges.

So what is a capacity challenge? According to Matt Wealick, who chairs the TLA's Aboriginal Affairs Committee, a capacity challenge is what comes between having a resource like standing timber and utilizing it in such a way as to bring sustainable benefits to your community. "First Nations have tenure, they have leverage with government to make their tenures work, but what they're lacking is knowledge," he says. "They need management skills, connections to contractors, information about markets and a better understanding of policy changes and where they are going." He adds that this is precisely where TLA members can help. "Contractor members of the TLA are good at what they do, they have great capacity, they understand the industry, and they know the players and the policies, where many of the First Nations communities entering the industry don't understand any of that. One way for them to learn is to partner with good contractors, and the most successful ones have done just that."

Klay Tindall of Lil'wat Forestry Ventures, which manages an annual allowable cut (AAC) of 70,000 cubic metres in the Mt. Currie area of the coast, says that is exactly what he has been trying to do since he took over



Photo: iStock



as forest operations manager five years ago. “Building capacity has been a huge focus,” he says. “We want to train our people and create opportunities for them.” He adds that he wants to avoid the trap of giving an individual a single skill because that will relegate that person to seasonal employment. Ideally you want to provide them with a range of integrated skills that will keep them in demand year-round.

Having skilled workers on site makes them more attractive to contractors who are already working tight margins and require efficiency. “We understand that for licensees it’s all about cost management and it’s difficult convincing them to spend another 20 grand to hire untrained First Nations,” he says. “We’re lucky that we have had the benefit of training and a decent-sized licence; we’ve already got next year’s logging engineered.”

If there’s one big hurdle the Lil’wat and other First Nations without the Lil’wat’s natural endowments of a good-sized licence and proximity to a reliable transportation network have when it comes to capacity building, it is cost. Training takes time and money, sometimes lots of it. “None of the capacity-building exercise we’ve experienced could have happened without the profits from harvesting,” says Tindall. “It’s created stability and put money in the bank that can be used on training.” He adds that the Lil’wat recently enjoyed a job grant from the federal government, but one of the requirements of the grant is that recipients match the funding level. “They gave us \$100,000, but we had to match it. How many First Nations have a hundred grand in the bank?”

Making the effort and spending the money has paid off though. The Lil’wat are renowned for their firefighting skills—and were in high demand this past fire season—and they have



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First Nations who are geographically isolated or have small allowable annual cuts will have more difficulties attracting contractors.

had, and still have, a number of contractor partners who have hired their people and helped them advance their skills. These include Hedberg and Associates in Squamish, Zanzibar Holdings (silviculture), and SkyTech Yarding in Pemberton.

Willie Sellars, a council member for the Williams Lake Indian Band (WLIB), says his people have also been working to address capacity challenges. "We do 150,000 cubes a year and we need to get more band members involved because we have an aging workforce," he says, adding that the cost of training is also an issue. "Logging is competitive and we understand that it's all about dollars and cents."

We do 150,000 cubes a year and we need to get more band members involved because we have an aging workforce.

Contractors can certainly be part of the solution for First Nations, he says, but the band is not just looking for situations where contractors come in, do the work, and send you a cheque.

"People are starting to realize that partnering up with First Nations is something that needs to be done because they are working in traditional territories," he says. "But it has to be a meaningful partnership. They need to sit down at the table with the leaders, engage with them and provide both employment opportunities and a piece of the revenue that's generated. WLIB has had a number of successful partnerships, but we've also had situations where they come in and say we'll partner

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with you, and you can have two flagging jobs. That's not good enough. Employment opportunities are important, but that's not where the buck stops."

He adds that thanks to a major highway project, the WLIB knows what a good partnership looks like. "This project demonstrated how partnering can build capacity. Guys that started out as labourers are now driving haul trucks. One young guy has become a surveyor, other guys have gone on to work at a mine the company owns; this is exactly the kind of legacy we were looking for."

He's optimistic about the future as well, especially in the near term, ironically as a result of the forest fires that ravaged the Interior, including 800 acres of reserve land, 400 of which were timber resources. "We also have some private land we were awarded through other highway deals in the past. We're looking to salvage all that wood because it will be an immediate revenue generator for the WLIB. But we don't want someone to come and say we'll log the wood and give you a job; it needs to be more of a win-win partnership."

Both Sellars and Tindall say they understand the situation contractors are faced with when they come on to First Nations land. They understand that if the bar is set too high in terms of jobs or profit shares many contractors working on tight margins may just pass up on the opportunity. Both First Nations have been successful because there has been enough win-win in the relationships to make partnering advantageous to contractors. First

While many communities have been successful in finding training for blue-collar jobs, at the managerial level it's been tougher skidding.

Nations that are more isolated or have smaller AACs are going to have a tougher time of it, says Tindall, which brings us back to the money problem, which is of course a much larger social and political issue. Although some funding has been made available for training—witness the job grant from the federal government to the Lil'wat—getting it is often like winning a lottery, and one you can't rely on over time. Funding for training needs to be consistent so that planning can take place and sustainability built into community growth. And while many communities have been successful in finding training for the blue-collar jobs, at the managerial level it's been tougher skidding. "We need more managerial training," says Tindall. "It's easy to find guys to run saws, but we need people who can run the crews and work in the office."

Both Tindall and Sellars also agree that on the First Nations' side, when jobs are offered, the rigours and responsibilities of the

Lessons Learned: First Nations Capacity Building

Lessons were learned from the TLA's first-ever First Nations Survey and follow-up interviews with Aboriginal forestry executives. Here's a summary.

Capacity Building from a First Nations Perspective

First Nations are looking for on-the-job training and opportunities so their people can acquire an integrated range of skills leading to year-round employment, with a special emphasis on the development of managerial skills.

Partnerships need to result in meaningful benefits to all parties starting with jobs and training and, where possible, opportunities for advancement; offering a few flagging jobs does not constitute a partnership.

Employment and training are important, but First Nations also want to share in the profits for resources taken

from their land. These kinds of profits create stability and certainty and can be used to finance their own training, advancement, and investment.

Government needs to provide more consistent funding for training initiatives, especially in cases where First Nations' communities are remote and have smaller AACs that diminish their market appeal.

Capacity Building from the Contractor Perspective

First Nations need to understand that if the bar is set too high in terms of jobs or profit shares, many contractors working on tight margins may just walk away.

When jobs are offered, the rigours and responsibilities of the workday need to be respected; workers need to show up and work a full day—consistency and reliability are key.

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workday need to be respected. “Steady jobs can be a shock to some people,” says Sellars. “But we understand that nobody wants someone coming in and wrecking equipment and costing money, or not showing up for work. There has to be consistency.”

Building First Nations capacity is obviously going to confer economic benefits on both industry and BC’s Aboriginal people, but its virtues go far beyond that, says Richard Missens, a faculty member at the First Nations University of Canada in Regina. It builds the skill sets that lead to better self-governance overall, and that itself is a reason for pursuing it. He says that an added challenge when it comes to capacity building is that “the labour markets in many First Nations communities are non-existent—so there are not enough ‘real’ jobs. As a result, many of the training efforts within First Nations communities result in an exodus of skilled workers to outside jobs or [a situation] where people are recycled through endless training schemes.”

