

Autumn/Winter 2014

## FRIENDS OF ECOLOGICAL RESERVES NEWSLETTER

### Christmas Yule Log Plea

By Mike Fenger

Thirty-one years is a long time and it is how long Friends of Ecological Reserves has been a registered charity and devoted to BC conservation. This is a sincere thanks to all the current and past members, supporters, wardens and board members who have kept Friends of Ecological Reserves relevant and viable. Without memberships, wardens and donations we could not carry on and we thank you all so much for your support.

This year we are facing budget shortfalls as the cost of producing the LOG and our expenses for bookkeeping are currently surpassing our income from memberships, sales and donations. This is a plea or challenge to all members to help us change this. We want you to think about ways to help FER now at Christmas, or throughout the coming year, either by recruiting new members or gifting memberships to like-minded friends and relatives this Christmas Season.

We are also creating a new category of membership – the “Sustaining Member” which is a step up from the current student/senior, individual and family memberships of \$15, \$20 and \$25. We would ask you to consider becoming a sustaining member for \$60 annually which is equivalent to \$5 a month. As an inducement to becoming a sustaining member, FER will mail you, free of charge, a set of the four wildflower placemats as listed on our website at \$2.50 per mat. (Please see the images placed throughout the pages of this LOG.) If you choose not to take the placemats, the \$10 value of them will be added to your tax receipt. While basic memberships are not eligible for a tax receipt, the difference between your sustaining membership and the regular membership will receive a tax receipt, less the \$10 value of the placemats if you choose to take them. (Example: If you are buying a regular individual membership, and pay the sustaining member price, and take the placemats, your tax receipt will be for \$30 (\$60 - \$20 - \$10). If you choose not to take the placemats, the tax receipt would be for \$40 (\$60 - \$20). Please indicate whether your normal membership would have been for a senior/student, an individual, or a family.

FER has contributed so much to conservation in BC, performing a role of raising awareness of and protecting the Ecological Reserves system. During these three decades, there have been many people supporting FER who have the conviction that the environment needs their support and would be in seriously greater crisis

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Visit our website at:  
[www.ecoreserve.bc.ca](http://www.ecoreserve.bc.ca)





Autumn/Winter 2014

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The views expressed in this newsletter are not necessarily those of the Friends.

Articles for publication are invited. The deadline for submissions for the Spring/Summer 2015 issue of *The LOG* is May 15, 2015.

Editor

Louise Beinhauer  
Design and Production  
L.B. Word Works

Directors

Mike Fenger, President,  
Marilyn Lambert  
Mary Rannie  
Stephen Ruttan  
Garry Fletcher  
Jenny Feick  
Rick Page  
Liz Williams

Don Eastman, Past President

Honorary Directors

Bristol Foster  
Robert Bateman  
Trudy Chatwin  
Vicky Husband  
Josette Wier

Contributors to this issue:

Mike Fenger, Garry Fletcher, Jenny Feick and  
Marilyn Lambert

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Sustaining Member \$60  
Charitable BIN # 118914597RR

FRIENDS OF ECOLOGICAL RESERVES

PO BOX 8477 STN CENTRAL  
VICTORIA, BC V8W 3S1

Email: [ecoreserves@hotmail.com](mailto:ecoreserves@hotmail.com)

Website: <http://www.ecoreserves.bc.ca>

Canada Post Agreement No: 40020740

## BC's Shrinking Ecological Reserves System

By Mike Fenger

The last Ecological Reserves (ER) added to the ER system was done in 2004. Since then, over the last decade several Ecological Reserves have been removed from BC Parks with management transferred to other agencies. In one case the area remained as a BC Park and in another the area is now managed as a Municipal Park.

When viewed in total, the cumulative impacts of management changes mean a three percent reduction in area of terrestrial ERs and a one percent reduction in the foreshore area of ERs. In terms of hectares there are 3,214 fewer hectares of terrestrial habitat and 25 fewer hectares of foreshore habitat in the BC ER network today when compared to a decade ago. The former ERs are shown on the Ecological Reserves map as are their new management agencies.

The biggest reduction in the size of the British Columbia's ER system occurred in 2006. This reduction occurred with the changes in the boundaries of the Gladys Lake Ecological Reserve, BC's largest ER, which was reduced by six percent.

Friends of Ecological Reserves supported the reduction of that reserve and made two visits to the Spatsizi to review the boundary changes

with BC Parks' Staff Janice Joseph, Larry Boudreau, Len Vander Star and the local guide outfitter Reg Collingwood.

FER also received, at that time, support to add a new ER to the system. This support came from BC Parks and the local guide outfitter. The idea was to create a new ER to protect a low elevation mineral lick associated with ungulates using Gladys Lake ER. The proposed ER was to be called Fort Graham and was approximately 10 ha in size. It was never established. (See Autumn 2007 and Spring 2008 LOG articles on this process.

There have been other reductions in numbers and area managed as ERs, principally through land transfer of Ecological Reserves to the Federal government as part Gwaii Haanas and Gulf Islands National Parks. Although FER is pleased that transferred ERs remain in protected status, it remains unclear if Parks Canada treat management of these former ERs in a consistent manner equivalent to their original provincial ER designation.

FER has requested a commitment to equivalency from National Parks but has received no response. Friends of Ecological Reserves assumes that without explicit ER equiva-

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### BC's Shrinking ER System (Cont'd.)

lency and no firm commitment from Parks Canada, transferred ERs are in a very real sense lost as the ecological benchmarks they were originally established to be. We have received no reassurance that they are being managed consistently with their original purpose, which was to provide research/monitoring and education opportunities.

Table 1 shows the full extent of the degradation of the ER system over the last decade including the hectares involved in the proposed new South Okanagan-Similkameen National Park.

