

"WAITING FOR MNR RESPONSE"

(Ed. Note: This Framework for implementing Ontario's Endangered Species legislation was introduced by Ian Sinclair at the beginning of an MNR-hosted conference call. On that occasion all landowner participants endorsed it in principle and MNR representatives agreed to summarize it in a written record of the March 27/08 oral discussions, a record that has not, as of April 14/08, been received.)

Peel/Halton Landowners Association

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Thursday, March 27, 2008

Ontario Endangered Species Act Landowner Engagement Telephone Conference
hosted by MNR 1:00 to 2:30 p.m. Ian Sinclair Participant

Preamble:

Species at risk cannot survive in 'seas' of social hostility where landowners, managers and agents view rare & endangered species as a threat to the normal use & enjoyment of their lands due to associated severe land use restrictions and legal sanctions. The objective should be to build on local people's knowledge and empowering communities of landowners to recognise the importance of listed species & their supportive natural systems so that they can keep on maintaining them for the benefit of Ontario.

Formula for Success: Make Allies of Landowners: 9 points

1. **Communication: Individual landowner Notice; Regular updates;** It is difficult to imagine the information system required to adequately and fairly inform every land owner and tenant, including prospective land owners, tenants and lenders so that they would be aware of a listed SAR, its residency and habitat and avoid prosecution.
2. **Applied Habitat Management information at the individual landowner level**
3. **Complete Biology of the listed species in plain language easily available**
4. **Human community based Recovery Strategies** Recovery Plans are currently too technical, vague and unconnected to human communities. Conservation Management Network (CMN) This Australian concept consists of incorporating scattered ecosystems remnants into a network defined as 'a

network of remnants, their managers and other interested parties'. The networks have both a biological aim of enhancing biodiversity conservation and a social objective of enhancing community ownership and involvement in conservation. Property Vegetation Plan (PVP) (www.dipnr.nsw.gov/nvrig/index). The plans should be incentive based. They are based around identifying property level conservation outcomes and developing management action plans to achieve them.

5. Extension Agent program not police style enforcement

6. No added fiscal cost to landowner as a consequence of ESA implementation tactics i.e. permits, agreements, etc.

7. Rewards for participation: Plaques, Honour Roles, ALUS: Notion of ecological goods and services refers to the value of natural capital such as soils, water or biota and associated processes which have a value to people. Land management is viewed as multifunctional; producing both marketable resources and an environmental effect such as preserving a wetland, provides habitat and water filtration. Regulatory approach does not compensate landowners for the production of EG&S but restricts their use and enjoyment of lands in the name of the public good setting up an unfair cost/benefit relationship to the detriment of the rural landowner. ALUS sets up a fairer relationship having a continuous remuneration program tied to the production of EG&S.

8. "Safe Harbour" agreements with landowners to set aside liability-shift back to 'wilfully'.

9. Fair compensation for loss of use & enjoyment of lands: The implementation of the ESA must provide fair compensation when the legislation has a detrimental impact [increased costs, increased liability, loss of time, reduced land use, etc.] on the landowner, their property or their agents. [Note: see Appendix: Seven Types of Compensation topology]

Postscript:

Nothing new has been suggested by the PHLA above only restated in our own terms. The following quote illustrates what the international agencies practice:

UN Environmental Program/Convention on Biological Diversity:

"In order to promote good practice to protect and enhance the populations of species at risk, there is a need to:

(a) Raise awareness about SAR, the related legislation and associated programs, and the business case for SAR by speaking to the needs of rural landowners.

(b) Ensure information on SAR status and trends is available to rural landowners; and

(c) Develop rural landowner incentives for good SAR and biodiversity practice.

(d) Developing reliable measures of SAR and biodiversity value and impact for use at a scale relevant to the landowner".

UNEP/CBD/COP/5/23 DECISIONS ADOPTED BY THE CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY AT ITS FIFTH MEETING Nairobi, 15-26 May 2000

Decision V/6