Thanks to the survey and our discussions with First Nations forestry executives, important lessons have been learned about capacity building. Both industry and First Nations have to come to the table and make efforts to craft mutually beneficial partnerships, and then work diligently to fulfil their promises and obligations. As well, in order to enhance the attractiveness of these partnerships to industry and provide stability to First Nations, government needs to step in and provide funding for training on an ongoing basis, especially when it comes to remote communities with less to offer. And finally, we need to keep the communication lines open, learn from our experiences and keep moving forward together.▲

The MNP logo is displayed in a white box with a rounded top-right corner. The letters 'MNP' are in a bold, green, sans-serif font.A photograph of a man in a blue button-down shirt pointing at a laptop screen. Another person in an orange shirt is partially visible on the right. The background is slightly blurred, showing what appears to be a vehicle or industrial setting.

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KEY CONTACTS

Garry Mancell, R.P.F.
Counsel
+1 604 643 2977

Brian Hiebert
Partner
+1 604 643 2917

Jeff Waatainen
Associate
+1 604 643 6482



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WASTE NOT, WANT NOT? POST-HARVEST RESIDUAL FIBRE

By Jim Girvan

It has been a wild ride in BC's forests over the past decade. We've seen mountain pine beetles devastate our Interior forests, spruce beetles chew up much of what is left and over the summer, fires have taken away even more merchantable timber.

On the coast, the weather severely limited access to harvest sites this year, and slow, but continuing efforts to address First Nations land claims have delayed cutting permits for many licence holders. Add to this recent AAC reductions and the net result is a much-reduced log supply across the industry.

For the coastal pulp and paper sector, however, reduced sawmill residual chip availability has driven the demand for pulp logs to near record highs despite ongoing curtailment at Neucel Specialty Cellulose and the closure of paper production at Paper Excellence at Howe Sound last summer.

Looking forward, reduced availability of residual chips from the BC Interior are

forecast as sawmills close in the wake of ongoing natural disasters. With reduced pulp logs available from the second growth harvest, the situation is demanding a call to action by pulp and paper producers.

Bob Lindstrom represents the BC Pulp & Paper Coalition, a collaboration of BC producers and the Ministry of Forests that has the goal of addressing issues of common concern. "The coastal pulp and paper situation is complex since we really need more low-quality fibre to flow from the primary harvest, but the value of our products limits what we can pay. This is of critical importance on the coast since a lack of wood supply is now threatening mill sustainability. Without a solution, mill closures and job loss may be on the horizon," cautions Lindstrom.

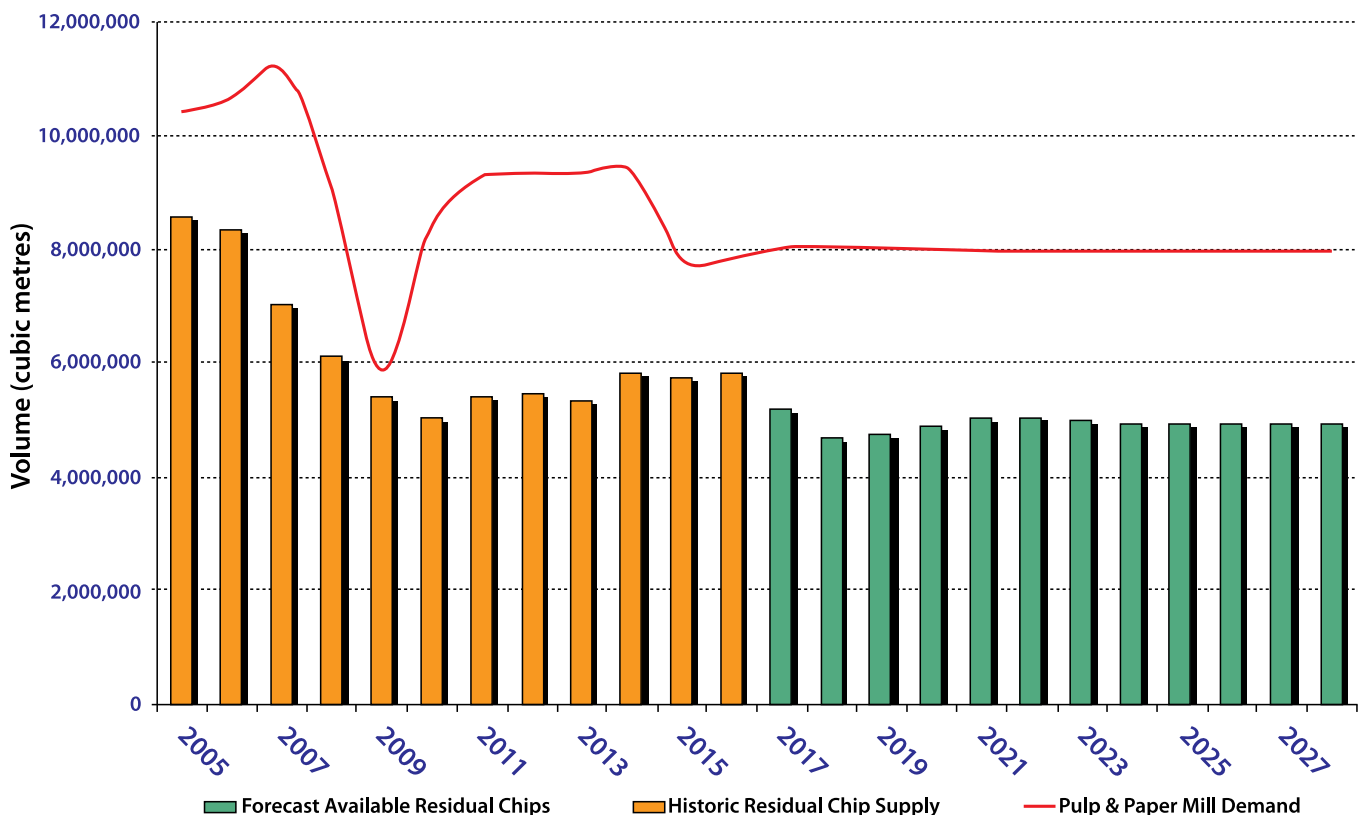
A solution being put forward by the Coalition is to motivate harvest-

ers to bring more pulp logs to market and leave less waste at roadside. "A lot of the waste fibre we are seeing at roadside that is typically piled and burnt is ideal for pulp production, if it would just come to market," says Lindstrom.

The situation has become so dire for pulp producers that in a move of desperation, some have started blocking log export permits to secure a short-term supply of logs. "This is a stop-gap measure on the part of companies while the Coalition works with government, licensees and other industry stakeholders to develop commercially viable, strategic solutions to waste wood utilization," notes Lindstrom.

So, what are the rules around leaving waste in the woods? Once an area is harvested and the timber has been scaled, a waste and residue survey is required to account for any volume left in the woods. This information is used to determine if additional billing is necessary.

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“Waste” means timber, standing or felled, that meets or exceeds the timber merchantability specifications described for the coast.

It is the responsibility of the licensee to submit annual waste plans, conduct waste assessments in accordance with the manual, and submit waste field data into the online Waste System.

“Waste” means timber, standing or felled, that meets or exceeds the timber merchantability specifications described for the coast, not removed from a cutting authority. Coastal licensees are allowed a benchmark waste limit of 10 cubic metres per hectare for immature timber and 35 for mature timber. Waste is further classed as avoidable or unavoidable. Pieces that are unavoidable have been left on site due to safety concerns, environmental constraints, or physical impediments. Anything else is considered avoidable and is charged to the licence. Stumpage is payable on all avoidable waste.

