



November 15, 2010

To: BC's Species at Risk Task Force

From: BC Nature (Federation of BC Naturalists)

1. DEFINING VISION, PRINCIPLES AND OUTCOMES: Where should our conservation efforts be focused, what principles should guide future development of a species at risk program in B.C., and what are the measurable outcomes that best address the fundamental threats to biodiversity in B.C. and help us achieve our vision?

BC Nature (Federation of BC Naturalists) Response: It is well known in the biological and social science disciplines that the wellbeing of people and sustainability of communities ultimately depends on the health and sustainability of the biosphere. The government's goal must therefore be to ensure that BC conserves its full natural endowment of ecosystems and species for the health and wellbeing of future generations. The outcome sought is successful restoration of species at risk, as well as provincial policies and management practices established that maintain healthy ecosystems and prevent species extirpation. We support the goals and tactics advocated in the provincial government's 2009 Conservation Framework.

2. ENVIRONMENTAL MANAGEMENT: In light of climate change and multiple development demands, what management methods need to be advanced to meet our conservation targets?

BC Nature (Federation of BC Naturalists) Response: Management agencies need to be flexible and capable of responding to climate change. Protection of large blocks of conservation areas, with strong connecting corridors of natural habitat, is important to increase the ability of wildlife (including plants) to adapt to climate change.

Also, environmental assessments of major developments, most obviously, but not solely, those proposed by the fossil fuel industry, must consider "cradle to grave" impacts on global GHG emissions. For example, in assessing proposed new coal mines, the government must consider the implications for GHG emissions and associated climate change, not only of extraction of coal in BC, but the burning of that coal in the jurisdiction of its eventual destination.

The precautionary principle needs to be applied in all management of species at risk and in assessing the possible or likely effects of various human activities on the health of critical habitats and the species' survival. As Aldo Leopold, one of North America's early conservationists and a founder of the science of wildlife management famously wrote: "To keep every cog and wheel is the first precaution of intelligent tinkering."

Finally, for conservation goals to be achieved, it is essential that the government ensure adequate funding and staffing for the Ministry of Environment, which has become woefully understaffed and underfunded because of government cutbacks - to the point that its effectiveness in fulfilling its mandate “to provide a clean, healthy and naturally diverse environment that enriches people's lives, now and in the future” is severely compromised. The removal of fish, wildlife and habitat management from Environment to the new Ministry of Natural Resource Operations is also of particular concern to us, because management of these is an integral part of the ecosystem protection and conservation mandate of the Ministry of Environment. We strongly recommend that they be returned to the Ministry of Environment where they belong.

3. REGULATORY FRAMEWORK: What changes are required to the existing regulatory framework to ensure we balance ecological and socio-economic considerations and best achieve our conservation targets?

BC Nature (Federation of BC Naturalists) Response: The requirement to “balance” frequently competing issues of environment, society and economy, typically described as a three-legged stool, is resulting in the environment “leg” constantly being shortened to balance it with socio-economic (ie economic) considerations with the environment being incrementally compromised to meet perceived economic needs.

This three-legged stool model ignores the fact that if ecosystems are pushed beyond their tolerance limits, the economy and society will collapse as well. A better model is the “tree” model, where the trunk represents the environment, while the branches - which are dependent on the health of the trunk to survive - represent the economy and other human needs.

Strong Provincial legislation is needed to ensure that every aspect of proper ecosystem function is uncompromised so that all species, most significantly the threatened and endangered ones, are not negatively impacted by development in the long term. Provincial legislation is needed to augment the federal species at risk legislation, which applies only to federal lands and First Nations reserves. It is imperative that the BC Species-at-Risk Act (SARA) apply to private lands in some key provisions as this is a serious deficiency of the federal SARA. Wetlands and riparian areas on private lands already are given some legal protection: this needs to be extended to essential habitat for species at risk as well. For example, in the South Okanagan, there are places where the only significant habitat left for species at risk in the bottomlands is on private property.

A more rigorous environment assessment is urgently needed for major industrial developments, with the objective of ensuring that ecosystem integrity in the project area is not traded off for short-term economic gain. Adequate staffing and funding of reviewing agencies are urgently required, particularly in view of the current mining boom and proliferation of energy projects in the province. A fundamental problem is that the EA process has been weakened to make it easier for proponents of major industrial projects to obtain approval with minimal delay. The result is that a project may be approved following an inadequate review of ecological impacts, with too much dependence on the long-term efficacy of “mitigation”. In fact, the BC government’s acknowledged approach to the environmental assessment of a project is a subjective one - to determine how it can go ahead, rather than assessing objectively whether it should proceed. This “mindset” negatively affects the conduct of the review. Certainly, unnecessary delay needs to be avoided, but the strict timelines imposed by legislation are unreasonable and seriously undermine the efficacy of the review

process. To shortchange assessments of ecological impacts and downsize the Ministry of Environment and other government agencies with environment assessment responsibility is false economy.

