



Grasslands Conservation Council of British Columbia Workshop

“Shaping the Future: Mitigating the Fragmentation and Development of BC’s Grasslands”

Backgrounder for Breakout Discussions

OVERVIEW

Grasslands are a small but significant component of B.C.'s natural landscape. Although they represent less than 1 percent of the provincial land base, they provide critical habitat to over 30 percent of BC's threatened and endangered species and as such are one of Canada's most endangered habitats. Grasslands are also a vital component to the viability of BC's ranching community – one of the social and economic mainstays of our diverse province.

Of the approximately 730,000 hectares of native grasslands in B.C., 39 percent are privately held, 9 percent are in Indian Reserves and the remainder are provincial crown lands, much of them covered by grazing tenures.

The loss of large, natural grassland areas is due largely to two main issues: Development of ranches into rural, small/medium acreage subdivisions, and urban encroachment. Fragmentation of rural landscapes is a complex issue with roots in entangled land use policies and regulations to socio-economic pressures to environmental issues.

The fragmentation and development of grasslands without any thought given to long-term sustainability is denigrating the social, cultural and ecological aspects associated with grasslands. The complexities involved in this issue are closely interrelated. In order to be understood, we must examine how the legislative framework, conservation issues, socio-economic aspects and land use planning and decision making processes interrelate. These issues must be grappled with, made clear, and applied to future land use and decision-making processes if we are to make sizable gains towards the conservation and stewardship of BC's grasslands.

To gain insight into the underlying issues leading to the fragmentation and development of grasslands, workshop participants have been asked to consider the following themes:

1. Viability and Sustainability of Ranching
2. Sustainable Grassland Use (Non-ranching)
3. Sustainable Local and Regional Land Use Planning
4. Governance

A description of the broad issues and trends is provided for each theme along with a set of questions to help guide the discussion.

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Breakout Group Topics

1. Viability and Sustainability of Ranching

Ninety five percent of B.C.’s grasslands are working rangelands, either through crown land leases and permits, Indian reserves or privately owned, making the ranching industry a critical component of the fragmentation and development issue. There is an important link between intact, working ranches and the long-term health of grassland ecosystems in B.C. However, the ranching industry is in a serious state of transition due largely to skyrocketing land values, lack of effective conservation tools and the challenges involved with ranch succession.

More ranchers are reaching retirement age, yet fewer younger adults from ranching families are electing to take up ranching as a business and are making alternative career choices. After investing significant time and resources for generations onto the land, and not passing the operation on to their children, many ranchers are forced to make a difficult decision. Retirement, in an increasing number of cases, means selling the land to development interests and cashing in on the lucrative land values. As ranchers reach the age of retirement, ranches and grasslands are becoming more threatened by development, fragmentation, and increased recreational use.

Land values in central and southern BC are skyrocketing. The prices developers and recreational property owners are willing to pay for picturesque landscapes far exceed the agricultural production value of the land. These exorbitant land values often prohibit future ranchers from buying land, leaving wealthy developers as the likely buyer. These increasing economic pressures are slowly shifting the ranching industry towards development, tourism and outdoor recreation. Ranch lands are increasingly subdivided and developed for resorts, recreational developments, hobby farms and retirement homes.

A greater understanding of the pressures that are causing fragmentation and development of B.C.’s grasslands and working ranches is required. Without such understanding, grasslands will continue to be lost to development and the working ranches in B.C.’s southern regions will continue their current trend. The loss of working ranches will put increased pressure on the conversion of these lands for other uses.

