



## Growing Opposition to CBM

Community and First Nations opposition to coalbed methane development (CBM) has resulted in several local victories. Across the province this summer, First Nations and local governments pushed back against encroaching development, have sent a strong message to the BC Government that it is time to reconsider its CBM policy.

### Northwest BC

The summer of CBM opposition in northwest BC kicked off in May in Hazelton, where over 400 concerned citizens from the region – including First Nations, commercial fishermen, anglers, conservationists, and hunters – attended a CBM summit.

The summit concerned Shell Canada Ltd.'s acquisition of CBM drilling rights to the Klappan Valley where it drilled three exploration holes in 2004. This area is known to the First Nations as the Sacred Headwaters because it is the shared birthplace of three of BC's most important salmon spawning rivers: the Nass, Stikine and Skeena.

At a Shell open house in August, the Skeena Watershed Conservation Coalition delivered 1,700 letters of opposition to the company's head office representative from The Hague. Shortly thereafter, Shell announced it was taking a "pause" from its proposed drilling schedule to allow space for open dialogue and further discussions with local First Nations.

Building on this momentum, a resolution was drafted calling on the BC government to halt Shell's drilling until community and environmental concerns had been fully addressed. It was signed by local governments (the City of Prince Rupert, Town of Smithers, and Villages of Hazelton and New

Hazelton), regional governments (Regional Districts of Kitimat Stikine and Skeena Queen Charlottes) and several area First Nation Band Councils.

### South Central BC

In late June of this year, West Coast Environmental Law (West Coast) was invited by the local grassroots organization, Save our Similkameen, to make a CBM presentation on legal tools available to local government, regional government and First Nations leaders in the area.

The region's concern revolves around Petrobank Energy Ltd. (Petrobank), which drilled its first CBM well hole south of Princeton in 2004 and had plans to drill two more test holes in the region in 2008.

Among other concerns, ranchers said the drilling caused their water wells to dry up and that the collection of baseline water data was insufficient.

Shortly after our presentation, the Princeton and Keremeos town councils and the Lower Similkameen Indian band expressed their opposition to CBM development in the Similkameen. Later, the Regional District of Okanagan Similkameen also came out against CBM drilling.

Within days, Petrobank announced it was voluntarily deferring its proposed drilling schedule.

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## West Coast Supports Global Warming Solutions

West Coast's stated long-term goal is to democratize BC's decision-making process when it comes to law making. Nowhere is this more important than in confronting the critical challenge of climate change.

To that end, over the next year, we will be focussing on the following key areas to enshrine those principles to ensure sound and just decisions.

The setting of targets for reducing greenhouse gas emissions is a key element of British Columbia's legal response to the climate crisis through the 2007 *Greenhouse Gas Reduction Targets Act* (GGRTA).

While we believe the legislation is pointed in the right direction, the Act is a "work in progress", and we want to ensure the emerging regulatory framework for greenhouse gas reductions reflects environmental integrity along with economic feasibility. Our global warming solutions, as outlined below, will propose broad legal changes which integrate

consideration of climate change into decision-making by all levels of government.

Governments around the world have recognized the importance of establishing independent advisors or watchdog bodies to help determine the best way to address sustainability or climate change and to help ensure compliance and accountability. West Coast recommends BC follow their lead by implementing such a position and we are pushing for a Climate Change Commissioner, an independent watchdog to help determine the best way to fight climate change, enforce the law and hold government and industry accountable.

Environmental Assessment (EA) is the primary tool for governments to assess the environmental implications of large-scale development. In general, however, there is no explicit requirement that climate change adaptation or mitigation be considered in an EA.

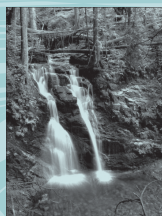
West Coast proposes that changes to BC's environmental assessment legislation should be made to allow government, project proponents

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INSIDE . . .

### The Pesticide Debate

Also: Forest Lands and Urban Sprawl on Southern Vancouver Island



# Down-Shift on the Green

Was it really less than a year ago that Canadians told pollsters they would be willing to pay a little more, use a little less, to slow the impacts of climate change?

