

Comments on

NB CROWN FORESTS

ASSESSMENT OF STEWARDSHIP AND MANAGEMENT

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Prepared By:

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- 1980-1983, Councilmen Town of St. Leonard, N.B.
- 1987-1992, Board of Directors, Fish and Wildlife Advisory Board to the Minister of DNRE
- 1989-1994, Board of Directors, NB, Gren Plan, Environmental Partners Trust Fund
- 1989-1991, Premier McKenna Round Table on the Environment
- 1989-1991, Board of Directors, NB Wildlife Federation
- 1991-1994, President, New Brunswick Wildlife Federation
- 1993-1996, Board of Directors, Canadian Wildlife Federation
- 1975-1996, Board of Directors and President, St. Leonard Fish and Game Club.
- 1984-1989, President, Region Five Action Committee

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1982 was the introduction of the; "Crown lands and Forest Act" by the then Minister of Natural Resources, the honorable Bud Bird. He predicted that all" Licensees would pay full royalty for crown land wood within 5years (1987) ".

Today in 2003, licenses harvesting on crown lands pay seventy six percent of of the actual royalties for crown land wood.

The crown land Stumpage fees to the licensees for NB wood is arbitrarily established by the province of New Brunswick, when comparing NB stumpage rates to those paid in Aroostock, Maine, the cost is inferior by fifty percent. (This is outlined in table below)

Comparing New Brunswick stumpage fees with Maine's private land owners. If the New Brunswick's industry had to purchase their raw materials from Maine private owners, the table below compares how much stumpage they would have paid for the same amount of fiber.

Using volumes harvested in 1998-1999 and applying Maine average product stumpage rates (8) for 1999, the results would be as follows:

Product	Volume M3	Me Stumpage*	NB Royalty**
SW logs	2,943,015	41.13	\$14.67
SW pulp	692,430	16.90	\$ 9.45
HW logs	181,405	24.45	\$14.73
HW pulp	991,470	4.45	\$ 6.55

*:Ca \$/m3

**:.Not taking into account Timber Royalty Discounts(6).

Product	Volume M3	Me Stumpage*	NB Royalty**
SW logs	2,943,015	\$121,046,000	\$43,168,144
SW pulp	692,430	\$11,702,067	\$ 6,546,510
HW logs	181,405	\$4,435,352	\$ 2,671,878
HW pulp	991,470	\$4,412,042	\$ 6,495,318
Total:	4,818,310	\$141,595,461	\$58,881,850

The above table reveals had New Brunswick industry purchased their raw material from neighboring Aroostook County's private land owners, the average cost paid for stumpage would have been \$29.39/m³ Canadian funds versus \$12.22 paid for crown land wood. This making NB wood half price when compared to Maine.

The low stumpage cost in New Brunswick is an important incentive for industry to want immediate increases of lumber volumes harvested from the crown forest.

The absorbed forestry cost by the province of New Brunswick is:

SET 1982 ROYALTIES 76%	\$60 millions/annually
ALLOWABLE CUT EFFECT	\$20 millions/annually
FUTURE INCREASES OF (ACE)	\$30 millions/annually
Total Annual Cost	\$110 millions/annually

It portrays the province's generosity dealing with crown lands stumpage fees, the cost of logging on crown land as being bankrolled by the province while taxing social programs in New Brunswick.

Before the JAAKKO POYRY recommendation is considered or approved a stumpage revenue on crown land should be reviewed. The cost and role the province plays versus revenue generated toward the public coffers.

The science and the accounting used for setting forward this harvesting agenda and the Silva cultural agenda should be carefully analyzed, while seriously focusing on other values than softwood.

WATERCOURSE PROTECTION BUFFER ZONES

I will use the Restigouche basin to illustrate the impact of forestry on the salmon fisheries and its historical value.

Archives identify in 1878, 801,551 salmon were caught in the Baie de Chaleur by commercial fisherman. Estimating the 1878 Salmon runs, we assume the catch to represent twenty percent of the total run. This generates a run of 4,007,755 fish.

Estimate half of those salmon to be Restigouche basin fish, 2,003,878 Salmon. The economic value of the Restigouche basin salmon is set by using the 1990, based on lease cost, number of rod/days and fish caught estimated the cost of each salmon caught to be worth \$880.00.

The 1878 Restigouche salmon run represents a commercial value of 1.8 billion dollars. Today, 25,000 fish is the management target for the Restigouche. Using historical facts, the value of the 2003 Restigouche basin salmon run is Twenty-two million dollars.