Issues

Some of the issues associated with the conversion of ranch lands include:

- Inflated land prices in the southern half of British Columbia.
- The relatively low returns associated with ranching.
- Changing demographics and succession within the ranching community.
 - An aging rancher population means more ranchers will be reaching retirement age
 - The question of how ranchers can get equity out of the ranch without selling is paramount to this issue.
 - Tax implications with generational transfers
- Ranches are being sold and subdivided for ranchettes, vacation homes and other types of development
 - 20 percent or 3000 hectares of the native grasslands of the Southern Okanagan



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- Highlands (Boundary country) have been lost to development.
- Over 55 percent or 14 000 ha of native grassland in the Central Okanagan have been lost to development. The Central Okanagan Regional District has an estimated two percent population growth per year, an estimated increase of 70,000 people over the next 20 years.
 - Over the next 25 years, significant growth is projected for the Thompson Nicola Region, much of which will take place on grasslands.
 - ‘Ranchette’ owners, in the hopes of qualifying for agricultural tax incentives, may run more cattle than the property size can reasonably sustain
 - Many grassland urban communities (e.g. Kamloops, Vernon) are undergoing rapid growth, particularly the sprawl of “big box store” development. As development encroaches onto adjacent grasslands many small acreages are being gobbled up in the process. These smaller acreages provide an important buffer between large, working ranches (and contiguous tracts of grasslands) and growing urban centers.
 - Rural communities will begin to suffer as the economic infrastructure that supports the ranching industry decreases.
 - As development increases, so does the infrastructure. New roads bring more recreation, invasive plants and numerous other problems that impact grasslands
 - A degrading ranching industry translates into degradation and loss of grassland habitat.

Questions for discussion

- i. How is the issue of changing demographics affecting the conversion of ranch land to other uses and what are some of the potential solutions for addressing this issue?
- ii. To what extent is economic viability a factor in the conversion of ranch land to other uses and what are some of the potential solutions for addressing this issue?
- iii. Are land values a major factor leading to the conversion of ranch land to other uses and what are some of the potential solutions for addressing this issue?
- iv. What are the deleterious effects of the current tax regime on maintaining a viable ranching operation or generational transfer?
- v. How could tax incentives (federal, provincial, municipal) better be used as conservation tools?
- vi. What are some other key issues leading to the conversion of ranch land to other uses and what are some of the potential solutions for addressing these issues.
- vii. What are the priority issues that need to be addressed with respect to fragmentation and loss of ranch land?
- viii. How can voluntary conservation tools be better used to address concerns relating to the fragmentation and conversion of ranch land to other uses?
- ix. What are the priority solutions for resolving the fragmentation and loss of ranch lands?

2. Sustainable Grassland Use (Non-ranching)

Grasslands are increasingly being used for a variety of other activities in addition to ranching and livestock grazing. Examples include other agricultural uses such as vineyards and ginseng production and recreational activities such as mountain biking, four wheel drive and all terrain vehicle (ATV) exploring, horseback riding, snowmobiling and cross country skiing.

The conversion of rangeland to other agricultural uses is typically driven by economic factors. More intensive land use such as vineyards or ginseng production carried out in suitable locations



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are able to provide higher economic returns per unit of land than livestock grazing. These activities – although still classed as an agricultural use – involve a much more intensive use of the land base than livestock grazing, and usually result in a loss of native grasslands. Although individual conversions to these types of agricultural use may not cause a significant loss, the cumulative impact over time can be quite extensive. In addition, depending on how these types of uses are located on the land base, there may be further impacts associated with grassland fragmentation.

Increases in recreational use in grassland areas are a function of growing urban populations in the vicinity of grassland areas and an overall growth in the outdoor adventure tourism sector. Activities such as off road vehicle use, adventure tourism operations, and golf courses directly impact grassland ecosystems and ranching operations, while the infrastructure and facility development that support these recreation activities causes additional impact. For many ranchers, diversifying their ranch to include recreational opportunities is a means to maintain a viable ranching operation and keep their grasslands intact; the challenge is striking a balance between economic viability and long-term conservation of native grasslands.

In addition to commercial recreation developments, there is also a growing demand for recreational settlement in rural areas including hobby farms / ranchettes and recreational cottages. These types of developments usually result in a loss of productive grassland and depending on how they are located on the land base may result in significant grassland fragmentation.