FER continues to document the former reserves on our website as we do not want to lose the valuable research information collected while these areas were still ERs. The Seabird Inventory report of 1977 for the Kerouard Islands is an example. See:

<http://wp.me/p4y4il-29y>.

Table 1: Summary of degradation of BC's ER System, loss of reserves and areas managed as ERs

ER Name	Description	Area Removed from ER Mgmt.	
		Terrestrial	Foreshore
Gladys Lake ER	Alpine and subalpine habitat for Stone's Sheep	2,645	0
<b>Gulf Islands National Park</b>			
Saturna Island	Young and mature Douglas fir forest	131	0
Brachman Island	Ungrazed marine island and foreshore buffer	5	25
<b>Gwaii Haanas National Park</b>			
East Copper / Jeffrey/Rankine Islands	Sea bird colonies, Ancient Murrelet, Fork-tailed and Leach's Storm-Petrels	121	0
Kerouard Island	Sea bird nesting colony where cliffs support Cassin's Auklet and Tufted Puffin	130	0
Anthony Island	Sea bird nesting colony with 20 islets	44	0
<b>Metro Vancouver Park</b>			
UBC Endowment Lands	Second growth Douglas fir originally a heron rookery	182	0
<b>Proposed South Okanagan-Similkameen National Park</b>			
Mahoney Lake	Southern interior saline lake with unique limnological features	29.5	0
Haynes' Lease	Semi-arid land with "pocket desert" communities	101	0
Field's Lease	Semi-arid shrub steppe communities	4.2	0

**Total Reduction - ER Loss**

**3,344**

**25**

**Total ER Areas Removed (terrestrial & foreshore) = 3,239 ha. Proposed = 134.7 ha.**





# Invasive Interruptus

By Marilyn Lambert, Volunteer Warden, Oak Bay Island Ecological Reserve

**H**ow would you like to spend a day on a lovely little island in the Salish Sea?" That was the question I posed to a small group of friends in August, 2013. The answer was a resounding yes!

The object of the exercise was to rid the invasive Scotch Broom from a small, jewel of an island just off the coast of Victoria. Griffin Island has been designated as part of the Oak Bay Islands Ecological Reserve to preserve the natural meadow community and the rare plants that grow there.

In Spring, the meadows are flush with wildflowers like Camas, Chocolate Lilies, and the rare California Buttercup. Over the years, Scotch Broom has encroached on one of the meadows and has shaded out many of these plants. It was time for something to be done.

I have visited Trial Island several times to see the amazing work Matt Fairbairns and his crew have done to remove invasive species there. For more than ten years this crew has removed most of the broom and is now working on other invasive species such as Spurge-laurel and English ivy.

Matt provided valuable information about invasive species removal techniques when we spoke about removing broom from Griffin Island. Armed with this knowledge, loppers and secateurs, I assembled a small group of

friends for a day to see how much broom we could remove. With a lot of sweat equity, it was truly amazing how much broom this determined group of bashers dealt with in a relatively short time. We were able to get quite a bit of broom removed from the meadow in 2013 and went back again this year to tackle some more. By next year, we will have removed all of the large plants and will focus on the new growth.

As broom seeds are viable in the soil for more than thirty years, it will take a long time (if ever) to have a completely broom free island. One of the most important things in broom removal is to return to the site every year to pull the new plants so they are unable to flower and

produce more seeds. The crew is looking forward to next year!

Many thanks to Joe Benning, and Hugh MacDonald from BC Parks, for providing crew transportation to the island and encouragement along the way.



Hauling away cut broom

## CALENDAR

**Friends of Ecological Reserves Annual General Meeting - Tentative date, Friday, March 28, 2015**

Please check our website for updated information at:  
[www.ecoreserves.bc.ca](http://www.ecoreserves.bc.ca)

**FER Annual Field Trip to Race Rocks**

Please visit our website at:  
[www.ecoreserves.bc.ca](http://www.ecoreserves.bc.ca)

**Botany BC will take place in mid-June in the Clearwater Valley.**

For info:  
<http://members.shaw.ca/botanybc/>

# An Exemplary Ecological Reserve Warden

By Garry Fletcher

Since the Friends of Ecological Reserves (FER) started its new website at [ecoreserves.bc.ca](http://ecoreserves.bc.ca) two years ago, the opportunity has been available for Ecological Reserve (ER) Wardens to submit wardens' reports and field notes. These reports and field notes on reserves are added to the website for indexing under the individual reserve pages. Some wardens have taken advantage of this ability to get permanent documentation archived about their reserves, and have submitted good reports documenting their reserve visits.

In the past, these reports would end up in difficult to access files in the various BC Parks offices around the province. They now have a permanent home where valuable information is not lost, and is available to future researchers in the reserve.

We would like to acknowledge in particular, one warden who has far surpassed our expectations for regularly submitting excellent quality reports. He sends us copies of his monthly reports from March to November each year.

Laurie Rockwell from Summerland is the ER warden for Trout Creek ER # 7. We urge you to go to the contents page for Trout Creek ER at:

[http://ecoreserves.bc.ca/portfolio\\_item/trout-creek-7/](http://ecoreserves.bc.ca/portfolio_item/trout-creek-7/) and click on "Warden's Reports" to find a list of at least 40 reports by Laurie, which go back to 2010.

I met up with Laurie Rockwell



Trout Creek Ecological Reserve warden, Laurie Rockwell

in the fall of 2012 and he showed me through the Trout Creek Reserve. Coming from Vancouver Island, the unique assemblage of plants and animals in this Okanagan Ecosystem were new to me.

Laurie has a good working relationship with Sara Bunge of the local BC Parks Office, and has helped facilitate repairs to the fence line and signage of the reserve. He also is a keen observer of monthly occurrences in the plant and animal communities and records their seasonal changes.