Yes, indeed. I have that poll right here in front of me.

I don't think the respondents were lying. Rather, I think it's like giving blood—we all know it's a good idea but the unknown is always a little scary. So when it comes to that moment of decision—be it the blood bank clinic or the voting booth—many just can't do it. The fear of pain—no matter how minute—is enough to make us turn away.

And so, the first truly comprehensive national strategy on climate change bites the dust.

As I write, it is still much too early to know what the new Minister of Environment thinks needs to be done to bring down greenhouse gas emissions. But if the speech on his website is any indication, it's business as usual. Besides, what with the world heading into a major and (likely) protracted economic recession, the environment has already dropped well down the public's priority list. Now, it's all about protecting our standard of living as best we can.

Taxes have become a major campaign issue, both in the recent federal as well as the upcoming provincial elections. And, just as the ruling party did so successfully in the federal elections with the Green Shift, it is in this highly emotional area that political opportunists are attacking the provincial government's carbon tax.

The "gas tax" they call it. An unnecessary and inhumane tax grab that will enrich government coffers while driving middle and low income families to their knees.

*the problem is, it's not true.*

In a statement signed by most of British Columbia's major environmental organizations, including West Coast, we attempt to set the record straight on the carbon tax, by addressing the top misconceptions about the BC carbon tax, including:

- The BC carbon tax won't reduce emissions.
- Big industry is left off the hook.
- BC's carbon tax is a "tax grab" or additional tax.

BC's carbon tax is not an additional tax. It's a tax shift. All \$1.8 billion collected through the carbon tax will be returned to British Columbians through personal income and business tax cuts.

The tax will be phased in slowly and at a low rate, to give people time to adjust. Virtually all leading climate change thinkers and economists agree that a carbon tax is a vital piece to making the cost of carbon real enough to provide the incentives necessary to change our habits and technologies.

It will work. One economic projection indicates that BC's carbon tax alone will reduce carbon emissions by three million tonnes annually by 2020. That's just over 8 percent of the effort required to reach BC's goal of reducing greenhouse gasses by 33 percent below 2007 levels by 2020. Combined with other measures, we could be like Sweden, which has had a carbon tax since 1991, resulting in emission cuts of an estimated 20 to 25



percent, putting it well on the road to meeting its Kyoto commitments.

And industry will pay more than households because it produces more carbon. The carbon tax applies to about two-thirds of the total greenhouse gas emissions produced by industry.

None of this information is new: it was first put out in July. Yet, critics are still hammering away at the unfairness of the so-called "gas tax", allowing no light to seep through. In the months leading up to the provincial election, expect this barrage of mistruths to not only continue but to escalate.

It is up to all of us to stay above the political spin by staying informed. West Coast is here to help. And while you're at it, go donate some blood.

West Coast Environmental Law has been BC's legal champion for the environment since 1974. Our mandate is to empower citizens and organizations to use the law to protect our environment and to advocate for the innovative solutions that will build a just and sustainable world. We:

- Have helped establish mechanisms for public participation in decision-making and to champion key legal reforms.
- Act as a watchdog; alerting British Columbians to the weaknesses in existing and new laws, and the potential impacts of change.
- Make environmental law accessible to citizens through community legal education.
- Help thousands of British Columbians resolve critical environmental issues by providing legal advice and access to legal and technical representation.



You can donate securely to West Coast Environmental Law online at [www.wcel.org/give](http://www.wcel.org/give)

Charitable registration # BN 119292415 RR0001



**West Coast Environmental Law staff and project workers are:** Patricia Chew, Executive Director; Jessica Clogg, Andrew Gage, Susan Rutherford, Greg Gowe, Staff Lawyers; Todd Monge, EDRF; Lucy Pearson, Director of Development; Ceciline Goh, Office Administrator; Allison Grose, Executive and Administrative Assistant; Ingrid Molloy, Systems Administrator.

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On Southern Vancouver Island, the hot topic is whether a sleight of hand by Western Forest Products (WFP), with the support of the BC government, will result in sprawling development.