Where waste has been charged on a cutting authority, licence holders pay the full stumpage rate (the 12-month average for all conifers) on sawlog grades and \$0.25 per cubic metre on hemlock and balsam pulp grades.

access to the fibre left roadside after logging and delivered a significant volume of good-quality peelers to Coastland. “The original harvest left all logs under eight inches behind. That is exactly the wood we use. The contractor made

One of the key reasons the wood is left at roadside is a reluctance on the part of those who control public tenure to pay contract loggers to deliver the wood to market when its value is low.

But it is not just the pulp sector that is eyeing up post-harvest waste as an opportunity. Clint Parcher is vice president at Coastland Wood Industries in Nanaimo and responsible for securing logs for their veneer operation. Parcher recalls a waste wood recovery operation recently whereby a contractor gained

some money and we got a reasonably priced log,” notes Parcher. “It makes one wonder why the logs were left in the first place.”

Coastland encourages all of their contractors to bring all logs down to a four-inch top to the sort. “While we don’t use those tops to make veneer, they are



perfect for making chips or perhaps they could support a post program. By bringing the smaller wood out as part of the primary harvest, it keeps costs to a minimum,” adds Parcher.

David Elstone, TLA executive director, cautions that one of the key reasons the wood is left at roadside is a reluctance on the part of those who control

spend money to create the wasted logs left at roadside and are rarely paid for that work or are paid a much lower rate for pulp logs. With pulp only worth \$45-\$50 per cubic metre today, the cost to harvest and deliver them is typically more than their market value. The tenure holders waste the wood, pay a small stumpage penalty and don’t pay

the issue of waste wood at roadside is a simple matter of economics. “On the coast today, when you account for road construction, development, logging, hauling and of course your bid, most old growth hemlock-balsalm stands that have a high pulp content (where the majority of waste is generated), costs close to \$100 per cubic metre to bring to market. With pulp log returns of \$45 today, it simply makes no sense other than to waste the wood at roadside or in the block,” notes Simpson.

When asked about the risk of being forced to bring waste wood to market, Simpson’s answer was simple: “If waste recovery is legislated, logging may stop altogether in many places as no one will want to risk losing that much money, or worse, only the highest-quality, highest-return stands will be logged, resulting in high-grading of AAC to the detriment of the standing inventory.”

Is there a viable solution? Reducing waste and increasing market availability

The tenure holders waste the wood, pay a small stumpage penalty and don’t pay the contractor, rather than losing money by bringing the logs to market.

public tenure to pay contract loggers to deliver the wood to market when its value is low.

“Most logging contracts today include penalties when a contractor delivers pulp logs to their customers, even though a tree has to be felled and bucked to identify the saw log content. As a result, contractors are required to

the contractor, rather than losing money by bringing the logs to market. It is but one of the many contributing factors to the lack of contractor sustainability in the BC forest industry today,” laments Elstone.

Barry Simpson of Oceanview Forest Products and a seasoned veteran in the log business, agrees and notes that

of logs seems like a win-win for everyone, but the economics don't seem to work today and those who control the tenure or bid on timber sales have options.

In the BC Interior, the Forestry and Fibre Working Group, a collection of government and industry stakeholders, worked to develop guidelines that would encourage better utilization of waste as part of the 2015 Forest Fibre Action Plan. The goal was to establish a working relationship between primary fibre users (major licensee and BC Timber Sales timber sale licence holders) and secondary fibre users (parties that require residual fibre like pulp mills, chip and pellet producers).

The guidelines generally require primary users to inform secondary users where waste may be an opportunity and to work with them to facilitate recovery. Where business-to-business relationships don't result, there are steps the government can take to ensure the waste wood was made available up to and including issuance of a do not destroy (slash burn) order that would allow a secondary user access to the fibre under a fibre recovery tenure.

Could these guidelines be applied on the coast or could the primary harvest be done differently to reduce costs? Perhaps? FPIInnovations Fibre Supply group has developed a new guide to support those wanting to address the issue: *Best Management Practices for Integrated Harvest Operations in British Columbia*. This 48-page guide presents biomass handling guidelines that outline suggested step-by-step processes to be followed by the primary and secondary industries wanting access to the waste fibre while at the same time reducing supply chain costs.

Most stakeholders agree that the economics of the issue have to be overcome to make waste wood move to market and that any legislative intervention may do more harm than good. At the same time, consumers can't dictate what they are willing to pay, despite the costs, as the model is not sustainable. That said, without a stakeholder-driven solution, mill closures may be imminent, or a government-imposed solution may not result in the desired industry response. 🌲



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SUPPORTING LOG EXPORTS AND LOCAL MILLS: HOW CAN WE DO BOTH?

By Robin Brunet



All photos: HA Photography courtesy of Coastland Wood Industries

Premier John Horgan's mandate letter to the Minister of Forests, Lands, Natural Resource Operations and Rural Development, Doug Donaldson, asked him "to develop a fair, lasting strategy to create more jobs by processing more logs in BC." Many people on either side of the log export debate are waiting to see what this strategy looks like and how it will affect the coastal forest industry.

As we wait, two points need to be considered: issues on the coast affecting fibre supply and log exports as an important market for small tenure holders.

The first point has many facets but one distinct outcome: when fibre supply is low and tensions are high, exports are often fingered as the culprit. However, resolving that tension is not simply a matter of creating policy that reduces log exports. Other systemic issues at play here need to be addressed.

As far as Clint Parcher, a third generation forestry worker and vice president of fibre supply for Coastland Wood Industries Ltd., is concerned, "In terms of the amount of available fibre in our forests, of course we can support both [log

exports and domestic sawmilling] activities," he says. "But that's the problem: we have more than enough wood to satisfy all concerns, yet it's not being cut. Millions of cubic metres should be hitting the market that aren't. One company on the coast that holds close to 50 percent of the entire coastal cut is not cutting its full amount, with close to 900,000 cubic metres in the Port Alberni region alone remaining basically untouched."

The situation frustrates Parcher, whose Nanaimo-based company consumes about 900,000 cubic metres of second growth Douglas fir annually and turns it into veneer, fence posts, wood chips and hog fuel. "I'm not for a minute suggesting blocking exports or changing the export mechanism—exports are an important part of the coastal customer base—but at the end of the day, there is more value to be derived from keeping a tree here than putting it on a ship. But at the same time, we should harvest the full AAC and meet all our needs, and not let a few control the resource."

From a log broker's viewpoint, part of the problem stems from the domestic market value assigned to the different

species and their grades. Barry Simpson of Oceanview Forest Products Ltd., points out that today's business climate dictates that lower-quality timber at inaccessible locations generally won't be harvested unless it's part of or coupled with a good portion of high-value logs such as red cedar or the premiums that the export market provide.

He says with sawlog-quality hemlock's domestic value hovering at a mere \$60 per cubic metre when it often costs at least \$90-\$100 to harvest, "less volume is being shipped to local mills. By contrast, the same hemlock log fetches \$105-\$120 offshore. Without log exports, none of that timber would be logged at all, therefore reducing the local log supply even more."

Tim Walley from Campbell River-based Storey Creek Trading Ltd., sees another challenge impacting fibre supply on the coast. "A key reason companies aren't logging their profile is due to permitting, which has become an extremely long and complex process; plus, the government seems to take an extraordinary amount of time for the smallest approvals, which does not help."

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A lot of that delay, especially for BC Timber Sales block development, comes from government attempting to navigate First Nations rights and title. The rights conferred by Aboriginal title include the right to decide how the land will be used; to enjoy, occupy; and to proactively use and manage, including its natural resources. However, as First Nations express their rights and negotiate for their

share, it has generated arduous delays for those waiting for cutting permits.