I was impressed with his knowledge of bird-song so that he could develop a good species list of what he had encountered on his visits without having to even see them. Laurie is also continuously on the lookout for patches of invasive species,

regularly removing them to prevent them from re-seeding. Sulphur cinquefoil, toadflax and knapweed, are on his hit list, and he has managed through the years, to gain the upper hand, preventing them from spreading and threatening the native species of the reserve.

When people doing research on the ecosystem of the reserve obtain permits from BC Parks to carry out a project in the reserve, Laurie is the first to be contacted as he knows more than anyone else about the workings of this area.

As with most ER Wardens, there are often issues where BC Parks has to be notified. He is regularly reminding BC Parks staff about continuing issues. For instance "fence repairs are outstanding" appears in many of his warden's reports.)

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Following is one typical report from Laurie:

**Warden's Report, Trout Creek Ecological Reserve,  
Oct 5, 2014**

- It was an absolutely superb fall day; 15c at 8.30 am, a periodic light breeze, and sunshine flirting for prominence with wispy clouds.
- I saw or heard 15 species of birds that were for the most part active and vocal. I was delighted to see a Pileated Woodpecker (male) which is seldom seen on the reserve. A few migrating Ruby-crowned Kinglets and Western Bluebirds(9) helped make my day, so to speak. I also got the 'slam' on nuthatches: Pygmy, Red and White-breasted.
- I saw one insect, a small black fly with delta-shaped wings and large red-orange eyes. It reminded me somewhat of the *Urophora* fly that attacks knapweed flower, but the colouring was off.
- The only sign of mammals were two Red Squirrels that I heard, some old coyote and bear scat, and a few fresh deer tracks.
- In flower were Rabbit Bush (*Ericameria nauseosa*), Douglas Knotweed (*Polygonum douglasii*) and Pasture Sage (*Artemesia frigida*). I was surprised to see so many Toadflax (*Linnaria genistifolia*) in seed on the south slope where bio-control beetles have been active. I dug out two small Sulphur Cinquefoil (*Potentilla recta*) plants and found none in seed. There is a lush growth of



Ponderosa Pine in Trout Creek ER

- Bluebunch Wheatgrass (*Pseudogenaria spicata*) this year. I am happy to see that the old road through the reserve and the trail leading to the reserve are almost overgrown now.
- I found a small, lone Puffball emerging from the soil on this road; is probably *Lycoperdon perlatum*, the one that explodes when it sends forth its spores. I don't recall seeing it on the reserve before.
  - Fence repairs are outstanding.
  - It no longer appears that the golf course is allowing its irrigation water to soak the dryland vegetation on the reserve. This excessive watering encouraged non-native vegetation to grow and flourish.
  - There was no sign of human activity. I am always vigilant this time of the year, looking for signs of deer hunting. One positive aspect of this water

free reserve is that there is little green plant growth outside of spring to encourage deer and, therefore, (illegal) deer hunters.

The efforts of Ecological Reserve Wardens like Laurie go a long way in providing the level of Citizen Science that would be valuable in every Ecological Reserve. His seasonal records of plant occurrence and phenology and animal migrations can prove invaluable in the long term ecological monitoring of Ecological Reserves. They also provide a good rationale for just why we need to have the Ecological Reserve level of protection in the BC Parks System.

If we were to reinstitute the recognition once provided by BC Parks at Annual Wardens' Meetings, Laurie would be the leading candidate for the "BC Parks Ecological Reserve Warden of the Year award."

# Update on NEB-Kinder Morgan Trans Mountain Pipeline Project

By Mike Fenger and Garry Fletcher

In the 2014 Spring/Summer LOG, our editor Louise Beinhauer provided an excellent summary of the Information Requests that Friends of Ecological Reserves provided to Kinder Morgan (KM). This summary is located at:

<http://wp.me/p4y4il-57h>

On July 3<sup>rd</sup> the Board of the Friends of Ecological Reserves (FER) filed a 'Notice of Motion' to compel full and adequate response from KM. Kinder Morgan did reply to our specific request but in our review, we concluded that of the 26 information requests made, KM was unable to provide a single adequate response. To justify such a conclusion we provided a rationale to KM on why we interpreted their responses as non-answers and in turn KM responded that they believed they had indeed answered our questions.

An example of their standard response was; *"The requested information has been provided and Trans Mountain's response is full and adequate. The response provides the Board with all necessary information pertaining to this matter. There is no further response required and supplementing the original response will not serve any purpose. Trans Mountain notes that if the Intervenor disagrees with the information contained in the response, it may contest the information through evidence or final argument."*

Our Information Requests and responses and counter responses



What's at stake – Sea Lion colony viewed from Race Rocks Ecological Reserve (*Eumetopias jubatus*) (Photo by Nick Townley)

have been formatted into a 50-page Table with rationales and can be viewed on the FER web site along with other Important National Energy Board (NEB) – Kinder Morgan information (<http://wp.me/p4y4il-59A>).

There are a staggering number of intervenor submissions, KM filings and NEB responses that are filed daily. These can all be viewed at the NEB site: <https://docs.neb-one.gc.ca/ll-eng/llisapi.dll?func=ll&objId=2484704&objAction=browse&viewType=1>.

In general terms, through this process FER was seeking a level of commitment from KM who largely responded through their consultants. We have been asking the proponent to recognize a robust set of marine indicators, a study area that includes all areas that would be impacted by an oil spill, and a commitment to

engage at some level, environmental monitoring over the life of their project so we can develop or contribute knowledge to specific spill contingencies and recovery plans for ERs. We believe these are reasonable requests in light of the 400 percent increase in tanker traffic their project would bring and the risk and uncertainty of recovery of sensitive ER marine systems.

Given that the National Energy Board approved the Northern Gateway Pipeline with 209 permit conditions, the possibility exists that KM may be approved with a similar set of conditions.

