

MEETING NOTES
NS PUBLIC LANDS COALITION
and the
NS DEPARTMENT OF NATURAL RESOURCES
(with revisions)
Riverview Room, NS Agricultural College, Truro
December 2, 2000

These notes are a general reflection of the discussion that took place at the meeting, not a verbatim record. Members of the NS Public Lands Coalition were offered the opportunity to review the notes and make changes where they felt the notes did not reflect the comments they made at the meeting; the attached notes reflects responses received by the Department. Participants were also offered an opportunity to include additional comments beyond those made at the meeting, by including separate submissions; these are attached to the notes.

In Attendance:

Facilitator:

Elizabeth Mills

NS Public Lands Coalition:

Jill Comolli	Sue Hutchins	Catharine Pross
Stephen Bushell	Colin Stewart	Nora Tomlinson Peach
Mark Brennan	Mik Owen	Ella McQuinn
Barry Sawyer	Martin Wanless	Jason Blanch
Scott Brown	Hal Elliot	Steven Rhude
Bob Bancroft	Karen Beazley	Dusan Soudek
Tim Brushett	Kermit DeGooyer	Martin Willison
Walter Regan	Jon Miller	Anna McCarron
Pam Langille	Dan Earle	Nina Hvoslef

DNR Staff:

Dan Graham	Ed MacAulay	Vicki Harnish
Scott Swinden	Roz Penfound	Brian Gilbert
Gerry Joudrey	Mike Cherry	Greg Haverstock
Roger Aggas	Barry Sabean	Don Jones
Peter MacQuarrie	Dan Eidt	Nancy McInnis Leek
Gary Westoll	Dave Harris	Gordon Adams
Hugh Gillis		

Elizabeth Mills introduced herself as the Executive Director of Voluntary Planning, and stated she would be the Facilitator for the day. She noted the purpose of the meeting was to provide an opportunity for all to learn about the issues that were to be presented. She reviewed the agenda and format that the meeting will follow.

Presentation - DNR

Dan Graham introduced DNR's IRM process. IRM will not replace the Parks and Protected Area Strategy, nor any other initiative - the main focus of IRM is sustainability. It is one of several initiatives and is the beginning and not the end. The next step will be the development of long range management plans (LRMP) for Crown lands, and will involve staff of other departments (ie. Tourism and Culture, Environment and Labour).

Dave Harris, DNR biologist noted that it became necessary to look at Crown land holistically with respect to the resources on it. While wilderness areas are a way to coarse filter preservation, there developed a need to fine filter management of Crown land. Mr. Harris gave a slide presentation reviewing stages of succession, and the need to look at forests as they change over time, including diversity, sustainability of environment, people, and economy. He commented that although Wilderness Areas are the responsibility of Environment and Labour they had representatives at the IRM table. Mr. Harris ended his presentation noting that LRMPs will be prepared giving consideration to periods of time and scale and will be based on "ecological land classification" units.

Ms. Mills asked for questions for clarification on the presentation.

Q: How will endangered species not currently listed be handled?

A: A database exists listing species and habitats identified on both Crown and private land; having this information allows for plans to incorporate these issues.

Q: How will other interests be involved with the preparation of LRMPs?

A: DNR staff have met with Tourism and Environment staff and will be establishing an interdepartmental advisory committee for IRM. Within regions, IRM teams will be inclusiveness - the intention is to involve a balanced approach.

Q: Regarding Sustainability, if forests are cut on rotation basis, what are the shortest rotation times?

A: Times vary amongst the species and eco-districts across the province.

Q: How does DNR define sustainability for the purposes of the IRM plan?

A: There are many initiatives with sustainability at their core, for example the Biodiversity Strategy, NS Forest Strategy, Endangered Species Act, Parks and Protected Areas Strategy, Wildlife Habitat Protection, etc - IRM bases sustainability on their approaches.

Q: Are there any plans to do conversions on Crown lands?

A: DNR no longer does conversions, unless the conversion is being done to make a return to the natural species.

Presentation - NS Public Lands Coalition (NSPLC)

Ms. Mills indicated this presentation would take place in four parts: I) the Public Lands Coalition - Kermit DeGooyer; II) Public Lands and Tourism - Martin Wanless; III) More Problems with IRM - Bob Bancroft; IV) Role of Conservation Science in Land Planning - Martin Willison.

