

Strictly for the birds

by Bethsheila Kent

One of my favourite Audubon Christmas Bird Counts in which I participate is what is known as the Louisbourg Circle that encompasses a wide arc from Catalone near Mira in the southeast to Kennington Cove in the southwest and includes such active birding spots as the town of Louisbourg and the grounds and barracks of the nearby Fortress and lighthouse, the barracks along the highway between Main-a-Dieu and Route 22 and my own route which is a short stretch of roadway from Catalone to the division between Bateston and Main-a-Dieu as well as the sideroads leading inland. However, I must confess, once I have completed my route, I always plow on to Main-a-Dieu just to see what's out on the water there before travelling to the town of Louisbourg via Little Lorraine and the harbour there that always seems to shelter common loon and black guillemot at this time of year.

Field observers always aim to be at the starting point of their routes as early as possible, particularly when that route is on open water (harbours, coves, etc.) that open to the Atlantic so that the usually large rafts of sea ducks that roost close to shore can be observed and counted before the sun is too high and they head out to sea to dive for breakfast. Therefore, the morning light can be somewhat dull but that, too, is a plus as there is little reflection from the water at that early hour. As the light brightens and birds rising and falling on the regular swells become visible, there are a few minutes of anxiety as binoculars and birding scopes are both brought into play to ensure that not a single individual goes unnoticed. Once a thorough sweep has been made of an area, the business of counting begins and the numbers recorded. As my route begins at the tip of Mira Gut, I will begin my report from that point and work my way to the southwest.

A large number of small gulls first attracted my attention when I set up my scope on the ridge of the cobble beach just southwest of Mira Gut. In flight and moving fast, I only caught a blur of flapping wings but the compact bodies of the birds indicated Bonaparte's gulls perhaps. I filed the sighting away in the hopes that I would encounter the small flock further along the coast and settled into the routine of sweeping and counting. I was not disappointed at my first stop with mixed rafts of white-winged and surf scoter just moving away from shore, three common loon all in drab winter dress, a single red-throated loon somewhat farther out from shore, five red-necked grebe, easily identified by their long and elegant necks, the broad sweep of white extending well up into the face and head and the short, stubby tail that is indicative of these compact birds. Fifteen long-tail duck were also present and remained in close proximity to the scoter. Small numbers of common goldeneye and red-breasted merganser were also present at this location as were two black guillemot, their white wing patches visible from a great distance due to the calmness of the bay which would rapidly change as the sun rose higher behind a cover of cloud and a slight breeze ruffled the water. Behind me, on the protected waters of the small lake there were American black duck. Noticeable by their absence were the passerines – not a peep from a chickadee or strident call of a jay broke the silence.

Farther along my route are a series of barachois. The first held bufflehead, the first I have encountered on this route since I began surveying it back in 2002. An American bald eagle (adult) posed for me for many minutes but I believe its cooperation really rested on its keen concentration on the red-breasted merganser cruising the waters of that barachois. More American black duck were at this stop. A quick drive along a barely-cleared road brought me behind this barachois to a point where I finally encountered the flock of gull noted earlier and indeed they were Bonaparte's, their black hoods long since replaced with the white of winter plumage, the sooty face patches all that was left of their summer dress. A single red-throated loon cruised off-shore



BLACK GUILLEMOT

and at that location I finally encountered songbirds – a small number of American goldfinch and several black-capped chickadee. Another stop nearby turned up a large flock of European starling (160+/-), a

small number of mourning dove, my first blue jay of the day and some golden-crowned kinglet. The next pond was not as productive as the first but did provide my day's first herring and great black-backed gull which I again encountered farther along my route. Common goldeneye, red-breasted merganser and American black duck were also present there and I would encounter these species at most of the remaining vantage points overlooking the water along my route. A single American robin was noted at the next stop where someone had thoughtfully hung a feeder which also attracted black-caps and American goldfinches. In addition to these species, American crow were noted in many locations and a pair of common raven were seen in flight early on. Red-throated loon, red-necked grebe, common loon and black guillemot were also noted at other locations but the few common eider I observed were beyond the limit of my route and were not noted in my results.

Although both the number of species and total numbers of individuals I counted was low compared to other years, I believe the results of the Louisbourg count were consistent with other counts around the Island revealing a shocking decrease in both species present at this time of year and total numbers of individuals. I, therefore, anxiously await the provincial reports which will not be available for some time yet to learn if local results are consistent with provincial observations.

Closer to home and more recent in terms of reports – Hilda Proctor, South Haven called when evening grosbeak began to return to her feeders; Angie Aucoin, Big Harbour called with a sighting of two American robin, significant in that such small numbers of our most common thrush have been noted these past many months. And last, but certainly not least, Marie MacDonald, Washabuck, continues to monitor the health and welfare of the female Baltimore oriole that turned up at her house in December. Marie's most recent report indicates that the oriole is doing well, despite the odds, and feeds voraciously on suet embedded with fruit. I am keeping my fingers crossed on this one...