FER did a brief review of the conditions set out in the NEB Northern Gateway Panel report appendix 1. See:

<http://gatewaypanel.review-examen.gc.ca/clf->

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[nsi/dcmnt/rcmndtnsrprt/rcmndtnsrprtvlm2-eng.pdf](http://nsi/dcmnt/rcmndtnsrprt/rcmndtnsrprtvlm2-eng.pdf). These conditions appear cursory and non-binding and insufficient for safeguarding and restoring sensitive areas such as ERs along both the pipeline and the tanker route.

FER believes that there are real benefits to the NEB to understand environmental monitoring and the importance of baseline data to build a spill recovery plan and measure post spill recovery. This information is needed to assess impacts and liabilities.

FER, through the proponent funding program, submitted a budget in April of 2014 with an aim to have a report prepared for NEB on the role of ecological monitoring. There have been expectations raised that these large projects would need to be done to “world class” environmental and oil spill response standards.

The words “world class environmental standards” have been used by both the Provincial and Federal governments to describe oil tanker safety. The focus has been on tanker hulls. FER believes that pre-project and life-of-project environmental monitoring are reasonable elements of “world class oil spill response standards” and shipping oil through productive and sensitive marine ecosystems needs to go beyond tanker design to actual spill management and recovery provisions.

Our budget proposal is to complete a project on use of research and monitoring information and oil spills. This would be done through a review of other



What's at risk – Rhinoceros Auklet (*Cerorhinca monocerata*) (Photo by Raisa Mirza)

major global oil spills and would determine what was learned by baseline monitoring and environmental indicators, a clarification of existing monitoring information and meetings with ER Wardens specifically to augment monitoring information on specific ERs. To date our proposal has received no commitment from the Proponent Funding Program.

What does all this mean? Reading the NEB terms of reference, FER understands that marine shipping and oil spill response are part of the scope for these hearings, and Kinder Morgan has an obligation to address these issues. *“The potential environmental and socio-economic effects of marine shipping activities that would result from the proposed project, including the potential effects of accidents or malfunctions that may occur”*. (Appendix 1 hearing order, <http://wp.me/p4y4il-59O>. But we are uncertain that KM and the NEB has acknowledged this responsibility for the marine environment and the need for providing monitoring over and above what is being done by Fed-

eral and Provincial governments.

FER has little confidence in the ability of Canadian Wildlife Service, Department of Fisheries and Oceans, Canadian Coast Guard and BC Environment with regard to additional work and incremental improvements to monitor environmental indicators. There is a need to develop a strategic plan on how to respond directly in the event of an oil spill, how to contribute significantly to the infrastructure and how to maintain this for trained spill responders over the life of the project. It is not clear how liability is being determined and divided proportional to risk and recovery post spill. Our government agencies continue to be downsized and so a change in priorities to respond to a major new work load seems unlikely.

This leaves the decision to the NEB on whether a potentially serious polluter should pay for some of the infrastructure needed to financially support a strategic oil spill plan. Prior to

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project implementation, there needs to be sufficient clarity and transparency on how to manage and mitigate anticipated impacts. NEB can include a great deal, in terms of permit conditions, to shift some of the burden onto the proponent. In a review of 209 conditions for the Northern Gateway, we did not find a shift towards increased pre-project planning provisions.

After reading the Diluted Bitumen (DILBIT) material safety sheet, we are concerned about who can safely handle spilled DILBIT. This safety sheet is posted on the FER website at:

<http://wp.me/p4y4il-59Q>

FER believes our proposed project is fundamental to providing insight on current baselines, spill responses, clean-up, mitigation and understanding of environmental risk and liability. Our interpretation of the KM response to our Information Requests is that Kinder Morgan does not feel that they need to be involved in the marine environment, either for monitoring or oil spill clean up and mitigation. The concerns raised are between the provincial government departments, KM and tanker operators involved through insurance and fees that support the **Western Canada Marine Response Corporation** <http://www.bcshippingnews.com/magazine/focus/oil-spill-response>.

The BC government too has been frustrated by KM and filed a motion to have NEB compel KM to file the spill response plan of this company. This is still pending.



**What's at risk – Killer Whale (*Orcinus orca*)** (Photo by K. Bodtker/Living Oceans Society)

FER met with BC Parks senior management in November and discussed briefly preparedness of the BC government and BC Parks in particular in the event of an oil spill. We learned that the BC government response is being coordinated by the BC Ministry of Energy and Mines and that the government of BC will speak with one voice. It was unclear if Energy and Mines had BC Parks' input on their role in spill response. The Environmental Protection Division has developed a marine oil spill reporting system. <http://wp.me/p4y4il-59R>

FER remains focussed on 17 marine ERs and seeks environmental baselines to build a spill response plan. FER is unclear what other governments (municipal and regional) along the tanker route are planning for spill responses or their communications with Energy and Mines who are leading the BC government involvement.

In November, Mark Eliesen withdrew from the NEB process as he determined it is too flawed. He was a president of BC Hydro, and he sat on the board of Suncor Energy. He was also

former CEO of Manitoba Energy Authority and Ontario Hydro. In total, he has worked for seven governments and nine ministers of the Crown. He was a high profile intervenor. His concerns were with the sincerity and transparency of Kinder Morgan's responses. Some are repeated here.

