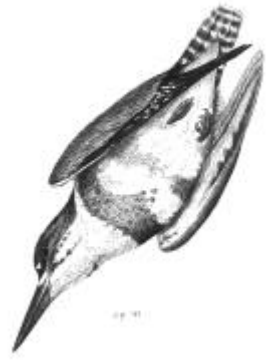


The Kingfisher



*Issue 6 Winter / Spring 2003 \$3.50 members free
LTA The Land Trust Alliance of British Columbia*



Spreading the news about conserving B.C.'s natural and cultural diversity

**The Mission of the LTA
Land Trust Alliance of British
Columbia**

is to provide education, research and support services which strengthen the objectives of land trusts, conservancies and other agencies, organizations and individuals dedicated to preserving and enhancing the quality of our natural and cultural heritage for all time.

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Volume 6, January 2003

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Many thanks for their contribution to our many programs and for enabling us to bring you the news of how BC's land trusts are protecting our natural and cultural legacy for all time.



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And our wonderful members, land trusts, conservancies & other individuals & donors helping to protect & enhance our cultural & natural diversity for all time

Denman Island

A ten year campaign to protect a special forest

- by Anne DeCosson

The Lindsay-Dickson forest on Denman Island is finally protected. After ten long years of negotiation, crises, set backs, and nail biting the 54 hectares are now owned by the Island Trust Fund, protected by a covenant, and managed with a joint agreement by the Trust and Denman Conservancy Association; BUT the outcome has not come about without some costs.

Just prior to the final purchase and land transfer by the government in early 2001, part of the land was logged and much of the tall canopy of majestic 2nd growth fir trees was taken. Despite this agonizing set back and the attendant anger and frustration, the basic forest remains; we (Denman Islanders) know that the forest will fill in and the smaller trees will grow quickly with the increased light and space.

The story is really one of patience and perseverance over time, and as I write this I ponder a bit on the time that has passed. When I first started to get involved with this project my kids were 11, 7 & 5, and I was realizing that the youngest was soon off to full time school. It was time for me to become engaged with the larger world. Why not start with a project very close to home? Give it a few years, I thought, and I would be on to other things farther afield. One seasoned activist at the time ventured to warn me that these kinds of projects often take time, and did I have ten years to spare? My response was utter disbelief mixed with a fair amount of "we'll show you!" Well, he was right and the saga of saving this land was linked closely to many changes, not the least being that my youngest is now in grade 12, and I contemplate new passages.

Work started in earnest on purchasing and protecting the Lindsay-Dickson property in 1990. However, as far back as 1984 a local Island Trustee,



Glen Snook, had raised the issue to local ratepayers: a large treed property on the east side of the island, which islanders held dear to their hearts might be available. They approached the Lindsay-Dickson family with little response. Again in 1989 a small ad hoc group formed to talk to the family as some issues around the estate and property were finally being settled. Again there was no response and it was time to become more official, more organized, and more focused. In 1990 the Denman Conservancy was formed and the members were in favour of purchasing the land.

Paul Bailey Another initial project of the Denman Conservancy Association, the 10 hectare Inner Island Nature Reserve, became an early success story which spurred DCA on to becoming a non-profit society and into believing it could accomplish a large project such as purchasing the Lindsay-Dickson Forest. This early success led most people to believe the Lindsay-Dickson project would be completed within a few years if not months.

An offer of four hundred thousand dollars was made by the DCA for the property in 1991. It was turned down and a new player surfaced. Richard Schellinck, a Courtenay logger, was also interested in the property. His offer was accepted by some members of the Lindsay-Dickson family; however one family member held out in favour of the conservancy offer. For two years a legal battle raged between family members and later Richard Schellinck. Board members were suddenly immersed in the intricacies of estate and family law. Unfortunately for the Conservancy, in 1993 Richard and Cheryl Schellinck became the new owners of the land, and by 1994 nearly all damages and outfall

from the case had been settled. It was becoming clear that this was a bigger and longer project than expected.

Meanwhile the DCA board members had been busy educating themselves and others about the uniqueness of the property as well as starting the long and tedious outreach process to persuade others, off islanders, that this property warranted attention and purchase funds.

The Conservation Data Centre, part of the Ministry of the Environment, had been contacted in 1992. Their report showed that the property was a high quality example of the CDF (Coastal Douglas Fir Biogeoclimactic) zone, a zone that has been rapidly and thoroughly chopped up, paved over, built upon and populated in the last few years to the point that little natural remnants are left. There were also plant associations that were rare and under-represented in the other preserved areas; and the forest itself was a prime example of maturing 2nd growth fir with a few old growth veterans.

Dave Fraser, a DCA board director and an experienced activist and very energetic senior took on publicizing this issue. With some help, but mainly fuelled by his own energy, the plight of the CDF zone and this particular forest became news worthy, appearing on the front page of a section of the Sun amongst other publications.

As the hard data in favour of protecting this property increased, it became easier for the DCA to outreach and meet with outside interested parties. The Nature Trust of BC, The Nature Conservancy of Canada, Ecological Reserves, B.C. Parks, Regional Parks, and the Pacific Marine Heritage Fund all expressed support in some way. Although they walked the property and were impressed, it became clear that everyone was cash strapped. The provincial government itself was our only resort. We explored issues of purchase and land swap with them. In 1994, thanks to continued efforts of MLA Margaret Lord and then Environment minister Moe Sihota, the provincial government agreed to offer 1.7 million to Richard Schellinck, with DCA

agreeing to pay a portion. The offer was turned down, as Mr Schellinck insisted on a land swap, and again the Conservancy realized that the door to more work and time had opened again.

The next six years were spent in meetings and phone calls creating deals and counter deals in search of a suitable land trade. New players

emerged as lands for trade were identified and ultimately rejected by one or other of the parties involved. DCA board directors Des Kennedy, George Ferry and Juan Barker were all both determined and tireless in their pursuit of success, despite the failure of possible deals. Persistence and a certain 'doggedness' of character became our mainstay over these years.

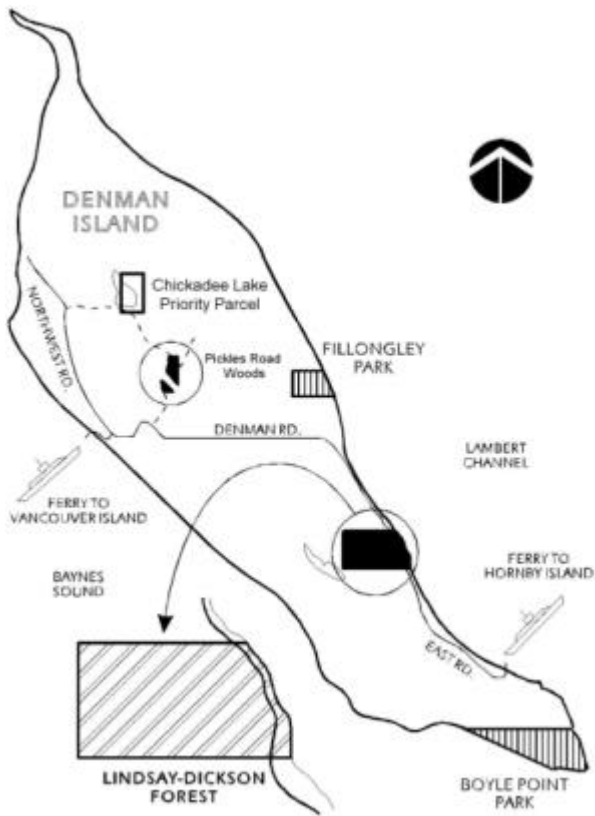
In total the roller coaster ride continued through six ministers of the environment. From some we received full support and letters of encouragement, while others were less active in their support. We met and corresponded with each one. We

verged on harassment as we continuously phoned the land management branch of the Ministry of the Environment. We met and talked with Mr Schellinck continually and turned what had started out as an acrimonious relationship into a relationship of cautious trust. Several board members honed their anger management and mediation skills during phone calls and meetings!

Finally in 2001 the government was galvanized into action by actual logging on the property and continued island pressure. Time was running out for the NDP and Denman Islanders knew the project would lose a lot of ground if we had to start all over again with a new government. Also, from 1997 –2000 islanders had been devastated by the rapacious logging of 1/3 of the island and the Lindsay Dickson property had become an even more important forest remnant than in 1990. "Under this pressure, and knowing that no trade could work for everyone, a relatively suitable land trade property on Quadra Island was finally found and the deal was signed."



Richard Schellinck



This successful final outcome was really thanks to dedicated DCA board members and the Denman community. The community at large could be counted on to write letters, phone ministers and journalists, and demonstrate when the going got really tough. The board members hung in there through thick and thin, through the almost deals and the dashed hopes. Time taught us all a lot... mostly patience!

The Lindsay Dickson Nature Reserve is located on the east side of Denman Island and it stretches from the foreshore inland to its southwest corner near Graham Lake. There are approximately 1000 meters of rocky foreshore with mink and otter caves. East Road winds through the property close to the shore giving traffic a beautiful tree-canopied respite from close by subdivisions. Trails are being developed along a few of the logging 'roads' and the log landing site will be left to regenerate naturally. As a nature reserve this fine property will be primarily untouched allowing people a quiet and gentle walk through nature to enjoy the birdsong and to watch the forest as it fills in and slowly changes over the years to come.

TWO-DAY TRAINING WITH JOSEPH CORNELL

The Cowichan Community Land Trust is sponsoring a training workshop with world-renowned nature educator and author Joseph Cornell. He will present a two-day experience in teaching nature awareness at the Cowichan Lake Education Centre on Vancouver Island on March 28 to 30, 2003. Cornell's personal warmth and knowledge creates an exciting atmosphere for learning. His first book, *Sharing Nature with Children*, sparked a worldwide revolution in nature education and his highly acclaimed six-book series *Sharing Nature* has become a standard resource for educators, naturalists, and parents everywhere.

Attendance at the workshop is limited and it is filling up fast. The cost for the workshop is \$200 plus \$138 for two nights accommodation and all meals. Reservations will be accepted with a \$50 deposit. Contact the Cowichan Community Land Trust, phone: 250-746-0227, fax: 250-746-9608, email: cclt@island.net.

More detailed information is available at www.sharingnature.com, www.uniserve.com/cownet/townlc, and www.island.net/~cclt.

Walking Eye to Eye with Nature

An interview with wildlife photographer Jonathan Grant

written by Sheila Harrington



Photo: Jonathan Grant
Sage Grouse

When I drove up to begin my interview with Jonathan Grant, he met me at my car. He told me he'd just been up to help his neighbour, whose chickens were being killed by what he thought was a racoon. Jonathan said, "I could tell it was a mink, as the chickens' heads were off. That's what they do," he said. "They drink the blood. I offered him a live trap, which he can use to transport it out to somewhere like Burgoyne Bay. They have a right to life too."

Before he ever got behind the lens of a camera, Jonathan walked eye to eye with nature and all her creatures. Conceived in India, where the Grant clan has some history, he was actually born in Southampton, England. In his youth, he spent much of his free time walking the Munros, a group of 147 mountains in Scotland. "From the tops one can see for miles," he explained. "I have always loved open spaces." He has more relatives in Grantown, Scotland, where he recently revisited, which was originally built to keep the clan from dispersing."

But disperse he did as he came to Canada in 1959. He told me that he chose Canada because he saw it as the land of opportunity. And for Jonathan and his

future Canadian wife Michelle, it really turned out that way.

In Ontario, he was hired by the London Free Press, where he worked in all departments, including a radio and television station the company owned at the time. Ernie Lee, one of the paper's senior photographers recognized his eye, and started mentoring Jonathan in the techniques of the camera. But the artistic composition for which he is renowned, he says came originally from his artistic family (whom he claims are all better than him) and his study of the great painters.

His intimacy with nature is his real inspiration. "As a kid, I loved all the creatures, and had a particular affinity to get them to trust me. I lived in a house

once, where a robin would sit on my shoulder. It would bang on my window until I would open it. In the mornings, he would come in and pull my earlobe to waken me. The same thing happens here," he said. "Chickadees and nuthatches will come and sit all around me."