I) Public Lands Coalition - Kermit DeGooyer

Mr. DeGooyer stated that the NSPLC represents 35 groups associated with conservation, hunting & fishing, Mi'kmaq; their vision is that public lands should remain wild lands. He referred to the Coalition's Position Statement, asking Government to revisit its approaches in wilderness areas. His group speaks for non-industrial users who consider the highest and best use of public land is to remain as wild lands. Mr. DeGooyer referred to sites on the NSPLC web site identified by various organizations as being in urgent need of protection - Ship Harbour-Long Lake etc - the aspirations of the public to protect these lands should be reflected, and referred to a survey on public perceptions, prepared by the Nova Forest Alliance. He referred to the widespread support as evidenced by newspaper articles from various communities across the province.

II) Public Lands and Tourism - Martin Wanless

The mandate of Mr. Wanless' organization, the Tourism Industry of Nova Scotia (TIANS) is to foster growth of tourism balanced with demands on the natural environment. He reviewed a prepared statement. His group represents over 1100 members and partners, and tourism expenditure topped \$1 billion in 2000, for the fourth consecutive year. Over 35,000 people are employed in the field with a payroll of \$487 million. Tourism is a resource based industry. TIANS feels that the IRM plan is flawed, and asks for a moratorium on sites identified by the NSPLC on its web site. Legal protection is necessary and there is a special need to protect coastal lands and islands. A copy of his written statement will be given to Vicki Harnish.

III) More Problems with IRM - Bob Bancroft

Mr. Bancroft stated that as a former government employee of a predecessor of the current Department of Natural Resources, he wanted to make it clear he had no axe to grind with the Department but noted that it exists to facilitate resource use. While at the Department there was an industrial focus and therein lies the problem in his opinion. Crown land is public land and there is a need to set an example. He stated that a wider group of interest, including within government, is not represented in IRM. The C2 category is confusing and new information presented at this meeting has helped clarify that. Some special areas such as Gully Lake are not reflected in the process. First Nations groups feel ignored in the process. He is concerned that land abuse affects both the in-land and saltwater fishery. The present plan reflects the status-quo. Mr. Bancroft stated he was representing over 6500 who are confused about what activities they can do in the C3 category - some feel they can't fish or use outboard motors in this category but they really don't know.

IV) Role of Conservation Science in Land Planning - Martin Willison

Mr. Willison is a biologist at Dalhousie University, a member of the Coalition, and represents the Federation of NS Naturalists. He stated it is critical to maintain biodiversity, and it is necessary to maintain 50% of our lands as wild lands. He spoke of core reserves with both inner and outer buffers. The NSPLC doesn't see the IRM plan as filling any vision. He spoke of a vision established in Florida comprising a proposed network of preserves, buffer zones and corridors, and that NS has no such vision. The current IRM plan is an attempt to consolidate the status quo, it is not visionary, and is an attempt to deal with conflict. While DNR may not have a vision, the public does and the NSPLC wants DNR to join with them. Reacting to pressures won't create a vision. The NSPLC represents a majority of interests in the province.

Ms. Mills indicated the meeting would take a break for lunch.

Afternoon Session

The afternoon session began with a question and discussion period on the morning's presentations.

Karen Beazley made a comment about filtering the inventory - questioning what is needed to maintain biological diversity in NS; when that is known then there can be a move to logging, mining, etc, while protecting the biological diversity.

Another comment was made about how organizations outside government can work better with government to reach common ends if they had use of databases held by government departments.

Ed MacAulay asked if those present felt there was any protection other than under the Department of the Environment to cover the concerns being expressed; he noted that Parks and Protected Areas don't always do a better job at protecting values - IRM seeks out the values and maintains them through IRM plans.

A representative of the Coalition stated they want legal protection for Crown wildlands, including a prohibition on roads - this offers the best level of protection as well as security - there is not a lot of confidence in government. Ed MacAulay commented that leaving areas in a natural state may not be the best way to protect a habitat - the question to ask is "what is the best way to protect a habitat?".

Ms. Beazley believes there is a clause in a provincial Act addressing this, and refers to the Minister and management plans.

Mr. MacAulay stated that within IRM, values will be managed and protected, even though that is not a legal protection; trust of government is another discussion.

Mr. Willison inquired about the classification of two specific blocks of land - Shelburne Barrens - how this area got to be C3; and the Chebucto peninsula - how this area got to be C1, C2, and were IRM planners aware of the municipal zoning of these lands for conservation purposes.

Gordon Adams noted it was the mandate of IRM teams to make decisions, and discussed the rationale for Shelburne Barrens as a C3.

Gary Westoll explained the rationale for the classification of the Chebucto Peninsula. Since getting public feedback in September, this area has all been classified as C2. Consultations with municipal planners were included in both Phases 1 and 2. In October, staff met with HRM planners, including open space and development planners.