*"Trans Mountain's failure to file the evidence requested by the Province in Information Request No. 1 denies the Board, the Province and other Intervenor access to the information required to fully understand the risk posed by the Project, how Trans Mountain proposes to mitigate such risk and Trans Mountain's ability to effectively respond to a spill related to the Project."*

*The Province of British Columbia has the responsibility for undertaking due diligence on behalf of the public trust of British Columbians. The 80 questions Trans Mountain refused to answer—which the Province believed important enough to ask the Board for assistance and compel Trans Mountain to answer,—were*

*Continued on page 10*

*denied by the Board."*

Mark Elisen was not only critical of KM but identified NEB as managing a flawed process, "*NEB, in an unprecedented fashion, has rejected the previously established practice in Section 52 public hearings on oil pipelines to provide for oral cross examination on the evidence submitted at the hearing. The Board maintains that two rounds of written information requests is sufficient to test the evidence. Even the Government of Canada's Department of Justice (DOJ) has informed the Board that evidence given without cross-examination should be rejected. The DOJ stated "Canada's position is that cross-examination is necessary to ensure a proper evidentiary record..." Furthermore, "cross-examination serves a vital role in testing the value of testimonial evidence. It assists in the determination of credibility, assigning weight and overall assessment of the evidentiary record. It has been termed 'the greatest legal invention ever invented for the discovery of truth'... without cross-examination the Board will be reviewing only untested evidence."*

A podcast providing Mark Elisen's reasons for withdrawing and how the public interest is not being addressed can be found at:

[http://podcast.cbc.ca/mp3/podcasts/bcalmanac\\_20141104\\_41617.mp3](http://podcast.cbc.ca/mp3/podcasts/bcalmanac_20141104_41617.mp3).

Elisen's withdrawal gave many intervenors pause to consider their own involvement



**Also at stake: Black rockfish (*Sebastes melanops*) Sub-tidal marine diversity** (Photo by Ryan Murphy)

with a seriously flawed process and FER was no exception. We are grateful to Mark for his frank assessment of Kinder Morgan and the NEB and making public the flaws of the process. FER has no public profile equivalent to that of Elisen and doing so would have cut ourselves off from receiving information and from participation. There was also no mass exodus of other intervenors.

There have been some calls for the BC Government to do their own review through its authority under the BC *Environmental Assessment Act*. This is being discussed at senior levels in the BC government. BC opted out of its provincial process because the Federal process was purported to be equivalent.

Robyn Allen, another high profile intervenor and former CEO of the Insurance Corporation of BC, filed a motion to stop the KM - NEB hearings because the company made corporate transfers to reduce corporate

liability of the parent company and she argues that under Section 74 of the *NEB Act* such transfers need approval by the NEB and whether this corporate shift of liabilities is in Canadian public interest. Basically the same company that filed for project approval needs to be the same company at the end of the process. KM has denied it contravened the *NEB Act*. <http://www.vancouversun.com/business/fp/resources/Intervener+argues+Kinder+Morgan+needs+approval/10413834/story.html>. It is not clear at this time how the NEB will respond.

FER remains concerned with the risk to the environment in general and specifically to ERs along the tanker route. We are also concerned about the corporate risk being shifted to the province and more explicitly to local residents who will have to accept a higher risk. Whether a smaller pipeline-only subsidiary is permitted to continue

*Continued on page 12*



# FER Contribution to “Solving Wicked Problems”

By Jenny Feick, Ph.D.

On September 30th in Kimberly, B.C. I presented a poster on behalf of the Friends of Ecological Reserves (FER) at a conference entitled “Solving Wicked Problems: Using Human Dimensions to Inform Natural Resource Management”.

The Columbia Mountains Institute of Applied Ecology organized and hosted the two day event, which focussed on the value of considering the human dimensions of issues ranging from the tragedy of the commons and climate change, to reducing conflicts between people and wildlife. Many of these complicated problems continue, not because of a lack of technical or natural science information, but because of human behaviour. Social sciences and the humanities can help natural resource managers better understand and influence the human behaviours that contribute to these multi-faceted quandaries.

The FER poster summarized key points from the article that appeared in the Autumn/Winter 2013 of the LOG called “Failing to Plan or Planning to Fail...” which I co-authored with Mike Fenger. The poster attracted a great deal of interest during the social and poster session on September 30, which was attended by 55 people. Many at this conference had participated in the Commission on Resources and the Environment (CORE), a strategic land use planning process begun in the 1990s and agreed that it was

## Failing to Plan or Planning to Fail?

A case for a new vision for land use planning and protected areas in BC<sup>i</sup>  
Mike Fenger<sup>ii</sup> and Jenny Feick<sup>iii</sup>

A Poster Prepared for the Columbia Mountains Institute event Sept. 30/Oct. 1, 2014  
Solving Wicked Problems – Using Human Dimensions to Inform Natural Resource Management

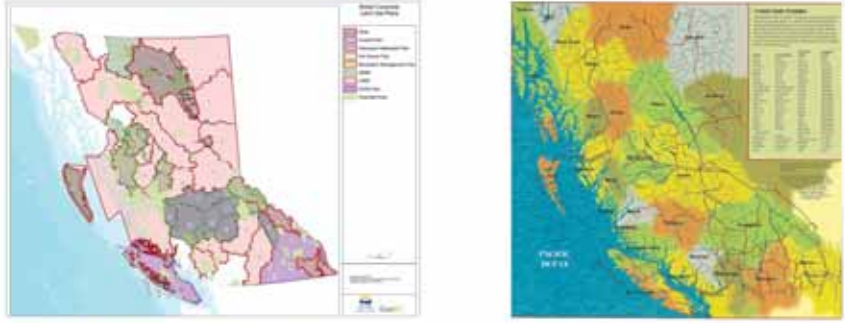
**Evidence to support status quo failure and mandate change drawn from:**

- BC Auditor General reports, Forest Practices Board Reports, science modeling, monitoring and retrospective change studies, climate change forecasts, natural resource development forecasts.
- Court cases including Canada's Supreme Court decision “Tsilhqot'in Nation v. British Columbia, 2014 SCC 44” notes that the Province must consult with aboriginal groups about uses of the land in dispute with respect to aboriginal title.

