

A 'New Relationship'? Reflections on British Columbia's 2003 Forest Revitalization Plan from the perspective of the Lil'wat First Nation

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ABSTRACT

One of the ways that Indigenous peoples are seeking recognition of their rights to ancestral and traditional territories is through increased participation in the forestry sector. Participating in forestry represents tangible recognition of the Lil'wat First Nation's rights and allows progress towards strategic management of their territories. This study presents evidence from five years of collaborative qualitative research in the Lil'wat Nation to understand how forestry is creating new opportunities and constraints for the community, and how forestry interacts with Lil'wat Inherent Rights. Through government reforms, the Lil'wat Nation is replacing and working together with non-Indigenous companies and the provincial government to improve protection for cultural sites and ways of being. However, the legacy of the colonial forestry regime continues to impact relationships in forestry today, and changes to forest policy have brought both new opportunities and constraints for the Lil'wat Nation. This article reviews Lil'wat First Nation's evolving relationship with the forestry sector in their traditional territories in British Columbia (BC), Canada, and provides a nuanced look at one Indigenous Nation's experience with becoming increasingly linked to global forest products markets while maintaining community objectives around self-determination.

1. Introduction

In Canada, Aboriginal (Indigenous) communities pursue a multiplicity of opportunities in efforts to gain strategic decision-making power over their ancestral lands, territories and resources (LTR).¹ One of the ways is through increasing participation in the forestry sector. Though First Nations in forested areas have long stewarded and tended to forests (McGregor, 2002), during the second half of the 19th and over the 20th centuries, they experienced exclusion and marginalization from resource-related decision-making throughout Canada (McGregor, 2011). Court cases, legal decisions, and the affirmation of Aboriginal rights and treaty rights in Section 35 of the 1982 Canadian *Constitution Act* have pushed the Governments of Canada and the Provinces to recognize Aboriginal title (Wyatt, 2008). Changes to forestry policies in the Province of British Columbia (BC) created opportunities for some First Nations to strategically engage with forestry businesses as a way to generate revenue and jobs and leverage an increased role in decision-making over LTR (Wyatt et al. 2019). Through examining

Aboriginal forestry arrangements at a local level, the nuances and complexities for First Nations engaging with forestry can be better understood (Beaudoin et al. 2016).

This article begins by examining how Indigenous rights are treated in the Canadian legal system. A short history of forest policy in BC is then presented, including a summary of the neoliberal changes to forest policy implemented at the turn of the 21st century. Next, the methods and findings of this recent research done with the Lil'wat First Nation are presented, in relation to understanding how forest policy reforms have created new opportunities, as well as challenges and constraints, for First Nations' involvement in the forestry sector. Three major findings are presented. The first finding is an appraisal of how the history of settler forestry in Lil'wat territory has shaped the relationships between the Lil'wat Nation and the forestry sector today. The second finding deconstructs and assesses the various ways that the Lil'wat Nation is responding to forest policy changes under the millennial 'New Relationship', through forestry and land use agreements with the Province alongside the acquisition of forestry licenses in their territory. The final finding analyzes how current forestry policies constrain the Lil'wat

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¹ 'Aboriginal' is the legal term used to encompass First Nations, Métis and Inuit Peoples in the Canadian Constitution (1982). This article focuses on First Nations who are the Indigenous peoples located south of the Arctic Circle and form the numerical majority of Indigenous peoples in Canada. Other Indigenous peoples, including Métis and Inuit, are not the focus of this study.

Nomenclature

AAC:	Annual allowable cut
CFA:	Community Forestry Agreement
LTR:	lands, territories and resources
TFL:	Tree Farm License
UNDRIP:	United Nations Declaration on the Rights of Indigenous Peoples
Lilwat7úl:	Lilwat citizens
Stát'yemc:	Lilwat people are one of 12 Stát'yemc Nations who have long histories of intermarriage and family bonds
LFV:	Lilwat Forestry Ventures LP
FNWL:	First Nation Woodland License
TSA:	Timber Supply Area
LUP:	Land Use Planning

Nation's involvement in the forestry sector, namely through the need to balance community and cultural objectives with the financial and economic objectives required to successfully operate a small forestry business. The conclusions reflect on how this study contributes towards building a more nuanced understanding of involvement in the forestry sector as one element in the path forward for First Nations seeking self-determination.

2. Background

2.1. Indigenous rights in the Canadian legal system

At the beginning of contact between Russian and European fur traders in the 18th century, around 200 First Nations speaking over 70 languages occupied and used all habitable land in what is presently British Columbia. First Nations, Métis and Inuit peoples and their descendants across Canada have constitutionally protected Aboriginal title, which is an inherent collective right to jurisdiction over and the use of their traditional territories (McNeil, 2016). The Canadian Constitution states that the federal government has exclusive authority over "Indians and lands reserved for Indians" (Sec 91(24)) and is responsible for upholding entrenched Aboriginal rights (Sec 35). Because Aboriginal rights are not defined in the Constitution, there have been numerous legal cases across Canada to further define what is included in this term. For example, *Calder vs. British Columbia (Attorney General)* (1973 SCR 313) found that Aboriginal title is a legal interest in land that the Crown [the federal government] must negotiate. *Guerin v. The Queen* (1984 SCR 335) brought a focus on the Crown's duties in relation to decision-making on Aboriginal lands and set the stage for the consideration of the Crown's duty to consult with Aboriginal peoples. In *Guerin*, it was decided that the nature and scope of the duty to consult would vary with the circumstances, and that consultation must be done in good faith. The case of *Delgamuukw v. British Columbia* (1997 3 SCR 10101) further defined the duty to consult, particularly regarding infringement of Aboriginal title. *Delgamuukw* found that claims of Aboriginal title by First Nations could be proven using oral histories, and that Aboriginal title includes the right to use the land for a diversity of activities, not just for traditional or subsistence purposes (Curran and Gingle, 1999). The case of *Haida Nation v. British Columbia (Minister of Forests)* (2004 SCR 73) established that Aboriginal title (if proven on a case-by-case basis to exist) would limit the government's ability to impose forest management rules. More recently, *Tsilhqot'in v. British Columbia* (2014 SCR 44) recognized Aboriginal title "to the portion of the lands designated by the trial judge ..." [para 94] but further determined "it falls under provincial legislative authority" (Christie, 2015, p. 784). The Supreme Court of Canada ruled that the Crown [province] has a duty to seek the consent of recognized Aboriginal peoples on decisions

impacting their traditional territory (Tsilhqot'in Nation, 2015). However, the BC Government can also justify infringement (paras 89–127). While these court cases have gradually defined the responsibilities of the Canadian governments to Aboriginal peoples, Tsilhqot'in confirmed provincial authority to constrain Aboriginal title.

In addition to defining this fiduciary relationship, the Canadian Constitution outlines the division of powers between the federal and provincial governments (Sec 92), which grants the Provinces the rights to public lands and the management of natural resources therein. Thus, the Government of BC asserts legal ownership to 94% of the provincial lands, which are held as public 'Crown' lands.² When BC became a province in union with Canada in 1871, the federal government had not settled the terms of settler occupancy versus Aboriginal title in the province (Wood and Rossiter, 2011). Whereas in much of Canada, numbered treaties were signed with First Nations that include protocols and agreements about sharing land and resources between Indigenous and settler communities, with the exception of the 14 Pre-Confederation (Douglas) Treaties on Vancouver Island, Treaty 8 in Northeastern BC, and seven treaties made with First Nations under a modern treaty negotiations process, the majority of the area of BC has never been ceded through a treaty (BC Treaty Commission 2019a). Aboriginal title lands in BC overlap the claimed provincial Crown land.

Through the past century, BC's natural resources sectors have experienced ongoing risk to securing non-contested legal tenures to resources due to outstanding Aboriginal title. One of the BC Government's challenges to developing a forestry industry that is secure for investors has been to ensure that the areas over which logging concessions are issued will not be contested by the local Indigenous peoples. Yet, the federal government has largely failed to implement protection for Aboriginal rights, which include the rights to fishing, hunting, trapping and gathering, in a way that is satisfying for many First Nations in BC. After BC joined confederacy, Indigenous peoples were relocated to live on small government-designated reserves, regulated under the federal *Indian Act* (RSC 1985, c. 1–5), on the poorest and most marginal quality lands throughout the province (Harris, 2002). According to historian Keith Thor Carlson, the reserve system in BC was an "attempt [of the BC Government] to skirt its legal and political obligation to... First Nations" ... and "extinguish Aboriginal title through administrative and bureaucratic means" (Carlson, 2001, pg. 31). Today, these reserves make up 0.4% of the provincial land base (BC Treaty Commission 2019b). Because these lands are so small and marginal, Indigenous peoples rely on access to their entire traditional territories to practice their Aboriginal title rights like hunting, gathering and fishing. It is thus the goal of many First Nations throughout BC to seek multiple approaches, including but not limited to litigation in courts against infringements on Aboriginal title, to gain jurisdiction over their traditional territories.

Indigenous peoples have also sought recognition for their rights at the international level. The Canadian and the BC Governments have separately declared their support for the United Nations *Declaration on the Rights of Indigenous Peoples* (UNDRIP) (2007) (Bulkan, 2016, Junger, 2019; *Declaration on the Rights of Indigenous Peoples Act*, SBC 2019, c 44). UNDRIP asserts the right to self-determination for Indigenous peoples (Art. 3), prohibits the removal of Indigenous peoples from their lands or territories (Art. 10), enshrines the rights to protect cultural and spiritual sites (Arts. 11.1 & 12.1), calls on nation-states to give protections to the LTR of Indigenous peoples with respect to their customs, traditions and land tenure systems (Art. 26.3), and calls for the protection of territorial

² Crown lands are publicly owned lands held in the name of the Queen of the United Kingdom who is represented by the provincial and federal governments of Canada.

rights in the face of development using free, prior and informed consent (Art. 32)³ (United Nations, 2007). The BC Government has recently passed the *Declaration on the Rights of Indigenous Peoples Act* [SBC 2019] to harmonize provincial laws with UNDRIP.

2.2. A short history of BC forest policy

As per the constitutional division of powers, the BC Government is responsible for management of provincial Crown lands, which includes forest lands. BC's forest tenure system dates back to the 1865 *Land Ordinance Act*, which was the first piece of legislation enabling companies to do logging on public lands without alienating the land from provincial ownership (the 'Crown') (BC Ministry of Forests, Lands and Natural Resource Operations and Rural Development Contracts (BC FLNRORD), 2019a). Forestry companies operating in BC are granted legal rights to log, and in exchange pay taxes in the form of stumpage (a complex and graduated fee) and 'royalties' (ad valorem taxes), a system which has been in place since the 1884 *Timber Act* (BC Ministry of Forests, Lands and Natural Resource Operations and Rural Development Contracts (BC FLNRORD), 2019a). Throughout the 1900s, logging in BC was increasingly regulated, firstly under the 1912 *Forest Act*, which encouraged companies to harvest and regenerate forest crops under a model of sustained yield. Logging concessions are either volume-based, providing companies with a fixed volume of timber to log from an area shared with other licensees, or area-based, which is a more secure concession type wherein companies are given more responsibilities in exchange for long-term rights to a fixed area of forest to log (Rajala, 1998).