To which Parcher adds, “BC Timber Sales’ tenure on the southern half of Vancouver Island is essentially in a holding pattern due to the Tsilhqot’in Decision. The courts have given First Nations expectations about how our industry will move forward, and yet the government remains extremely slow to react.”

Most agree that the government needs to move faster on the First Nations file. In fact, the TLA called on government to act in its 2016 Tsilhqot’in Decision Position Statement: “The TLA encourages the provincial government to move expeditiously to facilitate shared sustainable resource use that builds on this Decision” (to read the full document, visit www.tla.ca/tsilhqotin). Perhaps the new government’s commitment to the United Nations Declaration on the Rights of Indigenous Peoples—also mentioned in Minister Donaldson’s mandate letter—may help move negotiations along.

This brings us to our second point. Log exports are an important market for small tenure holders who don’t have the volume that provides some economies of scale enjoyed by large licensees. Small tenure holders—First Nations, community forests, market loggers, and BC Timber Sale licensees—all rely on log exports to diversify their customer base on a narrow product range.

Chris Laing, manager of the Powell River Community Forest (which for the past 10 years has relied on Canadian Overseas Log & Lumber Ltd. brokerage to get the most value out of the wood)

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says, “as a community forest our preference is to sell logs locally first, then domestically, then export them if needed.

“We much prefer the local and domestic route, as long as there is not a huge discrepancy in prices; but the occasional export of, say, very rough fir or hemlock logs that nobody here wants during soft cycles, brings value to our stands as well as minimizes waste.”

Laing goes on to note that “Fortunately the market is hot right now, and we won’t need to export at all from our cutblocks being harvested this winter. But this is undeniably a cyclical market and it’s nice to know that in the soft markets we would have the option to export what can’t be sold domestically at a reasonable price.”

Walley explains from his perspective as a log broker working with smaller licensees, “Considering many of our clients are First Nations who do not enjoy economies of scale, we’re obliged to get the best value for their wood—and exporting is the only solution given the reluctance of the local mills to pay what it costs to harvest, at least for species such as hemlock.”

With only a small amount of tenure requiring them to make the most of



the resource, what does the export/local sawmill issue mean to groups such as the Heiltsuk First Nation, which in the Bella Bella region logs western red cedar, western hemlock and balsam and Sitka spruce?

Once again, the regional demand for hemlock and balsam is weak, but A&A Trading, which acts on behalf of Heiltsuk Coastal Forest Products (which cuts between 80,000-100,000 cubic metres

annually), has developed a strong customer base in the US, Korea, and China; about 60 per cent of the hemlock is exported, and 40 per cent goes to Greater Vancouver, while about 70 per cent of the spruce is exported.

Heiltsuk Coastal Forest Products Manager John McLaughlin utters a familiar refrain: “Hemlock and balsam logs in the domestic markets are worth less than it costs to produce them—and



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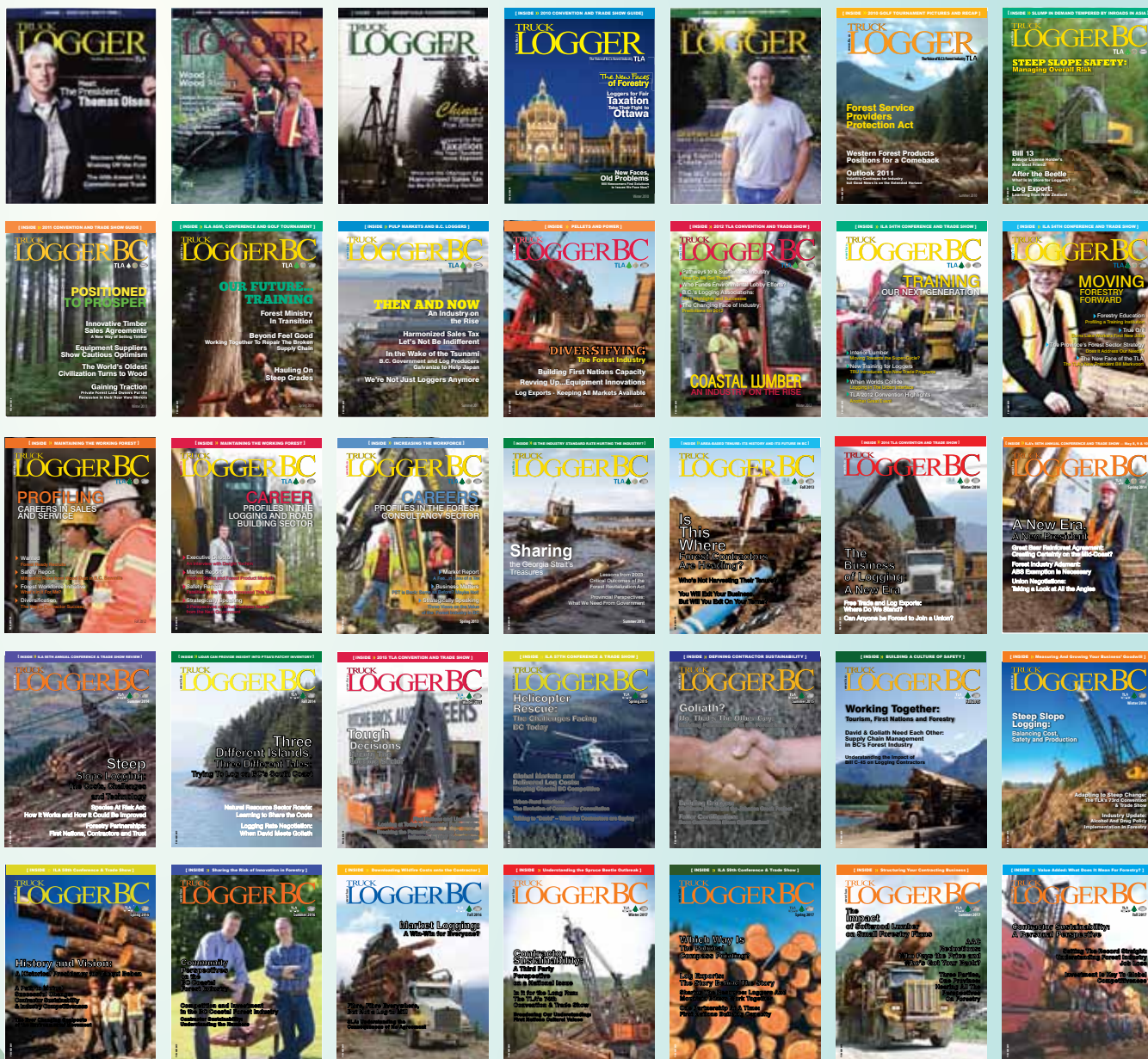
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the thing is, any responsible logger wants to bring out all the logs from the forest.”

For regions such as Bella Bella, local value added is a solution—in theory. “We tried custom cutting with yellow cedar and were successful inasmuch as we didn’t lose any money,” says McLaughlin. “We would love to explore more value-added opportunities up here. It’s our goal. But we have to figure out what form the value added would take.”

While the export/local mill issue is far more complex than a single article allows and no simple solutions are forthcoming, Parcher believes it is well within the provincial government’s power to change the playing field for the better: “If I had the power, I would ask them to enact take-backs from the majors who do not harvest their allocated AAC and give the cuts to the First Nations, community forests and domestic manufacturers—and I would implement policies that derive the most value back from the resource.”

Echoing Parcher’s remarks, Simpson goes on to note that “the big three coastal players for hemlock aren’t logging their full profile, and domestic hemlock prices have remained basically the same since 2009 compared to most fir sorts that have basically doubled. A small customer base controlled by few buyers means there’s just not enough competition in the middle grades.” For the record, brokers like Oceanview ship about 25 per cent of their overall volume overseas, while 75 per cent goes to domestic markets. With this split, they can afford to log.