My thanks to Hilda Proctor, Angie Aucoin and Marie MacDonald for their recent reports. I am Bethsheila Kent and I can be reached at 295-1749 with your birding news.

OBSERVATIONS

Re-leasing the Big Lease

In 1961, a license agreement for approximately 1.5 million acres of Crown lands in eastern Nova Scotia was signed with Stora Forest Industries Limited as enticement to build and operate a pulp mill in Port Hawkesbury. The terms of the deal were extremely generous to the company, including control of fully 40 percent of provincial Crown land – a stunning 11% of the province. It was known as "The Big Lease". The deal was finalized in an act of law in 1961 and set for a term of 50 years. That's 50 years ago this year.

Given the deepening crisis in the forestry industry it would seem timely and prudent of the government to roll-up the lease with Stora – since they are now long gone – and develop a new, modern lease with any potential new mill owner based on current conditions and realities. Because Crown lands are public lands, owned by the people and managed by government in their name, in theory at least, they are supposed to be managed for the best public benefit. The six points below are required to make any new agreement more in line with current realities and the public's best interests;

1. *The amount of Crown land licensed to any new buyer should be greatly reduced, in line with shrinking levels of employment, and with shorter terms.*

Over the years the pulp and paper industry has seen a disturbing trend of dramatically decreasing employment despite ever increasing harvesting rates and government subsidies. Allowing use of such a valuable Crown land asset must come with strict conditions regarding employment levels and the amount of lands made available should reflect this. Any lease with a new owner of the Port Hawkesbury mill should be much smaller in size than was the old 1959 lease with Stora. Terms should also be much shorter than half a century in order to deal with rapidly changing circumstances.

2. *Exclude any Crown lands that are currently proposed for protection under the 12% by 2015 process and establish a mechanism to exclude and/or substitute future lands from the agreement.*

Doing so will avoid having to provide compensation for protecting some of our own Crown lands. A new licence agreement should also include a mechanism to exclude or substitute land in the event that the government should wish to designate further protected areas or promote alternative uses in the future. Similarly, no compensation owed to Stora for past protected area withdrawals should be passed on to the new operator.

3. *Develop a legal and policy framework to allocate freed-up Crown wood to value-added wood manufacturers and local forestry enterprises.*

Some of the freed-up Crown land from the old Stora lease should be made available to smaller, local forestry enterprises to support a more diversified forestry industry. This includes better access to wood supply, especially tolerant hardwood stands, for value-added manufacturers in the region. Many of these manufacturers are also FSC Certified and receive no wood from Crown land to fuel expansion of their businesses. They should.

4. *Require new buyer to maintain Forest Stewardship Council (FSC) Certification on all licensed lands.*

Stora/NewPage was a leader in terms of having the best industrial harvesting practices in the province and FSC certification of their Crown land holdings was the main driver for this improved environmental performance. Maintaining this certification, including the protection and special management of areas already identified as High Conservation Value Forests is required in order to ensure continued good stewardship of the Crown land resource.

5. *Must be in line with the province's new Natural Resources Strategy.*

Any new agreement must incorporate the spirit and intent of the Natural Resources Strategy – where Nova Scotians stated that Crown lands must be managed to the highest standards of ecological sustainability. This means a specific emphasis on managing this substantial Crown resource to the highest standard of ecosystem-based forest management to ensure conservation of native biodiversity and recovery of identified Species at Risk.

6. *Require the new buyer to provide public input into Crown land operating plans.*

Extensive public consultations are required to designate Crown lands as protected areas, yet no such public consultation is necessary to clearcutting our Crown forest. This is wrong. A process similar to the protected areas consultation, where maps are provided to the public, public meetings are held and written submissions are received, is proposed to meet this requirement. This will align Crown land management with the values of Collaboration, Transparency and Informed Decision Making that are the core commitment of the government's new Natural Resources Strategy.

Any public sector support going forward should be aimed at developing a modern forestry sector that is more diversified, resilient and environmentally acceptable to the public. The Crown lands of Cape Breton and eastern mainland Nova Scotia are too valuable a public asset to be sacrificed in the panic of the moment. We simply cannot afford to give away the farm again.

Matt Miller and Raymond Plourde

Matt Miller is Forestry Coordinator and
Raymond Plourde is Wilderness Coordinator
for the Ecology Action Centre



DAN CHIASSON LAW INC.
Barrister | Solicitor | Notary Public

137 Twining Street, PO Box 567, Baddeck, NS B0E 1B0
Phone: (902) 295-1245 Fax: (902) 295-2610 Email: dan.baddeck@ns.aliantzinc.ca