



Sunshine Coast Conservation Association

Newsletter Issue 4

PO Box 1969, Sechelt, BC, V0N 3A0; www.thescca.ca

February/2002

Forest Practices Board Overturns Logging Plans in Jervis Inlet

by Daniel Bouman

The Forest Practices Board, acting on a request and using information from the SCCA, has succeeded in getting a cutblock in Interfor's North Jervis Forest Development Plan (FDP) overturned by an Administrative Review Panel. The reason for the decision is that both Interfor and the district manager of the Sunshine Coast Forest District failed to comply with the Forest Practices Code Act by not explicitly accounting for the needs of the marbled murrelet in the areas to which the plan applies. The marbled murrelet is a "red-listed" species, known to occur in the plan area and known to be in severe

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The marbled murrelet, painted by Paul Jones, from his new book, The Marbled Murrelets of the Caren Range and Middlepoint Bight (see page 4).

Introducing Pender Harbour's Naturalists

by John Field

The Pender Harbour and District Wildlife Society is this northern Sunshine Coast community's first conservation organization. It was founded in the late 1970s to begin enhancement work on salmon populations in the Anderson Creek watershed, primarily via a volunteer-run hatchery. The society was also a member club of the BC Wildlife Federation, with activities that catered to hunters and fishermen. One now-controversial project of the mid-1980s was to sponsor the introduction of Roosevelt elk to the Pender Harbour area, a move designed to enhance both hunting and wildlife-viewing opportunities.

Ironically, perhaps, it was soon after completion of the elk transplant that

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It's Time to Revive Community Watershed Reserves

by Linda Williams

Chapman and Gray creeks are designated as "community watershed reserves" under BC provincial legislation.

"reserve (verb): set apart, destined for some use or fate
reserve (noun): place reserved for some special use"

Oxford Dictionary

The above definitions indicate that logging and mining would not be expected to occur in watershed reserves set apart for community water supply. So what happened?

In the late 1960s short-term timber supply was dwindling due to the unsustainable rate of cut in high-volume old growth.

Forestry officials, instead of lowering the Allowable Annual Cut, decided to subsidize it with "contributions" from the watershed reserves. Government planned to "invade" (its own word) the reserves in order to forestall a short-term timber supply crunch.

By 1972 the resulting water quality complaints forced cabinet to form a task force to examine the "practicability" of obtaining "wholesome" water from multiple-use community watersheds. At its conclusion the task force reserved approximately 300 community watersheds for water supply purposes and implemented policy to protect that use. Many of these new reserves simply reconfirmed previous reserved status. Chapman Creek has been a watershed reserve since 1929.

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The SCCA Annual General Meeting

will be held Sunday, April 7, 2002
1 p.m. to 4 p.m. at the Sechelt Library.
Please try to attend this important event!

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Forest Practices Board

decline due to a shortage of old-growth nesting habitat.

Since the approval of its 1999-2003 FDPs, Interfor has had sufficient "category A" logging approvals to extirpate this threatened seabird from more than half the land base of the district. In reviewing Interfor's 2001-2005 FDPs last spring, SCCA members noticed six new category A proposals in murrelet habitat in the North Jervis area. When the plan was approved in August of this year the SCCA executive decided to request the assistance of the Forest Practices Board. The FPB agreed to proceed to the Administrative Review Panel on the basis of one of these category A approvals in documented murrelet nesting habitat. By focusing on irrefutable evidence surrounding this one cutblock, the Forest Practices Board has demonstrated that the North Jervis FDP and many other FDPs are not in compliance with the Forest Practices Code.

There are a number of positive implications to this decision. From now on it is reasonable to expect (and insist) that logging plans explicitly detail how the "forest resource" of murrelet nesting habitat is going to be conserved. Also, foresters and district managers will have to recognize conservation assessments and the information provided by other agencies (such as the Wildlife Branch) as "known" information, i.e. "the best currently available scientific information."

During the review process the panel examined arguments from the Forest Practices Board, Interfor and the district

manager of the Sunshine Coast Forest District. The position of the FPB (which is expressed in a powerful document, available on request) was largely upheld. The arguments of Interfor and the district manager—that nesting habitat is plentiful and that the designation of Wildlife Habitat Areas is the responsibility of other decision makers—were specifically rejected. Interfor has given notice that it intends to appeal this decision to the Forest Appeals Commission, even though its right to appeal has not yet been established.