He attributes his initial naturalist training to an old Scottish ranger, Bill Duncan, who taught him intricacies such as knowing the location of a weasel by the behaviour of rabbits. He learned more of his extensive wildlife knowledge from an Oneida elder, Joe Snake, in south western Ontario.

Moving from the newspaper business to an advertising agency, Grant established his name in wildlife photography, completing a poster project for Lufthansa Airlines in Serengeti, Africa at the Ngoro Ngoro crater. As he developed a reputation, he was approached to do an assignment for Dow Chemical. Although his boss told him he had to, he realized he didn't, and quit, opening his own agency where he could pick and choose his clients. Eventually, he gave that up and went into wildlife photography full time. He admitted to me that if he had to do it over, he'd have done it ten years sooner.

At this point he passionately remarked that one person really can make a difference in life. Ernie, the photographer, Bill the Scottish ranger, and Joe, the Oneida elder made a real difference in Jonathan's life. In fact, he went further to state, one person can make a difference in the world.

"I try to show others the beauty of nature through my work, offering a window into things they might not see themselves." He then told me how he affected a small boy he met on a nature trail. The boy and his father remarked that they had been out for hours but could not see anything. Together they stood on a bridge, and after a short while, Jonathan pointed out a great horned owl, a flicker, and a swallow. Then a snake came along and slithered up a tree into a hole. Several mice jumped right out of that hole. The boy was so thrilled that he asked his Dad if they could stay there for a while more.

Jonathan said that he is inspired by both young and old people who are trying to make a difference. He



pointed out that young people have idealism shining out of their eyes, and if it wasn't for them, we'd get jaded or cynical. "The news business is jaded, as it is always looking for an angle." He believes in the power of people, not politicians, to make a real difference. "Today we ratified Kyoto. It's 5% of what we should do, and we barely got it passed. Canada is still importing oil from the Middle East." He asserted that politicians and especially business will follow what the people want, with extensive prodding and screaming.

Jonathan believes that sustainability is not an economic issue. "If we think sustainability is about the economy, then we've got to take a hard look at what economy is. It's all based on our resources, and if they are depleted then we have no economy. Given enough time, we will have no human species either. Sustainability is the interconnectedness of communities. It is an attitude which starts with you and me as individuals. It's not big business. Yes they've got to do their part, but we've got to stop consuming more than we need, and support our local communities. I've made my living in Canada. I won't shop at Walmart, and my investments are all in provincial bonds.

In the U.S., during the abolition of slavery, some said it would ruin the economy. Well some things you just have to do because they're right."

And one of the things he does because it's just right is donate around 50% of his work to conservation efforts. In addition to the images he has donated to LTABC for our brochures, Jonathan gives beautiful wildlife cards to The Land Conservancy every year. He has also donated to the David Suzuki

Foundation, the Nature Conservancy of Canada, The Sierra Legal Defence Fund and the Salt Spring Conservancy.

Jonathan asserts that individual people draw to them others, and together they create positive actions. An article that his wife Michelle wrote, which included his photography, helped turn a national park management plan around. He remarked that even in Riding Mountain National park, Manitoba, there is killing and culling of wildlife-bears left to rot with their gall bladders taken out.

He calls on us not to get discouraged, no matter how feeble our efforts seem, or how powerful the forces against them.. He believes we are going to win; that it may be painful, but we will in the end prevail.

A friend from London Ontario recently wrote Jonathan to say that he couldn't go outside because the air quality was so bad. Even in Vancouver people are experiencing cardiac problems. "Its time to take a hard look at what we're doing. We've been pumping poisons for so long, and kidding ourselves that it won't go up the food chain. Rachel Carsen woke me and thousands more to the dangers of toxics. Scientists today are still stating that they are very damaging indeed." Both Jonathan and his wife Michelle eat virtually all organic foods. Michelle works diligently on educating people to the existence and effects of GM foods. They believe that the organic market is picking up and soon will be over 20%.

Patience is one of the virtues I asked him about. He stated that he has always had it, being able to sit for hours watching a spider build a web. As a small child he noticed that some of the webs were sticky and some were not; thus the spider would climb down a non-sticky strand to retrieve its catch. He then related another spider story where he fed a fat garden spider a termite. When he offered it another one, it came right onto his fingers to get it. He was absolutely astounded, and this is another virtue that keeps him going. He allows nature to surprise him, even though specific knowledge of its characteristics is another important technique for good wildlife photography.

Keeping wildlife at eye level is one of the photographic secrets that result in his great shots. Sitting for days with an animal is another. He said building trust takes time, and he is never bored as he spends some of his day developing ease with one animal, while setting up shots with another. He did say that he will anticipate what the animal is going to do. As an example, he told me that he found a dead, warm mole on a trail. He picked it up and found telling teeth marks. Putting it back down and hiding behind a tree, he was rewarded by the sight of a weasel coming to retrieve its prey. Thinking

that the mate would be next, he set up his camera and then, "loop, loop, loop, she came back to get another mole. At one point, it put the mole down and looked right into the camera."

I was fascinated by his stories of rising at 4:00 am when the wildlife is up, or sitting in a freezing cold Saskatchewan blind waiting for the sage grouse to show its great puffed breast. Then there was the mad

prairie dog colony that was indignant over his blind in the middle of the colony.

Perseverance, reverence, wisdom, these are some of the words I'd use to describe this passionate photographer. We went to his files containing some 40,000 slides, looking up black spruce grouse, blue grouse and then the sage grouse he mentioned. Rifling through some 80 shots of sage grouse alone, we finally found the shots I wanted to accompany the story.



LTABC Annual General Meeting, One day Seminars and Networking

July 2nd, 2003 University of Victoria
8:30 – 9:00 pm Watch the list serve for further details. Contact sheila@landtrustalliance.bc.ca

The Leading Edge, National Conference on Stewardship & Conservation

July 3-6th University of Victoria – info is at www.stewardship2003.ca

Land Trusts Campaigns & Updates

Welcome to these New Land Trusts who have joined The LTABC

The Coquitlam Foundation Land Trust
The Nature Trust of BC
Ducks Unlimited
North Okanagan Parks & Natural Areas Trust
Sunshine Coast Conservation Society

Good Neighbours: Habitat Acquisition Trust Undertakes Landowner Contact in the Capital Region



The Capital Regional District (CRD) is an area of spectacular natural beauty and biological diversity. From its rich marine environments to its ancient forests, it contains significant habitats and species that cannot be found elsewhere in Canada, including the Garry

Oak Ecosystem, considered one of the three most endangered ecosystems in Canada. Development pressures are placing ever-increasing stress on habitats and, because of this, there is a growing interest among residents in environmental stewardship and in the protection of local biological diversity.

Landowner contact is an important tool for promoting private land stewardship. By encouraging property owners to be "Good Neighbours" to protected areas, the integrity of those habitats will be strengthened by buffer zones and corridors.

In partnership with provincial, regional, and municipal parks authorities, community conservation organizations, other land trusts in the region and the public, Habitat Acquisition Trust (HAT) developed a prioritized list of sensitive areas (protected and otherwise) which would benefit from a protective buffer around their perimeters.

Based on this prioritized list, the **Good Neighbours** project has begun contacting landowners around three of these protected areas. These areas have been selected from the priority list for a number of reasons, including the fact that they represent a variety of habitats. The three protected areas are: **Esquimalt Lagoon**, a federal migratory bird sanctuary located in the District of Colwood, with very high intertidal and backshore values. **Oak Haven Municipal Park** in the District of Central Saanich. This park includes about ten hectares of Garry Oak and associated ecosystems. **Mount Douglas Park** in the District of Saanich is a large forested suburban park with a variety of habitats, including a salmon-bearing creek, Garry Oak ecosystem, marine ecosystems, and coastal Douglas-fir ecosystem.

Landowner Contact Specialists Jennifer Eliason and Pauline Brest van Kempen have begun visiting landowners who live adjacent to these protected areas, encouraging them to be good stewards of their land. Landowners receive information on the significance of the protected areas adjacent to their properties and learn how they can lessen the impact of their activities on these areas. They are encouraged to sign a voluntary stewardship agreement and, where appropriate, to consider placing a conservation covenant on their property. Many have commented that they found the visits very worthwhile, and almost everyone visited has agreed to sign a voluntary stewardship agreement.

The Good Neighbour's project will be hosting an outreach event on February 8th, 2003, in partnership with the Esquimalt Lagoon Stewardship Initiative, at Esquimalt Lagoon. This all-day event will include guided bird walks on the lagoon, presentations, and workshops on nestbox building and native plant propagation. Contact the HAT office at (250) 995-2428 or hatmail@hat.bc.ca

This phase of the project will be completed in the spring of 2003. Pending further funding, HAT will continue landowner contact around other protected areas. Financial support for the Good Neighbours Project has come from Environment Canada's EcoAction program, the Provincial Capital Commission, the Victoria Foundation, Mountain Equipment Co-op, VanCity Savings, and the Oracle Corporation.

Habitat Acquisition Trust was founded in 1995 by a select few individuals with the vision to anticipate the importance of protecting the incredible natural values of our region. One of these people was HAT's current Executive Director, Bruce Whittington. Bruce has been working for HAT since its inception, and for many people he is the "face of HAT".

Bruce has also been an avid writer for years, and he has decided to follow his bliss and is leaving to spend more time pursuing writing projects. We take off our HATs to Bruce Whittington and the years of distinguished service he has committed to our organization. We want to wish him a fond farewell and the best of luck in the future.



Photo credit: Iris Churcher



Ladysmith Area gets help from Cowichan Community Land Trust

A group of concerned Ladysmith residents who are trying desperately to protect their beloved trail from development have become a committee of the Cowichan Community Land Trust Society. The Friends of Holland Creek are attempting to raise funds for the purchase of 2.88 acres of private forest land, immediately slated for logging and development. The Holland Creek Trail is located in

the town of Ladysmith and is an 8km trail loop that is the result of combined community efforts which provides a wilderness area in a suburban environment. The Friends of Holland Creek plan to purchase the piece of property along-side the trail to provide a full visual and auditory buffer from the adjacent residential development. **They have until February 15th, 2003 to raise \$130,000 to buy the property.**

Through local fundraising, a total of approximately \$60,000 has been raised in pledges and donations. If you would like to contribute to this project, tax deductible donations can be made payable to the Cowichan Community Land Trust, at 55 Station Street in Duncan V9L 1M2, with "Holland Creek Project" written in the memo space. To

get to Holland Creek trail, heading North to Ladysmith on TCH, turn left on Davis Road, then right onto Dogwood Road. As you head down the gully, there is a small parking lot on the left. Enjoy the walk!



Comox Valley Land Trust

Although Comox Valley Land Trust has been volunteer based, they have received some HRDC funding to hire two employees for temporary positions. They also have recently worked with the Millard/Piercy Watershed Stewards to develop a landowner contact and pledge program for the area. Comox holds two Covenants in the Millard/Percy Watershed, and a photo of the area graced the cover of the recent 2003 Conservation Calendar. **Thank you Comox!**



Saltspring Island Conservancy Recent Acquisitions

Bob Weeden, the current President of SSIC reports that the Conservancy is "within inches" of completing fundraising for greenspace and key trails on Saltspring's Mt. Erskine. The parcel, 20 ha in size, adjoins 65 ha of crown land and 22 ha owned by the Islands Trust Fund Board. The conservancy's purchase is part of a larger area carefully managed as a tree farm by its owner, Martin Williams.

The acquisition contains older fir groves, upland bogs, and sensitive wildlife habitat as well as dramatic rocky viewpoints. It will be held and managed by the SSI Conservancy, and further protected by conservation covenants held by the Islands Trust Fund Board and the Land Conservancy of BC.