**Problems:**

- Threats to ecological sustainability include: a lack of limits for managing cumulative effects, an absence of understanding of environmental thresholds and tipping points, a short term focus on the economy and natural resource development, and the absence of local level input to large major national and provincial resource development initiatives;
- Sustainability of local economies and communities linked to ecological sustainability;
- Previous strategic land use planning processes and decisions were made despite significant absence of First Nations engagement;
- Previous strategic land use plans did not explicitly consider or address climate change effects on ecosystems/natural resources.

**One Landscape One Common Shared Future:  
Absence of Strategic Shared Vision – A Wicked Problem**



Land Use Plans are not kept up to date<sup>iv</sup> → ← Approximate First Nations territories<sup>v</sup>

→ **Integrate and Collaborate** ←  
New strategic visions, plans and processes needed to craft local landscape level solutions

**Solutions towards our diverse and sustainable future:**

- Develop a meaningful provincial strategic conservation plan with consideration of climate change effects on and adaptation strategies for biodiversity conservation.
- Facilitate collaboration among First Nations and British Columbians to develop a provincial strategic economic plan on how to optimize natural resource development while minimizing environmental damage, sustaining ecological integrity, and supporting community viability.
- Engage First Nations with local and regional residents and stakeholders through structured and formalized land use planning processes to sustain local ecological, social and economic diversity.

**From concept to implementation – Next Steps:**

- Obtain support from First Nations groups as well as stakeholders and local/regional residents familiar with strategic land use planning.
- Reconstitute regional planning where there is a willingness to do so.
- Define terms of reference and scope of strategic planning, levels of detail, timelines.
- Focus on what is sustainable for the land and our shared future, given climate change effects and forecasts.
- Look for solutions such as co-management where there is willingness to do so.

<sup>i</sup> Concepts in this paper were first presented in Kamloops in 2013. This paper and citations can be found at <http://www.unbc.ca/sites/default/files/sections/bc-protected-area-research-forum/fengerfailingtoplanorplanningtofail.pdf>.  
<sup>ii</sup> Mike Fenger and Associates Ltd (<http://www.mikefengerandassociates.com/>) m.fenger@telus.net, 511 Foul Bay Road Victoria, B.C., V8S 4G9, 250-595-1986.  
<sup>iii</sup> Dr. Jenny Feick, Nature Wise Consulting (<http://naturewise.me/consulting/>), 308 Uganda Avenue, Victoria, B.C.  
<sup>iv</sup> Strategic Land Resource Plans, 2013. There are links on this site to each of the ninety plans <http://www.for.gov.bc.ca/tasb/SLRP/>.  
<sup>v</sup> Supreme Court Decision sets provincial precedent on the need for collaboration. <http://www.cbc.ca/news/politics/tsilhqot-in-first-nation-granted-b-c-title-claim-in-supreme-court-ruling-1.2688332>.

time to update existing land use plans to take into account climate change and current land use patterns, new scientific

information, and the importance of including First Nations

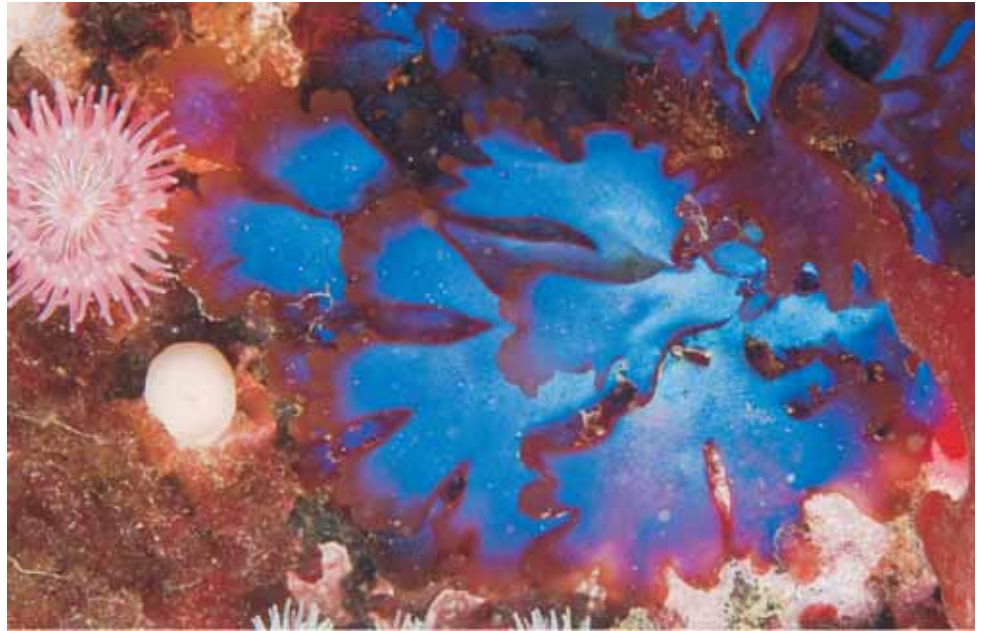
*Continued on page 12*

within the NEB process is unclear.

Next steps for FER will be filing a second Information Request (IR) to Kinder Morgan due early in the New Year. We are contemplating the IR at the present time. By remaining in the process, FER can apply to make a presentation to the KM panel as intervenors sometime before next September.

The website URLs referred to in this article may all be accessed through the Friends of Ecological Reserves website at this link:

<http://ecoreserves.bc.ca/category/issues/oil-spill-threat/>.



**More species put at risk: Iridescent algae (*Fauchea laciniata*) above and Hooded nudibranch (*Melibe leonina*) below. (Photos by Ryan Murphy)**



**“Solving Wicked Problems” Cont’d. from page 11**

knowledge, perspectives and interests to share our common future. Several members of the K'tunaxa First Nation also reviewed the poster and expressed interest in the topic of land use and natural resource planning.