At the inception of the forestry industry in BC, many forest licenses were acquired by speculators and small producers, but throughout the 20th century logging became increasingly concentrated in the hands of fewer, larger operators who were often international logging firms (Rajala, 1998). In area-based licenses, originally known as Forest Management Licenses and later renamed Tree Farm Licenses (TFLs), large companies were granted exclusive logging rights to large tracts of forest in exchange for building and operating mills, with the intention of attracting international investment to develop BC's rural resource economy (Hayter, 2004). The BC Government instituted regulations for TFL holders to protect communities from the boom and bust cycles of resource economies, including: appurtenancy regulations, stating that timber had to be milled in the area in which it was harvested; and a minimum annual allowable cut (AAC), to ensure that rural BC communities might have stable employment and commodity supply even when markets were weak (Young and Matthews, 2007). Companies holding TFLs were given preferential access to volume-based logging licenses in the mid-1960s to ensure that mills would have wood to process without pause, which caused the increased consolidation of large logging companies (Hayter, 2004; Rajala, 2006). By the 1970s, nine vertically and horizontally integrated forest companies controlled 45% of lumber and 60% of pulp production, 72% of plywood and big shares of converted paper products, shakes and shingles production (Hayter 1981, p. 107 in Edenhoffer and Hayter, 2013). These large forestry firms are colloquially known as the 'Majors'. During times of economic downturn, the BC forestry ministry has supported the Majors by relaxing environmental regulations and lowering stumpage fees, such as was seen in the recession of the 1980s and the mountain pine beetle

epidemic of the early 2000s (Hayter and Barnes, 2012).

While providing priority access to fibre for the Majors was viewed as a way to ensure long-term investment in BC's forest industry in its early years, this policy has made BC's resource peripheries increasingly dependent on global markets for forest products (Hayter, 2004; Hayter and Barnes, 2012). BC's forest industry is export oriented, sending huge volumes of unprocessed timber for processing elsewhere, despite a stated intention to keep processing local with appurtenancy regulations. Exports from BC forests increased in value from \$36 billion CDN in 2014–47 billion in 2018 (Statistics Canada, 2019). As such, global markets dictate the activities of local mills, and when markets fall, small towns experience ripple effects throughout the secondary services provided to mill workers, loggers and their families (Hayter and Barnes, 2012). Often the closing of mills due to market shifts or timber supply shortages creates mass out-migrations from small towns, leaving degraded infrastructure and rural slums in their wake. The BC Government has become dependent on the Majors to ensure economic stability in resource-dependent communities. As a result, the Majors are a powerful bargaining and lobbying force in politics (Marchak, 1992; Rajala, 2006; Parfitt, 2015, 2016, 2017a, 2017b). Through tracing the history of consolidation in the BC forestry industry, underpinned by crony capitalism (Williams, 2018), the forces that drove the neoliberal reforms of recent decades can be discerned.

2.3. Recent neoliberal reforms to BC forest policy

The latter part of the 20th century brought new challenges for BC's forestry sector. The recession of 1982 was quickly followed by populist uprisings lasting until 1994, known as the 'War in the Woods', which involved First Nations and environmentalists blockading against what they viewed as unsustainable clear cutting (Hayter, 2004; Young and Matthews, 2007). A period of intense regulation under the Forest Practices Code followed in the 1990s. By the early 2000s, the BC forest ministry under the newly elected Liberal Government was ready to accept sweeping changes to forest policy and practices. This change brought the erosion of regulatory capacity in forestry and the introduction of a new era of forest policy.

Under the Heartlands Economic Strategy, the government introduced the 2003 Forest Revitalization Plan (FRP), which was a comprehensive set of reforms intended to diversify BC's ailing forest sector and increase the economic competitiveness, for which the Majors had long petitioned (Young, 2008). One effect of this plan was to limit the BC Government's duty to accommodate First Nations through devolving the responsibility of forestry consultation activities to companies and First Nations (Clogg, 2003). The Strategy also intended to provide forest companies with greater value from their tenures by reducing their social and environmental obligations, in consequence increasing the negative externalities which then had to be borne by society at large (Clogg, 2003).

The Forest Revitalization Plan included the reallocation of property rights to forestlands, wherein the BC Government required the five largest logging concession holders to return 20% of their volume-based licenses to the Crown. Half of these areas were put under the jurisdiction of a provincially-run office names BC Timber Sales, and the other half was set aside to create new opportunities for First Nations and local communities to gain access to logging rights in the form of Community Forest Agreements (CFAs) and Woodlot Licenses (BC Ministry of Forests, Lands and Natural Resource Operations (BC FLNR), 2012). Concurrently, the government did away with appurtenancy regulations and minimum cut controls, ending a "long-term social contract that existed between workers, communities, the government and industry in BC" (Young, 2008: 14). A number of commentators, including policy analysts Ben Parfitt, Bob Williams and Michael Ekers, have pointed out that this era's "investments of financial actors in the BC forest sector were part of a broader process of financialization and a global rush for land" (Ekers, 2018: 13). In Ekers's view, "BC landscapes have functioned as a

³ Territorial rights in face of development outlined in Article 32 of UNDRIP as: 1. Indigenous peoples have the right to determine & develop priorities & strategies for the development or use of their lands or territories & other resources. 2. States shall consult & cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free & informed consent prior to the approval of any project affecting their lands or territories & other resources, particularly in connection with the development.

sink for the financial sector searching for long-term investment opportunities but, contradictorily, at the same time, have provided sizable returns through short-term extraction” (Ekers, 2018: 13). Ironically, the neoliberal forest policy reforms had ended up disproportionately benefitting the Majors. One legacy of these reforms is the externalization of costs from unsustainable capitalist logging, transferred from forestry companies to the BC public.

Following these reforms, and after the Liberal Party’s re-election in 2005, the BC Government, together with the three principal Indigenous representative bodies in BC – Union of BC Indian Chiefs, the Assembly of First Nations and the First Nations Summit – declared it the era of ‘A New Relationship’. It is unlikely that the epithet was intended to be ironic, but as we show, the result of these concurrent forestry reforms was to make predatory logging on Indigenous territories even easier. This New Relationship was cemented in the *Transformative Change Accord*, which highlighted the joint responsibility of Canada (Federal) and BC (provincial) to come to terms with First Nations on matters relating to lands, resources, rights and responsibilities (Wood and Rositer, 2011). While the legacies of this agreement are likely diverse throughout different sectors, the case of the territory of the Lilwat Nation exemplifies how these changes have shifted rights and access in the forestry sector. As demonstrated by the findings of this study, the BC Government allows the Majors to have free rein over forestry production in the province in the name of free market capitalism, while limiting their responsibilities to First Nations and to the public at large in the territories in which they operate.

The remainder of this article will examine how these changes impact

the Lilwat First Nation. This case demonstrates how neoliberal changes in forest governance constrain the community’s ability to assert their Inherent Rights to their territory and have limited Lilwat’s decision-making power within the forest tenure system to the terms set by the BC Government. The complexities of First Nations’ participation in the natural resources industries in Canada are also considered, which is part of a broader story of co-governance arrangements and the increasing exposure of Indigenous peoples to powerful global market forces.

3. Methods

3.1. Study area

The Lilwat Nation’s Tmicw (Traditional Territory) is in the coastal mountains of what is currently the Province of British Columbia. The territory includes nearly 800,000 ha of land and water and is defined as all of the areas that are used by the Lilwat7úl (Lilwat citizens) since time immemorial; south to Rubble Creek, north to Gates Lake, east into the Stein Valley and west to the coastal inlets of the Pacific Ocean (Fig. 1) (Lilwat Nation, 2008). As of 2014, there were 1431 people living on-reserve, and 723 off-reserve (Lilwat Nation, 2015). Lilwat people are one of 12 Státým̓c Nations, who are Interior Salish peoples and have long histories of intermarriage and family bonds. The language of the Lilwat Nation is Ucwalmicwts. The Lilwat Nation comprises the third largest on-reserve population of First Nations in British Columbia (Lilwat Nation, 2015).

The Lilwat Nation was selected as a place of study to understand the

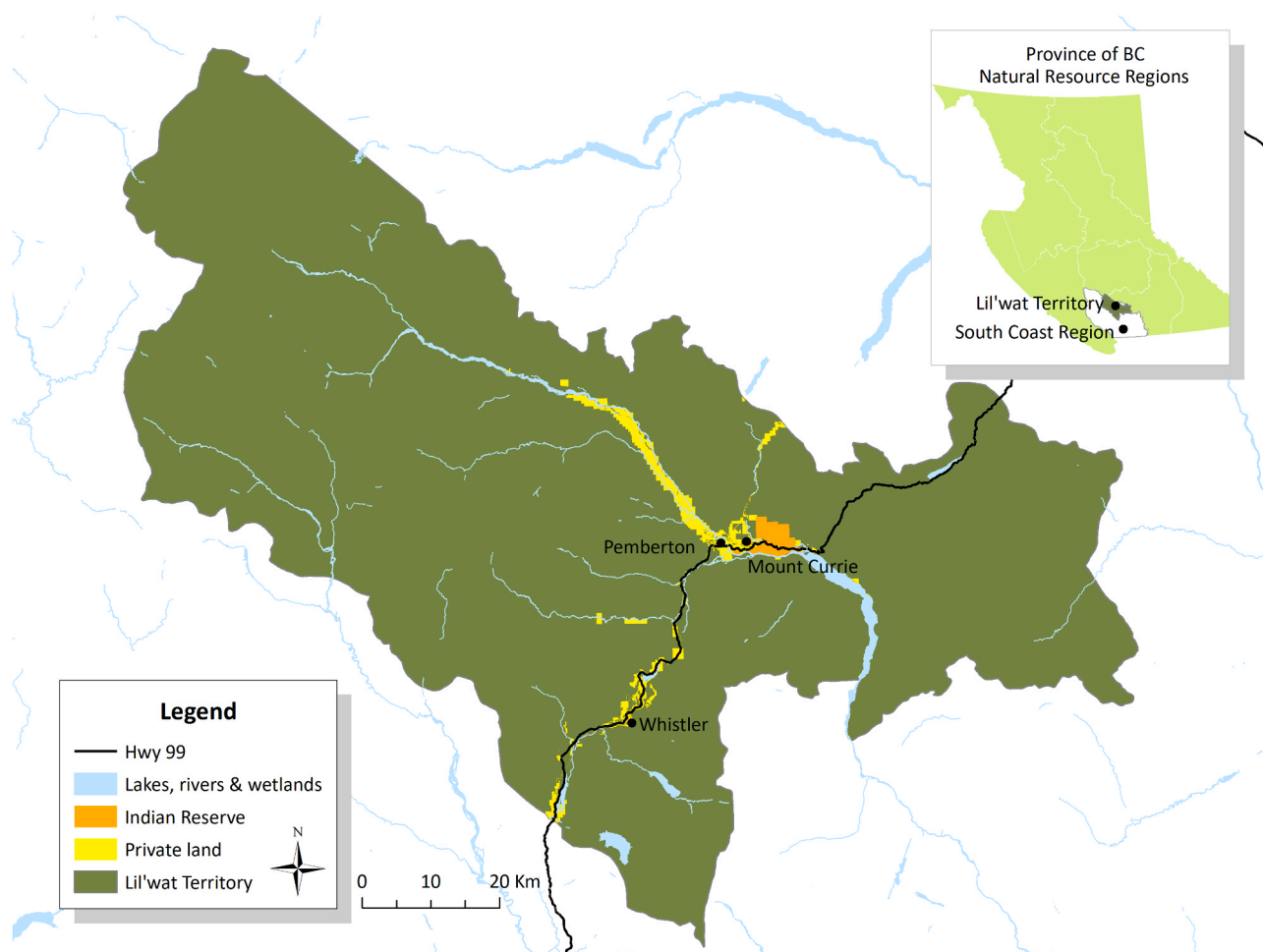


Fig. 1. Map of Lilwat Tmicw (Territory)
Source: Emily Doyle-Yamaguchi.