Thanks to the BC government decisions being made quickly and quietly (in one case), and slowly (in another) – see side-bar – WFP is poised to sell 2,500 hectares of land near Jordan River to Vancouver-based developer Ender Ilkay.

The resulting development will change the shape of the capital region, and West Coast is pleased to be supporting the Sea-to-Sea Greenbelt Society in its opposition to the development.

The decision about whether WFP will be allowed to subdivide these lands, clearing the way for their sale and development, is now in the hands of Bob Wylie, a subdivision approving officer with the Ministry of Transportation.

*“It is particularly important that public hearings be held on this matter, because the decisions that have reversed the status of these longtime forest lands have occurred in a series of closed-door decisions. ... At this point, the citizens within the Capital Region would find it unacceptable for your decision-making to also take place in secret.”*

With financial support from West Coast’s Environmental Dispute Resolution Fund, the Sea-to-Sea Greenbelt Society hired lawyer Irene Faulkner to represent it in opposing the subdivision application. An early letter from Irene to Mr. Wylie called on him to hold a public hearing, rather than making his decision behind closed doors:

“It is particularly important that public hearings be held on this matter, because the decisions that have reversed the status of these longtime forest lands have occurred in a series of closed-door decisions. ... At this point, the citizens within the Capital Region would find it unacceptable for your decision-making to also take place in secret.”

Irene and the Sea-to-Sea Greenbelt Society are joined by many other groups and individuals calling for public hearings. Although Mr. Wylie has still not announced any decision on the process he expects to use, pressure is mounting for public input to be considered. Irene and her clients have also called on the BC cabinet to intervene.

Irene will soon be sending another letter to Mr. Wylie — this one setting out why he should refuse WFP’s subdivision application. We hope Mr. Wylie will respect the wishes of the people of the Capital Regional District — as expressed in the CRD’s new bylaws.

## *e Story to Date:*

On January 31, 2007, with no advance warning, Minister of Forests Rich Coleman, allowed Western Forest Products to remove its 28,283 hectares of private lands from Tree Farm Licences 6, 19 and 25, of which 12,050 hectares are located on southern Vancouver Island. This decision has recently been criticized by BC’s Auditor General for not protecting the public interest.

While these private lands were part of the tree farm licences, they could only be used for logging under provincial forestry laws; once they were removed, Western Forest Products turned around and announced plans to sell over 2,500 hectares of those lands to a developer.

Unfortunately, the Capital Regional District (CRD)’s zoning bylaws were all written on the assumption that these lands would continue to be used for forestry. The region’s careful planning, intended to limit urban sprawl, suddenly had a big hole in it.

Caught by surprise, the CRD in November 2007 took the first steps to rezone the land to prevent it from being subdivided into small properties; but the bylaws could not become law until Minister of Community Services, Ida Chong, signed off on them. Minister Chong sat on them until mid-April 2008, which gave Western Forest Products time to apply (on April 8th) to have the lands subdivided – the first step towards selling them off – under the old bylaws.



# Public Shut Out of Pesticide Debate

## A Cautionary Tale

Brett and Joah live with their 2 children near Roberts Creek on the Sunshine Coast, directly next to private lands owned by the Island Timberlands forest company. In early June, they received a letter from Island Timberlands informing them that the company would be spraying the pesticides Triclopyr and Glyphosate to kill maple and alder trees on its property. Island Timberlands considers those trees to be undesirable because they are less economically profitable than Douglas fir and other softwoods.

“Island Timberlands said they would spray as early as June 16th, which, as it turns out, was the day our son, Sorrel, was born,” recalls Brett. “We were concerned that the pesticides could harm him – one worry we didn’t need.”

Island Timberlands was spraying on hiking trails used by the community for years. The land feeds several creeks, providing water to many downstream properties. The area is home to the Coastal Tailed Frog – a species that is threatened.

The reason Brett and Joah received notice was because their property is actually less than 150 metres from areas where they intended to spray.

Her neighbour, Joanne, also received notice, as did a handful of other property owners near the company’s lands. Anyone else in the community who was concerned about the company using pesticides was not notified.