The majority of the conference participants had not heard of the Friends of Ecological

Reserves so the poster session also provided a good opportunity to tell them about the group’s mission and activities. There was more awareness of the existence of ecological reserves in the Kootenays, and several individuals had visited at least one of the seven ERs in that area. Interested attendees took all of the issues of the LOG

newsletter that I brought to the conference.

Mike Fenger, Louise Beinhauer and I developed the “Failing to Plan or Planning to Fail” poster in September 2014. It can be downloaded from the FER website and printed in a larger format. See <http://ecoreserves.bc.ca/wp-content/uploads/2014/12/September2014-poster.pdf>.



# Parks Collaborative Workshop at Royal Roads

By Mike Fenger, Garry Fletcher and Marilyn Lambert

Garry Fletcher, Marilyn Lambert and I attended a one-day workshop sponsored by the Elders Council for BC Parks. Marilyn and Garry brought their experience as board members and wardens of Race Rocks and Oak Bay Islands.

The Parks Elders Council is a group of former senior Parks staff and other BC Parks supporters who share concerns over the degradation of BC Parks system and a common desire to explore ways to sustain BC Parks. The Elders Council members in the past have made presentations to the BC government budget committees on the economic benefits of parks in hopes that government would reverse the trend that has reduced and maintained BC Parks budgets to the same level of funding as in 1971 when the Parks system was half its current size.

Participants were informed that there is a ten-fold difference between Parks Canada and BC Parks budgets when compared on a per hectare basis. Even though it has been easy to make a case that BC Provincial Parks are underfunded and that they are a real asset providing good return through use and tourism – these appeals have generated no improvements to BC Parks budgets. This workshop was to look at other means of improvements and increase collaboration, participation and the sense of local ownership of BC park land. It is hoped that this pilot



will increase the appreciation of our shared common assets and garner change in management through collaboration.

Approximately 50 people attended with participation by senior BC Parks staff including the Assistant Deputy Minister of BC Parks, Executive Director of BC Parks Business strategy, Vancouver Island Regional Director, Area Supervisors as well as members of non-government organizations such as the Friends of John Dean Provincial Park, FER, BC Habitat Acquisition Trust (HATs), Campaign of Parks, Royal Roads staff and students (youth).

The workshop organizers have negotiated an agreement with BC Parks to do a pilot project on southern Vancouver Island that includes 43 Protected Areas. Thirteen of these are Ecological Reserves which have a total area of 1,104 ha of upland and 816 ha of

foreshore. Garry Fletcher on behalf of FER wardens, outlined what it was like to be a warden and the history Race Rocks ER, its association with Pearson College and what has been learned there.

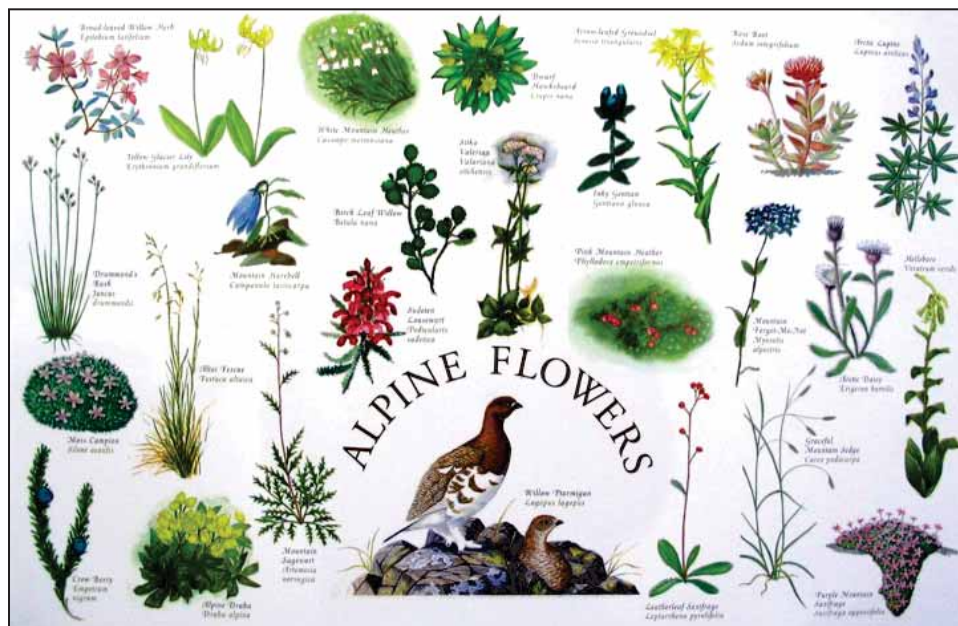
There was no time to present problems common to many of the other ecological reserves such as marine disturbance, lack of awareness of recreational boats in ERs, signage, invasive species removal, the paucity of baseline data in some ERs and for the marine ERs, the need for a meaningful strategy in the event of an oil spill.

The workshop attendees received a First Nations' welcome and closing ceremony. This included First Nations' mixed thoughts that parks are an artificial cultural concept to set aside a portion of a landscape implying that the rest of the land does not matter and

*Continued on page 14*

We were able to point out what we thought have been some of the successes for BC Parks. Examples were: the Mount Maxwell and Race Rocks management plans where ER wardens are named authors of these government approved plans; the research permits being held by Pearson College allowing timely response to monitoring; and the success of the BC Parks Enhancement Fund where Volunteers can put forward projects and receive some funding.

FER has been successful funding projects under this program such as the ER provincial map and the research legacy project. BC Parks has been able to address issues of park volunteers, government liability and insurance. This will make



volunteering easier to pursue.