Issues

Some of the issues associated with grassland use other than ranching include:

- conversion of existing grazing land and ranches to other uses such as vineyards, orchards and other forms of intensive agricultural production, guest ranches and hobby farms / ranchettes;
- increasing demand for outdoor adventure recreation activities, particularly in proximity to population centres;
- increase in the disposition of crown land for recreation cottages
- displacement and fragmentation of key grassland features from conversion to intensive agricultural use (crops); and
- displacement and fragmentation of grassland from location and development of tourism facilities and infrastructure.

Questions for discussion

- i. What are the factors leading to conversion of grasslands to intensive agriculture (crops)?
- ii. How do these activities contribute to grassland loss and fragmentation and what are the priority issues that need to be addressed?
- iii. What steps can be taken to limit the loss of native grasslands to other agricultural uses?
- iv. What are the factors leading to increased use of grasslands for recreation use (e.g., guest ranches, golf courses/resorts hobby farms, ATV and off road vehicles, etc.)?
- v. How do these activities contribute to grassland loss and fragmentation and what are the priority issues that need to be addressed?
- vi. What steps can be taken to ensure that recreational uses are compatible with sustainable grasslands?



3. Local and Regional Land Use Planning for Sustainability

Grasslands are threatened by urban expansion and rural fragmentation in the form of leapfrogging development. Urban expansion occurs as cities such as Vernon, Kamloops, Penticton, Invermere, Oliver and Osoyoos continue to grow and their boundaries encroach onto grasslands, causing an increase in recreation, housing and consequently an alteration of grassland ecosystems. In the Central Okanagan over 55 percent (14,000 ha.) of native grassland has been lost to development. A similar trend can be expected for the Thompson region where significant growth is forecast over the next 25 years.

Rural fragmentation occurs as a result of sporadic development outside of urban settlement areas that alienates otherwise contiguous tracts of grasslands. This type of “leapfrog” development results in subdivisions and commercial facilities that are scattered across the rural landscape, alienated corridors (e.g. roadways) and possible future development to link communities.

Impacts from urban encroachment and rural development include:

- loss of grassland;
- fragmentation of large tracts of grasslands;
- spread of invasive plants;
- water use;
- soil erosion and compaction;
- increased recreation use;
- in rural subdivisions, severe grazing impacts are common; and
- loss of habitat for grassland wildlife.

One of the key challenges in regional and community planning is the multiple jurisdictions that have authority over land use decisions in various administrative areas. Federal, provincial, local and First Nations governments all have jurisdiction and decision-making authority that can affect grasslands. At the same time there are a number of stakeholders including governments, First Nations, local communities, conservationists, ranchers, developers and agriculturalists who all have a strong interest in land use decisions taking place in grassland areas.

Local governments have jurisdiction over the approval of development in urban areas and can establish zoning and bylaws that affect development in rural areas. The new Community Charter is designed to empower local governments to have more autonomy in zoning and land-use decision making. Regional districts and municipal governments will be taking on a much stronger role in land use planning. Some land use management tools and zoning policies are not fully understood and may have a negative or positive effect on grasslands.

Another key challenge in addressing the impact of development on grasslands is to coordinate the various levels of planning that affect land use decision-making in relation to grasslands including:

- regional land use plans;
- regional growth strategies; and
- regional district plans and official community plans



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Regional Land Use Plans

Regional plans such as the Kamloops and Okanagan-Shuswap Land and Resource Management Plans (LRMPs) and the Kootenay-Boundary Land Use Plan provide strategic land use direction at a regional scale – typically through objectives and strategies for a range of different economic, social and environmental resource values. The Kootenay-Boundary Land Use Plan is the only one of the three plans referred to above that has an objective that deals specifically with grassland ecosystems:

“Maintain the quality, integrity and connectivity of grassland habitats so as to support the associated red and blue listed species.”

The Kamloops and Okanagan LRMPs have objectives that address habitat requirements for rare and endangered species across all landscapes.

Regional Growth Strategies

Regional Growth Strategies are developed under the *Growth Strategies Act (GSA)*. The GSA provides a framework for interactive planning -- a system that relies on a cooperative process, rather than hierarchy, to ensure that plans fit together. It ensures that municipalities and regional districts work to prepare a regional growth strategy.