impacts of recent changes in settler forest policy for First Nations for several reasons. Firstly, this research was requested by the Lilwat Nation as part of creating the Botanical Resource Strategy, which is part of the government-to-government land use plan between the Lilwat Nation and the BC Government and considers how non-timber values may be instrumental in managing and stewarding forest lands in Lilwat. Responding to the request of the Lilwat Nation is part of doing respectful research that upholds the Free, Prior and Informed Consent of Indigenous peoples. Secondly, the research questions and approaches were developed collaboratively with members of the Lilwat Nation, with approval by the Lilwat Culture, Heritage and Language Authority. The findings provide a high-level outline of the institutional landscape of BC First Nations' forestry initiatives and develops insights into the governance, decision-making processes, conflicts and social equity of recent forestry reforms. Thirdly, the Lilwat Nation is a non-treaty First Nation, pursuing opportunities in the forestry sector opened up as a result of 2003 forest reforms. In not having a formal modern or historic treaty with the Canadian government, the experiences of the Lilwat Nation demonstrate how forestry may fit as part of this Indigenous Nation's progression towards self-determination: both in seeking an economic future that is independent of federal and provincial government funding through engaging in forestry; as well as through accessing increased decision-making power over resource development in their territories.

3.2. Data collection and interpretation

This research was conducted over a five year period of immersion with the Lilwat Nation as part of the Lilwat Nation Botanical Resources Study, and later the Lilwat Nation Food Security Project, between 2015 and 2020, wherein the first author conducted interviews, focus groups and field visits with 72 Lilwat7ul on topics related to forestry, Indigenous rights and food security, Ntakmen (Lilwat ways of life), Nkekmen (Lilwat Law, based on natural laws) and histories of colonization.

Recruitment of 10 participants for in-depth key informant interviews about forestry was done using purposive sampling, where individuals were selected by the research team (composed of the authors along with three Lilwat co-researchers). Criteria for inclusion in recruitment included: expert knowledge on Lilwat Nation history and recent experiences with forestry, land dispossession through settler laws, Inherent Indigenous Rights, cultural land use; willingness to participate and support for the research goals; and community indication that the participant was regarded as a Lilwat respected elder, defined for the purposes of this study as one who is a trusted knowledge keeper and respected teacher of Lilwat cultural ways of being. The research objectives and questions were co-created with the Lilwat co-researchers, and included questions about the impacts of forestry in the territory, histories of colonization, opinions about the success and challenges of forestry agreements, Inherent Indigenous Rights (specifically, what this means and how it relates to forestry), food security in relation to land management, and preservation and protection of Lilwat traditional medicines. The findings of this paper center on the questions specifically about forestry and legal and Inherent Rights to land, though responses from questions and discussions about food security and traditional medicines often related to these findings.

Initial one-on-one interviews were conducted and followed by over 60 days in the field with Lilwat forest experts (including forestry professionals with government-recognised qualifications) and the 10 key informants (who are traditional knowledge holders), discussing community protocols, goals, and personal histories in one-on-one conversations and storytelling (Kovach, 2010), small group discussions and embodied work (medicine gathering and processing, tending to the land) (Simpson, 2017). The research methodology was adapted to community members' needs and preferences and follows the principles of the Lilwat S7itsken Research Protocol, which highlights best practices for research in the Lilwat Nation (Leo et al. 2006). The first author attended annual general community meetings and other community

meetings on land rights and forests and performed participant observation.

Data generated during the interviews, field visits, small group discussions and participant observation were recorded using field notes, audio recordings and photographs. Data interpretation followed a political ecology approach (Bridge et al. 2015) and involved sorting major concepts and themes, reflecting upon the data in repeated meetings with Lilwat co-researchers and research participants. Narrative data was triangulated with recorded observations and an extensive literature review that included legal and policy documents, grey (technical) literature, academic theses, summarizing Minutes from historical Lilwat Band Council meetings, archival materials and media records. Documents were accessed via online databases (Science Direct and Google Scholar) using search terms: 'Lilwat'; 'St'atimc'; 'Soo TSA'; 'Squamish'; 'Pemberton'; 'Whistler'; 'TFL 38' and a combination of 'forest*'; 'forestry'; 'timber'; 'logging'; 'land use'; 'resource(s)' and snowball sampling from the findings. The themes presented below have been agreed upon by the Lilwat-UBC research team, and approved for publication by the Lilwat Culture, Heritage and Language Authority.

This research has received research ethics permissions from UBC's Behavioural Research Ethics Board, reference H17-00053.

4. Findings

The findings are a synthesis of the qualitative information from Lilwat7ul co-researchers and research participants triangulated by participant observation and literature. The findings are the researchers' interpretations of the Lilwat Nation's engagement with the forestry sector, summarizing multiple stories to form one cohesive story around the research questions. These processes produced three major findings (Table 1): firstly, that settler forestry has been built on the exclusion of Lilwat Nation community members from their territory and that this has occurred primarily within living memory; secondly, that the BC Government's New Relationship has created new opportunities for the Lilwat Nation to engage with logging; and thirdly, that current forestry policies constrain the Lilwat Nation's involvement in the forestry sector, namely through the need to balance community and cultural objectives with the financial and economic objectives required to successfully operate a small forestry business. The risk that increasing Lilwat Nation participation in forest management may be interpreted as the fulfilment of the BC and Canadian Governments' commitments to respecting Inherent Indigenous Rights to LTR is recognized by the Lilwat and the authors. It is important to note that a forest concession includes only a

Table 1

This study's major findings as correlated to qualitative community-based methods and sources used to triangulate this data.

Major finding	Qualitative methods	Triangulating sources
Within living memory, the development of the forestry sector has been built on the exclusion of Lilwat7ul from their territory	Interviews	Participant observation Government documents (BC Government) Academic publications
	Field visits	
	Small group discussions	
The New Relationship Forest Policy created new opportunities for the Lilwat Nation to participate in and benefit from forestry and logging	Interviews	Government documents (BC Government and Lilwat Nation) Lilwat Nation forestry data Academic publications
	Field visits	
	Small group discussions	
Current forestry policies constrain the Lilwat Nation's involvement in the forestry sector, namely through the need to balance community and cultural objectives with the financial and economic objectives	Participant observation	Government documents (BC Government)
	Interviews	
	Small group discussions	

few strands in the bundle of rights, whereas the Canadian governments' commitments are to upholding and respecting a larger suite of Indigenous rights and title. These findings will be substantiated based on the evidence and analysis presented below.

4.1. Settler logging in Lilwat built on Indigenous exclusion

One of the key findings in this study is about how integral the memories of living Lilwat Elders about logging in Lilwat are for contextualizing and understanding the present-day relationships between the Lilwat Nation and the BC forestry sector.

Any conversation with Lilwat7ul about Inherent Indigenous Rights and land use is often prefaced with a statement about how Lilwat7ul have an uninterrupted history in Lilwat Territory. Research participants told stories in interviews and small group discussions of how settlers came first for gold, and later for timber; stories which are triangulated here with information from academic sources. European explorers first came through Lilwat territory in 1827 during the Yukon Gold Rush from over the coastal mountains (Researcher Field Notes, July 2019; Harris, 1977). By 1858, the trail through Lilwat was the main passage from the coast to the interior of BC (Harris, 1977). A small settlement was founded on the north end of Lillooet Lake, constituting the original settler town of Pemberton (which was later relocated to its present location about 7 km west). Lilwat7ul were employed to move freight on and off the steamboat, transferring settlers and goods from the Lower Fraser Valley (Researcher Field Notes, August 2019; Decker et al. 1977). As noted above, though the Lilwat Nation and the Government of Canada have never negotiated a treaty, Lilwat and other neighbouring Stát'yemc Nations' lands were consigned to Indian Reserves while their Indigenous territories were simultaneously opened for resource exploitation to domestic and foreign speculators. The 1860 *Pre-Emption Proclamation* created private property rights for white farmers. During field visits, Lilwat research participants pointed out locations of seasonal homes, known as s7istken (underground pit houses) and gathering places that were appropriated for colonial agricultural settlement, with Lilwat families being relocated to 10 small government-designated reserves that make up 2700 ha or 0.3% of their territory (Nemoto, unpublished thesis, 1998, Lilwat Nation, 2015). Colonial government policies of Residential and Day Schools, the Pass System (which forbade Indigenous Peoples from leaving the Reserve without the permission of Indian Agents), and Indian Hospitals (segregated hospitals providing sub-standard healthcare for First Nations Peoples from which many did not return) all systematically worked to further remove First Nations from their Territories. According to one research participant, "We were sent to Residential Schools intentionally, it was the only way they could get us off our land so that they could create their forestry industry". Dispossession continued until the mid-1950s, with one research participant sharing the story of their natal village that is now located at the bottom of the Carpenter Lake Reservoir, the largest of the three reservoirs of the Bridge River Power Project, and which provides 6–8% of BC's electrical supply (Researcher Field Notes, July 2017, BC Hydro, 2020). Stát'yemc families were forcibly removed from their homes for logging and hydroelectric development, and the participant shared that at the time there was no compensation made the land lost.