On that score, Parcher is cautiously optimistic about the chance that the NDP may act in favour of the domestic market. “The party seems to have a desire to make it easier for guys on the coast to operate their businesses, so I guess we’ll have to see what happens,” he says.▲

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CLEAR COMMUNICATION IN AN ERA OF CONSULTANTS & CONTRACTORS

By Pieta Woolley



It's happened to Wahkash Contracting's Dorian Uzzell many, many times.

At one of his company's stump-to-dump operations on Vancouver Island, staff will find a goshawk nest that wasn't on the planner's documents. Or a shell midden. Or they'll find that the yarding deflections are inadequate. Or another office-to-forest gap.

Sometimes, everything must stop immediately for safety, nature and culture—and wait for the licensee and government to sort it out. That's expensive and rare. More often, the communications gap just costs his crews efficiency.

"It's not the fault of individuals," says Dorian Uzzell from his office in Campbell River, noting that the engineers and

foresters are very thorough. "It's more the fault of improper information about volume per hectare in a stand, or how slow or fast the road construction will take."

For the 42-year-old, it's always been like this; Uzzell started logging in 1993, the era of much-enhanced safety and environmental regulations. He doesn't resent it; he's proud to work in the sustainable, values-driven industry he's been trained for.

Still, poor communication in the woods creates a ripple effect that makes Wahkash Contracting less productive, and less profitable.

"Back 30 years ago, the planners and supervisors would all eat dinner together in the same cookhouse in a remote



logging camp and talk about how the day went,” says Uzzell, harkening back to his father’s and grandfather’s days harvesting timber. “At the next table over, there would be the grapple yards and the crews. They’d discuss why the wood was laid out that way. And if there had been a problem somewhere along the line, the engineers could drive right up and look at it.”

Now, instead of a dinner table, there’s an iPhone. Uzzell spends about 60 hours a week communicating via email, text and phone with Wakhsh’s four supervisors, plus his clients’ contract supervisors and managers. “My wife would probably tell you it’s 90 hours,” he says dryly.

But messaging—no matter how advanced—is not enough. Direct engagement between contractors, licensees and consultants, he says, would help get planning right the first time and make his business much more efficient.

The need for better communication is a sentiment that is repeated by many loggers, and engineering and planning consultants in BC. They point to an over-reliance on technology and too little face-to-face time as the cause of a disconnect that results in inefficient lurch harvesting and ultimately, reduces contractors’ ability to be profitable.

But in today’s world of tight margins, face-to-face time costs money that no one has. Who will pay for it?

Jonathan Lok does—but not as often as he’d like. The managing partner of business development with Port McNeill’s Strategic Natural Resource Consultants really understands the value of investing in communication.

“Hiking the same ground and sweating together—that’s where effective conversation happens,” he says. “If you’re around a table, it can get conceptual and confrontational. The number of issues that can get resolved out in the bush—the success rate is 100 per cent.”

So, he takes his teams out into the bush to meet with contractors and licensees as often as he can. Getting a crew of 4 or 5 out to the woods starts at \$2500 a day and goes up from there,

depending on transportation costs. Too often, he says, everyone relies on phones, photographs, and interactive spatially-adjusted maps when nothing but a team meeting will do.

"If we can get it right, everyone's job is safer and better. I wish more were invested in the planning phase."

From his office in Prince George, consultant Barry Mills echoes Lok's concerns.

Back 30 years go, the planners and supervisors would all eat dinner together in the same cookhouse in a remote logging camp and talk about how the day went.

"Every day we meet in the forest, my team comes back enlightened. We're all on the same page and we're learning together and aligned and now we can perform."

Lok points out that planning is the cheapest phase of executing a forestry operation—with the biggest impact downstream. Over the past 15 years, he explained, licensees have become leaner, contracting out much of their expertise and operations. Because the members of a team may never see each other, communicating becomes vital. Learning from each other used to be an entrenched part of forestry; now, the parts of a team may never meet.

The vice president of operations for Industrial Forest Systems Ltd. remembers laying out a block that included both a ground-based area and a cable area. In a meeting, the cable logger pointed out that the location of the split line would interfere with his setup to log the steep ground. Fortunately, this meeting happened early in the planning stages, so Mills' team was able to simply shift a road location, and the operation became safe again.

Usually, he noted, it's not that simple—because problems are identified after the plans have been made and approved, not before.

"Say the logger looks over a block and the wildlife tree patch is just in the wrong place and will cause a safety concern. He may only want to move the ribbon by a few metres, but it becomes an administrative nightmare because of policy," Mills says.

Adding to the pressure on getting communications right are two emerging trends, Mills says. First, the vast number of workers retiring out of the woods right now means many contractors and planners are relative newbies—they don't have the depth of experience their seniors do, yet. Second, the contract terms have shrunk, and companies bounce between clients. Working relationships, in other words, suffer from lack of familiarity.

However, the thorniest issue making communication so crucial today, Mills noted, is money. He explained that consultants, licensees and harvesters all operate in today's values-driven system with multiple regulations protecting old growth, migratory birds, archaeological sites, riparian areas, caribou and more—but with yesterday's dollars. "Both the contractor and the consultants need



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more pay” to reflect our industry’s commitment to protecting ecosystems and culturally significant areas, he says.

That investment will pay for itself quickly, according to Adam Wunderlich, RPE, and co-owner of KDL Group in Fort St. James. He figures that for every extra dollar spent in the planning phase, three are saved further down the line—usually by the harvester.

“Our current industry model has very little communication between the actual engineers and the loggers,” he says. “Rarely do loggers have the opportunity to review the engineering before the plans are approved. And rarely is there a post-harvest review of a block to discuss what went well and what didn’t. I suspect that engineers are rarely given feedback on the operability of their plans.”

However, he admits, because improving communication mostly impacts contractors rather than governments or licensees, making changes may be difficult. Convincing those with the purse-strings that investing in communications upstream is an urgent need may take some work.

“Rarely is there a major issue that requires stopping work,” he says. “Generally speaking, [poor communication] is causing frequent minor issues, such as higher than usual logging costs, poor decking or non-optimal road placement—things that affect us and drive up our costs.”

Ultimately, Wunderlich says, everyone benefits economically when planning gets proper investment. With a reliable plan, the contractor can become more efficient, and some of that savings gets passed back up to the licensee, when the contractor bids on jobs. In other words, better planning isn’t a lost cost for governments and licensees. Rather, it’s a strategic investment in a lower delivered log costs.▲

Uzzell is proud of BC’s sustainable, values-driven industry but he knows better office-to-forest communication would reduce the number of slowdowns caused by things like an unexpected goshawk nest.