A regional growth strategy (RGS) is a regional vision that commits affected municipalities and regional districts to a course of action to meet common social, economic and environmental objectives. It is initiated and adopted by a regional district and referred to all affected local governments for acceptance. The purpose of a RGS is to promote human settlement that is socially, economically and environmentally healthy and that makes efficient use of public facilities and services, land and other resources.

Regional District Plans and Official Community Plans

An Official Community Plan (OCP) is a statement of objectives and policies to guide decisions on planning and land use management. An OCP should work towards the purpose and goals in a regional land use plan and a regional growth strategy.

An OCP must include, among other things, statements and map designations for approximate location, amount, type and density of residential development and proposed commercial, industrial, institutional, agricultural, recreational and public utility land uses. It must also include restrictions on the use of land that is subject to hazardous conditions or that is environmentally sensitive to development.

In addition, an OCP may include policies relating to the preservation, protection, restoration and enhancement of the natural environment, its ecosystems and biological diversity.

Issues

Some of the issues associated with regional and community planning that may affect grassland use include:

- lack of a long term vision for grassland conservation use and management;
- rural sprawl and fragmentation;
- lack of integration between economic, social and environmental priorities;
- lack of coordination and consistency between various levels of planning;



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- very little specific reference to grassland issues in existing plans;
- lack of understanding about new planning tools available in the Community Charter
- urban encroachment; and
- need for increased technical expertise and scientific and local knowledge to support planning and decision-making.

Questions for discussion

- i. How does local and regional planning contribute to grassland development and fragmentation?
- ii. What are the key issues related to local and regional planning?
- iii. What are some ways of improving coordination between different levels of planning?
- iv. How important is stakeholder participation in local and community planning processes?
- v. What are some planning tools that could be utilized to reduce urban encroachment?
- vi. What are some planning tools that could be utilized to reduce rural sprawl?
- vii. What are some other improvements to the planning system that will lead to improved management of natural grasslands?

4. Governance

The loss of large, natural grassland areas is due largely to two main issues: Development of ranches into rural, small/medium acreage subdivisions, and urban encroachment. These issues are complex with problems ranging from entangled land use policies and regulations to socio-economic pressures to environmental issues.

Policy and legislation for governing land use including grasslands falls under the jurisdiction of a number of different governing bodies within federal, provincial, local and First Nation governance structures. There are also a number of stakeholders including governments, First Nations, local communities, conservationists, ranchers, developers and agriculturalists, all of whom have a strong interest in land use decisions for grasslands.

Governance with respect to the use and management of grasslands is a function of the legislative framework within which government works and the political philosophy that is applied to that framework.

Political Philosophy

Political philosophy defines the general political direction and broad goals for a government in power. Political philosophy is often formulated as part of an election platform (e.g. New Era Document, Liberal Red Book, etc.) and is used to set priorities and guide decision-making during an electoral mandate.

The provincial Liberal government has outlined a platform that places a priority on, among other things, eliminating the budget deficit, streamlining the delivery of government services and achieving economic growth. In keeping with its philosophy the government has made a number of changes that impact decision-making with respect to land use planning including:

- delegation of authority to local government pertaining to subdivision and zoning of land;
- significant reorganization and downsizing of government ministries responsible for land use management (e.g. 30 percent to 50 percent reduction of staff in the Ministries of Forests; Water,



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Land, and Air Protection; Sustainable Resource Management; and Agriculture, Food and Fisheries);

- changes to legislation pertaining to land use management including the Community Charter, *Agricultural Land Commission Act*, *Forest and Range Practices Act*; and
- elimination of red tape and streamlining of approval processes.

Legislative Framework

The main issues regarding subdivision and development of grasslands include development on Crown land and the Agricultural Land Reserve (ALR), which is a provincial government focus, and development on private land, which is a local government focus.