While the focus groups and interviews with Lilwat7ul often centered on the dispossession of land and forced relocation of family groups to reserves, what is less spoken about, and is perhaps not transparent to Lilwat and non-First Nations peoples of the area today, is how the BC government justified the dispossession of Lilwat territory, remapping customary traplines and hunting grounds into forestry license areas amenable to global markets hungry for timber and wood fibre. Between 1905 and 1907, 300 forest licenses were issued over Lilwat territory (Young, unpublished thesis, 1978). These licenses were a critical piece of the settler colonial occupation.

Though no treaty exists between the Lilwat Nation and the settler governments, the Stát'yemc Declaration is referred to by the Lilwat

Nation as the most important document for negotiations between the Lilwat Nation and the BC and Canadian Governments. In 1911, experiencing the negative impacts of the Indian reserves and Pre-emption policies, the 12 Stát'yemc Nations, including the Lilwat Nation, expressed their inherent rights to their traditional territories in the Declaration of the Lillooet Tribes, affirming that the lands and waters had never and would never be alienated by the Canadian or any other government (Stát'yemc Chiefs Council, 1911). The existence of this Declaration is documented proof that timber supply areas were made without consultation, consent, or permission of the Lilwat Nation (Researcher Field Notes, October 2018).

Though timber licences were issued throughout Lilwat, it was not until the Second World War that logging would surpass small-scale agriculture to become the biggest contributor to employment in the region. In this study, several research participants spoke of how their parents or grandparents would do casual logging for cash income, recounting memories of long band saws that could be operated by two men to fell large-diameter old-growth trees (Research Field Notes, May 2018). By 1930, there were eight sawmills in the Pemberton Valley (the settler name for the upper valley in Lilwat) producing utility poles and railway ties (Rajala, 2006, Decker et al. 1977). Hand-logging, which was licensed from 1888, acted as an entry to the wage economy for Lilwat7ul, with many community members cutting ties for the construction of the Pacific Great Eastern (PGE) Railway (Researcher Field Notes September 2019; Decker et al. 1977). From the 1950s onward, most forests in Lilwat were included as the Soo PSYU (later the Soo Timber Supply Area) (Fig. 2). Larger forestry firms bought licenses up from small companies, and by 1974, the 108 licenses in the Soo PSYU were controlled by only eight firms, with three firms (Canada Trust, Macmillan Bloedel and Pacific Logging Co.) controlling 90% of the licenses (Young 1978).

In 1961, the BC forest ministry issued the first (and only) Tree Farm License (TFL) in Lilwat; TFL 38 (Fig. 2). This TFL was issued to Empire Mills Ltd. and gave the company the exclusive right to harvest in Lilwat territory an area of 218,616 ha adjacent to the Soo PSYU (BC Ministry of Lands and Forests (BC MLF), 1961, Kardos and Rodney, 1997). In exchange for guaranteed long-term access rights, Empire Mills Ltd. committed to, and developed, a fully functional plywood plant in the town of Squamish, producing 70 million square feet per year by 1963 (BC Ministry of Forests 1961, Rajala, 2006). Empire Mills became an important source of jobs and incomes in the region and gave the firm a relatively large amount of power over this rural resource periphery (Researcher Field Notes July 2017; Rajala, 2006).

Lilwat research participants pointed out areas in field visits where logging in the territory became more intensive in the 1960s and 1970s, with larger cuts occurring on higher elevations and along traplines that were once accessed exclusively by specific Lilwat hunters and trappers (Multiple Research Field Notes 2015–2020). These narrative accounts are verified by government documents analyzed in an unpublished thesis, which show that in the Soo PSYU, a total of 19,650 ha were cleared for forestry during an 11-year period from 1954 to 1965 (Young 1978). While clearcut sizes and the extent of logging were lower in comparison with the previous decade, trees were being accessed at higher elevations (beyond 1200 m above sea level) and in areas that were previously considered not economically viable (Rajala, 2006).

Small forestry initiatives led by Lilwat throughout the middle of the 20th century have been documented by Akihito Nemoto in her 1998 unpublished master's thesis. Drawing from minutes from Lilwat Band Council⁴ meetings, Nemoto documented the cutting permits to timber on the reserve from the 1950s. In BC, First Nations have rights only to their small, government-designated reserves, which as mentioned earlier, comprise only 0.3% of the traditional territory. Here, the Lilwat

⁴ The elected government of the Lilwat Nation, which is a government that is federally-imposed under the Canadian *Indian Act*.

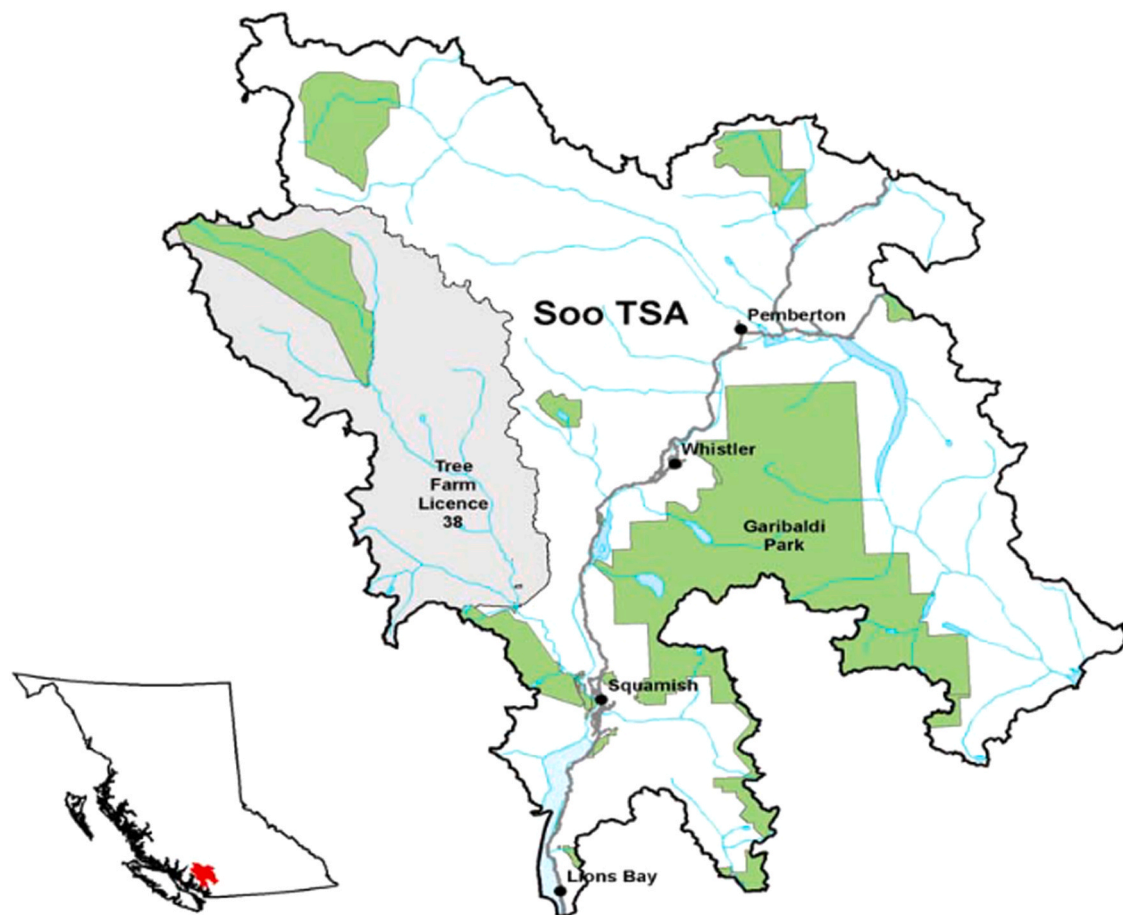


Fig. 2. Soo Timber Supply Area (TSA) map as it existed in 2008 (BC Government 2008). Note: almost the entirety of the TSA overlaps Lílwat Nation territory, except for the areas south of Squamish. Green areas on the map represent protected areas (provincially designated parks and conservancies) and the grey shaded area is the volume-based tree farm license TFL 38.

Band Council government has the right under Canada's *Indian Act* to issue permits for logging, but the timber on reserve is limited in quantity and quality. By the 1960s most of the logging was being done by outside (non-First Nations) companies on the reserve (Nemoto, 2002).

Efforts to secure greater community benefits from logging, such as the creation of a forestry fund for the community and several attempts to acquire Band-owned sawmills failed, partly due to the inability of the Lílwat Nation to secure timber rights off the reserve in adjacent Lílwat territory, appropriated as Crown-owned forests and licensed to the Majors (Research Field Notes June 2015; Nemoto, 2002). According to one Lílwat research participants, "we were not allowed to cut the trees on our own territory" (Research Field Notes July 2018). As noted in the Band Council minutes, MacMillan Bloedel, one of the Majors, held all the timber rights to lands in the Soo that had the most accessible remaining timber stands (Nemoto, 2002). In 1998, nine large forest companies owned 75% of cutting rights in Lílwat territory. The Lílwat Nation did not experience sustainable benefits from forestry jobs in the latter decades of the twentieth century. Though some would do casual contract work for the smaller operators, in 1993 of the 261 people employed in forestry in the region, only 11 were Indigenous, from either the Lílwat or the neighbouring Squamish Nation (Field Notes July 2020; Nemoto, 2002).

Lílwat research participants indicated that the Band Council continually sought to be included in high-level decision-making about their territory and to access benefits from the profits derived from the timber extracted. Interviews and small group discussions touched several times on blockades in the community: the first happening in the

1970s and then again in the 1990s. According to research participants, with details filled in by Jean Crompton's, 2006 Master of Law thesis, the 1990s roadblock began when Interfor (one of the Majors) received the 15-year, volume-based forest license to log an AAC of 59,300 cubic metres on the west side of the Lillooet Lake in August of 1982, and began road building in late 1990 (Field Notes June 2018; Crompton, 2006). Lílwat research participants spoke of how Interfor hired a contractor to begin constructing a forest service road (FSR) through a gravesite, pictograph area, trapline and spiritual training ground of Lílwat (Researcher Field Notes June 2018). Though some Lílwat community members had made several attempts to raise the issue of road access for logging on multiple occasions, such as in a letter sent in 1989 from then-Chief Fraser Andrew, they had received no reply (Researcher Field Notes June 2018; Crompton, 2006). Interfor received a BC Supreme Court-granted injunction in 1991, after making minor amendments to the roadway to circle around some known archaeological sites, and to continue road blasting on the sacred hillside (Crompton, 2006). The roadblock lasted for 116 days and featured physical force by the Royal Canadian Mounted Police (RCMP), though Lílwat research participants shared about how the community maintained a policy of non-violent engagement. After a year of protest and trials in court, Interfor shifted their harvesting plans to a different location, and all operations were supervised by a member of the Lílwat Nation. It was not until 2005, after numerous other roadblocks by First Nations throughout BC and many legal decisions that supported Aboriginal title and rights, that the Lílwat Nation would be invited by the BC Government to take part in land use planning for their territory. The next section presents the changes that

happened to forestry in Lilwat at the turn of the new millennium.