“I couldn’t believe this was happening. I thought we were in a pesticide-free zone,” recalls Joanne. “The regional district is opposed to any pesticide use on the Sunshine Coast.” But the regional district doesn’t control pesticides on forest lands.

Under the old *Pesticide Control Act*, Island Timberlands would have been required to develop a Pest Management Plan setting out where and when spraying would occur. Its plan would have been approved only if the Ministry of Environment were satisfied

the proposed pesticide use would not have an “unreasonable adverse effect” on human health or the environment. And if the community disagreed with the Ministry’s decision, they could have appealed to the Environmental Appeal Board.

Under the revised *Integrated Pest Management Act*, passed in January 2004, those requirements no longer exist. Island Timberlands merely needs a government-issued licence – a vague document giving it the right to apply pesticides – and it has to observe basic restrictions defined in the regulations. Even the regulations are designed to be flexible – the pesticide Glyphosate can be applied right to the banks of streams, despite scientific evidence proving the pesticide is toxic to amphibians (see facing page).

Joanne contacted Island Timberlands and expressed her concern. The company agreed to meet with members of the community.

On Friday, July 4th, a handful of people – Brett, Joah, Joanne, other local residents, the local MLA and representatives of the regional district – met with representatives of Island Timberlands. The company was respectful and appeared to treat the community’s concerns seriously – it dropped plans

to spray in some small areas near Brett and Joah’s land (deciding to cut the alder instead of spraying it). It also dropped plans to spray Glyphosate, although it’s unclear if this was due to concerns about the tailed frog or for other reasons.

However, Island Timberlands is focussed on maximizing commercially valuable wood as cheaply and quickly as possible. On July 7th, the first business day after meeting with the residents, Island Timberlands started spraying.


Brett’s, Joah’s and Joanne’s experiences are not unique – we know of people on Vancouver Island, elsewhere on the Sunshine Coast and on the Gulf Islands facing exactly the same problem.

The *Integrated Pest Management Act* shuts out the public from decisions about pesticides. In many cases, they don’t even know that logging companies are using pesticides because they don’t live within 150 metres of the lands to be sprayed.

West Coast believes the public has a right to be involved in decisions that could impact the environment, human health—and the health of other species—as indicated in the adjacent letter. It is up to all of us to let our concerns be known.

Andrew Gage





July 11, 2008

Ministry of Environment  
Integrated Pest Management Branch  
PO Box 9342 Stn Prov Govt  
Victoria, BC V8W9M1

Attn. Daphne Dolhaine

Dear Sirs/Mesdames:

Re: Glyphosate exemptions in the Integrated Pest Management Regulation

Under the current Integrated Pest Management Regulation (the "Regulation"), a 10 metre pesticide-free zone (PFZ) is required under section 73(1) when using pesticides, along with a no-treatment zone of sufficient size to ensure that the PFZ is maintained. However, this PFZ is significantly reduced for glyphosate and in some cases removed altogether in circumstances where the water body in proximity to the application is not fish bearing (Sections 74 to 77).

According to a recent study by Dr. Purnima P. Govindarajulu, entitled "Literature review of impacts of glyphosate herbicide on amphibians," published by the Ministry of Environment on June 27, 2008, glyphosate has harmful impacts on amphibians during both their aquatic and terrestrial life stages.

This impact is evident even at the low concentrations typically used in British Columbia. It highlights the paucity of data relating to glyphosate toxicity at different life stages for many of the salamander and frog species found in British Columbia and many other information gaps including the effectiveness of no-treatment zones and the impacts of glyphosate use in silviculture versus agriculture. It is clear from this report that exposure to glyphosate poses a danger to these species, many of which are Red- or Blue-listed species.

It is important to note that many salamander species prefer water bodies in which fish are not present, and many of the species discussed in this report live close to the edges of these water bodies and have a terrestrial as well as an aquatic life phase. Moreover, amphibians, unlike fish, leave the water and are susceptible to pesticide use in terrestrial environments, especially on lands close to bodies of water. Clearly the sections of the Regulation designed to protect fish bearing bodies of water from this chemical do not work to shield amphibian habitats from exposure to glyphosate.