For now we have won a precedent-setting victory.



Newsletter Available as PDF File

The Sunshine Coast Conservation Association Newsletter is also distributed by email. It arrives as a PDF attachment, viewable with Adobe Reader, which can be downloaded free of charge from www.adobe.com. Benefits of receiving the newsletter this way include viewing it in full colour and saving on paper use. If you want to be on the electronic distribution list, send your email address to the editor at andrewscott@dccnet.com.

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Pender Harbour's Naturalists

the society began to shift its focus, from one of wildlife conservation for the sake of improved hunting and fishing to one of nature conservation for its own sake. Salmon enhancement activities continued, but hunting ceased to be a club activity and was replaced by participation in wildlife surveys, advocacy for protected areas and promotion of recycling. The society also changed its provincial affiliation to the Federation of BC Naturalists.

The Pender Harbour & District Wildlife Society of today includes members from Gibsons to Egmont. It still operates a salmon hatchery and rearing facility, but only when needed as a backup in years of poor natural reproduction. Instead, there is greater emphasis on measures to safeguard and enhance natural spawning and rearing habitat throughout the north Sechelt Peninsula. An upcoming project, conducted in association with a group of tourism businesses, will reintroduce salmonids to a long-abused (but soon to be rehabilitated) creek and tidal wetland in the middle of Madeira Park.

On August 15, 2001, people equipped with chest waders, clippers and determination attacked an infestation of purple loosestrife in the wetlands around Lillies Lake, the source of this same creek. Purple loosestrife, to some a beautiful imported garden flower, is also a highly invasive and noxious weed that can choke out native wetland plants. This was the second year of an on-going program aimed at controlling the spread of loosestrife until a permanent biological solution is found.

Earlier this year the society became the volunteer warden for the south Sunshine Coast's only provincial ecological

reserve, which encompasses Ambrose Lake, its extensive sphagnum bogs and surrounding lands, including short stretches of shoreline along Ruby Lake and Agamemnon Channel. A recent proposal to log within the watershed of Ambrose Lake has members greatly concerned, due to the potential for alterations to the lake and bog ecosystems. In the short term, efforts are being made to resolve the problem by having the area declared an old growth management area (OGMA) under the Forest Practices Code. The ideal long-term solution, however, would be to enlarge the reserve to include the lake's entire watershed.

The members of the society know that there is a great deal of work to be done to protect and enhance wildlife habitat. They are doing what they can to accomplish these goals. Vigilance in spotting conflicts between man and nature is of the utmost importance, so that solutions may be found.

General meetings of the society are open to all, and are held on the third Tuesday of each month (except July, August and December) at 7:30 p.m. at Pender Harbour Secondary School. They feature speakers and/or slide shows on a variety of topics: in February, for example, there will be a presentation by limnologist Michael Jackson on the biology of shallow waters; in March, coast birder Arnold Skei will discuss local birds and how to encourage them to nest in your backyard.

"Coast Explorers," an offshoot of the society, runs a series of informal walks, hikes and cross-country ski trips on the Sunshine Coast roughly every other week from fall through to spring. Details are advertised in local newspaper community events calendars and on cable TV, or else contact John Field at 604-883-2807 for more information.

A New Conservation Tool for the Coast

Sunshine Coast Regional District is Creating a Habitat Atlas for Community Use

by Cheryl Trent

There's an exciting project happening on the Sunshine Coast. With help from Fisheries & Oceans Canada under the Habitat Conservation & Stewardship Program, the Sunshine Coast Regional District is creating a Habitat Atlas for our community.

The Habitat Atlas is a series of maps, covering the extent of the SCRCD; from Langdale to Egmont and north past the top of Jervis Inlet. Each page of the atlas will contain a map illustrating a number of features, including: streams, roads, trails, land parcels, fish and wildlife habitat, parks and protected areas, watershed boundaries, and aerial photographs. To date, over 30 different categories, or "layers," of information have been collected. Each layer is stored on computer in a Geographic Information Systems (GIS) database at the SCRCD office in Sechelt.