Ms. Beazley asked why this area hadn't been classified as C3 and protected for recreation.

Mr. MacAulay declared that categories are not levels of protection. C1 is where uses can co-exist and where current laws and regulations apply; C2 is where there is a need to moderate one use to “protect” another; C3 is for single purpose uses that are under designation or legislation.

Colin Stewart wondered that if there is no flag when a new use comes along, how will it be known that it doesn’t create conflict.

Dan Eidt replied that LRMPs will reflect specifics of areas - the C1,C2, C3 classifications are high level categories. DNR databases are the flags. All proposals for use of Crown land undergo an IRM review for impacts on the area.

Jill Comolli asked that in the next phase, when issues are challenged, and questions come up, and traditional resource uses are proposed, will staff draw on the flags for information. She wondered whether weights have been assigned to the flags, to bear upon decision making so that regions can’t be pressured and whether these flags are available for public viewing.

Dave Harris answered that the flags aren’t weighted; the flags are values which have to be maintained. Impacts on values have to be looked at for any proposal.

Mr. DeGooyer wondered that if the IRM plan is a product of DNR, not the public or other departments of government - how do current IRM plans reflect other departments?

Mr. Graham explained that IRM was DNR initiated - out of the development of the Parks and Protected Areas Strategy flowed IRM. Other departments were invited to provide comments, which they have done and which are reflected in IRM plans. DNR is in the process of initiating an IRM interdepartmental advisory group to assist in the development of LRMPs. Mr. Graham reviewed initiatives that allow opportunity for other departments to provide input. DNR is the steward of Crown land for NS, but decisions on the use of Crown land must go to Cabinet, and other departments always have an opportunity even at that level to express their views.

Mark Brennan asked what lies in the future for new wilderness areas in the Pictou/Antigonish area.

Mr. Graham outlined the role of Crown land in the Protected Areas Strategy. Private lands are also being incorporated into the Strategy giving the recent example of DNR’s partnership with the Nature Conservancy. A Nature Reserves Act was recently tabled in the Legislature.

Mr. Brennan asked whether it was the mandate of DNR, through IRM, to find new wilderness areas.

Mr. MacAulay replied that DNR and DOE staff on the IRM teams were mandated to identify values on Crown land.

Mr. Bancroft commented that when he worked for government, he saw the silos of departments, and the conflicts that arose, referring to mining policies, agricultural policies, forestry policies

and many other land uses issues - each department is affected by another department's decisions.

Mr. Eidt commented that IRM teams make recommendations on policy to the IRM/LUC and then they move on up if necessary.

Mr. DeGooyer asked if there will be a Phase 2 report summing up public preferences.

Vicki Harnish replied that there will be a report, and the entire database of comments will be available at the DNR Library in Founder's Square; each regional office will have information for its region.

Anna McCarron commented that this has been a useful process today, and should continue; there should be representatives from the NSPLC on the IRM/LUC and on local community groups for LRMP work.

Mr. Graham remarked that IRM staff have been told inclusiveness is key; who sits on the groups has yet to be determined and IRM needs to consider all groups.

Walter Regan read 10 points he wanted to air at the meeting, including: 1) IRM didn't look for public input, 2) IRM appears to be a process which had 10 people locked up making decisions, 3) DNR appears to be protecting industry, not land, 4) does DNR really believe in the sustainable use of forests, 5) there are four areas he would like see classified as C3, 6) the break up of DNR into other departments may be a good idea, 7) he is concerned about development in the Sackville River area.

Mr. MacAulay commented that there is tremendous value in keeping DNR's sectors together and reaching consensus when there is conflict. DNR is also not just supporting industry - proof of that is in last year's new Endangered Species Protection Act, and the Wildlife Habitat Regulations currently being developed.

There was discussion on coastal islands. Most are C2, however some are C3 mainly due to identification of species at risk habitat. Barry Sabeau noted that inventories and documentation are on-going activities and if an island is identified as a it can be designated a wildlife management area and managed for those values. Regulations are tailored to the specific values of the island, versus a blanket set of regulations which would be applicable under the Wilderness Act.

Scott Brown noted that he has been hearing that IRM is just an inventory, but it appears to be a planning framework.

Mr. MacAulay commented that the basis of IRM is an inventory of values; strategically IRM is a plan.

Scott Brown asked how biodiversity fits in as an issue to develop goals, issues and strategies.

Mr. MacAulay replied that through initiatives such as the Canadian Biodiversity Strategy, NS is a signatory and feels it is maintaining efforts at a very high level. NS will be implementing its biodiversity elements at the LRMP level. Mr. MacAulay also referred to the 31 protected sites, the Old Growth Policy, and work being undertaken with Nova Forest Alliance.