Section 3 of the Integrated Pest Management Act prohibits use of a pesticide in any manner if it causes or is likely to cause an "unreasonable adverse effect", and we view this as a fundamental purpose of the Act. In our view the Regulation provides direction and more detailed requirements for pesticide users to ensure that they do not inadvertently cause such an effect. The results of this study show that it is possible to comply with the Regulation in its current form while still being likely to cause an unreasonable adverse effect in violation of section 3 of the Act.

In light of these findings, it is imperative that you act immediately to amend the Regulation to protect amphibians from the impacts of glyphosate use, reflecting the information in this study. This would include removing exemptions for glyphosate use in close proximity to water bodies, but may include other measures concerning glyphosate use in areas frequented by amphibians.

Sincerely,  
WEST COAST ENVIRONMENTAL LAW

Andrew Gage,  
Barrister & Solicitor

Caroline Lutes,  
Law Student

cc. Barry Penner, Minister of Environment (by fax only @ 250-387-1356)  
cc. Shane Simpson, Opposition Critic on the Environment (by fax only @ 250-387-4680)

# EDRF in Action

West Coast's Environmental Dispute Resolution Fund (EDRF) has been a long-time supporter of **Wildsight's** campaign to prevent the development of the Jumbo Glacier Resort in the Purcell Mountains of southeastern BC. Recently, the Ministry of Tourism, Sports, and the Arts (MOTSA), quietly awarded a new tenure for development on Farnham Glacier, one of four glaciers that constitute the proposed Jumbo site. The new tenure encompasses an area of 1,400 hectares and includes uses such as sight-seeing and the development of related infrastructure. Jumbo Resorts has already started road building and other development activity. This month, the EDRF renewed its commitment to the preservation of Jumbo Glacier by providing a grant to Wildsight to determine options to challenge the new tenure. A new poll by McAllister Research may help bolster its cause. It reveals that fully 63 percent of Kootenay residents are opposed, while only 19 percent are in favour of the development.

In September of 2007, the Federal Court struck down an approval under the *Canadian Environmental Assessment Act* (CEAA) for the Red Chris Mine in the Klappan Valley, located in northwestern BC. This was considered a land-mark decision in support of the environmental assessment process; however, the decision has recently been overturned by the Federal Court of Appeal, and the CEAA original approval has been re-instated. If allowed to move forward, the Red Chris Mine would process 30,000 tonnes of ore daily for the next 30 years. To enable the processing of this volume of ore, the mining company proposes to turn the existing natural lake into a tailings pond. The EDRF is supporting **MiningWatch** to seek leave to appeal the decision to the Supreme Court of Canada.

**ForestEthics** and the **Rainforest Solutions Project** have received EDRF funding to work with government staff and lawyers to ensure that legal protection and management strategies for the Great Bear Rainforest are established, as per the terms of an historic management agreement endorsed by the provincial government. While the government has promised to implement biodiversity areas under the Great Bear Rainforest agreement, the draft orders are very limited, failing to adequately restrict resource development (as promised), or to ensure the protection of biodiversity. With EDRF funding, ForestEthics will press the government to implement legal protection for biodiversity areas that are as strong as originally envisioned and ensure this is in place by March 31, 2009 as per the original agreement.

*Growing Opposition to CBM continued from page 1*

## *Southwest BC*

Community opposition to CBM development in southwest BC already led to the BC Government's decision in February this year to exclude the Flathead River Basin from British Petroleum's (BP) CBM tenure.

Local citizens of Fernie and Sparwood are hoping their continued vocal opposition will cause BP to think twice about its Mist Mountain CBM project, which is in the Elk Valley close to the two towns. Residents are rightly concerned that dozens of CBM wells would be a blight on the natural landscape and hurt the burgeoning resort industry.

In mid April, over 250 Fernie residents took to the streets, in a public protest. In June, close to 200 East Kootenay residents made their opinions on BP's CBM development known in Cranbrook outside a fundraising dinner for Gordon Campbell and the Liberal Party. The Fernie city council has now passed a unanimous resolution opposing BP's tenure.