Threatened and endangered species and the ecosystems that sustain them will be incrementally compromised and lost if they have to be “balanced” against socio-economic considerations when decisions are made on development projects. The fate of Spotted Owls in BC is a good example of what can happen to an endangered species when its habitat needs are incrementally diminished due to the higher value placed by government on logged old-growth timber. Development regulations must recognize that protection of biodiversity requires a conservative approach to land-use decisions, incorporating the principle that a healthy environment is the foundation of a healthy economy and sustainable communities.

Legislation must be comprehensive enough to address ‘critical habitat’ and allow for critical habitat for specific species to be delineated and protected on the ground.

Finally, we fully endorse the letter of September 27 2010 from concerned scientists to the then-premier, the Hon. Gordon Campbell, and its emphasis that Species-at-Risk legislation must be based on sound science (see www.scientists-4-species.org).

4. PRIVATE LAND STEWARDSHIP: How do we advance private land stewardship and conserve species and ecosystems at risk on private land in B.C. while respecting the interests of taxpayers?

BC Nature (Federation of BC Naturalists) Response: The BC government should consider enacting legislation similar to Ontario’s *Conservation Land Tax Incentive Program* and Nova Scotia’s *Conservation Property Tax Exemption Act*, which provide property tax incentives to private landowners who wish to protect their land and its biodiversity by covenant from future development.

A similar initiative exists now in BC, namely, the Gulf Islands Trust’s bylaw, *The Natural Area Protection Tax Exemption Program (NAPTEP)*, which provides a substantial annual property tax reduction to covenant private land on a number of BC’s Gulf Islands.

An alternative to tax incentives is upfront payment to landowners for retention of a natural value on their land, in return for which a covenant is registered against the land title that protects that natural value in perpetuity. This principle should apply as well to First Nations lands when and where the Bands concerned are interested in participating. Funds for this can come from public money and/or land trusts. A BC example is the payment that Ducks Unlimited has made to farmers in the Fraser River delta, in return for a covenant on the land title that ensures the land is retained for soil based agriculture in perpetuity. This arrangement benefits waterfowl that use the farmland during fall and winter. A similar consideration could be enacted for other natural attributes such as wetlands, forest or grasslands. That is, rather than a tax incentive, landowners could receive upfront payment, in recognition of the public value of the natural habitat they ‘own’. With the payment to the landowner and the covenant on the title, the landowner becomes a ‘steward’ of that natural habitat, rather than the owner.

Additional financial support could be provided to non-government organizations that

have private land stewardship programs of education, habitat and species assessment, and assistance with protection measures (fencing, restoration of habitat, etc.). Such NGO's may at times be more acceptable to private landowners, and able to achieve significant results in habitat and species protection and/or restoration.

5. EFFECTIVE FIRST NATION AND STAKEHOLDER COMMUNICATIONS AND ENGAGEMENT: What are the key elements of a communications and engagement strategy to ensure communities, First Nations, private landowners, and all other stakeholders who operate on the province's land and water base understand and value the benefits of species at risk conservation..

BC Nature (Federation of BC Naturalists) Response: Education is crucial, and funding to relevant ministries is required to fund programs on conservation. The Ministry of Environment needs adequate funding to raise public awareness of species-at-risk and the importance of conservation (for example through increased website coverage, pamphlets, meetings with stakeholder groups and others in different communities, and interpretation programs in BC Parks).

Long-term funding should be made available to NGO's to implement programs of habitat conservation and restoration, and stewardship education. Government funding to NGO's for stewardship is an avenue that can be a very effective means to involve and educate the public.

For example, BC Nature provides Interpretive Programs in BC Parks, including several programs on species-at-risk, and these provide well-received outreach to a wide range of ages, with over 100,000 visitors participating each summer. Increased and long-term funding could expand this public outreach to many more people and to schools (to date funds support only limited fall through spring school programs in Provincial Parks). Other BC Nature projects, namely Important Bird Area Caretakers, Wildlife Tree Stewardship, and Living by Water, involve private landowners, First Nations and other community members in stewardship of species-at-risk. BC Nature's fifty community based clubs throughout BC provide nature education through speakers, field trips, and/or hands-on stewardship of local areas, frequently involving private landowners. Several nature clubs are also involved with school education, as is our partner organization, the Young Naturalists Club.

Many stewardship organizations deliver similar education programs and/or stewardship activities, on shoestring budgets. Adequate, long-term government funding could greatly improve the success of such programs, but unfortunately most NGO's lack adequate funding to undertake them. Adequate government funding is critical to the success of such programs.

First Nations Elders are often an invaluable source of knowledge on species-at-risk, as some of the best habitat and populations of these species exists on Indian Reserves. The government should confer with First Nations with a view to using this knowledge as a source of education for both First Nations people and non-natives as well.