Many factors brought about this drastic decline in Atlantic Salmon populations. Commercial fishing, habitat loss and deterioration, forestry, forest spray programs to name a few.

(09/20/2001) Researchers say interdependency between salmon and riparian habitat means endangered salmon can't be saved from extinction without widespread ecosystem restoration.

New research by scientists James M. Helfield and Robert J. Naiman of the University of Washington and published in "The Peer-Reviewed Journal Ecology" shows that the viability of salmon populations and terrestrial ecosystems are mutually dependent.

Salmon benefit from the riparian vegetation along a river's natural banks, which provides many of the necessary conditions for successful spawning by salmon. Riparian plants provide shade which helps to regulate the temperature of the spawning grounds. In addition, riparian plants are a source of large woody debris which retain sediments on river bottoms and help create sheltered areas within rivers that help to limit mortality among incubating salmon embryos and young fish, particularly during the winter.

"This study allows ecologists to see that the relationship between riparian vegetation and salmon is a two-way street," Naiman said. "Wild salmon should be regarded as a flagship species in relation to environmental change," he said. "We should ask ourselves: 'If the salmon cannot live in our rivers, should we then drink the same water?'"

There are a few salmon habitat restoration projects on the Restigouche River. These undertakings attempt to restore ideal conditions for salmon survival and reproduction. Gabions were built at Boston Brook to direct the river flow of water to empty the spawning beds of accumulated silt which found its way into the river bed, the salmon pools and the salmon spawning beds.

These were unknown problems to Restigouche River when there was no thirty meters buffer. Forestry has greatly impacted on water habitat quality and temperatures with their practice of clear cutting and the quantifying watercourse protection buffer zones. Some landowners find it less costly to dig up the salmon pool than it is to leave the required buffer.

The aerial forestry spray program was amongst the deadliest for our fish and wildlife populations. "Atlantic Salmon and several species of trout are highly sensitive to the acute toxic effects of phenoxy herbicides, particularly during the early life stages. These species, when exposed to 2,4-D at levels of 2 mg/L and higher, have shown a variety of sub lethal effects, including behavioral changes"(Environmental Quality in the Atlantic Region 1985)

Other Spray Formulations. In addition to Matacil 1.8D exposures, we gathered a set of exposure events for both Matacil 1.8F (flowable formulation of Matacil without 4-NP) and fenitrothion. These were assessed by the same five criteria as described above for Matacil 1.8D spray events. For Matacil 1.8F, we obtained a set of eight events from five rivers that had been sprayed 1984, 1985 or 1986. For fenitrothion, we obtained a set of 16 events from nine rivers in New Brunswick that had been sprayed 1976, 1977 or 1978.

Results: Within the 1977 data for smolt mortality, there was a significant relationship (Spearman rank correlation, $p < 0.025$), which suggested where Matacil 1.8D was sprayed, the smolt mortality increased. Reductions in salmon recreational catch were also observed in some other areas where we were unable to assign an exposure. Spray events between 1973 and 1990 for rivers in Newfoundland and New Brunswick, 9 of the 19 events where Matacil 1.8D exposure was identified coincide with the greatest reductions in catch observed over an 11 year period in each river. (Environment health perspective Volume 107, number 5, May 1999)

It is documented fact that forestry impacted negatively on fish, wildlife and their distinct and sometimes common habitats.

- Is the Forest Policy Objective Benchmark of a thirty meters Watercourse Protection Buffer Zone adequate for the protection of aquatic habitat and their populations?
- Where is the science JAAKKO POYRY Consulting used to establish the exact widths required for Watercourse Protection Buffer Zones?
- Where are the scientific facts used by JAAKKO POYRY Consulting to recommend the increase use of herbicide on crown land? What are the projected impacts on habitat, fish, and wildlife populations?
- Where is the science JAAKKO POYRY Consulting used to assess the impact of increased Sylviculture spraying on water quality?
- Where is the science JAAKKO POYRY Consulting used to assess the impact and consequences of increased Sylviculture spraying on human life?

New Brunswick's first deer were seen along the St. John River at Longs creek in York County in 1890. Forty eight years later, the province of New Brunswick boasted of a herd of 239,000 deer. (1938 Annual Report, page 44)

"Information Report M-X-2" (Green River Project) the census of birds and mammals were recorded by the Research Laboratory out of Fredericton, NB, and spanned over an eighteen year period. (1948-1965)

A summary of the tabulated findings per 10,000 car miles, by 10,000 foot miles and by 10,000 boat miles.