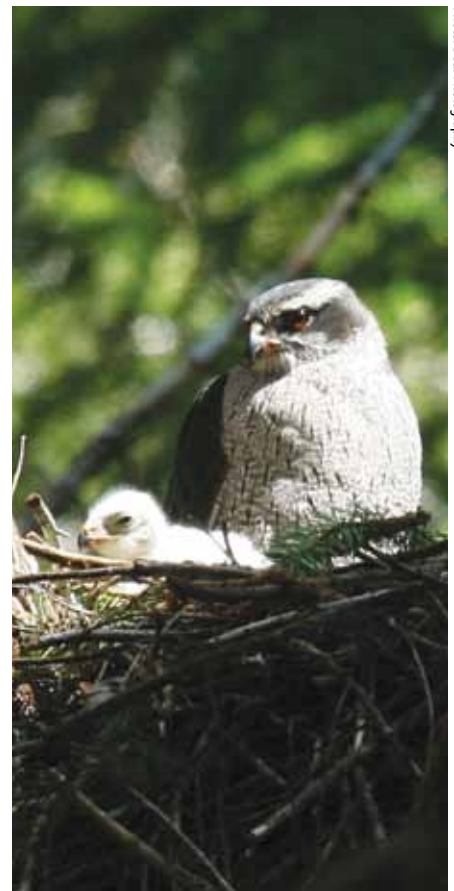


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Forest Practices Code and treaties with First Nations as being good for the long-term health of the industry.

Campbell's Liberals won the election and he assumed office in June 2001. And so, began a round of discussions with industry stakeholders to develop consensus on a restructuring position in

the underlying objective was to address the union's growing strength and get rid of the "1986 snapshot" in return for promised industry investment.

At the same time, in an effort to end the "war in the woods" that erupted in the late 80s, a group of coastal licence holders, First Nations, pulp and paper

The provincial government created the Coast Sustainability Trust since it was clear that the AACs (allowable annual cut) were to be reduced or deferred indefinitely and many lost jobs and contracts. Ken Dyson represented the TLA in the negotiations to establish the claim and payment framework for both employees and contractors. He convinced the group that establishing a common framework for paying "damages" to contractors should be based on the size of the contract, rate and type of work. This approach simplified the compensation process and allowed displaced contractors to move on.

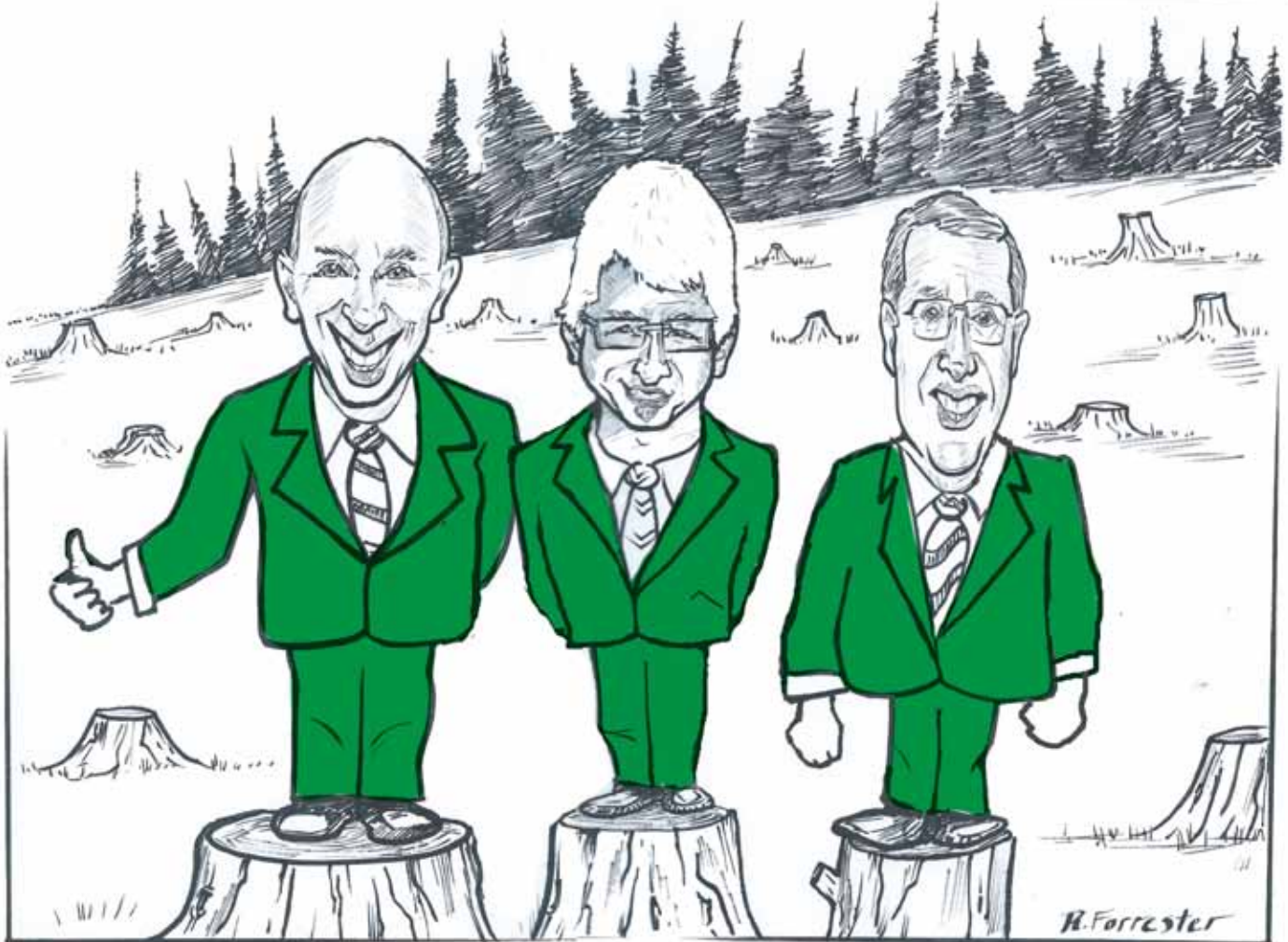
At the restructure table, the TLA was caught between a rock and a hard place. Everybody had to give up something to create a market-based system. The TLA fought to minimize the impacts to Bill 13 and to regain access to the work they stood to lose with the proposed tenure restructure, while the majors fought to hold on to their tenure and get rid of Bill 13 completely. This is when the change to

For contractors, however, the belt tightening done to survive the recession would have to continue as rates and working conditions did not change despite improvements in corporate profitability.

the face of a failed softwood lumber deal and the need to bring a new "market-based approach" to the industry and the stumpage system. At the restructure table was industry, the union, government and the TLA.

Restructure talks endured for over two years. While stakeholders worked towards a market-based approach, for the three CEOs of the major companies (euphemistically called the three amigos),

companies and the government agreed to defer harvesting and development in the north and central coast (eventually to become the Great Bear Rainforest). Environmental groups agreed to suspend their market campaigns to start what would become a decade-long negotiation to find an economic environmental solution to harvesting the area via the Coast Forest Conservation Initiative.



The presidents from 2007-2011, left to right, Graham Lasure, Thomas Olsen and Don Bendickson.

a market-based rate dispute mechanism was first introduced.

By 2002, the stakeholders had reached consensus on a restructure plan. The “three amigos,” however, could not support it since it did not address their underlying union agenda and the plan was thrown out. As Rob Wood assumed the presidency in 2003 for the final stages of talks, Executive Director Rick Jeffery departed, and Wood welcomed replacement Jim Girvan as executive director.

On the eve of the 2003 TLA convention, Premier Gordon Campbell was charged with impaired driving while on a Hawaiian holiday and the TLA coordinated with the Premier’s Office to improve Campbell’s public reputation. As Campbell entered the convention hall, he received three standing ovations from the assembled 600 delegates. Most attendees drank only water in an act of solidarity. Calling 2003 the Year of the Forests, Campbell then told the throng that under the Working Forest initiative, 48 per cent of the province would be declared open for industrial logging.