Most of the jurisdiction for managing grasslands falls under provincial authority. The federal government has jurisdiction over federal lands and has legislative responsibility for managing inland fisheries through the *Fisheries Act* and species at risk through the *Species at Risk Act*. First Nations have responsibility for land use decisions on Indian Reserve lands, many of which include extensive grassland areas. Local governments have authority for land use planning and zoning bylaws within municipalities and regional district settlement areas.

Examples of provincial legislation and policies that may significantly affect land use decision-making for grassland areas include:

- *Agricultural Land Commission Act*
- *Community Charter*
- *Municipal Act*
- Ministry of Transportation Development Approvals Program
- Identified Wildlife Management Strategy

Agricultural Land Commission Act

Agricultural land is under constant threat in BC as a result of urban encroachment and other alternative land uses proposed for rural areas. Historically the Agricultural Land Commission Act has been an effective tool for preserving agricultural land and containing urban sprawl in favour of more compact communities.

In 2002 the *Agricultural Land Commission Act* was amended to delegate more authority at the regional level. Six regional panels were established to review applications for removal from the ALR. Current trends are revealing an increase in applications from municipalities for removal of land from the ALR. Local governments are under tremendous pressure to provide services, infrastructure, housing and local employment for their citizens and constant outward expansion is often considered to be a key component of their economic strategy. Faced with a choice between expansion and preservation of land for agriculture many local governments would opt for expansion.

Until now the ALR has helped to protect these lands from the temptation for expansion. As Smart Growth BC has pointed out in its position paper on the ALR (2003), one of the stated goals of the ALC’s new Service Plan is to create “a provincial land reserve system that considers community interests...” To achieve this goal the ALC “will be working to balance the provincial interest in



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preserving lands for agriculture with community interests and the need for land for housing, employment and community purposes.”

Another concern with the new ALC Act is a change in section 22 that arguably will weaken conservation covenants. Under this section, the ALC may turn down a covenant or modify it if for example the covenant unduly restricts future agricultural use; such future use could mean intensive agriculture that would eradicate any and all biodiversity values in the grasslands.

The key question with respect to the ALR is whether the new Act will lead to an increase in the conversion of grassland that is currently managed under the ALR to other uses.

Community Charter

The Community Charter provides local government with increased empowerment and encourages them to be more self-reliant. It provides local governments with an opportunity to find solutions that address their unique challenges and commits the provincial government to supporting and empowering municipalities to create their own future.

There are a number of regulatory areas in the Charter where the provincial government will retain jurisdiction including labour and employment, family relations, consumer protection, human rights, forests, mining, oil and gas, education and civil law. The Charter also enables the province to work with local governments in areas where both governments need to regulate including protection of the natural environment, public health, building standards and the prohibition of soil removal and deposit.

The key question with the Charter is whether greater empowerment and self reliance will result in varied and uncoordinated approaches for managing grasslands.

Municipal Act

The *Municipal Act* was amended in 1997 (Bill 26 - Local Government Statutes Amendment Act) to enable local government to protect, restore and enhance as well as protect the natural environment, its ecosystem and biological diversity.

Under the amendments an Official Community Plan (OCP) may include policies of the local government related to the preservation, protection, restoration and enhancement of the natural environment, its ecosystems and biological diversity.

The amendments also expand local government powers to require, through development permits, conditions to achieve the preservation, protection, restoration or enhancement of natural features or areas, and the works and protection measures to do so.

Development permits may be used to:

- make requirements and conditions or set standards respecting:
 - land remaining free of development
 - dedication of natural water courses
 - works to be constructed to preserve, protect, restore or enhance natural water courses or other specified natural features of the environment
 - protection measures, including planting of vegetation or trees in order to preserve, protect,



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restore or enhance fish habitat or riparian areas; control drainage, or control erosion or protect banks.

The key question with respect to the Municipal Act is whether the amendments to achieve the preservation, protection, restoration or enhancement of natural features or areas will be applied to ensure preservation of natural grasslands.

