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CONSERVATIONISTS CHALLENGE DECISION TO LOG PRIME MARBLED MURRELET HABITAT ON THE SUNSHINE COAST

SECHELT, BC-A decision by the British Columbia Ministry of Forests to proceed with logging in one of the best remaining forest habitats for the Marbled Murrelet on BC's Sunshine Coast will be challenged in court.

The law firm of Arvay Finlay filed for a judicial review in BC Supreme Court today on behalf of the Sunshine Coast Conservation Association (SCCA) and the Western Canada Wilderness Committee (WCWC).

The Ministry of Forests, in approving and offering for tender Timber Sale A48271 (140,700 cubic meters) in the Brittain Landscape Unit, will fragment and destroy the known occupied habitat and nest sites of an endangered population of this threatened BC seabird.

The sale's high-elevation forest lands include the best remaining large patches of suitable, actively occupied Marbled Murrelet nesting habitat in the Brittain Landscape Unit (the west side of Jervis Inlet). The Marbled Murrelet is recognized as a threatened/imperilled species by both the provincial and federal governments and by international wildlife organizations.

This subsidized sale is proceeding despite the documented concerns of designated environment officials in the Fish and Wildlife Habitat Protection Branch

"We are confident that the extensive documentation we have received through Freedom of Information, and the clear misinterpretation of provincial law by the district manager in this case, will enable us to obtain a legal remedy that protects this critical habitat," says Dan Bouman, executive director of the SCCA.

"Government biologists have emphasized the crucial importance of this area in preventing extirpation of the birds in this landscape unit, and this information must be incorporated into the logging approval process."

The area in question has been proposed for two Wildlife Habitat Areas (WHAs) under the provisions of the Identified Wildlife Management Strategy of the provincial government. However, a decision has not yet been made for legal establishment of the WHAs, and logging is imminent, as the sale has been awarded to Salisbury Forest Products of Powell River, BC.

Funding for legal research and counsel has been provided by the Environmental Dispute Resolution Fund of West Coast Environmental Law.

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