## *A Common Voice*

The growing regional opposition to CBM development culminated in late September with three strong messages to the provincial government:

First, West Coast, together with five other environmental organizations, called on the government to impose a 10-year moratorium on CBM development to allow for a full scientific review of the implications of CBM development for BC's environment and citizens and to ensure an adequate regulatory system is in place.

Second, at the Union of BC Municipalities (UBCM) convention in late September, a unanimous resolution was passed by the mayors urging the BC government to suspend Shell's CBM drilling plans in the Sacred Headwaters.

Finally, the day after the UBCM convention, the First Nations Summit, comprised of the majority of First Nations and Tribal Councils in BC, passed a resolution calling for a 10-year moratorium on all CBM drilling in the province.

## *Moving Forward*

West Coast is proud to have helped to raise awareness and inform citizens through our publications, presentations to local governments and concerned groups, and free legal information and advice service. CBM issues have long been an important part of West Coast's Energy

Programme, and we will continue to advocate for its responsible development going forward.

*Greg Gowe*

*Global Warming Solutions continued from page 1*

and the public to assess the climate change implications arising from a project.

Worldwide, countries are promoting carbon capture and storage (CCS) as mechanisms for diverting carbon from being emitted into the atmosphere (for instance, from industrial smoke stacks and flares). Although the Province has signaled an interest in developing CCS technology, it has yet to set out a plan to promote, achieve or regulate this technology. There are numerous existing underground seams throughout the province (left as legacies from conventional gas drilling) and using them for carbon capture and storage may be one solution to climate change in BC. West Coast is researching the safety, social, economic and legal aspects of CCS to determine and propose what a CCS regulatory regime in BC might look like.

Sustainable forestry through carbon tenure involves offset trading (e.g., a cap and trade system), a framework that recognizes large protected forest areas as critical in mitigating the effects of climate change (as carbon reservoirs and sinks). West Coast is working for laws and policies to be adopted regarding forests and climate change (e.g., treatment of forest carbon credits in a cap and trade system) that are ecologically sound, designed to protect forest biodiversity, socially just, and respectful of Aboriginal title and rights.

BC has amended the *Local Government Act* to enhance local government climate change powers and to encourage climate change planning. While this provides a sound start, West Coast recognizes gaps and inconsistencies in key areas that limit the ability of local governments to meaningfully address climate change. As part of our global warming solutions, West Coast is proposing changes to help local governments be more effective and comprehensive in combatting and preparing for climate change at the community level.

*Greg Gowe*

# West Coast Lawyers Speak!

Last year this time, we committed to establishing a greater presence in the communities of BC. And we've been keeping our word! Here then, a brief roundup of our outreach around the province.

In the first days of April, Susan Rutherford traveled to the Kootenays to visit the communities of Kimberley, Cranbrook and Fernie. In Fernie and Kimberley, Susan met both formally and informally with local government staff to discuss green infrastructure and green building strategies. In Kimberley, West Coast partnered with Wildsight to host a public meeting on the same topic. The trip also presented many opportunities to discuss smart growth strategies with residents throughout the region.

In April, Andrea Hilland, on behalf of West Coast and in collaboration with Dogwood Initiative, conducted a strategic workshop with West Moberly First Nation Chief and Council. The intent of the workshop was to advance Forest Stewardship Council (FSC) certification on West Moberly treaty lands. West Moberly Chief and Council made a formal commitment to collaborate with West Coast and Dogwood Initiative in developing a multi-faceted strategy to compel all forest companies operating in West Moberly territory to adopt FSC standards. This workshop was the first step in the development of a broader strategy to give effect to FSC Standards on the ground.

In June, Jessica Clogg spoke at a Canadian Bar Association (CBA) Aboriginal Law subsection meeting on aboriginal traditional land use

studies. Her topic was the legal and political barriers to implementing First Nations land use plans, and strategies to overcome these barriers. As with all CBA subsection meetings, the purpose of this meeting was for legal practitioners to share emerging issues, information, experiences and lessons learned with respect to their area of practice.