Fundraising has united agencies, foundations, non-profit groups, and Saltspring residents. The SSIC and Trail and Nature Club and their members have contributed over a third of the \$95,000 goal. Grants have been made by the Georgia Basin Ecosystem Initiative, the Quebec based EJLB foundation, TD Friends of the Environment Foundation and the SSI branch of the Royal Canadian Legion. The Islands Trust Fund Board has contributed to the land purchase and to some of the legal and administrative costs.

The SSI Conservancy has raised funds for land acquisitions often in the past, but became a title-holder for the first time early in December with the donation to it of 33 ha on the south end of the islands. The Williams purchase will confirm the conservancy's new role as landowner, or as Weeden prefers to describe it - Trustee.



Nanaimo Area Land Trust

The Campaign in Nanaimo to purchase a core area in the city as a park has received a significant boost from the City itself. It contributed 1.563 million towards the purchase of the 145 acre section. NALT has reached agreement with the owners, Alpine Village Developments Ltd., on a price of \$2.063 million, **with a deadline of March 31st to raise the rest of the funds. So far they have raised about \$200,000 with \$270,000 left to go.**



The Nature Trust in partnership with five other organizations, has reached an agreement to acquire and protect Waldie Island, near Castlegar. The area is an undisturbed, eight hectare island in the Columbia River at Castlegar. Cottonwood, lodgepole pine and dense river-bank shrubs cover most of it. It also includes feeding and nesting sites for Great Blue Heron and other songbirds and avian species. Other partners include the Castlegar Friends of Parks & Trails Society, Ducks Unlimited Canada, The West Kootenay Naturalists and the Columbia Basin Fish and Wildlife Compensation Program.

The Nature Trust has also negotiated three conservation covenants with Weyerhaeuser on Cortes Island prior to the sale of their lands. The covenants restrict uses to protect older-forest structural stages, some timber harvesting, location of residences and identify areas to protect ecological features – such as watercourses, wetlands or important habitat areas, and provide for setbacks to address visual concerns along public roads and along the coast.

**The Nature Trust of BC
#260 Roosevelt Cres., North Vancouver, BC
V7P 1M3 604-924-9772**



The Land Conservancy of British Columbia has agreed to work with a newly-formed committee of Tofino residents to protect a spectacular area of

rainforest land adjacent to Tonquin Park near the town of Tofino. If fully protected, this fourteen-acre section of rainforest will quadruple the size of the existing park providing secure habitat for bears, eagles, ravens, and migratory songbirds. It includes a sensitive bog and wetland area as well as magnificent old growth and rock bluffs overlooking a gorgeous beach on the open Pacific - and all this within a seven minute walk from Tofino's town centre.



Photo credit: InSite Landscape Architecture Inc. Crosland Doak

It is a beautiful example of West Coast temperate rainforest and an important addition to Tonquin Park. Many people who visit Tonquin Park are not aware that most of the forest they see there is on private land which will be developed if we miss this opportunity to add it

to the park. Tofino

Community Investments

(TCI), a company that invests in environmentally sound businesses and developments in Tofino, has successfully negotiated to purchase the property from the present owner. TCI is now working with the Tonquin Nature Reserve Committee (TNRC) on a plan to put cash donations towards the protection of large portions of the property. For more information or to help with the fundraising campaign please contact:

Phil Osborne, Tofino Community Investments, in Tofino at (250) 725-2098

Alison Spriggs, TLC Communications Director, in Victoria (250) 480-7641

Saving the Centre that Saves the Owls

By Shawn Black

For over 15 years, dedicated volunteers at the South Okanagan Rehabilitation Centre for Owls (SORCO) have been helping injured and orphaned birds of prey return to the wild (although their name says Owls, SORCO also cares for Eagles, Hawks, Vultures, Falcons, and Osprey). Located just north of Oliver, BC in the Okanagan Valley, SORCO is the only clinic and rehab centre for birds of prey serving the southern interior of British Columbia. However, without immediate financial help, SORCO may be forced to close its doors.

Founded by Sherri and Gary Klein in 1987, SORCO has grown become one of the Okanagan's most recognized conservation organizations, delivering public education and outreach activities that complement their rehabilitation work. It must be stated, however, that SORCO is not a zoo, it is a clinic, and public viewing of the owls and other raptors is not permitted under their licence.

Over the last year, the future of SORCO has been uncertain. Based on the Eagle Bluff property owned by the Kleins, SORCO has invested a tremendous amount

of financial and volunteer resources into their facilities, including the construction of a new building which houses the flight cages. Due to illness, the Kleins have fallen under hard times and they have been forced to come to the decision to sell their land. Before listing the property on the open market, a move that would most certainly result in the closure of the centre, the Kleins approached member organizations of the South Okanagan Similkameen Conservation Program (SOSCP) Habitat Securement Team for help¹. *TLC*



Baby Long-eared Owl, SORCO

¹ SOSCP Habitat Securement Team members include The Nature Trust of BC, the Nature Conservancy of

The Land Conservancy of BC was seen as the best organization to work with the Kleins on securing the Eagle Bluff property².

Over the last six months, *TLC* and the Kleins have worked out a deal that will see *TLC* purchase and protect the Eagle Bluff property. The agreement will also provide *SORCO* with a long-term lease to the land, and *SORCO* has made arrangements for the Kleins to stay on the property as caretakers for the centre and land. Fundraising efforts are beginning in earnest. *SORCO* has committed to raise a share of the purchase price, and have planned a number of events and recruited other organizations such as local Boy Scout Troops to help. A major public fundraising campaign and appeal is being launched. Anyone interested in finding out more about *SORCO*, or this project is encouraged to contact *TLC*'s Okanagan Region Office in Penticton (250-492-0173 or shawn@conservancy.bc.ca)



Ducks Unlimited Canada Secures Property in South Okanagan.

The Winter's property consists of 14.5 hectares of pasture and oxbow wetland alongside of the Okanagan River. Although the project area has been used for hay production for the past 30 years, it will be restored as relatively natural floodplain habitat. Securing this property is consistent with the goals of the Intermountain Wetland Conservation Program (IWCP) designed to prevent further fragmentation and loss of wetland habitats in this hot and dry part of the province. Floodplain habitats in this valley are critical to migrant waterfowl, Okanagan River fish, rare species of amphibians such as tiger salamanders and a variety of riparian species.

The Winter's property is part of the historical water course of the Okanagan River and lies immediately adjacent to the South Okanagan Wildlife Management Area and two other Ducks Unlimited Canada oxbow projects. The former owner Sandra Winter holds a 10 year lease on the home site. The main oxbow within the parcel has a control structure on the south end which connects it to the river canal. There are also two separate smaller oxbows and several depressions which hold water seasonally. As the Okanagan Valley is a major migration corridor, over 25 species of waterfowl have been recorded using these habitats, often moving between the river canal, other riverine wetlands, and the oxbows.

The property has been secured with the assistance of Environment Canada and will be managed in conjunction with the Wildlife Management Area.

Green Investors Needed

6% First Mortgage

TLC The Land Conservancy of BC is **seeking investors** in a syndicated mortgage to finance the purchase and preservation of historic Thwaytes Landing, Indian Arm.

This 5-year term investment can qualify as a self-directed **retirement savings plan**.

For information, please phone *TLC* at **604-733-2313**, www.conservancy.bc.ca



Canada, Ducks Unlimited Canada, The Land Conservancy of BC, and the Canadian Wildlife Service.
² The Klein's Eagle Bluff property is located adjacent to Vaseux-Bighorn National Wildlife Area owned by the Canadian Wildlife Service. The Eagle Bluff area supports a large diversity of species at risk, including but not limited to California Bighorn Sheep, Western Rattlesnakes, Pallid Bats, Night Snakes, Great Basin Spadefoot Toads, and others.

Feature Articles

Registering Conservation Covenants and Appendices

By Eric Clough

The purpose of conservation covenants is to conserve and protect land and elements on the land. These elements can be botanical, biological, cultural or physical - or any combination of these. For instance one might want to protect a forest, its inhabitants and certain physical elements like heritage buildings all in one document to be registered against the title of the land.



Morte Lake, Quadra Island

than 10” in trunk diameter may be harvested for any reason” are equally effective as would be ‘no harvesting of any plant material is allowed.’ These are examples only, of course, but it is worth repeating that clarity is essential.

The written covenants usually spell out the intent and the rules to be used to transform that intention into reality for a period of time into the future, often in perpetuity. These covenants must be clear and understandable to the owners of the land, the covenant holders, and in accordance with the laws governing such matters. Final covenant documents should be prepared by professionals thoroughly familiar with this specific area of law and understood clearly by all involved parties to the agreements.

Problems often occur, however, with the appendices attached to the covenants. The appendices should clarify the documents they are attached to and may include accurate locations of certain elements on the land such as water bodies, heritage trees, ecologically sensitive areas, heritage buildings and so on.

Sometimes appendices are not necessary; the important thing is clarity. “No healthy trees shall be damaged or harvested for any reason” is a very clear statement and could simply be included in the basic covenant document. Other broad and inclusive statements such as “no healthy trees larger

A detailed list of all the species of plants and animals that inhabit the land covered by the covenants may be superfluous, however, as it might run into the thousands of species and hundreds of pages of descriptive language. A simple map of ecological areas on the land might do as well to protect any or all of them. When thinking about attaching maps to covenants remember that the Land Titles branch must reduce them to letter size in order to file them. Large maps with intricate detail will simply be rendered unreadable and in that sense are redundant and unacceptable to the Land Titles Branch. Reduce any actual map to be included in the appendices to letter size and check for sharpness and readability. It is often better to use verbal metes and bounds descriptions to locate specific elements within a protected area, or protected areas within larger boundaries.

Also be aware that photos do not reproduce well on most copy machines. A picture may be worth a thousand words but not if it is unreadable. If you use a digital camera be aware that most bubble jet printer ink fades in a very short time. In general photos should not be used in appendices that will be registered with the Land Titles Branch. If they do not copy clearly they will not be accepted. In the near future there will be one facility in the province for the physical storage of records. These will be

imaged and stored on computers. Information that is recalled will be transmitted and reproduced by computer, ordinary copiers, printers and fax machines. Each repetition of this degrades photo clarity so avoid photos whenever possible. Never use colour.

But what about heritage buildings covered by covenants? Photographs can record architectural detail, for example. Instead state in the written material that no changes in the building are allowed and/or any renovations must duplicate the original, for instance.

Photos may be included for reference in the files of the owners and covenant holders. These should be standard photographs, or if taken as digital images use archival ink for printing. Most inks used in bubble jet printers begin to fade in a very short time period.

General advice: be concise if possible, avoid photographs, draw maps to fit on letter sized paper and strive for clarity in words and images.

Eric Clough is a Landscape Architect, Chair of the Kootenay Land Trust Society, and Councillor with the Land Trust Alliance of BC.

Update on Land Reserve Commission Changes

By Bill Turner

Recent changes to the Land Reserve Commission are designed to make the Commission more responsive to local communities. At the same time, however, changes were made which increase the power of the LRC to 'protect' farm land for farm uses. In this case the threat is conservation. It seems that the Commission is afraid that rabid conservationists will try to covenant farm land and in doing so take away its future potential. Covenants might require organic methods. Requiring organic methods could prevent future farmers from using some new and wonderful chemicals. They might prevent the draining of wetlands or the building of acres of green houses. It is no wonder the LRC is concerned about covenants. This one sided, protectionist, view is based upon the perception that the purpose of the LRC is to protect farm land FROM all other potential uses.

Restrictions on Covenants on ALR land are not new. When the Land Title Act was changed in 1994 to allow non-government agencies to hold covenants, the Commission lobbied for and was successful in having the Minister of Environment establish a policy which restricted the authority given to NGOs. That restriction on NGOs prevented them from holding covenants on ALR land unless the covenant had been approved by the

Commission. An appeal process was established through the Surveyor General. It is important to remember that this restriction applied only to NGOs and not to government agencies like the Minister of Environment or Regional Districts. Under the new law, no covenant is valid on ALR land unless it has been approved by the Commission. This is now law, not policy. The appeal to the Surveyor General has been removed. The restriction applies to any covenant, therefore, it includes those placed by regional governments, the Island Trust, even provincial ministries.