In March, Forest Minister Mike de Jong introduced Bill 28, the *Forestry Revitalization Act*. Major licensees were to lose 20 per cent of logging rights to make wood available to First Nations and the new BC Timber Sales organization. At the time, Jessica Clogg of West Coast Environmental Law ominously predicted that the policy changes would further reduce competition in BC forests and that the reforms would lead to greater corporate concentration.

A land claim was then settled between the Nisga’a, the government of British Columbia, and the Canadian federal government. As part of the settlement in the Nass River valley, nearly 2,000 square kilometres of land was officially recognized

as Nisga’a. By 2003, several contractors were displaced from the area and the TLA was asked to help with the negotiation of compensation for contractors who lost assets and contracts, some of whom were TLA members. Building on the formulas created as part of the Coast Sustainability Trust, the TLA worked with northern contractors and spoke on their behalf to solidify a 2004 compensation deal that was accepted by government.

For most of the next three years, the TLA, alongside the other three logging associations, was at the table with government, represented by Lee Doney (who would go on to become the chairman of the board of Western Forest Products), licensees and the union in what was a very difficult negotiation to implement Bill 28. The BC Forestry Revitalization Trust Fund (BCFRT) was established by government to aid workers and contractors through the transition. Bill 13 contracts were grandfathered, but no new Bill 13 contracts were allowed. The *Timber Harvesting Contract and Subcontract Regulation* was re-written, and a new market-based rate dispute mechanism was adopted.

The TLA quickly recognized, however, that the money set aside to compensate contractors for lost Bill 13 rights fell far short of what was required to implement the government plan. The TLA continued to support the plan under the proviso that the Trust Fund had to be topped up. After two years of advocacy, at the 2005 TLA convention Premier Gordon Campbell announced legislation to increase the BC Forestry Revitalization Trust Fund by \$50 million, to a total of \$125 million.


As the restructure of tenure was implemented and BC Timber Sales emerged as the seller of 20 per cent of provincial timber via auction, it became clear to the

TLA that the rules established to ensure a fair and equitable auction system needed to be addressed for the benefit of its members. Through 2004 and 2005 pressure was put on government to ensure that those who bid had the financial capacity to ensure completion of their harvest. The TLA put forward the view that bonding was required for all BC Timber Sales participants, something the government felt would limit the bidder pool to the detriment of bid prices. While bonding was never implemented in the system, the TLA did persuade government to increase financial scrutiny of bidders, verify third-party relationships and limit those from bidding who did not pay their stumpage.

In response to the government’s 20 per cent take-back of tenure, a significant consolidation of the major tenure holders took place across BC, as was ominously predicted by Clogg just years before. Canfor took over Slocan Forest Products, Riverside acquired Lignum, which was then taken over by Tolko and West Fraser took over Weldwood. On the coast, Western Forest Products (ex-Doman Industries), Cascadia Timber (ex-MacMillan Bloedel) and Canfor’s TFL 37 were all merged to form today’s Western Forest Products (WFP).

The concerns of contractors were echoed in a letter from the Central Interior Logging Association to government in 2006 that noted: “These sequential mergers of companies, part of escalating consolidation in the BC forest industry, will result in less competition for timber in the so-called open market. Less competition by forest companies to buy timber will lead to reduced prices and lower profits for those who harvest and/or sell it.” The TLA wrote: “While the TLA recognizes the need to reduce manufacturing costs by creating economies of scale in manufacturing companies together with the optimization of sawmill assets, we are concerned that these acquisitions will essentially allow WFP to dominate, if not control, the coastal log market.”

In response to the concerns, the provincial government called for a review of the proposed merger by the federal Competition Bureau. They undertook interviews with a significant number of coastal stakeholders, including the TLA, many of whom expressed concern for the effects that the WFP consolidation



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would have on the coastal log market and on contractors. When no report was issued by the Competition Bureau, the TLA inquired at the Competition Bureau about the status of their investigation, only to be told that the request for the investigation was withdrawn by the petitioner and that no report would be released. The merger proceeded, and the marketplace contracted significantly.

The 2001 bankruptcy of Skeena Cellulose prompted the TLA to act on behalf of Bill 13 contractors province-wide; when in bankruptcy protection, three Bill 13 contracts were cancelled as attempts were made to restructure the company. The TLA applied for and received "intervener status" in the 2003 Skeena case and again in 2005 in the New Skeena bankruptcy proceeding. While the contractors argued the validity of their contracts that were ingrained in regulation, TLA legal counsel Stephen Ross questioned if, as new tenure holders (following restructuring), they were exempt from compliance with statutory and regulatory requirements as currently written given the contracts were being terminated.

Ross argued that the *Forest Act* requires 50 per cent of all harvesting to be done by contractors on a TFL and that the *Timber Harvesting Contract and Sub-contract Regulation* says that for Interior TFLs (only), any contract that is being relied upon to support the compliance with the contractor clause prescribed in the *Forest Act* (above) must be a replaceable contract. If successful, the TLA had hoped that the three contracts would survive since if they did not, it opened the door for anyone to entertain the notion that compliance with regulatory requirements is optional. The TLA was not successful in either case, however, and the contract terminations were held given that we now know federal bankruptcy law trumps provincial law. This initiative, however, demonstrated the lengths to which the TLA was willing to go and the resources it was willing to spend to protect contractor rights province-wide.

The Canada Revenue Agency (CRA) then came knocking on the doors of all contractors who lost their Bill 13 contracts and were compensated via the BCFRT. CRA's position was to treat the receipts from the BCFRT as taxable income based on their interpretation of the *Income Tax Act*, contrary to what the contractors were led to believe when the

restructure and the Trust Fund were created. The TLA formed an ad-hoc committee of contractors from across the province, the Loggers for Fair Taxation, headed by TLA member Monty Hussey. The committee's position was that since the capital distributions received by contractors from the BCFRT were from a "personal trust" as defined by the *Income Tax Act*, they were non-taxable to the recipients. And so, started an eight-year battle with the CRA, including a plethora of meetings with federal MPs, provincial MLAs and even meetings in Ottawa with CRA. At the 2013 convention, Premier Christy Clark announced the completion of the eight-year TLA lobby and contractors compensated through the BCFRT were granted tax relief both provincially and federally.

The good economic times ended in 2007 with the implosion of the US housing market. Jim Girvan left the TLA and was replaced by ex-Gold River Mayor Dave Lewis as TLA executive director. The coastal forest industry difficulties were reflected by the bankruptcy of the

iconic Madill Equipment. Coastal workers and employers endured a 12-week United Steelworkers strike before 51 per cent of members ratified a three-year labour agreement. 2008 represented a continuation of the downturn, made worse by government reforms five years previous. TLA President Don Bendickson chastised Minister of Forests Rich Coleman for the government having seemingly forgotten the industry's significance when it no longer listed the forest industry as one of its top-three priorities.

The 2009 Westin Bayshore convention had 15 per cent fewer attendees than in previous years and the traditional equipment show was absent. Had it been any other year, Premier Gordon Campbell's annual address would have been cheered when he announced that coastal stumpage rates would drop by 50 per cent. Regrettably, with almost two-thirds of coastal loggers not working, the news elicited only a muted response. The policy change did attract the immediate attention of the Americans, however, and the US lobby group Coalition for Fair

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Lumber Imports called the reduction an “egregious” violation of the 2006 *Softwood Lumber Agreement*.

Campbell also signaled his intention to bring in lien legislation to protect logging contractors in response to past catastrophic licensee failures where contractors were left exposed as unsecured creditors in receivership proceedings. Referred to as the *Forestry Contractor Security Act*, at the time, this was a government effort to generate stability in the contractor sector and something that provincial logging associations had advocated for since 2002. The eventual *Forestry Service Providers Protection Act* which guaranteed contractors money owed from bankrupt licensees, received royal assent in June 2010, with a \$5-million contribution by the provincial government, and set the stage for successive negotiations on how the account would secure perpetual funding.