4.2. The New Relationship forest policy: new opportunities for the Lilwat Nation

According to Lilwat research participants, the years surrounding the declaration of the 2005 New Relationship created several changes for the Lilwat Nation's decision-making activities and management of their territory. The Lilwat Nation Land Use Plan (LUP) process began in 2005. One participant shared about how the Lilwat Nation was invited to be part of a multi-stakeholder working group for the surrounding region, known as the Sea to Sky Regional District under provincial jurisdictional boundaries, to determine land use priorities. A Lilwat Nation government document states the Lilwat LUP was drafted by a fourteen-person working group composed of Lilwat community members with assistance from two consulting firms (Lilwat Nation, 2006). The LUP was drafted under two successive BC Governments. Participants say that this document is intended to act as a reference point for all negotiations around land use between the Lilwat Nation and the BC Government. The LUP, which was approved by Chief and Council in 2015, includes: detailed accounts of areas to be protected in Lilwat; priorities for the air, water, vegetation, wildlife, medicines and economy; as well as steps to implement the LUP (Lilwat Nation, 2006). The LUP lacks clear guidelines and objectives on the processes for shared decision-making with the BC Government. Implementation is ongoing and involves ad hoc collaboration between the Lilwat Nation and the BC Government over the co-management of lands designated under different measures of protection throughout the territory. One research participant noted that the LUP process began after the locations and sizes of most of the parks had already been determined, and thus the Lilwat Nation had little say in designating which areas in their territory were to be included as parks (Researcher Field Notes, November 2019).

The Lilwat Nation first signed a Forest Agreement under the 1996 Forest Act with the BC Government in 2005, wherein the Nation was invited to apply for two non-renewable volume-based forest licenses in the Soo Timber Supply Area (TSA), of up to 70,000 cubic metres (m³) of timber volume for harvest annually (Lilwat Nation and the Province of British Columbia (BC), 2005). The agreement allows the Lilwat Nation to receive an annual portion of the revenues (calculated as a portion of the stumpage, waste and annual rent payments) paid to the government from all logging done by everyone except the Lilwat's own forestry company within the territory. In 2019, the revenue shared by the BC Government with Lilwat for all forestry within the territory amounted to \$412,058 CDN, or \$1.66/ m³ CDN (Lilwat Nation and the Province of British Columbia (BC), 2019). Though small, that sum was significant for the Nation considering that the gross revenue of the Lilwat Business Enterprises in 2018 was \$1.1 million CDN (Lilwat Nation and the Province of British Columbia (BC), 2019; Lilwat Nation, 2018). For the BC Government, this payment fulfilled the legal requirement set out in the *Haida* (2004) legal decision to consult with the Lilwat Nation and provide accommodation in cases where development was infringing upon Lilwat's Aboriginal interest (Lilwat Nation and the Province of British Columbia (BC), 2019). As indicated by Lilwat research participants, the agreement itself contains language to provide certainty to investors and to the BC Government that further logging will proceed without conflict (such as roadblocks) from the Lilwat Nation, which is language that is common in all early Forest Agreements.⁵ Additionally, an 'assistance clause' is included within the current agreement, holding the Band Council responsible for "seeking to resolve any action that might be taken by a member of First Nation regarding..." opposition to forestry activities (Lilwat Nation and the Province of British Columbia

(BC), 2019). Thus, the current Forest Revenue Sharing Agreements (which replaced Forest Agreements but are comparable in scope and intent), shift the burden of addressing any community dissatisfaction with logging activities from the government to First Nations Band Councils, and the consultation and accommodation to project proponents (Province of British Columbia (BC), 2014). However, there is little capacity in the Lilwat Nation Department of Lands and Resources to respond to what are often highly technical requests, including on setting forest harvest levels for the territory. Thus, the BC government coopts the Lilwat Nation (and other First Nations with similar Forest Agreements) easily and cheaply through this arrangement, with a lack of extension support to deal with technical requests limiting the ability of Lilwat and other Nations to meaningfully engage in discussions over the quality of the logging on their territory.

Lilwat research participants also shared how this agreement brought with it the creation of the Lilwat Forestry Referral Committee. According to a member of the Committee, the intention of this committee is to serve as a conduit to Lilwat community members to convey prior information about intended logging sites. In theory, community members have the opportunity to determine if logging may proceed without damage to cultural belongings and specific culturally-important places, such as A7a7ulmecw (spirit sites), s7istkens (pit houses), burial grounds, culturally modified trees (trees where the bark had been stripped by Lilwat ancestors for use in making tools, apparel and crafts), transformer sites (important sites in Lilwat legends where the Transformers shaped the land and waters), pictographs, traplines and other important spaces. For any logging proposed in Lilwat, all forestry companies must share merely the location of the areas (blocks) on which they intend to log with the Referral Committee (see Fig. 3). The Referral Committee will meet and discuss the proposals.

According to research participants, Lilwat Cultural Technicians will visit proposed logging areas to assess the best way forward. Cultural Technicians are Lilwat cultural knowledge experts who are trained in identifying cultural use sites and are hired by the Band Council for this role. If it is determined that the proposed activities will impact cultural sites or objects, the Cultural Technician will propose that a Preliminary Field Reconnaissance or Archaeological Impact Assessment be completed (Lilwat Nation, 2017a). The Impact Assessment will be used to inform the creation of management recommendation options. The Referral Committee will then meet again to discuss the proposal and determine a level of priority for it; high, medium or low, based on the amount of risk. If the proposal is considered high risk, it will be presented to the Lilwat Chief and Council to deliberate on. During the course of our research, we did not have access to written discussions, if any exist, on environmental damage, or the logging practices used by the contractors in exchange for the nominal payment of \$1.66/ m³ CDN. Furthermore, one Lilwat research participant opined that this review process is inadequate, as the time allowed for Lilwat response to referrals is short, measured in forest operator timelines rather than in community timelines which require a longer period to adequately consult community members who hold ancestral knowledge about the territory (Researcher Field Notes, July 2017). Many First Nations throughout BC become overwhelmed by the number of referrals coming in from proponents of resource extractive developments in their territories (Penny, 2009).

However, as discussed in small groups with Lilwat research participants and in community meetings, the forest referral process does not give the Lilwat Nation a veto power over logging, despite the '4. No approval' decision in the blue box in Fig. 3. Moreover, the decision-making surrounding the forestry revenue sharing agreement that created the referral process was done by the BC forestry ministry without input from First Nations (Penny, 2009). According to a Lilwat research participant, in the case that a proposed forest operational plan for harvest in a block is rejected by the Lilwat Nation, the forestry company generally proposes another nearby block of similar timber value to harvest.

⁵ Though this language was later removed from the Forestry Revenue Sharing Agreements of other First Nations in BC, it remains in current agreements between Lilwat Nation and the Province of BC.

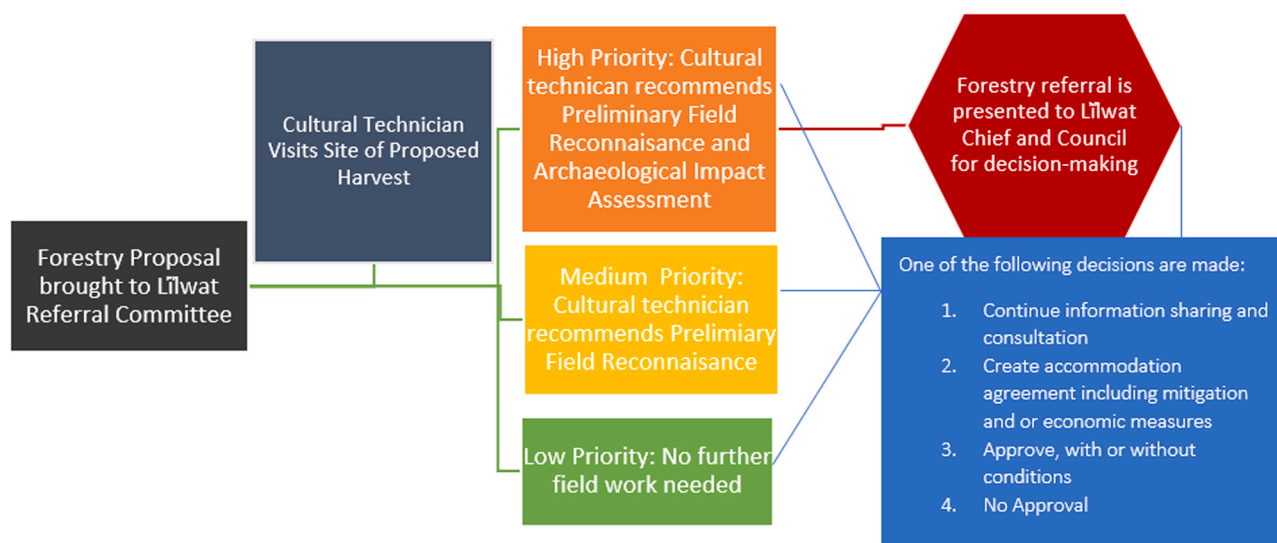


Fig. 3. Lilwat Nation's forestry referral process: Logging companies bring proposed logging plans to Lilwat Nation Referral Committee, who consider impacts of plans on cultural use areas, hunting and fishing grounds, medicinal plant areas, traplines etc. and issue permissions dependent on impacts of proposed plans.

Since 2016, companies are provided with a guide, the Lilwat Nation Botanical Resources Strategy (Lilwat Nation and Smith, 2016), which details cultural uses of non-timber forest resources and recommends strategies to avoid harm to these plants and materials. Forest companies are urged to consider this strategy in their harvest plans, which is proffered on a good-will basis. However, the referral committee members are also aware that the BC Government holds the final decision-making power (Researcher Field Notes June 2015). The proponent (license holder) is responsible to provide information detailing the referral activities with the Lilwat Referral Committee to the BC Government, who then determines if the activities fulfil the legal duties to accommodate Aboriginal interests (Province of British Columbia (BC), 2014). The BC Government informs both the Lilwat Nation and the project proponent of its final decision (Province of British Columbia (BC), 2014). At this point, a First Nation has only the option of costly litigation (taking the BC Government to court) to assess whether the government fulfilled its legal duties to consult and accommodate.

While quashing any potential blockading of forestry, the Forest Revitalization Plan and related forestry policies instead encourage First Nations' participation in the forestry sector. Since the forestry reforms of the early 2000s, there has been significant devolving of forest tenure rights to the Lilwat within the Soo TSA (Table 2). In contrast with 2000, when the Majors held 70% of the forest licenses (56% of the AAC), companies owned by First Nations now hold 51% of the licenses in the region (51% of the AAC) (Table 2). As detailed in Table 3, however, about half of the Lilwat licences are to 'non-replaceable' or small-scale, short-term licences to forest areas, and many of the licenses granted

rights to areas that had already been logged over, with the valuable timber being extracted by the Majors and only less valuable timber remaining.