It certainly is time that BC joined most of the rest of the world in looking for ways that conservation and conservation friendly farming practices can be accepted as legitimate use of farms lands.

As this article is being written we do not have any clear idea what the procedure will be to obtain such approval. It is hoped that in the near future, through meetings with LRC staff these procedures will be clarified. The Minister of Agriculture assured me last spring that the newly structured Commission would have a three month turn around on these matters. Minister Hagen, the minister responsible for the LRC, has indicated that it will be quick and efficient. In a recent letter to LTABC he states that he, and by implication the Commission, are not aware of any real problems with the processing in the past. According to the Commission, since 1994 there have only been two covenants which were rejected by them.

I can only write from the perspective of my experience with attempting to get covenants through the Commission. Since the policy was established in 1994, that all covenants on ALR land had to be approved by the Commission, it has been obvious that any covenant proposed to the Commission would have to meet certain standards. Those standards have never been put in writing, but it has always been stated that the Commission will not accept anything which limits the options of future farmers. In 1995 and 1996 I went to the staff of the commission on many occasions to seek their advice prior to writing covenants. The staff of the commission have always been helpful, but have seen their role very clearly as protecting future farm uses. We quickly learned that you were not likely to be successful if you wanted to prevent logging on farm land. Farmers have to be able to clear land. We learned that of course the Commission would look favourably on covenants which restricted subdivision, tied parcels together and which

included a provision preventing the land owner from attempting to have their land removed from the reserve.

I found the commission staff often over loaded with work and even getting to talk to them was difficult. Getting simple answers could take many phone calls and many months. In those circumstances the enthusiasm of landowners was tested to the limit. Even approvals where the covenants were not expected to have any real problems have taken six months to a year. From the very beginning getting a covenant approved has been a long and gruelling process, which most landowners find discouraging. In my experience many covenants are never even written because of the certainty that they would not be approved. Others are watered down to the level that they will be approved by the commission before official 'submission' often after several discussions with LRC staff. In those circumstances it is hardly surprising that only two owners have been persistent enough to insist on pushing forward their covenants (against the advice of NGOs who know they have little or no chance of being approved).

Land Trust workers should always be aware of the restrictions on covenants on ALR land. One of the first questions to ask an owner is "Is your land in the ALR?" It is a sad commentary on our system, that the fact that land is 'protected' by the ALR should be a negative to conservation. It certainly is time that BC joined most of the rest of the world in looking for ways that conservation and conservation friendly farming practices can be accepted as legitimate use of farms lands. If an owner of ALR land wishes to place a covenant, the Land Trust should proceed with extreme caution. Be aware that these covenants will require an enormous amount of effort and probably a lot of frustration.

Be aware that the commission may not share your views that protecting that wetland is important or that chemicals could be harmful to us, to animals or to nearby streams. Be aware that farmers have only limited rights to covenant their land.



Horsefly River Riparian Conservation Area, photo Bill Turner

Even if restricted in what they can do, all covenants on farm land which strengthen its protection from subdivision are important for their own sake. If a Land Trust has the resources and the interest in protecting land for the sake of food supply or agricultural values they should continue to pursue ALR covenants. Where these reduce value it should be possible to consider them a donation although probably not an Ecological Gift. It may be very difficult to establish that a covenant is an Ecological Gift unless that covenant is allowed to protect important natural values. This may be particularly the case on small parcels of farmland. I would argue that a covenant which protected ranch land from subdivision and from fragmentation would have a significant impact on natural values. Ranchers make a huge contribution to conservation; helping them stay viable can have huge impacts.

Note that the LTABC is working with a Law Student from UBC to provide a brief on other tools to protect conservation values on agricultural lands. This should be complete by the spring.

Private Forest Lands Regulations Update

By Ben van Drimmelen,
Biologist, Forester and Lawyer

Ninety-four percent of BC is owned and managed by the provincial government. About 2% of BC is private forest land, but that small percentage contains some of the best growing sites anywhere in BC. Nearly half of the 2 million hectares of private forest land is classified as “managed forest”, with tax breaks to encourage reforestation and forest management. However, in the early 1990’s, local residents objected to clearcut harvesting on private forest lands. Some major private forest land owners decided to subdivide their land for residential purposes if they couldn’t log it economically. That caused a public outcry. In response, government passed the *Forest Land Reserve Act* to restrict urban and rural settlement on private commercial forest land. It protected forestry uses of private forest lands but made it very difficult for a forest landowner to pull land out of the Reserve.

Initially, non-timber forest resources were to be protected on reserve land by having the Forest Practices Code Act, or parts of it, apply to such private land. That never happened. Instead, a *Private Land Forest Practices Regulation* imposed general requirements to minimize soil disturbance and transportation, established some standards to encourage landowners to protect the key public environmental values of water quality, fish habitat, soil conservation and critical wildlife habitat on private forested land. Land use was overseen by the Agricultural Land Commission.

In early November 2002, the BC government changed the rules. A council of appointees from the provincial government and forest landowners administers the *Private Land Forest Practices Regulation* instead of the Commission. Modest protection of environmental values on private forested land is to be maintained, but controlled by the council. The council can establish forest practice standards to meet objectives set by government. It can encourage performance and levy some fines. Existing statutes such as the *Water Act*, *Wildlife Act* and *Fisheries Act*, still give some



Photo: Herb Hammond

environmental protection such as minimal streamside protection on salmon bearing streams.

However, the biggest change is that it is now much easier to get land out of the forest land reserve. There is no obligation to inform, or consider comments from, local communities that may be affected by the removal. The probable effect will be an increase in the sale of private forest land.

These changes make it much more important for land trusts to negotiate stewardship agreements or covenants with private forest land owners. There is no point in relying on government, the Land Commission and even local governments to protect resources and amenities on private forest lands. It’s up to groups such as land trusts to negotiate covenants with the private forest landowners to protect important natural values such as restrictions on pesticide uses, protection of riparian areas that aren’t salmon bearing streams, and like some covenants with agricultural land owners, to consider covenants to restrict subdivision if there are sustainable forestry plans in place. We understand that the best sustainable forestry certification program (the FSC) has become too expensive for smaller companies; however a sustainable management plan could be developed with groups such as Silva Forest Foundation or other Forest Stewardship programs.

FSC (Forest Stewardship Council) - an international, member-based organization

The FSC has rigorous performance-based criteria covering all aspects of sustainability: ecological, social and economic.

- The FSC has proper standard setting, certification and accreditation procedures.

- Economic, social and ecological interest groups hold equal decision making power.

CSA (Canadian Standards Association) - forest certification standards were funded by a coalition of forest industry associations

- The CSA scheme has no overall performance-based certification standards: the operation applying for a certificate determines the level of performance requirements for a successful certification.
- The CSA scheme certifies clearcutting in high conservation value forests and logging on indigenous peoples' lands without their consent.
- A public consultation process is required, but results are completely non-binding on the company's forest practices and performance, severely limiting the utility of public participation.

SFI (Sustainable Forestry Initiative) - founded by the American Forest and Paper Association

- The SFI has a weak, flexible and non-comprehensive standard that fails to give a consistent and meaningful benchmark for responsible forest management. Operations applying for a certificate can modify the standard to better suit their own performances.
- The SFI scheme certifies large-scale clearcutting in old growth forests and logging on indigenous peoples' lands without their consent.
- There are inadequate monitoring and control mechanisms. No annual field visits are required.
- The SFI is controlled by industry. There is no balanced participation of social and ecological interests in standard setting or decision making.

(Susan Hammond, Silva Forest Foundation)

Habitat and Species Traverse Private and Public Lands

Written by Eileen Palmer

Conservation values on private holdings are affected by activities on adjoining Crown land



As land trusts we are actively engaged in a variety of conservation activities with private landowners on their land including raising awareness of habitat/species values, undertaking stewardship agreements and facilitating habitat enhancement projects. Furthermore we enter into long term securements such as conservation covenants, donations and land acquisitions. When we embark upon any stewardship activity or land securement opportunity, we are aware of the current and, to the best of our ability, any future land uses, be they on adjoining private or public lands. Until recently there was a relative degree of security that our investment and the landowners wishes would stand the test of time. This is not the case anymore with potential sale or change in use of Crown land next door. The potential for undermining conservation values on adjoining private land

committed to habitat/species preservation is of great concern as is the threat to habitat/species values on the adjoining Crown land. The two are interdependent - after all habitat and species know no boundaries.

Crown lands are being sold by Land and Water British Columbia Inc, the government body responsible for leasing and selling Crown land. Through its Development and Marketing Division they identify, evaluate, develop and sell selected parcels of Crown land for purposes which benefit individuals, corporations and local communities. This move from publicly-owned to privately-owned land and from a specific use(s) to other use(s) poses a serious threat to the habitat values not only on the adjacent conservation lands but also on the Crown lands to be sold. This is of grave concern

and potentially has huge consequences to lands protected by trusts, conservancies, and past provincial governments for their natural attributes. Furthermore many private landowners have made a voluntary stewardship commitment to conservation by protecting and enhancing habitat values on their land. All of these endeavours have required a huge investment of time and monies.

Virtually all land trusts use some form of landscape or ecosystem-based planning when determining lands in need of protection. This planning takes into account uses and activities on adjacent or nearby lands. If neighbouring Crown lands are sold then what assurance do land trusts have regarding the compatibility of future activities on these lands. A case in point is the Red listed and globally imperiled Antelope-brush plant community of the south Okanagan. This plant community occurs on a very small area within the south Okanagan, yet it is home to 88 provincially listed species at risk, 17 of which are COSEWIC listed. Approximately 60% of the Antelope-brush community has been destroyed or altered by development. Approximately 11% of the remaining 40 % of Antelope-brush is on Crown land. This Crown land,, along with privately held Antelope-brush lands, are under tremendous pressure from the vineyard industry as the soils of the Antelope-brush community are also suitable for grape production. With the proliferation of vineyards in the Okanagan, the remaining Antelope- brush is under increasing threat. Although stewardship efforts and protection of some private and Crown lands both Federal and Provincial have made a difference, these efforts will be for naught if these cannot be supported by the preservation of the remaining Crown lands, especially those adjoining conservation holdings and lands under stewardship. We cannot afford to lose any more of this endangered ecosystem.

With the sale of these public lands there is no longer any sense of security regarding the use and disposition of these lands, and we are somewhat paralyzed in the way we conduct our business. It affects the very heart of our conservation and stewardship goals. We would like to be good neighbours and partners by honouring important ecological values but we can't do it alone. It would be so much easier if, together with the provincial

government, we could build a natural legacy for future generations.

It is our understanding that LWBC lists all lands for sale on their website for only 14 days. If you want to determine if Crown land in your area is for sale, please check out the Land and Water BC Inc. website at http://www.bc-land-assets.com/contact_us.htm.

"British Columbia is Canada's third largest province, covering an area of approximately 94.8 million hectares. Over 92 percent of the province is Crown provincial land. Of the remainder, seven percent is privately owned, and about one percent is federal land."

Land and Water BC Inc .
5th Floor 609 Broughton St
PO Box 9475 STN PROV
GOVT, Victoria BC Canada
V8W 9W6 Tel: (250) 952-6246 Fax: (250) 952-6237
Ministry of Water, Air and Land Protection
Honourable Joyce Murray

PO Box 9047 Stn Prov Govt Victoria, BC, V8W 9E2
Tel: 250 387-1187 Fax: 250 387-1356

Ministry of Sustainable Resource Management
Honourable Stan Hagen
PO Box 9054 Stn Prov Govt
Victoria, BC
V8W 9E2
Tel: 250 356-9076 Fax: 250 356-8273

Copy to:
Premier Gordon Campbell
Premier's Office
PO Box 9041, Stn Prov Govt
Victoria, BC V8W 9E1

Upcoming Green Legacies Workshops

Is your organization ready to receive gifts? Do you have all the pieces in place to receive bequests, assets, shares, commemorative gifts, and life insurance? Do you need to know more about credit card donations and online giving? Have you been thinking of setting up a planned giving program? If a donor's financial or legal advisor called tomorrow, would you be ready?

