

Boughton Island decision out

BY GARY SCHNEIDER

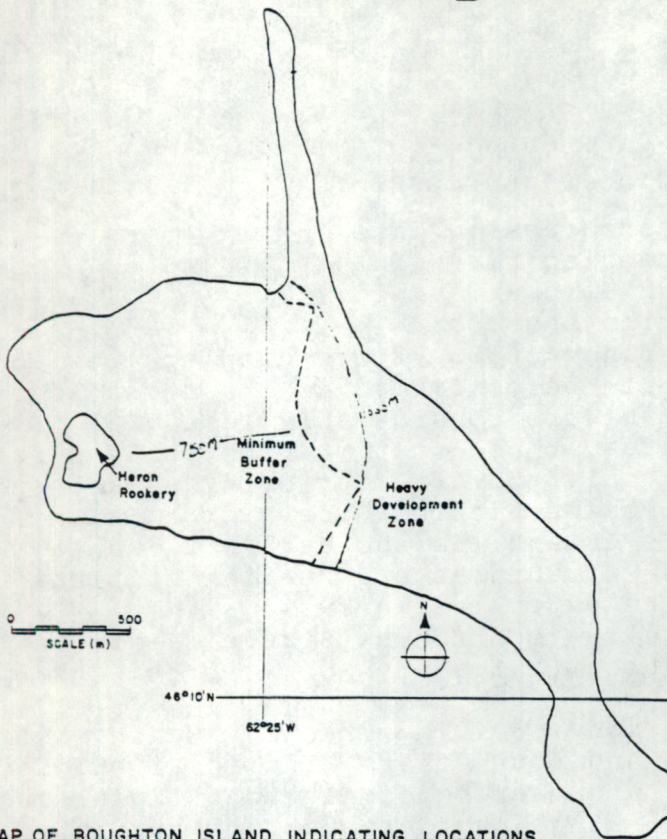
Despite testimony by the top Great Blue Heron expert in Canada that any development could seriously threaten the heronry, the Land use Commission has approved the subdivision on Boughton Island.

The Natural History Society was one of four appellants appearing before the LUC and put in weeks of effort to research and present its case. Help came from many quarters - experts in different fields supported our cause and donated their time to testify; members helped in all ways from fundraising to support; and local residents came out to voice their opposition to the development. NHS President Susan Stephenson and Diane Griffin gave enormous amounts of time and put forth a strong, well-thought out and, we thought, convincing case.

We heard that heron colonies are very fragile, that suitable habitat is rare, that the developer had already violated the conditions of the approval several times. The violations were well-documented and since the present government now seems quite eager to protect our offshore islands, we hoped for the best.

So what went wrong? Or did anything go wrong? Obviously, its hard to understand why individual members of the LUC voted the way they did, but while at first glance the developer seemed to claim a victory, the decision to allow the development carries many restrictions compared to the original approval. The subdivision was cut down to 38 lots from 46; development must be phased in, starting from Little Boughton Island (the furthest lots from the heronry); lot owners can only cut 30% of the trees on their property; the subdivision is for summer use only; fencing may be required around the heronry, to be decided by Fish and Wildlife Division, and many more. Just by appealing the original approval the appellants greatly enhanced the chances that the heronry will survive. The developer didn't even commission a heron management plan until October, almost half a year after the province approved the subdivision.

Protecting the heronry certainly has been the big carrot dangling before us, but along the way other less tangible but equally valuable results came about. Putting the whole case together cost only about \$3000, and we raised all the funds ourselves through raffles, donations and other means. Unlike the Greenwich case, there were no lawyers' expenses to contend with afterwards, and several members now have the experience and knowledge to present a reasonable case before the LUC. We also build strong bonds with the other appellants and everyone seems to have been empowered by the whole experience. Working together paid off in many ways, although we certainly did not get everything we wanted. And I am sure that this case is a long way from being over - there's been talk of the developer selling the land to the Nature Conservancy. Keep your ears open, and thanks again for all your support.



MAP OF BOUGHTON ISLAND INDICATING LOCATIONS OF MINIMUM BUFFER ZONE AND HEAVY DEVELOPMENT BUFFER ZONE. NO DEVELOPMENT WOULD OCCUR WITHIN THE MINIMUM BUFFER ZONE.