THE BASIS OF CARRYING OUT THE CROWN TIMBER CUTTING REGULATIONS IN THE VARIOUS PROVINCES OF CANADA

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BRITISH COLUMBIA

BY THE Forest Act of 1912 the Forest Branch was created to administer "all the rights, properties, interests, claims and demands of the Crown in the right of the Province of British Columbia in forests, timber lands and timber." These by specific reference in the Act included the sales, dispositions and tenancies of timberlands; the estimating of standing timber; the carrying out of the cutting regulations and the scaling of felled timber; the collection of all revenues from the sale of timber; fire protection; and reforestation. Forest reserves are set aside for the perpetual growth of timber. Timber is sold in them but the amount is limited to the annual growth previously determined by the Forest Branch. Three per cent. of the gross receipts from the timberlands go into a Forest Reserve Fund which is used for protection and investigative work on the reserves.

Statutory timberlands in British Columbia are those in the coastal region that contain at least 8,000 feet per acre and those that contain at least 5,000 feet per acre in other regions. When settlement on such areas is applied for, the Forest Branch decides after investigation of the soil conditions whether or not they are fit for farming purposes.

The Act of 1912 was superseded by the Act of 1923 which gave the Government power through the Forest Branch to regulate the methods of logging in such a way as to ensure the future forest crop.

The foresters of British Columbia have administered the Crown timberland regulations for twenty-three years; they have collected millions of dollars in revenue, all without any serious public criticism.

THE PRAIRIE PROVINCES

The forest lands have been under the control of the provinces only since 1930. Each province has established a forest service which administers the cutting regulations and collects the revenues. The regulations are similar in the three provinces because they are based on those in effect when the forest lands were under Dominion jurisdiction. There are minimum diameter limits for the large operations and in the smaller sales the timber to be cut is marked by a forest officer. Slash disposal is compulsory in Manitoba and Saskatchewan and at the discretion of the Minister in

Alberta. Timber berths are limited to twenty-five square miles. The conditions of lease and size of the pulpwood limits are determined by legislative enactment in Manitoba, by Order-in-Council in the other provinces. Most of the Dominion Forest Reserves have been preserved intact, some 112 million acres of them in the three provinces, of which over 100 million acres are in Alberta. Each provincial forestry act states that they are set aside for the perpetual growth of timber. Adaptable cutting regulations are in force in these with the object of securing another forest crop.

ONTARIO

This province was the first in the Dominion to organize a forest fire protection system and to lay the foundations for the development of forestry in addition to protection activities. The latter expressed itself in 1883 with the appointment of a Clerk of Forestry. This office existed for twenty years or more and it was filled by two outstanding men, Robert Phipps and Thomas Southworth. The former particularly wrote voluminous reports urging the advisability of an extensive planting program for waste lands, better fire protection and the conservative management of the forests. He emphasized the effects of deforestation in terms of climate and streamflow and the tragic results of settlement on cut-over lands unfit for agriculture. Southworth in his first report in 1895 made the statement that the time for mere argument and exhortation had passed and that public opinion was prepared to support systematic government action in forest management. He recommended the turning of timber limits back to the government as soon as cut and to be managed by foresters. Most of the forest reserves were created under his administration and he was chiefly responsible for the Forest Reserves Act of 1898. He also instigated the appointment of the Rathbun Commission which in its final report in 1899, among other things recommended that suitable regulations be enforced to prevent too rapid or too close cutting upon lands under license.

The activities described above resulted in 1904 in the appointment of a provincial forester, Mr. Judson Clark, with the evident intent that he should have charge of the administration of the Crown timberlands, but for some reason he was not successful and he resigned within two years. The present Forestry Branch was established in 1912 with Mr. E. J. Zavitz in charge but he did not have the title of provincial forester. His work was confined to reforestation and to fire protection along the Federally chartered railways. The tragedy of a great fire in the north in 1916 led to the revision of the Forest Fire Act in 1917 and under this act the office of provincial forester was restored, in charge of all fire protection of Crown lands. Mr. Zavitz

was appointed to this position. In 1926 he was made Deputy Minister of Forestry in charge of fire protection, reforestation, forest surveys and research and officially the position of provincial forester remained vacant until Mr. Zavitz was reverted to it in December last.

The Pulpwood Conservation Act of 1929 was as advanced forestry legislation as any in Canada and would have resulted in a sustained yield basis for the pulpwood forests of the Province but owing to the business depression and political changes it has not been enforced.

QUEBEC

Like Ontario, Quebec had a long period of development before the establishment of a forestry branch, but unlike Ontario, the branch at once assumed control of the Crown timber cutting regulations. This was in 1909 and the Forest Service, as it is now called, has been in control ever since. Diameter limits of general applicability were first established in 1895 and they are still in force on all lands that do not come under the "cutting by exception" law of 1923. This law says in effect to the operator, if you will make an inventory of your holdings and submit working plans made under the guidance of a forester and acceptable to the Government, we will under certain conditions release you from the diameter limit obligations. The working plans are based on an annual increment of three per cent., or in other words, the operator may cut in one year only three percent. of the standing timber on his limit:—in fact not quite this amount for one-quarter of the annual increment is held in reserve for emergency purposes or perhaps better to reduce the risk of over-cutting. Somewhat more than one half of the total area under license in Quebec (about thirty million acres) is being cut under these working plans. The method of procedure is approximately as follows:—A company forester and a government forester visit an area on which a cutting is planned. If what they consider adequate reproduction of the forest is already on the ground the company is authorized to cut all merchantable material, if not the company is required to leave seed trees or to cut only to a specified diameter limit. Agreements and specifications are drawn up and must be passed by Order-in-Council, so each permit to cut under the working plan system has the force of law and not of a routine departmental matter.

In this way Quebec has advanced farther in the management of its timberlands than any other province. Ontario has a somewhat similar law in its statutes but it has never been enforced. Quebec then already has twelve years start of Ontario in this respect.

Forestry is recognized as a profession in Quebec on a par with that of law or medicine. No more than a lawyer or a doctor can a man practice forestry without a license.

NEW BRUNSWICK

The regulations for the cutting and scaling of logs on Crown lands have been under the control of the Forest Service since 1918. The control of fishing and hunting on Crown lands in this province is also a function of the Forest Service.