These topics will be covered in full-day workshops to be offered by the Green Legacies Project in March and early April in the Vancouver area and Kelowna. Presenters Murray Landa and Lorna Visser will cover important information you need in order to work with donors and their professional advisors. In addition, Blair Hammond will be discussing eco-gifts at the Kelowna workshop. Watch for confirmation of the dates and venues at www.greenlegacies.ca. The cost is \$25.00.

Financial Incentives & Current LTA Projects

The Land Trust Fund The Vancouver Foundation Outlines Its Program

By Linda Caisley

Types of Funds

There are two types of funds that you may wish to consider:

Donor Advised Funds

Donor Advised Funds are those in which the donor (whether that is an individual, a corporation, or a charity) provides recommendations each year to Vancouver Foundation as to where it would like the income to be paid. The donor can provide standing instructions, or change their mind from year to year.

Agency Endowment Funds

Agency Endowment Funds are those set up by a not-for-profit organization. The income and/or capital from these funds is paid back to the donor organization that established the fund. Some organizations, such as yours, which are membership or umbrella associations, establish Agency Endowments to which their members can contribute. When this happens, the umbrella association must keep track of which member made which donation, so it can appropriately divide up the income resulting from the donations.

Permanent v. Retractable

Permanent endowments are those in which the capital is always held, and only the earnings generated from the fund are paid out each year.

Retractable funds contain a clause which allows the donor organization to take back some of the capital of the fund. The Deed of Gift, which is the legal document which sets out how Vancouver Foundation must administer the fund, usually contains instructions as to how frequently an organization can make retractions, the size of the retractions, whether the capital must be paid back, authorization for making retractions, and any other specific conditions the donor organization wishes to impose on the fund.

Purpose of the Fund

You discussed whether you would like to use an endowment for regular steady income, or for large, intermittent expenses such as might be incurred defending or obtaining a covenant.

I recommend that you consider two types of funds:

1. a permanent fund established by the LTA or a member organization, which will provide income only, to provide regular, stable income to cover operations or programs. Because of the stability of a permanent fund, this will be the fund to which many donors will wish to contribute estate planning gifts such as bequests or life insurance policies.
2. a retractable fund established by the LTA, to provide you with income each year (which you may turn around and send back to us to grow your fund, if you wish) and capital for any large expenditures you might face. You referred to this type of fund as a revolving defence fund.

You will need to be very clear with your donors about to which fund they are contributing. A gift intended for the permanent fund should never be put into the retractable fund.

I would only recommend that the LTA establish funds for itself, and not get involved with a pooled fund for its members, unless you are considering a fund with a substantial capital base. Unless you are thinking about a fund of at least \$500,000, the accounting will more than likely be far too complicated and time-consuming for you. If you do decide to create a pooled fund for your members, I would recommend that you set some guidelines around participation in the fund – eg. the minimum amount should be \$50,000 for each member (or whatever number you feel would be appropriate, keeping in mind that you should keep this number fairly high so that you don't regret having set it too

low in 10 years), and that each member may only donate in blocks of \$10,000 thereafter (to prevent having to account for \$2.50 here and \$3.10 there).

Recommendations

In conclusion, I recommend that the LTA and its members each establish a permanent agency endowment fund for its ongoing regular expenses, and one LTA Revolving defence fund, which is a retractable donor advised fund. This could be used for support to its members for short-term loans or as a covenant defence fund.

Capital is held in each fund in perpetuity. Non-permanent endowments, called 'retractable funds' are also available. Normally, a \$10,000 minimum is required to start the fund. Start up funds of \$1,000 per year for ten years are also available. Subject to minimum terms – the initiating capital of \$10,000 is not retractable. Notice of 4 months is required for less than one million and one year for greater than one million. A deed of gift setting out the terms of the endowment will be drafted by Vancouver Foundation's lawyers for review by the land trust or the Alliance.

Our investment policy is administered by a committee who monitors eight money managers. We have a socially responsible fund which is screened for such things as alcohol and tobacco and a general consolidated trust fund with 60 % stock and 40% bonds. Of the stocks 75% are global equities and 25% are Canadian equities. Income is evaluated quarterly and generally paid annually (in the 3rd week of November) on each fund, although arrangements can be made for more frequent payouts. Income is paid out on each fund at a rate of 6% gross, less two fees: a .25% For Vancouver Foundation's administration costs and .35% for money management costs. This means a 5.4% net payout.

Linda Caisley is the Development and Donor Services Director at the Vancouver Foundation and she can be reached at 604-688-2204 or [linda@vancouverfoundation .bc.ca](mailto:linda@vancouverfoundation.bc.ca)

LTABC is open to your calls and inquiries on these suggested Trust Funds from the Vancouver Foundation. We will discuss them further at our Annual General Meeting to be held July 2, 2003 in Victoria, BC.



by John Scull

Green Burials: A back to the land movement

Which would you rather become: a lawn, a cloud of smoke, or a natural forest? Green Burial, also called Woodland Burial or Nature Reserve Burial, allows people this choice. Green Burial refers to the disposal of human remains by re-introducing them into the ecosystem. Green Burial contrasts on the one hand with traditional cemeteries with groomed lawns, stone or bronze markers, cement-lined graves, and permanent caskets and, on the other hand, with energy-consuming and air-polluting cremation.

Woodland Burials are well-established in the United Kingdom with about 140 woodland burial sites. A private company in the US, Memorial Ecosystems, Inc., has one woodland burial site and hopes to create more, working in cooperation with conservation organizations. It appears that they charge about \$CDN 2,900 for a burial plot in a nature reserve.

Green Burials may offer a means for Land Trusts and Conservancies to finance the protection or restoration of natural, forest, agricultural, or heritage lands and create permanent community amenities while, at the same time, giving donors an opportunity to express their ecological ethics through their manner of burial. Rather than being incinerated or sealed away beneath a lawn, they can envision themselves becoming part of a living, diverse, natural ecosystem, recycled in a biodegradable container, free of embalming chemicals, and supporting future generations of all life.

The Memorial Society of British Columbia, with over 200,000 members, is a non-profit, non-sectarian organization committed to promoting simple, dignified funeral rites and to ensuring the availability of low cost funeral arrangements. About 2 years ago the Memorial Society conducted

a study of Green Burials. The results included a brochure (published with support from the Real Estate Foundation), a website, and a file at the Memorial Society office with detailed information about relevant legislation and regulations. The Green Burial website (listed below) is an excellent source of background information. The Memorial Society plans to continue its work on Green Burials with the establishment of a committee early in 2003.

I obtained two estimates of the costs of cemetery plots: about \$1,180 for a burial in Kamloops and \$930 for one on Vancouver Island, plus the costs for labour and a grave marker. Cremation fees in B.C. seem to range from \$290 to \$970. Thus, the value of burial lots could be as much as \$1,000,000 per hectare.

A Cemetery may be operated by an individual, company, church, municipality, or society. The operator wishing to establish or enlarge a cemetery must apply to the Registrar of Cemeteries for a Certificate of Public Interest and meet local zoning requirements. Under some circumstances, up to 4 ha of crown land may be made available for a cemetery. The cemetery is registered as an indefeasible title with the Land Title Office and the operator of a cemetery must meet a number of organizational and financial obligations as described in the Cemetery and Funeral Services Act, including establishing a maintenance and care fund. A Board of Trustees will be appointed, either by the registrar or by the operator, to oversee maintenance and operation of the cemetery. Individual lots may then be sold.

Working on their own or with a municipal government or other partners, a Land Trust may be able to protect or restore a large piece of land by selling Green Burial lots in one part of it. Another alternative would be to create a natural area instead of a monument-covered lawn in part of an existing cemetery, providing people with a way to express, in death, their ecological ethic.

Ellen Le Fevre, executive director of the Memorial Society of B. C., expressed her interest in further discussions about Green Burials with the Land Trust Alliance. Individual Land Trusts and Conservancies can ask the Memorial Society to include them on the list of persons to be notified of any new Green Burial initiatives as they develop.

Websites and other sources for further information

Memorial Society of British Columbia:
<http://www.memorialsocietybc.org/>, #212 - 1847
West Broadway, Vancouver, BC V6J 1Y6, Tel 604-733-7705, Fax 604-733-7730, Toll-free Tel 1-888-816-5902 Toll-free Fax 1-888-816-5903 email:
memsocnw@telus.net

Woodland burials in the UK:

<http://www.naturaldeath.org.uk/NatureReserveBurialGrounds.htm>

Memorial Ecosystems, Inc. in the US:

<http://www.memorialecosystems.com/>

Memorial Society of B.C. Green Burials information: <http://greenburials.ca>

Cemeteries and Funeral Services Act:

http://www.qp.gov.bc.ca/statreg/stat/C/96045_01.htm

Registrar of Cemeteries and Funeral Services, Tayt Winitoy, 5th Floor, 1019 Wharf Street, Victoria, BC V8W 2Y9, Phone: (250) 387-3045, Fax: (250) 952-6631.

6th Annual Meadowlark Festival May 15th to 19th, 2003



Celebrate the unique ecosystems in one of Canada's biodiversity hotspots!

Make plans now to attend one of BC's premier nature festivals, taking place as always in the beautiful South Okanagan and Similkameen Valleys.

Look for more information and details on ticket sales in early spring on our website:

www.meadowlarkfestival.bc.ca

Information:

Tel: (250) 492-LARK (5275)

Email: meadowlarkfestival@telus.net

Mail: Box 20133, Penticton, BC, V2A 8K3

Ecogifting Lands and Conservation Covenants

By Blair Hammond

In the 15 months that I've been working on Ecogifts, I've had the opportunity to collaborate with several land trusts and many individuals to help make some truly wonderful gifts happen. Large or small, every gift that has come through the program has contributed to conserving B.C.'s outstanding natural beauty and diverse biological communities.

Twelve BC Ecogifts, valued at over \$7 million and encompassing over 300 hectares, have been completed since August of 2001. Nationally, B.C. accounts for 7.5% of the gifts, 2% of the area and over 20% of the appraised values. These statistics reflect two things: First, the value of real estate in B.C. (especially on the coast); and second, the generosity of B.C.'s donors.

In the interests of continuing with such excellent success, I'd like to take this opportunity to update members of the LTABC on some of the changes and new initiatives taking place under the auspices of the Ecological Gifts Program.

First, however, I'd like to mention the need to keep current. We are constantly revising our standards and forms as we gain experience with the program. Before engaging an appraiser, applying to the program or giving advice on Ecogifts, please make sure you're using the most up-to-date information. The new guidelines for appraisers, application form and a gift advisory are now available. Email me to receive your digital copies.

In addition, we have a new brochure and a new program handbook. Most of you already have some copies of the brochure. If you don't, or would like more, just ask; I'd be happy to send you some. The handbook is currently only available digitally (as a PDF), but we hope to have it available in hard copy soon. It's intended to serve as a supplement to the brochure, providing more depth on how the program works. Additional documents, including a



Photocredit: Jonathan Grant

scenarios guide and an application guide, are scheduled to be available by the summer of 2003.

I would also like to take this opportunity to announce a small new funding initiative. In cooperation with the LTABC, the Ecogifts program has made available a small sum to help cover the costs associated with the higher standard of appraisal required under the program. This is only a 1 year trial and only covers those gifts completed between 1 April 2002 and 31 March, 2003. Under this initiative, land trusts are eligible to be reimbursed for 50% (up to \$2,000) of appraisal costs. Contact the LTABC for further details on how to apply.

Finally, I would like to say a big "thanks" to all of you with whom I've had the chance to work over the past year. I appreciate your patience with me learning the program and congratulate you for the very real successes that you have achieved using the Ecological Gifts Program. Let's keep it up.

Blair Hammond
Canadian Wildlife Service
blair.hammond@ec.gc.ca
604-940-4647

The Appraisal Assistance Program

Contact LTABC to receive an application form and procedures for this wonderful trial program. We are receiving applications up to March 31st. A selection committee will be reviewing them and granting up to \$10,000 total for assistance by April, 2003.