The purpose of the Habitat Atlas project is to create a tool for identifying, protecting, enhancing and restoring essential fish habitat on the Sunshine Coast. This is a very important initiative because fisheries are a significant economic and environmental resource for this area. Many of our streams, lakes, wetlands and ditches have never been mapped, or have not been mapped to an

acceptable level of detail. As land is developed, these unmapped water courses run the risk of being damaged or lost. The first step to protecting these areas is to locate them accurately on a map and record the characteristics that make them special. The second step is to then make the information readily available to the public in an easy-to-use format.

Some of the possible users of the Habitat Atlas include planners, developers, First Nations, community groups and local businesses. Planners at the Sunshine Coast Regional District and the District of Sechelt are already using data collected for the Habitat Atlas, as are a number of community groups who have

requested custom maps to meet their needs. When complete, the Habitat Atlas will provide local businesses with accurate and up-to-date maps for marketing and promotional materials.

Developing and maintaining partnerships is key to the success of the project. Partners provide a source of support,

expert knowledge, information, tools and funding. Strong partnerships already exist between the Sunshine Coast Regional District, the Sechelt Indian Government District, the Town of Gibsons, the District of Sechelt, Fisheries & Oceans Canada, the Gambier Island Conservancy, the Urban Salmon Habitat Program and the Ministry of Water, Land and Air Protection.

Community outreach through presentations to local groups is another high priority for the project. The purpose of making these presentations is to provide a way for increasing public awareness of the project, soliciting input, generating support, updating existing information and collecting new data. The presentations have shown that the Sunshine Coast has a large number of enthusiastic, committed individuals who are determined to protect



Two of the Sunshine Coast's invaluable wetlands: above, on Brooks Road, and below, on South Thormanby Island.

Photos Andrew Scott

and enhance their community's natural treasures.

This is a three-year initiative, and we're now at the halfway mark. The first draft of the Habitat Atlas should be ready before March 31, 2002. An Internet website with the capability for viewing all the available layers of information and for creating custom maps in a simple, user-friendly manner will follow shortly thereafter.

For more information about the Sunshine Coast's new Habitat Atlas project, please go to www.user.dccnet.com/ctrent/ (this site can presently only be accessed with the Internet Explorer web browser).

News and Events from Up and Down the Sunshine Coast

Been for a stroll in Smuggler Cove Marine Park lately? Four sturdy new railed boardwalks, almost 200 metres long in total, snake through a hardwood wetland that has expanded significantly due to beaver activity. Rumour has it that a tree or two was cut down to accommodate building materials brought in by helicopter (!). Even so, the results are remarkable; visitors now get close-up glimpses of bird activity in the marsh. ☺ On the subject of birds, a new book by Paul Jones chronicles the discovery of Canada's first active marbled murrelet nest in the Caren Range of the Sechelt Peninsula. *The Marbled Murrelets of the Caren Range and Middlepoint Bight* (\$34.95, published by the Western Canada Wilderness Committee) also describes the campaign that resulted in saving part of the Caren's ancient forests as Spixyus Provincial Park. It's a fine book, full of marvelous detail, and illustrated with the author's own artwork. To order a copy, contact WC² at 604-683-8220. Paul, of course, is a founding member of the Friends of Caren. ☺ More on birds: the Sunshine Coast Natural History Society brought R Wayne Campbell, dean of BC's ornithologists, to Sechelt in November to speak on research he has been doing for BC Hydro, studying the biodiversity of utility corridors and looking at how they might be better managed as wildlife habitat. Campbell also talked about new initiatives by BC's Wild Bird Trust, including the establishment of a comprehensive birding data centre in Victoria. Other recent speakers have included Sargeant Bay Society's John Newell, SCCA director Andrew Scott and SCNHS member Arnold Skei. Meetings are held on the first Friday of each month, 7:30 p.m., at the Sechelt Arts Centre. ☺ Forester Herb Hammond, director of the Silva Forest Foundation, spoke at Roberts Creek last November and explored with local groups the feasibility of developing a holistic community forest plan. Holistic practices respect community values, promote ecological sustainability and attempt to maximize long-term economic benefits for all. ☺ Late in 2001, the BC Ministry of Sustainable Resource Management announced a major tourism and recreation study for the Sunshine Coast Forest District. The project, led by Dave Nicolson of Clover Point Cartographics and Warren Fox of Geoscape Environmental Consultants, will conduct an inventory and analysis of recreation and tourism features, and include GIS mapping. Public meetings are scheduled for February 20-22 in Sechelt, Powell River and Cortes Island. Do attend if possible and make your views known. Some areas of the Sunshine Coast are too sensitive for recreation and tourism, while other settings may be appropriate for certain activities if views and rare ecosystems, including ancient forests, remain undisturbed. The study's report is due March 15, 2002. ☺ In January, 2002, the SCCA, in partnership with the Coastal Community Network, organized an Environ-