Mr. DeGooyer asked whether DNR is willing to review major leases and licences to allow for options for future public uses.

Mr. Graham answered that under Acts of the Legislature, DNR has to make land/resources available to the major industries. These industries are also engaged in the IRM process, and Stora has made significant contributions without being asked to do more. It is not DNR's intent to open the pieces of legislation. Proposed annual operating plans must be sent to DNR and must be consistent with all the matters that DNR/IRM are talking about.

Ms. Mills stated she would now ask those around the table who have not yet spoken be given the opportunity to do so.

Tim Brushett commented that the Province should try and wean itself off relying on the pulp and paper industry; he feels mature forests manage fine on their own and that DNR needs to move in now to protect areas of old growth on the Eastern Shore.

Mik Owen feels there is no vision in IRM.

Jim Walford suggested that a completed protected areas network is needed for all of NS.

Greg Haverstock commented that IRM needs to continually confront issues of balance, and any vision needs to extend to this.

Ella McQuinn suggested a joint approach is necessary - if there is one it needs to be updated.

Dan Earle believes that the type of planning unit should be a watershed. The terms biodiversity, balance, environmental protection etc. only become useful when defined well and principles should be developed to guide their application as well as a means of evaluating whether or not the principles are being met. A DNR reference to a cartoon of Nova Scotia's landscape being tugged and pulled by various interest groups was felt by Mr. Earle to be inappropriate indicating that DNR did not have an appropriate and meaningful concept of sustainability to guide the IRM process.

Nora Tomlinson Peach noted that Tim Brushett and Mr. DeGooyer have spoken to her points; issues on the pulp and paper industry, commitments to them, and how they are subsidized by the tax-payer need to be addressed.

Nina Hvoslef feels that we are getting closer to the end with respect to saving resources, there is a need to hurry to save what's left.

Catherine Pross believes there needs to be public input on the trading of public land.

Ms. Harnish mentioned that DNR received a number of questions via e-mail from several representatives of the NSPLC. Responses to questions that are general to all regions will be sent to those in attendance. Responses on parcel specific questions should be sought from DNR's Regional Offices. She noted that DNR also needs to improve its communications - the public appears to be confused about the information it is receiving.

Jason Blanche expressed concern about biodiversity - all issues need to be considered.

Steven Rhude thinks IRM is a good start and communication is a big part of this process; community development is also an issue for IRM.

Gerry Joudrey felt that the day was instructive for DNR and was a good avenue to hear the views of others. During the LRMP phase communication will have to be maintained for constructive dialogue.

Dusan Soudek suggested that it appears decisions on classifications have been arbitrary; it isn't clear if IRM is a plan or an inventory, and he is concerned about how the C3 category decisions were made. He felt the day was a good learning session.

Roz Penfound stated that in her role with the Land Services Branch of DNR, she is aware of all land transactions relative to Crown land, and anyone making a request related acquiring, leasing, etc. must come through that Branch. During the 1990's the monies available to acquire land dwindled from approximately \$1,000,000 to nothing. They are involved in developing alternative means of acquiring land such as partnership agreements with organizations like the Nature Conservancy of Canada. The Department of Environment and Labour is a major player in this, and Parks and Protected area interests dominate acquisition efforts. She also noted that with the creation of the 31 Wilderness Areas, over 200,000 acres of Crown land was removed from the STORA licence agreement.

Ms. Mills stated that with everyone having been given the opportunity to speak, Mr. Graham and Mr. DeGooyer would be given the opportunity to make one last statement each.

Mr. Graham was pleased to see so many in attendance from both DNR and the NSPLC. He hopes that the groups are able to move forward together and recommended that those with questions on specific parcels of land contact the local DNR offices.

Mr. DeGooyer felt the meeting was productive and a first step. He noted there are huge philosophical differences on views, and challenges DNR to consider the possibility that current uses of public lands are not in the greater interest of Nova Scotia. He suggested a broadening of the goals in Crown land planning, involving other departments and that DNR look at the licences and agreements now in place.

Ms. Mills wrapped up the session by stating there seems to be much mis-understanding and mis-communication. The kind of exchange and dialogue that took place is worth the time spent together.