TFL 38, the only TFL in the overlapping territories of the Lilwat and Squamish First Nations, was purchased from the plywood producer Empire Mills Ltd. by a Squamish Nation-owned company in 2003, giving the Squamish Nation more strategic decision-making power over their territory through for example, having exclusive power to dictate where logging takes place in the TFL, subject to Ministry approval.

Lilwat Forestry Ventures LP (LFV) has been managed under the Lilwat Business Corporations Department since 2006, at arms-length from the activities of the Band Council government. LFV currently holds four logging licenses with a total AAC of 70,000 m³ (Lilwat Nation, 2018). The company's licenses include a non-renewable forest license, a volume-based forest license and two woodlot licenses (Lilwat Nation, 2018), providing around 20% of the AAC for the Lilwat territory (as shown in Table 2).

The two area-based forest licenses held by LFV confer management responsibilities that include operational planning, road building, reforestation and environmental protection (BC Ministry of Forests, Lands and Natural Resource Operations (BC FLNRO), 2012), which the managers of the company shared during interviews are activities that are currently contracted out to local forestry sub-contractors, with the exception of reforestation which is done by LFV's crews (Researcher Field Notes June 2015). The company holds a non-exclusive right to log timber in the TSA, meaning that other companies may be operating in the same area. The replaceable licenses (one volume-based license and the two area-based Woodlot Licenses) are granted for longer terms of 20–25 years, and provide long-term certainty for investment in business planning, forest management and manufacturing. The non-replaceable license was granted as a short-term and small-scale concession meant to accomplish specific management goals (e.g. salvage harvesting of trees impacted by forest pests or fire). LFV's Woodlot License provides the company with an exclusive right to timber within a specific area of land. All silviculture activities on LFV licence areas were done by an external contractor until 2020. LFV managers hope to move these activities in-house (Researcher Field Notes November 2019). LFV is working with outside contractors to provide subsidized forestry training on the reserve for Lilwat community members, with the hope of preparing more community members for careers in forestry.

LFV has recently partnered with the nearby settler community in

Table 2

Apportionment of AAC in the Soo TSA in 2000 and 2019 by Licensee Type (Lilwat shown in brackets as a portion of the total First Nations-owned AAC) (Derived from data from BC Ministry of Forests, Lands and Natural Resource Operations and Rural Development Contracts (BC FLNRORD) (2019b)).

Company type	2000 AAC in cubic metres	% 2000 AAC	2019 AAC in cubic metres	% 2019 AAC
Majors	217,474	56	55,624	18
First Nations-owned (Lilwat-owned)	0	0	160,430	51
Small non-First Nations owned	0	0	(65,308)	(21)
	175,314	44	97,658	31
Total	392,788	100	313,712	100

Table 3

Apportionment of the AAC in the Soo TSA in 2000 and 2019 Forest Licenses (FLs) for First Nations-Owned Companies and the Majors (Biggest Forestry Corporations in BC) by replaceable FLs, Timber Sales Licenses under 1000 cubic metres and non-replaceable forest licenses (BC Ministry of Forests, Lands and Natural Resource Operations and Rural Development Contracts (BC FLNRORD), 2019b).

Percentage AAC assigned to First Nations-owned companies:				Percentage AAC assigned to the Majors			
2000		2019		2000		2019	
Replaceable FLs	0	Replaceable FLs	33	Replaceable FLs	73.5	Replaceable FLs	25
TSLs < 1000 m ³	0	Non-replaceable FLs	100	TSLs < 1000 m ³	0	Non-replaceable FLs	0
All Licenses	0	All Licenses	51.1	All Licenses	70.3	All Licenses	17.7

Pemberton to co-manage a CFA, the Spelkúmt Community Forest of nearly 18,000 ha and an AAC of 13,500 m³ and also co-manages the Cheakamus Community Forest with an AAC of 21,000 m³. CFAs are awarded to local community organizations and First Nations with the intention of fostering local values such as water quality, recreation, scenic values, and employment and skills development (Ambus and Tyler, 2007). Each CFA is allocated an AAC determined by the Chief Forester, which is negotiated with the community or First Nation proponent as part of the creation of the license. CFAs are area-based licenses, offering more comprehensive resource rights than other area-based forest licenses in BC, including the right to harvest, manage and sell non-timber forest products (Ambus and Tyler, 2007). CFAs are long-term licenses of 25- to 99-year terms, replaceable every 10 years, and are awarded without competition, but contingent on the development of a stewardship plan which must be approved by the Government.

The managers of LfV reported that they are currently in negotiation (2020) to obtain a First Nations Woodland License (FNWL) that would replace its five existing licenses and allow the company to control a fixed 120,000 ha and 70,000 m³ of the AAC in Lilwat territory. This license is being created from an amalgamation of areas previously operated by BC Timber Sales (a provincial government office) through volume-based licenses, and thus under control of the BC forest ministry. Many of these areas have already been logged, and the managers of LfV say that because of this, the value and volume of timber remaining makes it difficult to run a business. Like a CFA, FNWLs were developed in 2010 as an area-based license to guarantee long-term rights to harvest to First Nations. FNWLs are managed under Forest Stewardship Plans that are created by the license managers and approved by the provincial government. FNWLs are granted for 25–99-year periods and extend rights to non-timber forest products and to manage areas to protect culturally important plants, areas (such as traplines and hunting grounds) and spiritual areas. However, as we will discuss next, LfV experiences pressures to meet with cultural obligations and responsibilities when it comes to logging, particularly in old-growth forests, and must balance economic objectives with cultural and environmental outcomes.

4.3. Current forest policies as constraints for Lilwat Nation's involvement in the forestry sector

Several of the Lilwat research collaborators concurred that changes made by the BC Government and the BC forestry ministry to increase the participation of First Nations in the forestry sector have enabled LfV to secure greater say over a larger proportion (yet only still 20%) of logging concessions in Lilwat territory. LfV is one of the first Indigenous community-owned companies to be applying for a BC FNWL, as the most recent government statistics show only 13 other licenses of this type have been awarded across the province (BC Ministry of Forests, Lands and Natural Resource Operations and Rural Development Contracts (BC FLNRORD), 2018a, 2018b). After decades of struggling to have a say over resource extraction in the territory, First Nations-owned companies now hold 33% of long-term 'replaceable forest licenses' in the Soo TSA (Table 3).

During interviews, a few participants emphasized the benefits of having forestry revenues to finance community programming and

institutions, such as the Lilwat Health and Healing Centre, the Lilwat Community Farm and the Tszil Post-Secondary college that opened in 2018 on the reserve. These participants underlined the importance of having revenues that are not derived directly from the BC and Canadian governments. These revenues allow the Nation to partake in activities that work towards self-determination (for example, education, food security and control of their own health system). According to one research participant, "How can we [the Lilwat Nation] be sovereign when all of our funding comes from the BC and Canadian governments? We need to think about a future where we don't rely on these governments, and [revenues from] forestry is one way that we can do that."

Though forestry is a way for the Nation to access economic independence, speakers at the Lilwat Annual General Meetings in 2017 and 2018, as well as at community meetings related to Inherent Indigenous Rights, spoke of how the Lilwat Nation is not being invited to participate in a meaningful way in high-level decision-making. This theme provides the basis of the next major finding of this study: the idea that though forestry policy changes do create new opportunities for the Lilwat Nation, they also currently constrain the more robust involvement of Lilwat Nation in the management of their territories in accordance with cultural norms and customs.

Interviews, small group discussions and field visits with Lilwat research participants show how BC's historic 'top down' governance system of resource development by senior levels of government and corporations is being replaced by local actors like LfV and their sub-contractors and community partners, who are "vital for creating desired community futures" (Hayter and Nieweiler, 2018: 83). Lilwat research participants discussed their awareness that the BC Government has effectively camouflaged its direct role and participation in situations where the Nation might be opposed to logging. It has done this by foisting onto the Band Council the responsibility of overseeing forestry consultation processes. These delegated duties are conditionally funded by the percentage of stumpage paid to the Band Council. While the sums involved represent a minor amount to the Province which earned \$1.4 billion CDN in 2018/19 from 'Natural Resource Revenue from Forests', these amounts are critical for Band Councils to use to defray the costs for long-standing internal and external negotiations over resource conflicts (Statistics Canada, 2019).

Even in this increasingly decentralized system of forestry however, the BC Government holds the majority of decision-making power over land tenure in Lilwat territory, as it claims ownership to all the public forests of the province, has the final say in land use decision-making processes, owns and sets the terms of all resource licenses with minimal consultation with First Nations on high-level decisions and approves all transfers on public land tenures (BC First Nations Forestry Council (BC FNFC), 2019). Lilwat forest managers shared how the operational rights of LfV as a licensee mean that the company is granted rights to manage and use the land in compliance with provincial regulations specific to the type of forest licenses, whereas in the BC forestry ministry retains the majority of strategic decision-making powers (Multiple Researcher Field Notes, 2015–2020). The BC forestry ministry has the final say on determining the AAC, determines annual rents and fees, oversees compliance and enforcement duties and cultural and socio-economic analyses, with no input from license holders (Forsyth, 2006). All forest licensees must adhere to rules under the *Forest and*

Range Practices Act (2002), the *Forest Act* (1996), the *Wildlife Act* (1996) and the federal *Fisheries Act* (1985). These forestry regulations constrain the rights held by LFV or any equivalent forest tenure holder. Though the Lilwat Nation can make counterproposals for logging through the referral process in specific areas within their territory, the final decision on the AAC and forest policies lies with the Province. Moreover, LFV struggles to remain profitable as the company is treated like any other Major licensee, with no breaks on stumpage rates for higher costs on engineering and silviculture than the larger companies who benefit from economies of scale, and no rebate for practicing environmentally- or culturally- protective forestry. According to LFV managers, BC forestry regulations set up a scenario where forestry companies make the majority of their revenues from wood products processing. However, the size and quality of the licenses granted to LFV make it virtually impossible to consider opening a processing facility, not to mention sourcing the sunken costs required to build and train workers to run such a facility.

The LFV managers shared that rather than developing new and innovative ways to manage forests for multiple values, the Forestry Revenue Sharing Agreement and the economic constraints of being a small forestry business prohibit companies from innovating from business-as-usual logging practices, though they also indicated that sustainable and culturally-focused innovations would raise the community's acceptance of logging in the territory. It is well documented that the current *Forest and Range Practices Act* policies lack measurable objectives or progress indicators and largely fail to inspire industry innovation (Hoberg et al. 2016), so presumably this issue is not unique to Lilwat and possibly is experienced by other small license holders in the province. The LFV Managers say that many smaller First Nations, including neighbouring Stát'yemc Nations, are smaller, with less AAC and thus are more restricted than the Lilwat Nation in engaging in forestry. Though in theory Lilwat Nation could work with the neighbouring Stát'yemc Nations, the relationship between Nations is set up by the BC Government in such a way in way that they are competing over forest licenses and asserted jurisdiction, especially in overlapping Territories where the government splits the forestry revenues between Nations. Therefore, while First Nations like the Lilwat Nation are well positioned to lead in developing sustainable innovations in the forestry sector, they are being prevented to do so by current government policy processes and regulations.