THE AVERAGE OF SIGHTED AND DEER RECORDED 1948-1965

· Car miles	198 deer seen
· Foot miles	909 deer seen
Boat miles	3144 deer seen

The study pinpointed where the deer herd concentrations and recognized their preference of the wooded areas within the riparian buffer zones along rivers.

In 1983 the Wildlife Biologist Gary Moore did a literature review titled "A Report on the feasibility of harvesting timber within buffer zones". This report singled out that wildlife paths are found along all N.B. streams and rivers.

Brinson et al (1981), in a review on riparian ecosystem, state the area of riparian vegetation used most heavily by wildlife is that within 200 meters (650 ft) of a stream or open water. DiBello (1984) documented that in Maine, 85% of individual locations of radio-collared furbearers (red fox, coyote, fisher, pine martin) occurred within a 100 meters (330 ft) of a waterway.

Brinson et al (1981), suggest that the importance of riparian ecosystems can be attributed to specific biological and physical features.

Wildlife in Riparian Zones: White tail deer, Songbirds, Raptors and Small Mammals": Management of Riparian Habitats for White-tailed Deer, Dr. Elliot states: "Within the DWA, travel corridors at least 100 meters (330ft) wide should be maintained to provide sheltered access to all parts of the DWA. These corridors should be of dense softwood, and should follow stream or drainage path".

Her study focused on these riparian habitats along streams and rivers, 50% (144 species) use riparian habitats and 12% (75 species) include riparian zones as part of their preferred habitat. (April of 1994, in her paper, "Wildlife in Riparian Zones: White tail deer, Songbirds, Raptors and Small Mammals" by Catherine A. Elliott, Ph.D.)

Arnold H. Boer, the Past Director of the Fish and Wildlife Branch in a 1973 edition, N.B. Deer season 1973, Deer Management report No. 1, States " While general statements concerning the beneficial effects that forestry practices had in producing good deer game range may have been true years ago, forestry today is the single most important factor threatening New Brunswick Deer"

In 1982, one of the agreements recognized within the Crown Lands and Forests Act was the Licensees owners of large tracts of freehold land were required by a memorandum of understanding to manage their property to the same standards as prescribed on Crown land.

In 1986 and 1987, the Regional Field Wildlife Biologist for Northwest New-Brunswick identified irregular situations on freehold land. Here is what he wrote his superior on February 1987 and I quote, "In summary the outlook for Deer on J.D.Irving Freehold is bleak. Systematically each and every Deer Wintering Area. is being harvested at such a fast rate that there is insufficient time for older cut over to regenerate and replace lost winter habitat. Adding to the problem is Irving's silvicultural practice of systematically harvesting and planting all areas. The results of this practice is clearly not in the interests of Northeastern New Brunswick's white-tail deer population.

In view of the results of our efforts, to date, I feel strongly that further spending of dollars and manpower on J.D.Irving freehold is simply a waste of public funds."

In January of 1989 this is what the Biologist wrote regarding Fraser Inc. freehold land and I quote: " The Department is not prepared to spend any further time or money on Fraser Inc. freehold deer habitat management until such a time as the department receives written assurance that D.N.R. habitat management recommendations will be implemented. Past attempts in cooperating with Fraser Inc. in D.W.A. habitat management have usually resulted in areas being harvested according to Fraser Inc.'s plan which were not always in the White tailed deer's best interest ."

February 23/1995, the then Honorable Alan Graham, Minister of DNRE, explained in a letter to Paul Bourgoïn the following:

1. The DNRE is responsible for the management of Wildlife populations across the entire province, regardless of landownership, as wildlife belongs to the people of the province and not individual landowners.
2. The trees, however belong to the individual landowners and as such the management decisions for private forests rest on the owners.
3. Fraser Inc. is not required, by any legal agreement, to manage the previously mentioned deeryards to provide deer habitat.
4. They (Fraser Inc.) have however signed a memorandum of understanding with DNRE agreeing to cooperate in the management of fish and wildlife resources.

March 17/95 Memo Ray Brewer the district Ranger to Roger Bourgoïn DNRE Edmundston. Re: Deer concentration on Wapske Block.

· According to Matt & Allen they figure there is not more than 100 deer on the entire Wapske Block . While 3 years ago we figured there were well over 1000 deer using the same ground. I feel we have just seen the start the start of the end to our deer in District 5-3.

In April 14/98, in a letter from Norman Prentice the Regional Biologist for Region five to the Resource Manager, Jacques Levesque, titled "Winter Deer Habitat on Large & Small Freehold"
I quote:

· Since we are not involved in habitat management on large freehold it is difficult to comment on what is taking place. However staff observations along with my own raise questions as to how these areas are being managed and how they will impact deer, short and long term.