Monitoring Covenants - Regional Workshops

We had a full class on November 4th, as the LTA held its first of a planned four Regional Workshops on Monitoring Covenants for north Vancouver Island in early November. Lucy Reiss of Discovery Coast Greenways Land Trust coordinated the full day event, which started in a large, warm room thanks to the generosity of a local company. Then we braved the elements of our lovely westcoast summer/fall and went out to the Baikie Island Nature Reserve.



The morning's in-door section consisted of describing a typical covenant monitoring program, reviewing the baseline, previous monitoring reports, especially the photo stations, and went over additional necessities such as landowner contact info, what materials to bring, planned routes etc. Chris Ferris, the Monitor of the Islands Trust's covenants, led the workshops as she described her usual routines, providing additional maps of other properties to describe other examples of challenges and problems one might encounter. Her process is what I would describe as the middle ground – and made a point of detailing the difference between an extensive ecosystem monitoring report and a specific covenant monitoring report. (You'll have to attend our next sessions if you want to know the difference!)

The visit to the site was informative as well. The Baikie Island Nature reserve is owned by the District of Campbell River, and NCC holds and monitors the covenant. This reserve is an interesting challenge for all concerned. It was previously an industrial property, now being restored for conservation of the habitat surrounding one of Campbell River's main estuaries. DFO has done some restoration work along the riparian edges, and flagging marked some of their most recent alterations in hopes of keeping out waterfowl.

Some of the attendees were as interesting as the site. In addition to the usual staff and board members from the local land trusts working in the area, Comox, Quadra, Cortes, Nature Trust and Campbell River, there were also a couple DFO

staff, Habitat Stewards and one local kayaking entrepreneur. When I asked him why he was there, he said that he was interested in knowing further about the work being done on the reserve for himself and to help educate the kayakers he would be taking around the island. That was a nice thing to hear!

Lucy took advantage of the event by hosting a public information meeting where all the land trusts could describe their programs, and the next day we land trustees met again to review how LTABC can further help their work. All around, it was a great training workshop and opportunity for both public and land trust networking.

The next Monitoring workshops will be held in Southern Vancouver Island, the mainland, and then in the Okanagan, this spring. Sorry that dates aren't confirmed, but we will post them over the list serve in the coming months.

Funding to support these workshops came from the Vancouver Foundation and the Public Conservation Assistance fund of the Habitat Conservation Trust Fund.

Please note that some additional resources on monitoring covenants are in the Resource section this issue.

Seminars for Professionals

The Land Trust Alliance of BC has been undertaking outreach to Professionals associated with our work since last spring. Thanks to the work of Mark Haddock and the Green Legacy program, so far we have had considerable success working with the professional associations connected to each group. **We are targeting wills & estate lawyers, notaries, realtors, accountants, and Insurance & Financial advisors.**

The seminars are led by Bill Turner, Ann Hillyer, or Susan Mehinigic, in combination with a local land trust resource person. We offer these seminars at the association's existing conferences, breakfast or dinner meetings, and education or training days. In addition, we are providing hand outs, brochures, and Green Legacies books to the participants.

These professionals are often working with clients who donate to – yes you know the local sport or health group, but rarely to conservation groups. According to a national Survey of Giving, Volunteering and participating from August 2001, only 2% of public donations, not including government or foundations, goes to environmental groups. The big one is religion – 52% with the next highest health at 17%.

So the conclusion is that we must get the word out to the professionals who advise donors, and we must get the word out more generally about why it is so important to donate to conservation!

So far, we had a booth at the Canadian Association of Financial Advisors conference, in Victoria. We have sent resource materials to all the accountants in BC. We held a few seminars this fall, and we have seminars set this spring for all Wills & Estate lawyers sub-section meetings, and several others to regional accountant groups and regional realtor group meetings. Although it has taken considerable time and energy setting up these meetings, the results are now starting to come to the forefront.

Funding for this project is kindly provided by the Vancouver Foundation and the Real Estate Foundation of British Columbia.

LTABC One Day Networking Training & Annual General Meeting – July 2nd 2003

The Council of the Land Trust Alliance of BC has agreed to host a one day training course, including our usual yearly networking, reporting and Annual General Meeting on July 2nd. In order to facilitate those wishing to attend the national conference, The Leading Edge, Stewardship & Conservation in Canada, we are going to hold this event one day prior to the national conference at the University of Victoria. We will likely hold two or three concurrent sessions with the late afternoon dedicated to our AGM. The evening will include dinner, and our round robin reporting from our members on what they have done this year, and what they what the LTABC to do for the coming year.

We will be posting a registration document sometime in March detailing the seminars and location of the rooms.

News - Government changes to Canadian Customs & Revenue

"On December 20, 2002 CCRA issued a draft document regarding a number of changes which are effective from that date. These changes relate to the issue of tax receipts of attendance at fundraising events, premiums given in return for donations as well as significant improvements in the way that donations of partial interests in land are to be dealt with. The draft document is very clear in relation to fundraising events and premiums, but very unclear on land gifts. The draft legislation which is a huge document is much clearer on the implications to land gifts. LTA is seeking clarification of the impacts of this generally beneficial legislation and will provide an update to its members as soon as it is available. Lawyers and accountants are currently studying the drafts. In the meantime, if members are involved in a partial donation of land in Fee Simple, which has occurred after December 20th 2002 or is about to occur, we suggest you contact LTA for direction to current advise. <http://www.ccra-adrc.gc.ca/E/pub/to/itnews-26-e.pdf>

Events & Resources

Land Management/Stewardship Resources

The Land Trust Alliance (US) Standards and Practices Guidebook – An Operating Manual for Land Trusts Standards 14 and 15 on land and easement stewardship contain useful information and guidelines for monitoring and managing land. Information on purchasing the manual is available online at <http://www.lta.org/publications/bkfund.htm#sandp>; the cost is approximately \$65 US, but this is an invaluable resource for any land trust operating in the US or Canada.

On The Ground: A Volunteers' Guide to Monitoring Stewardship Agreements

The Land Trust Alliance of British Columbia has produced this publication to provide guidelines to volunteer stewardship monitors. It is equally useful for land trusts in developing their monitoring and management strategies. The cost is \$20. - \$14. members The appendices and easement monitoring forms are available for download at <http://landtrustalliance.bc.ca/public/product.htm>. To order contact sheila@landtrustalliance.bc.ca or call (250) 538-0112.

Conservation Planning Training Manual

Credit Valley Conservation in partnership with the University of Guelph and the Nature Conservancy of Canada has produced this conservation planning training manual to guide conservation planners in developing conservation planning documents. This manual also includes useful information on land management approaches. To obtain a copy of the manual contact Mike Puddister at the CVC: 1255 Old Derry Road Mississauga, Ontario, L5N 6R4 Phone: (905) 670-1615 or 1-800-668-5557 Fax: (905) 670-2210

A Volunteer's Guide: Creating and Managing Nature Reserves

The Escarpment Biosphere Conservancy has produced this document which has several useful sections pertaining to land

monitoring and management.

Contact Bob Barnett at the EBC:

503 Davenport Rd. Toronto, Ontario, M4V 1B8

Phone: (416) 960-8121 or 1 (888) 815-9068

Fax: (416) 960-9460 E-mail: info@escarpment.ca

The Nature Conservancy of Canada's Stewardship Manual

The NCC uses an extensive stewardship manual to guide their monitoring and management activities; a pdf version of the document is available for download at

http://www.natureconservancy.ca/files/frame.asp?lang=e_®ion=1&sec=science

or contact Michelle Albanese for a printed copy at: 110 Eglinton Ave. West, Suite 400, Toronto,

Ontario, M4R 1A3 Phone: (416) 932-3202 Fax:

(416) 932-3208

E-mail: michelle.albanese@natureconservancy.ca

Ontario Nature Trust Alliance Land Securement Manual

Section 6 of the ONTA Land Securement Manual on land management is available for download from the Federation of Ontario Naturalists website at

<http://www.ontarionature.org/enviroandcons/6LandManagement.PDF>

contact Andrea Kettle, the Manager of Lands for Nature at: 355 Lesmill Road, Don Mills, Ontario, M3B 2W8 Tel: (416) 444-8419 ext. 231 or 1 (800) 440-2366 Fax: (416) 444-9866 E-mail:

andreak@ontarionature.org

Broom/Blackberry & Ivy removal

I was looking on the internet for articles about Himalayan blackberry removal (there is a massive a website devoted exclusively to removing English ivy. These guys even have a sense of humour. The No Ivy League motto: "De Vine Intervention"

http://www.noivyleague.com/Pages/ivy_removal.html

Sheppard et al., 2002. Factors affecting the invasion and persistence of broom (*Cytisus scoparius*) in Australia. *Journal of Applied Ecology* 39: 721-734.

BC Climate Exchange promotes learning about climate change by improving access to educational resources and providing skills training for organizations that are developing education and outreach programs. A new website <http://www.BCClimateExchange.ca> provides access to a wide variety of online case studies, brochures, workshops and resource people. Organizations and individuals with resources and tools on climate change are encouraged to go to the site and add their information.

The Canadian Environmental Network's Green List is now available!

ORDER ON-LINE at www.cen-rce.org
THE GREEN LIST
3rd Edition
A Guide to Canadian Environmental Organizations and Agencies

Amanda Hubley
Program Support Coordinator
Earth Day Canada
416 599-1991 ext. 101
www.earthday.ca
www.ecokids.ca
<http://www.earthday.ca/EDy2k/CoolSt/fameSOLcurrrent.html> .

Events

Jan 31, 2003 - Status of Central Okanagan Watersheds, Kelowna Library.
Contact: Tracy, tgow@city.kelowna.bc.ca

Feb 3-5, National Conference on Canadian Wetlands Stewardship. Ottawa, Ontario.
http://www.stewardshipcanada.ca/sc_national/event/nc_cws/index.htm

Feb 9-10, The Highs and Lows of Water Level: The Vulnerability of Coastal Communities to Water Level Change. Vancouver. email: kaparlee@nrcan.gc.ca

Feb 17-19 Climate Change in the Western and Northern Forests of Canada: Impacts and Adaptation. University of Northern B.C. Prince George <http://www.res.unbc.ca/climatechange/>

Feb 19-21, 2003 - World Summit on Salmon. Simon Fraser University at Harbour Centre <http://www.sfu.ca/cstudies/science/calendar.htm>

Feb 19-21. 55th Forestry Conference and Annual General Meeting. Theme: Valleys to Vistas. Association of BC Professional Foresters. Penticton <http://www.rpf-bc.org/agm55.html>

The Voluntary Organizations Consortium of BC (VOCBC) IMPACS - Institute for Media, Policy and Civil Society VanCity Community Foundation INVITE YOU to an afternoon workshop to examine the new Canada Customs and Revenue Agency (CCRA) guidelines on political activities

Date : Tuesday, March 4, 2003
Venue : Coal Harbour Community Centre Multipurpose Room
480 Broughton Street (and West Hastings St.)
Vancouver, BC Time : 1 - 4 pm

Contact to register : Reyna Abarca
Tel: (604) 682 - 1953 x. 101
Fax: (604) 682 - 4353
Email: reynaa@impacs.org
Deadline to RSVP : Friday, February 17, 2003
Resource People : Shauna Sylvester
Executive Director IMPACS
Richard Bridge, Legal Counsel, Charities and Democracy Project, IMPACS

World Water Day is March 22nd

March 24 –28 The Restoration Toolbox - Society for Ecological Restoration. Oregon Convention Center, Portland, Oregon.
<http://216.119.67.178/2003conf/Index.htm>

TWO-DAY TRAINING WITH JOSEPH CORNELL

World-renowned nature educator and author Joseph Cornell will present a two-day experience in teaching nature awareness at the Cowichan Lake Education Centre on Vancouver Island on March 29 and 30, 2003. Cornell's personal warmth and knowledge creates an exciting atmosphere for learning. This will be Cornell's first workshop in Canada, although he has made presentations to Canadian educators in the past. Attendance at the workshop will be limited, so those interested are

encouraged to reserve their place as early as possible. The cost for the workshop is \$200 plus \$138 for two nights accommodation and all meals. Reservations will be accepted with a \$50 deposit. Contact the Cowichan Community Land Trust, phone: 250-746-0227, fax: 250-746-9608, email: cclt@island.net.