What is evident from the qualitative interviews, small group discussions and community meetings is that logging is only one small piece of what constitutes the Inherent Rights of the Lilwat Nation. The Inherent Rights of the Lilwat Nation are defined as rights that have always existed, that are collective communal rights that predate the arrival of settlers in Lilwat, that were granted by the Creator and are intrinsic to the Lilwat people and their territories (Lilwat Nation 2017b). From 2017, the Lilwat Nation has been involved in an ongoing process to replace the Band Council system with a governance system called the Inherent Rights Governance System. What this new system will look like has yet to be determined. Speakers and discussions at the 2018 and 2019 Lilwat Inherent Rights Community Meetings spoke of how it will more closely resemble a system led by hereditary leaders, which in Lilwat are not akin to the hereditary Chiefs of nearby Coast Salish First Nations, but more akin to heads of families—respected Elders who are endowed with a collective confidence in their leadership and decision-making abilities that will benefit the collective good of the people. The Inherent Rights Governance System is centered around several main concepts, including I Uwalmicwa (the people), Ucwalmicw Tmicw (the people and the land as one), Nxełmín (oral and community laws), Tsuwalhkcaw Tmicw (our control over the land) and Skel7áwlh (leaders on the land). This system includes both the internal governance structures and institutions of the Nation, as well as the laws, policies and terms by which Lilwat7ul relate with the land. The Inherent Rights Governance System is expected to replace the Band Council system in the coming years, and it is intended to improve the Lilwat Nation's ability to govern and make decisions and

protect their Inherent Rights based on their own terms, and not those set under the Canadian *Indian Act*.

Some Lilwat research participants question how the BC Government's stated commitments to UNDRIP, the Truth and Reconciliation Commission's Calls to Action and *Tsilhqot'in* Decision will impact the devolution of rights to land and decision-making from the Province to the Nation (Multiple Researcher Field Notes, 2015–2020). What is key when considering the BC Government's willingness and ability to devolve land use decision-making to First Nations, or to adequately commit to a Government-to-Government decision-making process based in good faith, are the commitments of the government to the Majors. In addition to creating new opportunities for First Nations and local communities to purchase logging concessions, the neoliberal forestry reforms from 2003 have strengthened the (strangle)hold of the Majors in BC's natural resources sectors. In 2018, the five largest licensees controlled 59% of the Province's AAC and 65% of the larger timber milling capacity (BC MFLNRORD 2018b). According to the LFV managers, it is a long-term goal of the company to open their own mill (Researcher Field Notes June 2015). However, the company is not yet well-positioned to begin the planning stages to do so, and it will likely be some time yet before the company looks more seriously into the feasibility of local wood products processing. Pinkerton et al. (2008) noted that most small operators had to sell their raw logs to the oligopsonistically-positioned majors, and thus had little control over prices. Nothing had changed a decade later.

Critiques of BC's forestry regime have noted that BC's professional reliance system of governance, wherein project proponents hire their own contractors to ensure compliance with regulation, as well as the government's reliance on forestry companies for contributing to the government's coffers, prohibit the government from effective evidence-based governance wherein regulations are clear, enforceable and insulated from industry pressure (Smith et al. 2016, Rajala, 2006). Because of the BC Government's reliance on the forestry industry to contribute to the economy of the province, changes in land management that favour the Inherent Rights of First Nations commonly stem from decisions made in the judicial system, rather than the regulatory system. However, as First Nations like the Lilwat Nation become increasingly capable of becoming players in the forest industry and organizing systems of governance that align better with cultural ways of being, these communities are now better positioned to engage in government-to-government decision-making and lobby for a larger suite of property rights to their territories.

5. Conclusions

This paper has analyzed changes in BC forestry policy and their impacts on the Lilwat Nation's involvement with logging and the forestry sector based on qualitative information from Lilwat co-researchers and research participants. In synthesizing relevant themes from extensive fieldwork, this study conceptualizes forestry within discourses about Indigenous Inherent Rights. The specific themes presented and analyzed include: local histories as contextualizing modern engagements between First Nations and a colonial forestry regime; the creation of new economic opportunities for First Nations like Lilwat through the devolution of logging rights; and constraints that the settler forestry regime put on First Nations who have Inherent Rights that are constitutionally-protected and are much broader than those recognized within BC provincial forestry policy.

The BC settler government had achieved its land grabbing of Indigenous territories by the end of the 19th century through (il)legal subterfuges like pre-emption and forced removal of populations. Although displaced to a corner of their territory, the Lil'wat Nation neither assimilated nor accepted the *status quo*. Furthermore, they never let go of their Inherent Indigenous Rights, set out in various forms, including the 1911 Declaration of the Lillooet Tribes. After the end of the Second World War, the territory was carved up and parcelled out among

industrial loggers, with Lilwat participation in forestry being limited to operational roles (hand-logging) rather than managerial positions. The Lilwat Nation, like other First Nations in BC, recreated spaces for the pursuit of their Indigenous self-determination through various strategies, from court cases to sustained blockading of road access. After 2005, the Nation also took advantage of the economic opportunities opened up by the New Relationship policy. By 2016, they held long-term logging licences to 21% of the volume in their traditional territory. However, the BC Government devolved responsibility to the Nation to manage all community concerns regarding industrial logging operations in exchange for a small percentage of the taxes paid by industrial loggers on their territory. The Lilwat Nation has some operational and management authority over the areas covered by logging licences held by LFV; the Ministry of Forestry retains all higher-level tactical and strategic decision-making authority. Yet, the five years of research confirm that the Lilwat Nation has not been co-opted, its member being fully cognizant of the terms of engagement set by the BC Government. The Lilwat Nation's long-term strategy is set down in forms recognized by settler government such as their LUP (2006); but more importantly in their steadfast adherence to Lilwat beliefs, values and culture to take care of the land for generations to come.

CRediT authorship contribution statement

Tonya Smith: Conceptualization, Methodology, Validation, Formal analysis, Investigation, Resources, Data curation, Writing - original draft, Writing - review & editing, Visualization, Supervision, Project administration, Funding acquisition. **Janette Bulkan:** Conceptualization, Methodology, Validation, Formal analysis, Data curation, Resources, Writing - review & editing, Supervision, Project administration, Funding acquisition.

Declaration of interest statement

Conflicts of Interest: None.