· The DNRE (Region 5) signed a memorandum of understanding with Fraser Papers which to my knowledge stated that freehold lands would be managed to the same standards as crown or better. What is our involvement regarding this agreement; are we responsible for monitoring activities? I think it is important that the roles and responsibilities of DNRE staff be clarified.

· In recent years we have witnessed the drastic decline of deer in Northwestern NB. Although winters are generally less severe continued habitat degradation is expected to result in populations following the same course as those of wildlife Management Zones 1-2 &3.

· In my opinion habitat management is the primary issue concerning deer management in northwestern NB. No doubt the solutions are not simple or easy, however the consequences of following the status quo also are serious and long term. Should you require more information or have questions feel free to contact me.

In a June 28/99 memo Titled; "Harvesting Operations in DWA'S – Fraser Freehold", from; the District Ranger Ray Brewer addressed to the Biologist Norman Prentice.

· It is worth noting that although wildlife are said to be the property of the residents of New Brunswick and that legislation is in place to control the harvesting (hunting) of certain species, no legislation protects wildlife habitat i.e. D.W.A.'s. Regarding our responsibility when it comes to DWA habitat on freehold; we have none.

March 24/00 Memo titled: " DWA on Nexfor Wapske Block" From Ray Brewer, District Ranger to Norman Prentice DNRE Biologist

· At this time Nexfor is clear-cutting a DWA. The area of this harvest is from the road going along the Wapske River known as the Stewart Plains road or referred to as the "Pine Road". The cut comes up to the Crown boundary and is on map #3932. The DWA is on Nexfor property and is disappearing very rapidly.

When are we going to do something other than watch?

The Crown Lands and Forest Act, became official on March of 1982 .

The assessment of licensee performance on crown land for the first five years of the Crown land and Forest Act (1982-1987) clearly established all licensees working on Crown land did not meet the set standards prescribed by the act when it came to stream side crossing and fish and wildlife habitat planning.

The licensees did not meet the Crown land And Forest Act criteria during the 1982-1987 evaluation period with relation to the fish, wildlife and habitat.

The Dean of Forestry at the University of New Brunswick in November of 1987 commented on licensee performance and the effectiveness of The Crown lands and Forest Act. In the "Implementation of the Crown Lands and Forest Act" observation and comments on the process prepared by G.L.Baskerville , he said "In the first five years the licensees have learned more about how to get approval of documents through the D.N.R system, then they have learned about how to manage a forest."

The logging ethics prescribed by The Crown Land and Forest Act were lowered for the period from 1987-1992. D.N.R. management staff felt the standards were inferior in comparison to 1982-1987. Some identified the impossibility of the licensee of not complying with the lesser standards.

A research undertaken by the Madawaska Fish and Game Club from Edmundston, on logging revealed that from 1989 through to 1992 on the Restigouche- Tobique license lumber allocation were over cut by 224 %.

The harvest agenda on crown land does not favor the northern deer herd. The DNRE harvest agenda on crown timber license 10 under Fraser Inc. Management allocates harvesting deer wintering areas. Harvest schedules in DWA for 1997-2001 period exceeds the scheduled level by 129%.

(INFLUENCE DES FACTEURS EXTRINSEQUES SUR LES FLUCTUATIONS DES CERFS DE VIRGINIE AU NORD-OUEST DU NB.

· Among a sample of 74 of the 1993 deer wintering areas in northwest NB, 74% were classified as active from which more than half (56%) had a surface area greater than 100 ha. Seventy four (74) percent of the inactive group in 1993 covered an area less than 100 ha.

· Non-parametric discriminant analysis performed from four class variable –deer wintering surface area, exterior cumulative cutting area, cutting impact and herbicide spraying frequency – well succeeded to correctly classify deer wintering areas in their respective categories (active or inactive).

· Logistic regression revealed that only the herbicide spraying frequencies could affect the observed deer wintering area activity frequency. In fact, two times more inactive deer wintering areas than active ones were subject to spraying at 1 km or less from their periphery. More than one third (38%) of the active deer wintering areas did not receive any spraying whereas only 16% of the inactive ones were in the same case.

PAR Dr. LISE CARON, ECOLE DE SCIENCE FORESTIERES, UNIVERSITE DE MONCTON. SEPTEMBRE 1994)

1. In 1993, Wildlife Management Zones 1-2-3-4-5-8 and 9 were closed to hunting; zones 6-7-10 and went to Bucks only were located in license ten.

2. The provincial Deer harvest statistics indicate a 64 % collapse in the number of deer harvested when comparing 1985 to 1995.