The 2011 convention, held at the Victoria Conference Centre for the first time, was a political “who’s who” and was one of the final public appearances by the somewhat emotional outgoing premier Gordon Campbell, who drew a sold-out crowd. Three of the

six candidates vying for the premiership took part in a Natural Resources Forum, while other candidates made appearances on the trade show floor, including winner Christy Clark, who was sworn in as BC’s 35th premier in March.

As the global economy clawed its way out of the recession, forest industry fortunes improved as major forest companies began to report record earnings in successive quarters. For contractors, however, the belt tightening done to survive the recession would have to continue as rates and working conditions did not change despite improvements in corporate profitability.

In 2013, the TLA produced a report entitled “Tired Iron” that characterized the current challenges within the forest harvesting sector in the coast region. Researched and written by UBC professor Harry Nelson, the report, supported by a broad survey of contractors’ coast-wide, prefaced what would become the next major push in TLA advocacy: contractor sustainability.

The report stated: “Most noted that the current rates are insufficient to justify investing in new equipment or to even sustain the business into the future. All

of the respondents indicated that while they were still maintaining their equipment, they were not reinvesting capital in their businesses at the level they thought necessary to sustain operations going forward. Several of the respondents noted that they were running machines well past their usual life span, with the expectation at some point that this would no longer become sustainable as the equipment started to breakdown.”

On its heels in the fall of 2014, the *Truck LoggerBC* magazine published the iconic article, “Logging Rate Negotiations: When David Meets Goliath.” This editorial detailed the divergence of corporate profitability and research, showing that more than 25 logging contractors had to seek insolvency protection and/or were forced into bankruptcy in the last few years and more than 10 companies faced rate mediation or arbitration because of an inability to negotiate improved rates for work with their employers. Ironically, this record of struggling contractors came at a time when the *BC Forest Sector Labour Market & Training Needs Analysis* completed by the TLA in October 2013, projected 4,700 job openings due to the aging workforce between 2014 and 2022 in the coastal industry alone.

Also in 2014, the Supreme Court of Canada made its landmark decision after three decades of litigation in the case of *Tsilhqot’in v British Columbia* which established Aboriginal land title for the Tsilhqot’in First Nation for the first time in Canada. The TLA has long recognized the ongoing need to work with First Nations in order to ensure ongoing natural resource use in BC. On the heels of the court decision, the TLA was the first to acknowledge the decision and encouraged the provincial government to weave this decision into the fabric of BC’s forest industry in a public position statement.

In 2015, the TLA strategic plan identified contractor sustainability as its key issue, and in 2016, the issue came to a head as the provincial government agreed to conduct an independent review of licensee contractor relationships. In its terms of reference, the government noted: “This disparity (between the success of the major forest tenure holders and that of the independent contractors) is not only detrimental to the forest industry’s contractors which harvest 95
(Continued on page 92)

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campaigns. This is something US lobbyists hope President Trump can address by cutting away red tape, said another presenter, Travis Joseph of the American Forest Resource (AFRC). With little happening in terms of active forest management on US public lands, the fire hazard has grown very high and they are experiencing greater wildfire threats that

increase carbon emissions and threatens livelihoods as well as timber supply.

Our respective forest industries are similar and we clearly face similar problems, no matter which side of the border. However, how we approach our problems often differs. Solutions come from raising awareness of what we do and how we do it. To that end, the PLC

will be hosting an In the Woods Show—a live demonstration of harvesting operations—in Corvallis, Oregon next September. While most of the audience will be high school students from Oregon, this too helps us in BC, by raising awareness of what loggers do and what we offer.▲

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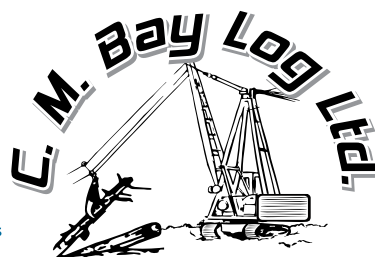
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can build the strongest relationship with a First Nation since you are two co-owners of a project, it also means the level of co-operation must be higher and genuine. Without this commitment, it is set to fail from the beginning.

Conclusion

For a contractor, the opportunity to work with a First Nation could be a very beneficial business venture; however, it can be just as harmful if not ap-

proached in the correct manner. When approached with an understanding of Indigenous culture and rights in mind, these opportunities, can prove to build long-term successful business models and help contractors in today's difficult environment. Should you have an opportunity, always consult with your legal and accounting advisors before proceeding in any business venture.▲

Chris Duncan, CPA, CA, is a business advisor with MNP's Private Enterprise group who specializes in real estate, construction and forestry businesses. Working out of the Duncan office and serving clients across Vancouver Island, Chris draws on his unique background to deliver industry-specific advice to help business owners make informed decisions and achieve their goals. Chris can be reached at 250.748.3761 or chris.duncan@mnp.ca.

per cent of the timber in the province, but to the communities across the province where contractors live and work, as well as their network of supporting businesses. In other words, the supply chain of the forest industry is showing critical signs of stress.”

In her January 2017 speech, her last TLA event as premier, Christy Clark noted: “...we will ask an independent facilitator, to explore and recommend common areas for action. His work is going to include individual interviews with members of the TLA so that he can really understand the relationships that are being built. Understand how we can make sure our goals are aligned between government, between licensees and between contractors. It is time that we made sure the relationships that are so profoundly important to making sure that this industry continues to work for British Columbia, that those relationships are strengthened and durable as we move into the next many decades of change the forest industry is going to face.”

So, as we await the report from independent facilitator George Abbott, the TLA enters its next 75 years of advocacy

on behalf of its members and for the industry as a whole. The TLA and its more than 480 members are now positioned as the largest and most broadly-based Association in the industry. However, to remain influential and ensure our voice is heard in the crowd, we must continue to innovate. In Victoria, the Greens and the NDP formed a partnership that we must work with over the next three years. The International Woodworkers Association (IWA) and the United Steelworkers have already merged to strengthen their voice and now the Council of Forest Industries has emerged once again as the single voice of the major manufacturers in BC. What is next for the TLA?

However, the TLA's real strength does not depend on the number of its members, but on their nature and character. The companies that make up the TLA are community-based businesses. The people who own them and work for them live in the communities where they work and are in virtually every community, large and small, on the coast and in many places in the Interior.

From the beginning it has been people like Bert Welch, Gerry Wellburn,

the Baikies, Wood, Hamilton, Arkell and finally Beban—the organization's first female president and evidence of the continued evolution of the Association—who have contributed their time and effort to make the industry better for all. Most of them were born on the BC coast. Their families are entrenched in BC's coastal communities. They have roots and they are all in it for the long haul.

The TLA has constantly innovated and grown by drawing upon the naturally competing interests of its members. They have worked together, through thick and thin, for three-quarters of a century. Today, with David Elstone at the helm supported by a board of directors to be headed by incoming President Mike Richardson, the issues have not changed much from when Bill Keate, spoke on behalf of independent loggers at the 1948 convention. There he articulated the basic policy position that the TLA has supported ever since: support of proper forest management and opposition to the corporate and state monopolies that he predicted the forest management licence system would create.▲



The presidents leading up to the TLA's 75th anniversary, left to right, Bill Markvoort, Jacqui Beban and Don Banasky.



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