Development Approvals Program (Ministry of Transportation)

Jurisdiction over the subdivision of land is divided between municipalities and the province. Subdivisions that occur within municipal boundaries are reviewed by approving officers appointed by municipal councils. In rural or unincorporated areas of the province, the Cabinet appoints approving officers. Approximately 20 percent of all new fee simple and strata title subdivision plans are located in rural areas.

The Ministry of Transportation is responsible for approving subdivisions in rural areas of the province under the Development Approvals Program (DAP). The subdivision approval process is closely tied to technical matters of road location, design standard, right-of-way width, drainage, etc. for which the Ministry is responsible.

The ministry is exploring the creation of a “one window” approach to development approvals, where all provincial permits and approvals would be available from one source. This would allow the province to transfer the administration of the rural subdivision approvals process to any regional district that expressed an interest. In addition to streamlining the process, the ministry is looking at ways to achieve full cost recovery of this program.

To subdivide land in British Columbia, an applicant must first submit a subdivision plan to an approving officer who determines whether the plan meets all the requirements set out in legislation, regulations and local government bylaws for the subdivision of land. Approving Officers must ensure that the subdivision follows provincial acts and regulations as well as local government bylaws, and that the best interests of the whole community are protected. One of the factors that they consider is the preservation of natural features.

The key question with respect to development approvals in rural areas is whether the consideration of natural features in the approval process extends to protection of natural grasslands.

Identified Wildlife Management Strategy

The goals of the Identified Wildlife Management Strategy (IWMS) are to minimize the effects of forest and range practices on Identified Wildlife on Crown land and maintain limiting habitats for wildlife throughout their current ranges and, where appropriate, their historic ranges. The IWMS provides for the designation of species at risk or regionally significant species requiring special management attention under the *Forest and Range Practices Act*. Species at risk may include endangered, threatened, or vulnerable species of vertebrates and invertebrates, and endangered or threatened plants and plant communities that are negatively affected by forest or range management on Crown land and are not adequately protected by other mechanisms.

Identified Wildlife are managed through the establishment of wildlife habitat areas (WHAs), general wildlife measures (GWMs) and wildlife habitat area objectives, or through other



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management practices specified in strategic or landscape level plans. Wildlife habitat areas are areas managed for selected species and plant communities that have been designated under the Forest Practices Code as "Identified Wildlife".

The Identified Wildlife Management Strategy Version 2004 is scheduled for release in May 2004 and will replace IWMS Volume 1, released in 1999. IWMS Version 2004 will contain an updated list of identified wildlife, updated species accounts and updated procedures for implementation.

The IWMS is intended to protect species at risk from forest and range management activities on Crown land. The key question with respect to the IWMS is does it provide tools that will help ensure the preservation of natural grasslands

Issues

- multiple governments and agencies with jurisdiction over management of grasslands
- multiple pieces of legislation relating to various aspects of grassland management
- provincial political philosophy aimed at short term priorities of government streamlining and economic development which could compromise long term sustainability of grassland ecosystems
- lack of coordinated mandate or policy direction to ensure an integrated approach to grassland management
- changes to the *ALC Act* with a greater emphasis on regional decision-making and consideration given to balancing agricultural interests with community interests
- new Community Charter and amendments to the Municipal Act increase discretion for local governments to develop policies for preserving natural environments

Questions for discussion:

- i. What are the key issues that derive from having multiple jurisdictions responsible for managing grassland areas?
- ii. What are some potential solutions for ensuring integration among governments and agencies
- iii. Does political philosophy have an effect on the level of priority given to grassland preservation and if so what are some potential solutions for addressing these affects?
- iv. What are the gaps or inconsistencies in the existing legislative framework with respect to managing grasslands?
 - ALC Act
 - Community Charter
 - Municipal Act
 - Development Approvals Program
 - Identified Wildlife Management Strategy
 - Others
- v. What are the priority solutions for addressing these gaps?
- vi. Are there new tools that could be developed through legislation or policy that would help to ensure preservation / sustainability of natural grasslands?