mental Goals & Indicators Workshop in Sechelt. The environmental "benchmarks," identified at the workshop, along with social and economic benchmarks already developed, can be used by local communities to measure progress towards sustainable regional goals. Workshop facilitator Bryan Evans has also been helping the SCCA board craft a strategic plan for 2002-05.



Looking north to Anvil Island in Howe Sound; local recreation and tourism activities, including kayaking, are under study by the provincial government. Andrew Scott photo

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Time for Watershed Reserves

In 1979, responding to another forest industry downturn, the Social Credit government implemented "sympathetic administration" and basically looked the other way as logging continued unabated in the watershed "reserves." Throughout this entire period the Sunshine Coast Regional District fought to have the problems in Chapman and Gray creek watersheds rectified.

In 1990, after 20 years of conflict, the Chapman/Gray Integrated Watershed Management Plan was finally initiated by government. The terms of reference set the "planning team" the following mandate: to "determine the best use *or* uses" of the community watersheds and "to work until consensus was achieved." Eight years and one referendum later, government packed its briefcases and signed off on a non-consensual plan, which never once examined what the best *use* of the watershed reserves might be.

In BC there isn't one successful example to cite of a logged, mined and/or grazed community watershed. For 35 years, government has systematically ignored its responsibility to people while giving industry a free rein. Now the new government is opting for an even less-regulated industry. If this government wants to *significantly* decrease the regulatory "burden" of managing community watersheds, and at the same time protect drinking water quality for communities, all it will take is a small number of "Watershed Reserve—Keep Out" signs posted conspicuously at every locked gate.

Executive Director's Report

by Daniel Bouman

Greetings all! As I'm sure everyone is aware, protection of the habitat of threatened species has been a major focus of our efforts over the last three years. In January our project to bring logging approvals in marbled murrelet nesting habitat in the Brittain River area under judicial scrutiny was realized in the Supreme Court of British Columbia. During three days of presentation and argument the case from both sides was presented, summarized and rebutted. It was a tense and utterly fascinating experience. Basically, our case was that the MoF had committed errors in law, proceeded in an unreasonable manner and in so doing had put the irreplaceable habitat of a threatened/imperiled species at severe risk. The opposing position was that the errors in law were not significant and that the unreasonable behavior of the MoF was not serious enough to warrant the intervention of the courts (this is a lay person's interpretation). Currently the court is adjourned while the judge considers his decision.

In a judicial review the presiding judge may or may not offer an explanation of his decision and may settle or may refuse to actually settle the contested issues. That's one reason why judicial reviews are such a risky option. The judge could defer to the "statutory authority" of the district manager and refuse to make any further comment. He could uphold the decision of the district manager to approve logging and take the position that the errors in law were inconsequential and the unreasonable behavior not sufficiently extreme to warrant the intervention of the court. And of course he may take

exactly the opposite position—that the errors in law and unreasonable decisions require the intervention of the court. In any case it's out of our hands, and we are awaiting the findings of the court.

There is one aspect of the situation that I'd like everyone to be aware of. This case may affect but will likely not settle the issues of habitat protection in the Sunshine Coast Forest District. Even if we win in a decisive manner, the government can always respond with new legislation and wipe out our gains. Also, even if the judge sets aside the contested logging approvals, the district manager can reapprove these cutblocks in a new Forest Development Plan and force us to start proceedings all over again. There could well be very positive outcomes, but the situation is likely to remain that an advocate's job is never done! That's why the SCCA will continue to need your support and attention. In any case, the decision of the court will be publicized and I'll endeavor to keep you informed about any implications.