Affiliations represented at the meeting (as noted on the sign-in sheet):

South Shore Naturalists	Shubenacadie Watershed Env. Prot. Assoc.
ETTA, FWA	Tusket River Protection Association
Pictou County Naturalists	Annapolis County Env. Prot. Assoc.
Tourism Partnership Council	Tobeatic Wilderness Committee
Tourism Industry Association NS	NS Wild Flora Soc.
Ecology Action Centre	Atlantic Canada Chapter, Sierra Club of Canada
Fox Island Wilderness Assoc.	Annapolis Fly Fishing Association
Dalhousie University; SAMPAA	NS Federation of Anglers & Hunters
Canoe-Kayak NS	NS Dept of Natural Resources
Eastern Shore Forest Watch	
Federation of NS Naturalists	
Sackville River, NSSA	
Birch Cove Lakes Wilderness Society	
Forests Caucus of WSEN	

Subsequent to the meeting NSPLC representatives were offered the opportunity to provide separate additional comments which are attached. Submissions were received from:

Nora Tomlinson Peach
Dan Earle, Tusket River Env. Prot. Assoc.

Nora Tomlinson Peach

Comments following a study of the notes from the December 2nd, 2000 meeting between DNR and Nova Scotia Public Lands coalition (NSPLC).

Many Nova Scotians are very concerned about the way our woodlands are being treated by industry. (see the report: Public Perceptions and Attitudes toward Sustainable Forest Management: Central Nova Scotia 2000 - prepared by Nova Forest Alliance).

Over the years several pieces of legislation have been prepared to protect crown land, but have not passed into law.

On Dec 2nd 2000, Dan Graham, Deputy Minister, stated that: "under Acts of the Legislature DNR has to make land/resources available to the major industries". (see notes from meeting page 7) How then can the wishes of the people of Nova Scotia be achieved without changing the legislation governing the Department of Natural Resources?

Yours Sincerely,
Nora Tomlinson Peach

Dan Earle, TREPA

Thank you for the opportunity to make additional comments for inclusion in the appendix of the DNR report of the December 2nd meeting. I would like the following to be included.

Upon reflection on the meeting on the drive back to Yarmouth it came to me that the most important and holistic point that was made at the meeting was that of Martin Willison when he discussed the issue of “vision”, and the lack of it, in the IRM process. I wondered what would be the result if DNR were to produce a document called “Our Public Lands in 2100”, a statement of what the agency envisions what these lands will be and look like 100 years from now. I wondered what a similar document from the Public Lands Coalition would be. I wonder what other interest groups might envision and how all of these “visions” might compare. It occurred to me that this would be a worthy topic for a DNR organized conference taking place over several days. DNR, citizen and industry groups would have a chance to present their “visions” early in the conference and the rest of the time could be spent finding points of similarity and searching for resolutions to differences.

In response to DNR replies to questions from TREPA:

Question 3 relates to use of watersheds as planning units. There is no conflict between using DNR’s ecological land classification system as the big framework for planning and then using watersheds at the appropriate scale within the ecological unit as smaller scale planning units. Such a system would then take into account both the ecological characteristics identified by DNR and the drainage patterns related to hydrology and water quality which are of major concern in planning.

Question 4 relates to the issue that DNR will have resource development “carried out according to principles of sustainability.” The answer given to this question is an exercise in obscurantism.

If the point of IRM is sustainability, as stated by Dan Graham, and DNR states that resource development will be “carried out according to principles of sustainability” wouldn’t we expect that by this time in the IRM process DNR would have defined these principles into a workable and testable definition for public land use decisions? It would seem to be one of the first documents that should have been developed. We don’t care about the “statements of principles of sustainability” generally referenced by DNR in the citations of the answer to our question. We want to know what are DNR’s principles of sustainability that are to guide land use decisions on public lands. We think it is time that DNR writes its own, special definition for “principles of sustainability” and resolves the numerous and differing viewpoints which can be attached to such a phrase, which, according to the response, has not been done.

I suggest as a start that DNR might adopt the criteria of sustainability suggested by the economist Herman Daly and develop specific principles based on them:

1. for renewable resources, the rate of harvest should not exceed the rate of regeneration (sustainable yield).

2. the rates of waste generation from projects should not exceed the assimilative capacity of the environment (sustainable waste disposal); and
3. for nonrenewable resources, the depletion of the resource should require comparable development of substitutes for that resource.

To be more specific on this, the definition of “principle” that is most applicable here is that it is “an essential element, constituent, or quality, especially one that produces a specific effect” (Webster’s). It is particularly important that the principles be directly applicable to the planning mission, that they provide specific guidance to decisions, and that planning alternatives or results of planning decisions can be evaluated against them.

Again, with sustainability stated as a core constituent of the whole IRM process it is time that DNR get serious about providing specific information on how the IRM plan is to achieve this core goal.

Dan Earle
TREPA