In June, Susan traveled to Duncan to make a presentation at the second session in the "Learning Lunch" seminar series being hosted by Convening for Action on Vancouver Island. The series, attended by local government staff from the area, is designed to promote the adoption of green infrastructure technologies on Vancouver Island. West Coast's presentation focused on legal tools, policies and best practices to strategically implement a green infrastructure approach.

Susan also spoke at the Federation of Canadian Municipalities' "Sustainable Communities Mission" tour, which made a stop in Squamish in August. Susan presented a "virtual tour" of West Coast's recently updated Smart Bylaws Guide (an online Guide available at [www.wcel.org/issues/urban/sbg/](http://www.wcel.org/issues/urban/sbg/)) including an overview of the Guide's content and how best to access information. Susan also briefly reviewed work done in partnership with Squamish over the past two years to implement Squamish's innovative "Smart Growth on the Ground" concept plan.

In September, West Coast lawyers shared their expertise at two continuing education events in Vancouver. On September 9, Susan presented a paper entitled "The Greening of Law and Policy

Acting Building Projects" at a continuing education seminar organized by Lorman Education Services. The theme of the day was "Incorporating Green Design into Your Building Projects in British Columbia." The seminar was well attended, primarily by building and design professionals.

West Coast lawyers also spoke at the BC Continuing Legal Education Society's one-day conference, "Environmental Law – In the Public Interest", held at the Hyatt Regency. This important CLE event was planned by a steering committee comprised of representatives from Ecojustice, the Environmental Law Centre at the University of Victoria, and West Coast Environmental Law. West Coast's Andrew Gage spoke on the topic of "Asserting the Public's Environmental Rights," a topic on which he has conducted research and written extensively. Greg Gowe of West Coast presented on the topic of "Climate Change as an Environmental Law Driver", touching on climate change litigation and other ways in which public interest lawyers can engage on climate change developments.

Fall and winter are traditionally our busy season for citizen outreach. With so many controversial projects around the province—particularly in the energy sector—West Coast's lawyers will continue to go where needed to help British Columbians understand their rights and their options, in keeping our land and waters safe.

## *We've moved!*

We are now happily settled in to our new space. Our new address is:  
**#200 – 2006 West 10th Avenue,  
Vancouver BC V6J 2B3**

Telephone, fax and email addresses remain the same.

## *Transitions*

West Coast welcomes our new Director of Development Lucy Pearson. Lucy has a passionate interest in environmental conservation and healthy communities. Lucy is a professionally accredited fundraiser (CFRE), with many years experience in resource development for non-profit organizations, including Ecojustice (formerly Sierra Legal) and Better Environmentally Sound Transportation (BEST). Lucy recently joined the Board of Directors of the Society Promoting Environmental Conservation (SPEC) and previous to that was on the Board of Directors of RainCity Housing and Support Society (formerly Triage) for several years. Welcome Lucy!



# A Genuine Protector: Ron Yoshida

Most people are interested in learning how relationships endure. How did it evolve? What made it last? How did you meet?

In 1999, Ron Yoshida and some friends purchased the old Woodlands fishing lodge in Sayward BC. Sayward is located on Kelsey Bay in a spectacular natural environment in the Sayward Valley of northern Vancouver Island.

Ron first learned of West Coast Environmental Law via a newspaper article, shortly after arriving in Sayward.

He read that West Coast was assisting the Bepples family in Kamloops, whose home and property happened to be sitting on top of a certain type of clay with high commercial value for use in kitty litter. Under BC's *Mineral Tenure Act*, any individual or company can buy mineral rights to land owned by someone else and can drill and dig anywhere on their "claim"; even the landowner's dwelling and buildings are at stake. Ron was quite concerned, as he had just purchased a sizeable piece of land – not knowing what lay beneath his property. He immediately called West Coast to ascertain his own rights.

Ron was born and raised in Regina, Saskatchewan. His father hails from Tofino, BC and his mother from Sea Island, where the Vancouver airport is now situated. The family relocated to Regina after WWII. Ron, who moved to Vancouver in 1984, recalls growing up in Regina where rivers were seldom seen. "It's an amazing thing being from the prairies to see salmon running through my river." The Salmon River, which runs

through Ron's property, is part of the Salmon River Wildlife Reserve.