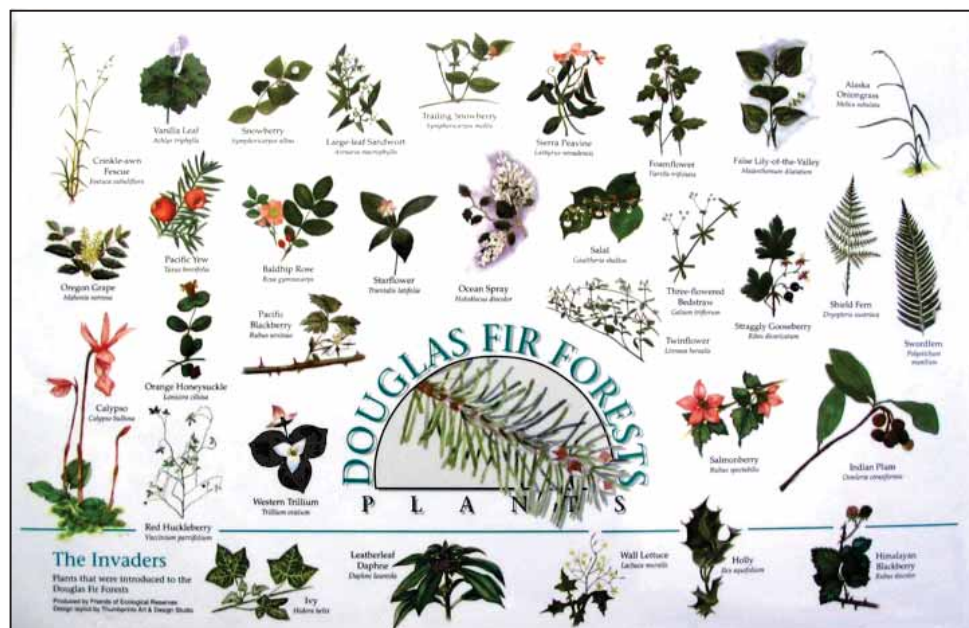
But there are also challenges in ERs. Many management plans are a decade old and management issues, even though identified, have not had management action over these ten years. FER will continue to participate in pilot projects and hope to undertake some projects in the next two years that will make incremental improvements for the management of ERs in the pilot area.

FER brought the new ER maps and banner stand to the meeting and Garry Fletcher shared posters specific to his work on Race Rocks which were made for a conference on the Salish Sea that he attended in Seattle. The poster presented by Jenny Feick in Kimberly in September (see her article on page 11) was also made available for those interested.

In closing the BC Elders  
council website at:

<http://www.elderscouncilforparks.org/> describes this project as follows:

*“The Elders Council for Parks in BC have launched community intervention to help improve the BC Parks system. The hope is that The Parks Collaborative-Victoria program can bring the community together for financial and technical support to supplement the provincial government’s contributions. They have chosen 10 projects to complete over 2 years in 42 provincial parks around southern Vancouver Island to help create a legacy for future generations.”*





# FRIENDS OF ECOLOGICAL RESERVES MEMBERSHIP FORM

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☐ Renewal for 2015

☐ New membership

Membership Category

☐ Individual: \$20 ☐ Student/Senior: \$15 ☐ Family: \$25 ☐ Institution: \$25 ☐ Sustaining: \$60  
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☐ Instead of receiving the LOG by post, please send me my copy of the LOG electronically (please provide your email address)

I/we enclose Payment for:

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Donation \$ \_\_\_\_\_

\_\_\_\_ copy(ies) Constitution & Bylaws @ \$1 each \$ \_\_\_\_\_

TOTAL ENCLOSED: \$ \_\_\_\_\_

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## I am interested in volunteering for:

- ☐ Assisting with Field Trip organization  
☐ Contributing articles/photos to *The LOG*  
☐ Fund-Raising ☐ Telephoning ☐ Other

## Please apply my donation to:

- ☐ Land acquisition projects  
☐ Scholarships for post-graduate research  
☐ Where most needed

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## Christmas Yule Log Plea Continued

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without organizations like FER. This is the time of year where we are all asked to make contributions to charities and I am asking that you consider a contribution to FER this season. I know at this time of year all charities are seeking support and that there are so many good causes. It is perplexing to me that of all the good causes there are, environmental charities like FER receive less than a one percent of funds collected by all charities.

Why are we not breaking even? FER had in the past received the bookkeeping services of Tom Gillespie who sadly died last year and so now we are paying for accounting services which are at a very reasonable rate but not free as gifted by Tom. Our largest expense is the LOG newsletter which we are loathe to drop as we have already cut back from three to two publications per year. It is a principal communications tool and considered complementary to the FER website. FER has no paid staff but without more members and more support, our current annual expenses are not covering our annual costs – plain and simple we are slowly sinking and want to reverse this trend with your help.

The Board of FER has been very successful in obtained funding for projects such as the ER system map, restructuring of the FER website, projects to capture research held in government offices and working with Parks staff at a provincial level. We are proud that FER has applied for and received in the last few years between \$20,000 and \$30,000 in grant funding. This plea for support is simply to keep the newsletter and bookkeeping costs equal to our income.

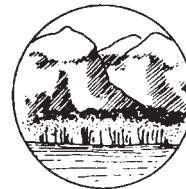
Thank you for considering this call out for your support. We appreciate it. The website payment page has been re-structured to accept sustaining members as well as make it convenient for members to renew. If you prefer to send us postal mail, we appreciate that too. Please visit the website or mail instructions to Friends of Ecological Reserves, P.O. Box 8477, Victoria, BC, V8W 3S1, if you would like to proceed with a renewed membership, gifting a membership, becoming a sustaining member or making a donation. As a registered charity we will issue tax receipts for donations.

Thank you for considering this plea.

Thank you and seasons greetings to you and yours in conservation.

Mike Fenger, President of FER

## The Log



Friends of Ecological  
Reserves  
PO Box 8477 Stn Central  
Victoria, BC V8W 3S1

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