3. From 1983 to 1987 the deer harvest totals crashed by 34 % from the Plaster Rock Region. (Both male and Females were harvested)

4. From 1988 to 1994, the deer harvest totals collapsed another 31 % from the Plaster Rock Region. (Females subtracted from both 1990-91 deer harvest totals)

Forest Land Habitat Management Program. October/1991

A cooperative project sponsored by the New Brunswick Department of Natural Resources and Energy, the Canada/ New Brunswick Cooperation Agreement on Forest Development and Wildlife Habitat Canada. They established as part of the agreement deer population levels and harvest levels per wildlife management zones:

Pre-Hunt Deer population: 126,964 deer

Habitat requirement: 410,860 Ha

A ten years average survey using Forest Land Habitat Management Program set objectives of deer harvest Benchmarks set by Wildlife Management Zones identified that:

- Wildlife management zones: 1-2-3-4-5-8-9 Located in majority on Crown land were closed to hunting in 1993 as a management strategy. The deer population levels had crashed in 1993 and have yet to show any documented recovery ten years after closure.

- Wildlife Management zones: 6-7-11-12-13-14-23-24 Located in majority on Industrial Freehold tracts of land met the set objectives with a thirty four percent success rate.

- Wildlife Management zones: 10-16-18-19-21-22-25 Located in greater part on tracts of land owned by private woodlot owners maintained a harvest level of seventy nine percent rate of success for ten years. These small privately owned woodlots are not managed by DNRE but by the owners. In most cases clear cutting, Silva cultural practices are used to a minimum under landowner supervision.

The bulk of the New Brunswick deer herd is located on private woodlots with no DNRE wildlife management strategies. Why? This fact seems to have escaped the JAAKKO POYRY CONSULTANTS.

New Brunswick offers over thirty years of documented DNRE facts relating to the deer population crash. DNRE biologist and their field staff corroborate these realities through observations and research of this state of affairs. The JAAKKO POYRY study failed to detect these DNRE wildlife facts. On the other hand they were able to find an Elk populations in New Brunswick. (Page 17, Paragraph "Critical winter range" JAAKKO POYRY report).

The JAAKKO POYRY Consultants failed to recognize or mention the fact our neighbours:

1. That during the last fifteen years (1984-1999) the state of Maine, took a hands on management approach. They increased their deer herd from 160,000 deer to 292,000 deer. An 82 % growth in fifteen years.

2. During this same period, Quebec our neighbour to the north took a small herd of 3000 deer and managed it to a herd of 10,900 animals. A 275% increase in a three years period. All this positive deer management in Maine and Quebec occurred while Northern New Brunswick lost its own deer herd. The JAAKKO POYRY study failed to notice these facts as documented on page 34 of the report.

The Roles, Responsibilities and control JAAKKO POYRY recommends, a decrease in the number of DNRE employees while doubling the operations on crown land. Who is left to mind the store?

On the contrary if the crown chooses to increase operations on crown land, it should also increase DNRE monitoring and enforcement staff. When it comes to fish, wildlife and wildlife habitat their habitat should be protected with precise legislation with teeth.

JAAKKO POYRY reports, 32% of crown land is under a conservation umbrella. The fact the consultants fail to state that these areas are under a rotation harvest management schedule sends a red flag as to what the objective of their consultation is.

I would bring this a step further. Identify the role of these areas such as the Protected areas, the Deer wintering areas, and watercourse protection buffers and introduce Legislation to their roles of sustaining wildlife and protect their outcome by securing their future with legislation.

In the “Implementation of the Crown Lands and Forest Act” observation and comments on the process prepared by Gordon Baskerville , he said “In the first five years the licensees have learned more about how to get approval of documents through the D.N.R system, then they have learned about how to manage a forest.”

Today, the New Brunswick Forest, Fish, Wildlife and their habitat are the victims to the Crown land Licensee’s ability to persuade government to water down the Acts or agreements to benefit industry. The offerings are the New Brunswick forestland, the Fish, wildlife populations, their habitat, forest revenue and the health of people of the province.

The proof is in the pudding and all agreements, memorandum of understandings have no authority to protect public property. The licensees managing of Deer Wintering Areas and water courses buffer zones on their freehold land is the perfect example of this DNRE inability to protect and manage the buffer zones and the deer on freehold land. Legislation enforced by DNRE is needed to protect public property.

I stand against this one sided proposition.

Literature cited:

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- Letter from J.A. Levesque (Regional Resource Manager) to R. A. Redmond (Ass. Deputy Minister) Feb. 23, 1987.
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