Prior to moving to Sayward and learning of West Coast, Ron was for the most part unaware of environmental issues. After almost a decade in awe and wonder over his river, Ron is concerned about the considerable deterioration in conditions affecting its water quality and in fish returns.

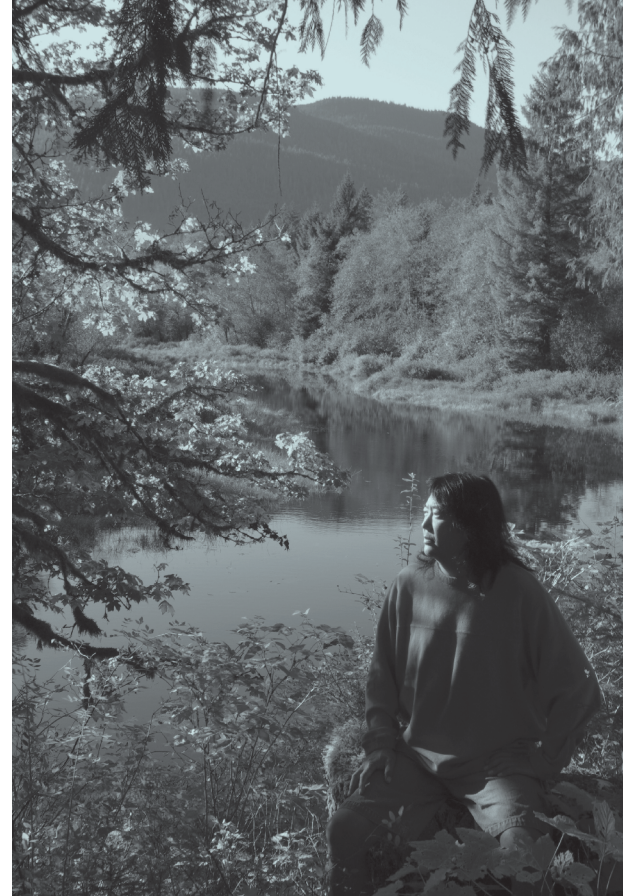
This year, the pink salmon return was almost non-existent (as it happens, fish farms are located just across the Bay). Ron is also investigating the cause(s) of the river's unnaturally accelerated erosion, especially over the last three years.

*Originally, Ron and his friends purchased 27 acres; now they own 113 acres, as they continue to purchase adjacent lands to ensure protection against unsustainable development.*

Ron is humble and reluctant to speak about his career (although we secretly know he's enjoying a successful,

long-term career in the film industry!). These days Ron prefers to talk about his passion for the environment and his pending retirement – which are not mutually exclusive. The Woodlands Lodge was built in the early 1930s and operated as a fishing lodge to the mid-60s. Originally, Ron and his friends purchased 27 acres; now they own 113 acres, as they continue to purchase adjacent lands to ensure protection against unsustainable development. Ron's retirement plans involve ongoing renovations to the Woodlands Lodge, and ideally moving into sustainable farming.

Ron is a long-time West Coast supporter and Protectors Club member, a relationship that endures through our shared and continued value of the importance of empowering average

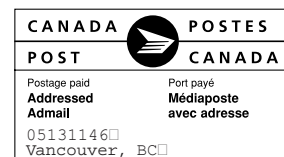


citizens to protect the environment. When asked why he believes supporting West Coast is important, "These days, it's critical to be able to find help when and where you need it," says Ron.

*West Coast Protectors are people who support West Coast through monthly donations. As a West Coast Protectors Club member, your monthly donation provides sustainable, reliable funding, increasing West Coast's capacity to bring BC closer to our vision of environmental protection enshrined in law. Administration costs for monthly donations are lower than for annual donations, allowing more of your donation to be directly applied to delivering solutions as BC's legal champions for the environment.*



WEST COAST ENVIRONMENTAL LAW  
200 — 2006 West 10th Ave  
Vancouver, BC, V6J 2B3, Canada  
Phone 604-684-7378; fax 604-684-1312;  
1 800 330-WCEL; email: admin@wcel.org  
www.wcel.org



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