The Cowichan Lake Education Centre is located on Vancouver Island. The Centre provides very comfortable yet rustic accommodations, superb food, and a beautiful outdoor setting for nature education workshops. It is close to the Carmanah Pacific Park and other natural BC west coast attractions.

Joseph Cornell www.sharingnature.com
Cowichan Lake Education Centre
www.uniserve.com/cownet/townlc
Cowichan Community Land Trust
www.island.net/~cclt.

March 31 - April 3 Georgia Basin/Puget Sound Research Conference.
Westin Bayshore Hotel, Vancouver.
http://www.wa.gov/puget_sound/Publications/2003research/RC2003.htm

April 23-25, 2003. 2nd Canadian Organic Residuals Recycling Conference: Biosolids, Manure, and Organic Industrial/Commercial Residuals in Land Application Programs: Beneficial Use and Protection of Water Quality. Penticton, BC.
<http://www.bcwwa.org/courses/organicresiduals.htm>

Comox Valley Land Trust will be holding their Giant Plant sale at the Comox Band Hall May 3, 2003.

CFP(Due: Feb 7/03) May 10-14, 2003.
Canadian Geophysical Union 29th Annual Scientific Meeting. Banff, Alberta.
<http://www.ucalgary.ca/~cguconf>

CFP(Due: Mar 1/03) May 27 - June 1, 2003.
53rd Annual Canadian Association of Geographers Meeting. Victoria, BC.
<http://www.geog.uvic.ca/cag2003acg/>

June 8 to 10, 2003. 3rd Canadian Conference on Geotechnique and Natural Hazards. Edmonton, Alberta. <http://www.geohazards2003.eba.ca/>

World Oceans Day is June 8th.

June 10-13, 2003. The World Summit on Salmon, Speaking for the Salmon Workshop. SFU. Vancouver, BC.

<http://www.sfu.ca/cstudies/science/salmon.htm>

The world's salmon are under siege. Despite the efforts of advocates, academics, governments, fisheries managers and a concerned public, the world's salmon continue to wither under numerous environmental and economic pressures. Simon Fraser University and its partners will host a world summit on wild salmon. The summit is meant to be a special forum for the globe's leading salmon scientists, conservationists and managers. For more information contact The World Summit on Salmon Secretariat, c/o Centre for Coastal Studies. Simon Fraser University
8888 University Drive Burnaby, BC, V6A 1S6
Telephone: 604-291-5466 Fax: 604-291-3851
Email: penikett@sfu.ca

June 11-13. 56th Canadian Water Resources Association (CWRA) Annual Conference, Water Stewardship How Are We Managing? Vancouver, B.C. http://www.cwra.org/events/arts/vancouver_03/van03promo1en.html

June 16-20, 2003. North American Forest Ecology Workshop. Corvallis, Oregon.
<http://outreach.cof.orst.edu/nafew/>

June 22-25 Agroforestry and Riparian Buffers for Land Productivity and Environmental Stability. Oregon State University College of Agricultural Sciences, OSU College of Forestry and the Association for Temperate Agroforestry (AFTA). Corvallis, Oregon
<http://www.missouri.edu/~afta/8thconference.htm>

July 2, 2003, LTA The Land Trust Alliance of BC – day long seminars and Annual General Meeting, University of Victoria

July 3-6, 2003. The Leading Edge: Stewardship and Conservation in Canada. National Conference. University of Victoria. Victoria, BC.
<http://www.stewardship2003.ca>

Related News of Interest

Good News from the east coast *Windmill Bight protected from golf course*

On December 18th, in a surprise announcement, the government of Newfoundland and Labrador announced that they would no longer be considering a golf course for the sensitive and rare sand dunes found in Windmill Bight Provincial Park on Newfoundland's east coast. Wildcanada.net had sent two action alerts to their network seeking letters to the provincial government against the decision to allow the golf course to be built. Pressure from individuals and groups across Canada worked. Minister Julie Bettney stated that letters from across the country helped turn her government against the proposed golf course.

Send a note to the Minister at juliebettney@mail.gov.nf.ca thanking her for protecting Windmill Bight.

But then there's the Bad News from BC

August 15, 2001, the Minister, Joyce Murray, announced a new opportunity for recreation and management of BC Parks. The government would cease funding maintenance of parks, would bundle parks into groups of 10 or more, and encourage business and local non-profits to apply to manage these bundles. Revenues for maintenance would come from commercial activity permitted in the parks as well as camping and perhaps user fees. The draft Proposal can be found on the Ministry of Water Land and Air Protection website, www.gov.bc.ca/bcparks

South Chilcotin Mountains Threatened by Mining

In April 2001, the provincial government of British Columbia designated Spruce Lake Provincial Park in the South Chilcotin Mountains following a comprehensive public land use planning process. The park consists of 71,000 ha of wilderness where coastal wet ecosystems meet dry interior ecosystems to create an interesting mix of species. Based on pressure from the mining industry, which walked away from the planning table prior to

completion, government is considering deleting or reducing the size of the park. Take action to protect the jewel in the crown of BC's Chilcotin Mountains by visiting <http://www.wildcanada.net/chilcotin>. (from the WildCanada Net)

You can view the entire BC Parks Action Centre at <http://www.savebcparks.net> or visit the Chilcotin page directly at <http://www.wildcanada.net/chilcotin>

And then:

The provincial government is proposing to designate almost half the province as working forest to provide certainty for commercial interests.

Hagen released a discussion paper that proposes to include 48 per cent of the total area of the province -- about 45 million hectares -- in a working forest. That includes the 23 million hectares already considered part of the timber harvest land base and another 22 million hectares of Crown land that is not now being harvested for a variety of reasons.

The working forest designation will permit other commercial uses as well, including mining, ranching, tourism and recreation. Hagen said environmental values will continue to be protected in the working forest and the new designation will not preclude the creation of new parks. But it will mean that commercial values will have to be considered first.

The discussion paper on working forests can be seen at www.gov.bc.ca/srm

Climate Change:

Kyoto Vote passed in the House of Commons today! Yeas / Pour 195 Nays / Contre 77

Just this month, Volkswagen came out with a small 2-person vehicle that does 293 mpg at 45 mph no kidding!

(http://www.vwvortex.com/news/04_02/04_16/index.shtml) Not as fuel efficient as a bicycle but pretty cool. We had a huge battle here in Canada before the government finally ratified the all-important Kyoto Accord, while the oil companies and their supporters fussed and whined.

SPECIES AT RISK ACT GIVEN ROYAL ASSENT

Ottawa, December 12, 2002 - The Species at Risk Act (SARA) received Royal Assent, bringing to a close a nine-year legislative process to protect Canada's species at risk and their critical habitat. The new legislation will come into force in 2003.

"Today we fulfilled a commitment made by this government to ensure protection for species at risk and the places where they live," said the Honourable David Anderson, Minister of the Environment. "SARA is the result of an extensive consultation process that has seldom been seen in Canadian history and the legislation enjoys broad support among Canadians. This inclusive process will continue as the Act provides for openness and transparency at all stages."

SARA is one of three elements of the government's Strategy for the Protection of Species at Risk. Under the Accord for the Protection of Species at Risk, the Government of Canada works with provinces and territories on a common approach to protecting species at risk in Canada that includes complementary legislation and programs to protect habitat and species.

"Protecting species at risk is a shared responsibility of all governments in Canada," said Minister Anderson. "This Act ensures the federal responsibility is met, and it also helps to fulfill some of Canada's international obligations under the Biodiversity Convention."

The other key component of the federal strategy is stewardship, a cornerstone of the Government of Canada's approach to species protection. Canada's Stewardship Agenda, approved earlier this year by federal, provincial and territorial Ministers of Wildlife, encourages Canadians to work together in a landscape approach to protect habitat, contribute to the recovery of species at risk and conserve Canada's natural heritage. One such initiative is the federal government's Habitat Stewardship Program for Species at Risk, which funds projects that support habitat conservation and stewardship. Hundreds of projects involving aboriginal organizations, landowners, businesses, industries, and non-government organizations have been approved over the last three years. The Government of Canada committed \$45 million to the Habitat Stewardship Program over 5 years.

Minister Anderson also noted the link between the passage of SARA and the Government of Canada's overall environmental agenda. "SARA complements many other environmental initiatives," he said. "For instance, our actions on climate change also protect species and their habitats - we know climate change affects the forests and waters that support species."

The species at risk legislation ensures that species are assessed under a rigorous and independent scientific process that operates at arm's length from the federal government. It also requires the development of recovery action plans for species that are found to be most at risk, and recognizes the essential role of Aboriginal peoples in the conservation of wildlife by requiring the establishment of a National Aboriginal Council on Species at Risk.

SARA will come into force by an order in council in 2003. In the period leading up to the order in council, the Government of Canada will develop the regulations required under the Act, including regulations on compensation.

BACKGROUND

The Species at Risk Act (SARA) was first introduced into the House of Commons in February of 2001. After deliberations by the Standing Committee on Environment and Sustainable Development, SARA was given Third Reading in June of 2002 and passed by the House of Commons. Senate deliberations began in the fall of 2002, followed by Royal Assent on December 12, 2002.

The new Act is the result of numerous cross-Canada consultations and built on the policy of previous legislative proposals over a nine-year period.

The overall goal of the Species at Risk Act is to prevent wildlife species from becoming extinct or lost from the wild, and to help in the recovery of species that are at risk as a result of human activities. The Act builds on existing laws and programs, such as the Fisheries Act, the Migratory Birds Convention Act, the National Parks Act, the North American Waterfowl Management Plan, as well as provincial and territorial legislation and programs.

The protection of wildlife is a shared responsibility among provinces, territories and the Government of Canada. The Accord for the Protection of Species at Risk, agreed to in 1996, commits the federal government and the provinces and territories to establish complementary legislation and programs to protect Canada's species at risk. The emphasis in the Species at Risk Act is on cooperation, an approach that echoes the constitutional foundations of Canada. SARA also provides the flexibility required to meet the needs of a wide variety of species at risk, including birds, fish, animals and plants.

Highlights of the Species at Risk Act:

The Committee on the Status of Endangered Wildlife in Canada (COSEWIC) is established by legislation for the first time. Operating at arm's length from governments, COSEWIC will continue to assess and classify wildlife species using the best available scientific, community and aboriginal traditional knowledge. In the quarter century since its work began, COSEWIC has assessed close to 600 species, and built an enviable record for its scientific integrity and independence.

COSEWIC assessments will be published in the SARA public registry. SARA requires that the Minister of the Environment publish a response within 90 days, and the Governor-in-Council has nine months to make a decision on whether to add the species to the legal list. This listing process acknowledges that adding species to the legal list could have potential serious economic and social implications for Canadians.

As soon as a species is added to the legal list, a number of binding provisions take effect, such as automatic prohibitions against killing or harming aquatic species, migratory bird species and all species on federal lands, and against destruction of their residences.

Mandatory recovery strategies, and management plans will be required within specific time periods for all species listed as extirpated, endangered, threatened or of special concern.

In addition, the Minister of the Environment must recommend an emergency order to protect a listed species or its habitat if he or she believes that a species faces imminent threats to its survival or recovery.

Upon proclamation, 233 species will be included on Schedule 1, the list of wildlife species at risk - all of the species that COSEWIC had assessed to the end of 2001 with the new criteria. Since then, and as the legislative process to enact SARA has continued, COSEWIC has continued its job of assessing species. Species assessed by COSEWIC as being at risk after 2001 will be addressed expeditiously once the Act is proclaimed through the transparent and inclusive process contained in SARA.