Two other short notes: during the run-up to the court case we pointed out in a letter to the chief forester that the district

manager does not have authority under the Forest Practices Code to grant "category A" protection to cutblocks in the Small Business Forest Enterprise Program, as he had done in the Brittain River timber sale. In December of 2001 we received notice that the government had changed the Operational Planning Regulations to allow district managers to give "category A" protection to Small Business cutblocks. This is a definite step backward. As things stand now, a district manager can write the small business logging plan, give approval to his own plan and "protect" his cutblocks from any other stakeholder—all on his own authority. How's that for accountability in the "New Era"?

And finally, as of Black Thursday, the Wildlife Branch is no longer "in the business" of offering referral services for forest development planning (see Core Services Review/WLAP). Plain language translation: from now on the Wildlife Branch is not allowed to comment on logging plans. As you can see, continued vigilance is necessary.

See you at the AGM in April.



Bryan Evans of Dovetail Consulting (at right) has been working with SCCA directors and alternates to help develop a strategic plan for the organization for 2002-05.

Daniel Bouman photo

Welcome to New SCCA Member Groups

Three new groups have joined the Sunshine Coast Conservation Association in recent months: the Carlson Point Property Owners, CLEAR and the Gibsons Wildlife Rehabilitation Centre. Welcome all!

CLEAR stands for Community Lobbying for Environmental and Atmospheric Renewal. The organization can be contacted by email through its representative, David Holmes-Smith, at dholmes_smith@uniserve.com.

The Carlson Point Property Owners are concerned about the impact of logging on the slopes behind their cabins at Carlson Point on Sechelt Inlet. Several creeks here, designated as a community watershed, are the total source of this group's water supply. Ideally, the owners would like to see this community watershed excluded from any future logging and road-building plans. At the very least, they are trying to ensure that future activities protect surrounding soils and wildlife values, provide adequate buffer zones around streams and maintain appropriate visual quality objectives (VQOs).

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By calling this toll-free number you will be
connected by telephone or fax to any individual
or department in the BC government.

Newsletter of the Sunshine Coast Conservation Association

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Member Organizations:

BC Spaces for Nature
Carleson Point Property Owners
CLEAR (Community Lobbying for
Environmental and Atmospheric Renewal)
Elphinstone Living Forest
Francis Point Marine Park Society
Friends of Caren

Friends of Homesite Creek
Gambier Island Conservancy
Gibsons Wildlife Rehabilitation Centre
Halfmoon Bay Greenways
Native Plant Society of BC,
Sunshine Coast Chapter
One Straw Society
Pender Harbour and District
Wildlife Society

Powell River Eco-Care Conservancy
Sargeant Bay Society
Sunshine Coast Heritage Society
Sunshine Coast Natural History Society
Sunshine Coast Species Survival Network
Sunshine Coast Water First Society
Tetrahedron Alliance
Tuwaneke Ratepayers Association

Sunshine Coast Conservation Association

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"PURPOSE: The purpose of the Sunshine Coast Conservation Association is to preserve the natural biodiversity of the Sunshine Coast region for the present and future benefit of humanity and all life; specifically to:

1. Conduct research to inventory and describe our remaining natural areas with the goal of identifying land and waters important for the preservation of biodiversity. All information collected will be freely available to the public.
2. Work to retain such lands and waters in a natural state and make them available for the public enjoyment where possible.
3. Raise public environmental and conservation awareness by sponsoring educational programs and workshops and by building access infrastructure for low-impact recreation."

Our constitution requires that membership in the SCCA is conditional upon acceptance of the purpose of the SCCA stated above.

APPLICATION FOR MEMBERSHIP OR RENEWAL

Name: _____

Group membership (\$10) _____

Mailing address: _____

• SCCA representative/contact: _____

Phone: _____

• Alternate: _____

Fax number: _____

Affiliate (individual) membership (\$10) _____

Email address: _____

Receive newsletter by email? Yes _____ No _____

Website: _____

\$ _____ Donation

I accept the purpose of the SCCA. Signature: _____

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