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References

- Ambus, L., Tyler, S., 2007. Big expectations for small forest tenures in British Columbia. *J. Ecosyst. Manag.* 8 (2), 46–57.
- BC First Nations Forestry Council (BC FNFC), 2019. BC First Nations Forest Strategy: Implementation Plan (Draft). June 2019: (<https://www.forestrycouncil.ca/cpages/forest-strategy-public>).
- BC Hydro, 2020. Bridge River. (https://www.bchydro.com/community/recreation_areas/bridge_river.html).
- BC Ministry of Forests, Lands and Natural Resource Operations and Rural Development Contracts (BC FLNRORD), 2019a. Stumpage: (<https://www2.gov.bc.ca/gov/content/taxes/natural-resource-taxes/forestry/stumpage>).
- BC Ministry of Forests, Lands and Natural Resource Operations and Rural Development Contracts (BC FLNRORD), 2019b. Apportionment System. TSA AAC, Apportionment and Commitments. Soa TSA South Coast Natural Resource Region. (https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/forestry/timber-tenures/apportionment/2019-2020/aptr011_soa.pdf).
- BC Ministry of Forests, Lands and Natural Resource Operations and Rural Development Contracts (BC FLNRORD), 2018a. Issued First Nations Woodland Licenses. (https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/forestry/timber-tenures/first-nations-woodland-licence/issued_fnwl_tracker.pdf).
- BC Ministry of Forests, Lands and Natural Resource Operations and Rural Development Contracts (BC FLNRORD), 2018b. Major Primary Timber Processing Facilities in British Columbia Timber Operations, Pricing and First Nations Division. Victoria, BC. (<https://www2.gov.bc.ca/gov/content/industry/forestry/competitive-forest-industry/forest-industry-economics/fibre-mill-information>).
- BC Ministry of Forests, Lands and Natural Resource Operations (BC FLNRO), 2012. Timber Tenures in British Columbia: Managing Public Forests in the Public Interest. June 2012: (https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/forestry/timber-tenures/timber_tenures_brochure_2012.pdf).
- BC Ministry of Lands and Forests (BC MLF), 1961. Tree Farm License 38: License 1: (<https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures/timber-harvesting-rights/tfl/tfl-38>).
- BC Treaty Commission, 2019a. "Frequently Asked Questions: Treaties and Negotiations." BC Treaty Commission website: (<http://www.bctreaty.ca/faq>).
- BC Treaty Commission, 2019b. "Lands and Resources". BC Treaty Commission website: (<http://www.bctreaty.ca/land-and-resources>).
- Beaudoin, J., Bouthillier, L., Bulkan, J., Nelson, H., Wyatt, S., 2016. What does "First Nation deep roots in the forests" mean? Identification of principles and objectives for promoting forest-based development. *Can. J. For. Res.* 46, 508–519.
- Bridge, G., McCarthy, J., Perreault, T., 2015. Introduction. In: Bridge, G., McCarthy, J., Perreault, T. (Eds.), *The Routledge Handbook of Political Ecology*. Routledge, Oxford, pp. 3–18.
- Bulkan, J., 2016. UNDRIP endorsed by Federal Canada: Consequences for the BC Forest Sector. BC Forest Professional, (September–October). (http://member.abcfp.ca/web/Files/magazine/BCFP_2016_SepOct.pdf?WebsiteKey=4b6af123-da4f-4a97-a963-579ada9e5955&=404%3Bhttp%3A%2F%2Fmember.abcfp.ca%3A80%2FWEB%2Fbcfp%2FFiles%2Fmagazine%2FBCFP_2016_SepOct.pdf).
- Carlson, K., 2001. Stó:lō Migrations and Shifting Identities: 1782–1900. Chapter 9, pg. 32. A Stó:lō Coast Salish Historical Atlas. University of Washington Press, p. 192.
- Christie, G., 2015. Who makes decisions over Aboriginal title lands? *UBC Law Rev.* 48 (3), 743–792.
- Clogg, J., 2003. Provincial Forestry Revitalization Plan- Forest Act Amendments. Impacts and Implications for BC First Nations. West Coast Environmental Law Occasional Paper Series,, Vancouver, British Columbia. August 2003. (<https://www.wcel.org/publication/provincial-forestry-revitalization-plan-forest-act-amendments-impacts-and-implications>).
- Crompton, J., 2006. Prisoners of Democracy: The Lilwat's Right to an Impartial Tribunal. An Analysis of the Lillooet Lake Roadblock Case. University of British Columbia,, Vancouver, British Columbia (Unpublished Doctoral Dissertation). (<https://open.library.ubc.ca/cIRcle/collections/ubctheses/831/items/1.0077738>).
- Curran, D., Gougeon, M., 1999. Aboriginal forestry: community management as opportunity and imperative. *Osgoode Hall Law J.* 37 (4), 711–774.
- Decker, F., Fougberg, M., Ronayne, M., 1977. Pemberton: the history of a settlement. Pemberton. Pemberton Pioneer Women,, British Columbia.
- Edenhoffer, K., Hayter, R., 2013. Reprint of "Organizational restructuring in British Columbia's forest industries 1980–2010: the survival of a dinosaur". *Appl. Geogr.* 45, 375–384.
- Ekers, M., 2018. Financiers in the forests on Vancouver Island, British Columbia: on fixes and colonial enclosures. *J. Agrar. Change* 19, 270–294.
- Forsyth, J., 2006. The balance of power: assessing conflict and collaboration. Aboriginal Forest Management. University of British Columbia,, Vancouver, British Columbia (Unpublished Doctoral Dissertation). (<https://open.library.ubc.ca/cIRcle/collections/ubctheses/831/items/1.0302197>).
- Harris, C., 2002. Making Native Space: Colonialism, Resistance and Reserves in British Columbia. University of British Columbia Press,, Vancouver, British Columbia.
- Harris, L., 1977. Halfway to the Goldfields: A History of Lillooet. J.J. Douglas Ltd., Vancouver, British Columbia.
- Hayter, R., 2004. The contested restructuring qua remapping of British Columbia's Forest economy: reflections on the 'Crossroads' and 'War in the Woods' metaphors. *Can. J. Reg. Sci.* XXVII 3 (Autumn 2004), 395–414.
- Hayter, R., Nieweiler, S., 2018. The local planning-economic development nexus in transitioning resource-industry towns: reflections (mainly) from British Columbia. *J. Rural Stud.* 60 (March), 82–92.
- Hayter, R., Barnes, T., 2012. Neoliberalization and its geographic limits: comparative reflections from forest peripheries in the Global North. *Econ. Geogr.* 88 (2), 197–221.
- Hoberg, G., Malkinson, L., Kozak, L., 2016. Barriers to innovation in response to regulatory reform: performance-based forest practices regulation in British Columbia. *For. Policy Econ.* 62, 2–10.
- Junger, R., 2019. B.C.'s new UNDRIP act – more questions than answers. *Vanc. Sun.* Dec. 19, 2019. (<https://vancouversun.com/opinion/op-ed/robin-junger-b-c-s-new-undrip-act-more-questions-than-answers>).
- Kardos, L. and J. Rodney, 1997. Tree Farm License No. 38: Proposed Management Plan No. 8. (<https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/forestry/timber-tenures/tree-farm-licence/management-plans/tfl-38-00-mnmgmt-plan-8.pdf>).
- Kovach, M.E., 2010. Indigenous Methodologies: Characteristics, Conversations, and Contexts. University of Toronto Press,, Toronto, ON.
- Leo, M., Nelson, S., Joseph, L., Bruce, M., Bruyere, L., Wallace, S., Williams, T., 2006. Lilwat Research Protocol S7istken: Handbook for Researchers. Lilwat Nation,, British Columbia.
- Lilwat Nation and the Province of British Columbia (BC), 2019. Lilwat Nation Forest Consultation and Revenue Sharing 1-year Renewal Agreement. Lilwat Nation (Mount Currie Indian Band) Forestry Agreements: (<https://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/consulting-with-first-nations/first-nations-negotiations/first-nations-a-z-listing/lil-wat-nation-mount-currie-indian-band>).
- Lilwat Nation, 2018. Emahaka: Change. Lilwat Nation Annual General Report. Lilwat Nation,, Mount Currie, British Columbia. (<https://lilwat.ca/wp-content/uploads/2018/10/Lilwat-Nation-AR18-final-LR-1.pdf>).
- Lilwat Nation, 2017a. What is the Lilwat Land and Resource Referral Process? (<https://lilwat.ca/wp-content/uploads/2017/02/Lilwat-Referral-Process.pdf>).

- Lilwat Nation, 2017b. 2017 Inherent Rights Workshop Summary. <https://lilwat.ca/wp-content/uploads/2017/11/Inherent-Rights-Workshops-Executive-Summary-Version-2-FINAL-1.pdf>.
- Lilwat Nation, 2016. In: Smith, T. (Ed.), Lilwat Nation Botanical Resource Strategy. Lilwat Nation, Mount Currie, British Columbia.
- Lilwat Nation, 2015. Community Land Use Plan. Lilwat Nation, Mount Currie, British Columbia. <http://lilwat.ca/wp-content/uploads/2016/01/LIL-LUP15.pdf>.
- Lilwat Nation, 2008. Lilwat Nation—A Fact Book. Lilwat Nation, Mount Currie, BC.
- Lilwat Nation, 2006. Lilwat Land Use Plan Phase 1. Aug 1, 2006. Lilwat Nation, Mount Currie, BC.
- Lilwat Nation and the Province of British Columbia (BC), 2005. Lilwat First Nation Forest Agreement. https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/consulting-with-first-nations/agreements/forestry-agreements/mt_currie_fra_agreement_feb05.pdf.
- Marchak, P., 1992. "Global markets in forest products: sociological impacts on Kyoto Prefecture and British Columbia interior forest regions". In: Nemetz, P. (Ed.), Emerging Issues in Forest Policy. University of British Columbia Press, Vancouver, British Columbia.
- McGregor, D., 2011. Aboriginal/non-aboriginal relations and sustainable forest management in Canada: the influence of the Royal Commission on Aboriginal Peoples. *J. Environ. Manag.* 92 (2), 300–310.
- McGregor, D., 2002. Indigenous knowledge in sustainable forest management: community-based approaches achieve greater success. *For. Chron.* 78(6), 833–836.
- McNeil, K., 2016. Indigenous territorial rights in the Common Law. *Osgoode Leg. Stud. Res. Pap. Ser.* 12 (13), 1–50.
- Nemoto, A., 2002. Dynamics of aboriginal land use institutions: the rise and fall of community control over reserve systems in the Lilwat Nation, Canada. *Can. J. Nativ. Stud.* 22 (2), 207–237.
- Parfitt, B., 2017a. Raw logs and lost jobs: how a company's 'Value-Added' plans mean more log exports. *The Tyee*. https://thetyee.ca/Opinion/2017/02/28/Raw-Logs-Lost-Jobs/?utm_source=daily&utm_medium=email&utm_campaign=280217.
- Parfitt, B., 2017b. The great log export drain. Canadian Centre for Policy Alternatives. <https://www.policyalternatives.ca/publications/reports/great-log-export-drain>.
- Parfitt, B., 2016. Comment: leadership needed to revitalize forestry industry. *Times Colonist*. <http://www.timescolonist.com/opinion/op-ed/comment-leadership-needed-to-revitalize-forestry-industry-1.2355709>.
- Parfitt, B., 2015. Here's how cutting log exports could create B.C. jobs. *The Province*. <http://theprovince.com/business/ben-parfitt-heres-how-cutting-log-exports-could-create-b-c-jobs>.
- Penny, M., 2009. Best practices for consultation and accommodation. <http://www.newrelationshiptrust.ca/wp-content/uploads/2017/04/consultation-and-accommodation-report.pdf>.
- Pinkerton, E., Heaslip, R., Furman, K., Silver, J., 2008. Finding "space" for co-management of forests within the neo-liberal paradigm: rights, strategies, tools for asserting a local agenda. *Hum. Ecol.* 36 (3), 343–355.
- Province of British Columbia (BC), 2014. Guide to Involving Proponents When Consulting First Nations. <https://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/consulting-with-first-nations>.
- Rajala, R., 2006. Up-Coast: Forest and Industry on British Columbia's North Coast, 1870–2005. University of British Columbia Press, Victoria, British Columbia, p. 2006.
- Rajala, R., 1998. Clear-cutting the Pacific Rainforest: Production, Science, Regulation. University of British Columbia Press, Victoria, British Columbia, p. 1998.
- Simpson, L.B., 2017. Conclusion: Toward Radical Resurgent Struggle. As We Have Always Done: Indigenous Freedom through Radical Resistance. University of Minnesota Press, Minneapolis, MI, p. 241.
- Smith, T., K. Gibbs, A. Westwood, S. Taylor and K. Walsh, 2016. Oversight at Risk: the State of Government Science in British Columbia. Evidence for Democracy. <https://evidencefordemocracy.ca/sites/default/files/reports/oversightatrisk.pdf>.
- Statistics Canada, 2019. Canadian International Merchandise Trade Database. <https://www5.statcan.gc.ca/cimt-cicm/section-section?lang=eng&dataTransformation=0&refYr=2014&refMonth=8&freq=6&countryId=999&usaState=0&prodId=1&retrieve=Retrieve>.
- Stăyemc Chiefs Council, 1911. Declaration of the Lillooet Tribe. Lillooet Tribal Council website: <http://www.statimc.net/declaration-of-the-lillooet-tribe/>.
- Tsilhqot'in Nation, 2015. Summary of the Tsilhqot'in Aboriginal Title Case (William Case) Decision. Tsilhqot'in National Government, Williams Lake, British Columbia. http://www.tsilhqotin.ca/Portals/0/PDFs/2014_07_03_Summary_SCC_Decision.pdf.
- United Nations, 2007. United Nations Declaration on the Rights of Indigenous Peoples: <https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html>.
- Williams, B., 2018. Restoring Forestry in BC. The Story of the Industry's Decline and the Case for Regional Management. Canadian Centre for Policy Alternatives, Vancouver.
- Wood, P., Rossiter, D., 2011. Unstable properties: British Columbia, Aboriginal title, and the "New Relationship". *Can. Geogr.* 55 (4), 407–425.
- Wyatt, S., 2008. First Nations, forest lands, and "aboriginal forestry" in Canada: from exclusion to comanagement and beyond. *Can. J. For. Res.* 38, 171–180.
- Wyatt, S., Hébert, M., Fortier, J., Blanchet, É., Lewis, N., 2019. Strategic approaches to Indigenous engagement in natural resource management: use of collaboration and conflict to expand negotiating space by three Indigenous nations in Quebec, Canada. *Can. J. For. Res.* 49 (4), 375–386.
- Young, N., 2008. Radical neoliberalism in British Columbia: remaking rural geographies. *Can. J. Sociol.* 33 (1), 36.
- Young, N., Matthews, R., 2007. Resource economies and neoliberal experimentation: the reform of industry and community in rural British Columbia. *Area* 39 (2), 176–185.