To the extent possible, recovery strategies, action plans and management plans must be prepared in cooperation with affected provinces, territories, aboriginal organizations, landowners and other affected parties. Stewardship is an essential part of the cooperative process that brings together landowners, conservationists, governments and other partners to protect species and habitat. Under the Act, stewardship is the first response to critical habitat protection. Hundreds of stewardship projects are already underway across Canada, many of them funded by the Habitat Stewardship Program for Species at Risk, administered by Environment Canada, Fisheries and Oceans Canada and the Parks Canada Agency. The Government of Canada committed \$45 million to the Habitat Stewardship Program over 5 years.

Stewardship projects funded through the Habitat Stewardship Program for Species at Risk range from providing a pathway under a highway to give amphibians a safe access to another part of their habitat, to comprehensive ecosystem approaches to cover multiple species.

If the cooperative approach under the Act fails, SARA ensures there is the necessary power for the Government of Canada to protect critical habitat of species at risk.

SARA contains provisions for compensation should it become necessary to apply the critical habitat prohibitions. When these prohibitions are used, people will be able to apply for compensation for losses suffered as a result of an extraordinary impact. The federal government is developing general compensation regulations that will set out the procedures for making an application for compensation. Claims will be addressed on a case-by-case basis. In this way, the Government of Canada will build practical experience in

implementing the stewardship and recovery provisions of the Species at Risk Act, and in dealing with questions of compensation before developing more comprehensive regulations.

SARA recognizes that the role of Aboriginal peoples in the conservation of wildlife is essential. The Act mandates the establishment of a National Aboriginal Council on Species at Risk to advise the Minister on the administration of the Act, and to provide advice to the federal, provincial, territorial Canadian Endangered Species Conservation Council.

For further information please visit http://www.ec.gc.ca/media_e.htm

News Release: New report charts NAFTA's environmental record

Montreal, 15 December 2002 -- In anticipation of the 10th anniversary of the signing of the North American Free Trade Agreement (NAFTA) on 17 December 1992, the Commission for Environmental Cooperation (CEC) released a report detailing some of the effects of NAFTA on the environment.

Produced with the financial support of the Ford Foundation, *Free Trade and the Environment: The Picture Becomes Clearer* summarizes the key findings of research presented at the first North American Symposium on Assessing the Linkages between Trade and Environment (October 2000). And it points to a relationship that is anything but simple.

"Contrary to some expectations, free trade has brought about advances in technology and management practices that have made positive environmental changes," said Victor Shantora, Acting Executive Director of the CEC. "On the other hand, in some circumstances, free trade since NAFTA has also been linked to environmental deterioration."

"Among the findings presented in the report are: some border communities have suffered more air pollution; local infrastructure improvements haven't kept pace with expanded road freight transport, leading to an increase in air pollution concentrations at US-Canada and Mexico-US border crossing points. There is little evidence of a 'race to the bottom.' Differences in environmental

regulation have not been a significant factor in determining where business investments are located.

The petroleum, base metals, and transportation equipment sectors have all witnessed a marginal boost in the emissions of pollutants. By contrast, NAFTA-related contraction in Canada's base-metals industry coincides with a reduction in toxic releases from that sector.

"While there is much more to know, it is clear that trade liberalization accompanied by robust environmental policies can help achieve sustainable development -- just as freer trade without adequate environmental safeguards can trigger degradation," affirmed Mr. Shantora. "The key lesson is that policy matters."

A second North American Symposium on Assessing the Environmental Effects of Trade will be held in collaboration with the United Nations Environment Programme on 25-26 March 2003, in Mexico City. Sixteen research papers will be presented and discussed on issues ranging from energy subsidies to invasive species and intensive livestock operations.

The CEC was established by Canada, Mexico and the United States to build cooperation among the three partners in implementing NAFTA's environmental accord, the North American Agreement on Environmental Cooperation.

For more information on the report, please visit <http://www.cec.org/index.cfm?varlan=english>.
Commission for Environmental Cooperation
393, rue Saint-Jacques Ouest, Bureau 200
Montreal (Québec) Canada H2Y 1N9
Tel: (514) 350-4300; Fax: (514) 350-4314
E-mail: info@ccemtl.org

The economic value of wild ecosystems far outweighs the value of converting them, say scientists in the journal "Science"

Until people wake up to the idea that nature has intrinsic value, this is a useful paper to refer to when advocating for wilderness preservation. See ENS News <http://ens-news.com/ens/aug2002/2002-08-09-07.asp>.

West Coast Environmental Law update regarding the "The Lobbyists Registration Act and Charities

In discussions with the Lobbyist Registrar, WCEL requested the Registrar of Lobbyists to reconsider a key legal interpretation of the Lobbyist Registration Act contained in the Registrar's Guide. The Registrar has accepted West Coast's argument.

Very generally, however, an individual person must spend 20% or more of their time lobbying before they will be considered a lobbyist and be required to register (the Registrar had previously said that 20% of a full time position spread across an organization would mean that the organization would need to register). This new interpretation is less onerous for ENGOs with more than one staff member, and will probably mean that fewer ENGOs will be required to register under the Lobbyists Registration Act. The web version of our brief will be amended in the next couple of weeks (after January 2).

Andrew Gage, West Coast Environmental Law

On another note, copies of the Green Legacies guide are currently being distributed to professional advisors across BC by local members of Green Legacies' participating groups (including LTABC). Please encourage your members to talk with their advisors about using the Guide for personal gift planning.

If your organization has not yet signed on to the Green Legacies Project, please know that the website is being continually updated and used. There is no charge. At www.greenlegacies.ca go to Conservation Organizations and complete the form.

For more information, contact Nora Layard at (250) 537-4612, nlayard@saltspring.com.

WATERSHED WEEKLY (excerpts) From: stewardship@syilx.org

1) Christina Lake Stewardship Centre Staying Open! Great news for stewardship efforts in the Boundary. After some very lean months and a lot of volunteer effort by the Christina Lake Stewardship Society and their Stewardship Coordinator Brenda Lacroix, support for volunteer efforts in the Boundary will remain for another half a year at least.

The Regional District of Kootenay Boundary has stepped up with a financial contribution that will cover "keeping the lights on" in the centre, while BC Gaming has put \$15,000 towards the programming offered to the public. For more information on the programs, projects, coordination and information services provided by the centre in Christina Lake, contact Brenda Lacroix at 250 447 2504.

OSBFP Requests Community Input to a Regional Vision

This winter, the OSBFP is hosting sessions in the Okanagan, Similkameen and Kettle watersheds to ask the public and interested non-profit groups what they think the priorities for fisheries recovery in the regions should be.

There are many issues to be discussed, including the return of salmon to all portions of these watersheds, something that has not happened since the construction of dams in the Columbia River. Many people in the valley do not realize salmon historically inhabited these areas at levels similar to the Adams River, and that their return could be an economic boon to the area. There are efforts underway by the OSBFP and its community counterpart (UCG) in the US to work with fish agencies in both countries to restore all native fisheries to these watersheds. We need these community input sessions to get your opinion on how technical priorities and recovery efforts can work at the local level for economic and other benefits. The information and ideas about community priorities from these workshops will be compiled, and recommendations presented to fisheries agencies. For more info, contact Michelle or Jill at 250 707 0095 or stewardship@syilx.org

Can Local Citizens Monitor Watershed Health? Excerpts From "Fish Talk" The Newsletter of the Fraser Basin Fisheries Council by Shawn Clough (sclough@tbfc.ca)

Close to home our volunteers face a daunting problem. With the dramatic changes both the federal and provincial governments are making to their field staff levels, the pressure for ensuring environmental monitoring is done has fallen to local First Nations and community groups.

Compliance staff in DFO, MWLAP and MOF have all been seriously impacted by fiscal constraints. When government staff ask supervisors how they are to do more environmental compliance checks

with less staff, management's response is "have proponents send in better pictures and video to the office – you should be able to make a decision from that."

This lame excuse for abandoning environmental obligations is reprehensible. The only way to ensure environmental compliance is to have field staff active where the impacts are – in the field! Up to the plate steps volunteers. To prevent the issues faced by SOS, stewardship groups need to convince government that they require the skills and tools to pick up the monitoring "slack" caused by government abandonment.

We need to work with local professionals to develop protocols that informally trained volunteers can undertake, providing meaningful data to the government staff making the compliance decisions.

How can we do this? Obviously we need funding, but even more important is the realization by government that the local people in the watershed have a vested interest in what occurs within that watershed. More than 'lip-service' must be paid to these environmental stewardship groups. A commitment must be forthcoming to fully involving them in all aspects of what occurs within the watershed.

INDEPENDENT COUNCIL URGES DEDICATED RESOURCES FOR OKANAGAN SALMON RESTORATION

At the ONFC hosted International Okanagan River Salmon Festival on October 18, the Pacific Fisheries Resource Conservation Council (PFRCC) released its 2001-2002 Annual Report drawing attention to the opportunities and challenges of restoring the salmon runs of the Okanagan River. The PFRCC is an independent technical group advising Federal Ministers.

This year's annual report is the Council's most comprehensive reporting of the state of salmon for southern British Columbia.

The full report is available at:
<http://www.fish.bc.ca>.

The OSBFP will be hosting sessions this winter so the public can be heard and develop a vision for salmon re-introduction and other fisheries issues

From: stewardship@syilx.org

COLUMBIA WETLANDS THREATENED

The Columbia Wetlands, found at the headwaters of the Columbia River system, are 180 kilometers of natural wetlands at the base of the western slopes of the Canadian Rockies in southeastern British Columbia. In a world where wetlands disappear daily, the Columbia River Wetlands are an increasingly rare and priceless international treasure. Now, unrestricted motorized vessels threaten wildlife habitat and migrating and resident birds. The Columbia Wetlands have become almost all that is left intact of the Pacific flyway, the age-old route traversed by countless migrating birds. Here, after many thousands of miles of flight, they can rest and replenish and survive. The Columbia Wetlands must be protected as a home for wildlife and as quiet and peaceful sanctuary for people as well. Take action by writing the federal Minister of Fisheries and Oceans at the address found below!

Take Action

Please write:

The Honourable Robert Thibault, Minister of Fisheries and Oceans,
Canada Centennial Towers, Suite 1570, 200 Kent Street, Ottawa Ontario K1A 0E6
FAX: 613-990-7292 email: min@dfo-mpo.gc.ca

The East Kootenay Environmental Society (EKES) has taken the lead in the work to maintain the wildlife and natural values of the Columbia Wetlands. Please copy your letter to ellenzim@rockies.net

For more information: www.ekes.org or contact EKES spokesperson, Ellen Zimmerman, Phone/FAX: 250-348-2225 e-mail ellenzim@rockies.net

Support Wildcanada.net's efforts to assist in the protection of wetlands and other important wildlands by making an on-line donation at <http://www.wildcanada.net>.

Land Trust & Stewardship 2003 Seminars

**This year's Seminar Series will be held for one day only
July 2nd, 2003**

**We are accepting proposals and requests for up to six
Seminars**

**Please send your ideas and requests to
sheila@landtrustalliance.bc.ca**



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STEWARDSHIP & CONSERVATION IN CANADA 2003

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Pre-conference site visits and workshops

info@stewardship2003.ca
1-250-995-0225

www.stewardship2003



www.landtrustalliance.bc.ca/registry

A GIS BASED WEB SITE DISPLAYING THE NATURAL AND CULTURAL SITES PROTECTED BY BC'S LAND TRUSTS AND CONSERVANCIES

- **Maps of British Columbia displaying Lands owned or Conservation covenants held by Land Trusts & Conservancies**
- **Maps of Federal, Provincial & Regional parks overlaid**
- **Regional Maps displaying a list of properties protected by Ecoregions**
- **Property Summary Pages detailing the protected values**
- **Provincial Statistics covering the values, red-listed species and areas protected**
- **Protected Red-listed species details including habitats**

LTA Land Trust Alliance of British Columbia
204-338 Lower Ganges Road, Salt Spring Island, B.C. V8K 2V3
250-538-0112 fax 250-538-0172 info@landtrustalliance.bc.ca

