

## Editorial

### Burns Bog Revisited

Even in countries where rights of property ownership are largely unrestricted, there are expectations, regulations and occasionally laws that recognize owners' obligations to avoid activities that will harm neighbours. Such legislated or negotiated protections implicitly recognize that owners of property adjacent to protected national parks, unique natural areas, and locations of critically endangered species have ethical responsibilities to ensure that land use is consistent with that of their public agent neighbour. Historically the conflicts of interest have been around legally protected species, such as the big mammal populations in North America's national, provincial and state park systems. Recent conservation biology research has directed attention to the essential requirement for habitat and landscape protection. Cooperation seems to be increasing between private property owners and public and private conservation organizations.

The issue becomes more complex, however, when public property is leased for private use, such as mining and forestry on Crown lands in Canada and in US National Forests. These and other resource extraction activities may cause environmental damage in the leased area, e.g., habitat loss for endangered species such as the burrowing owl on prairie or the marbled murrelet or spotted owl in old growth forests of the Pacific Coast. They may also cause offsite 'downstream' damage such as river bank erosion or surface and subsurface water pollution from toxic waste storage sites.

The issue is even more complex when the private property itself is environmentally sensitive or unique and the owner's use(s) lead to very long-term, if not permanent, environmental damage to the property. Does ownership include the right to assign his property for personal, commercial or industrial uses when a use appears to pose a threat to an area whose protection is perceived to be of greater importance than the rights of the property owner?

Such is the case for Burn's Bog in southwestern British Columbia, which was the subject of a paper by Howie (2002) published in the last issue of **Davidsonia**. Howie reported that part of the bog is privately owned, but she did not point out that there was a financial dispute between the owners and the Municipality of Delta, in which Burns Bog is located. Since publication of that paper, the owners have undertaken some logging operations and indicated their intent to use part of the property for other resource extraction, which Howie noted is part of the long history of human activity in the bog.

The Municipality passed a by-law to restrict the owners' activities, which in turn is being disputed in the courts. However, the issue reminds us of the inherent conflicts between individual rights to operate within the ecologically artificial barrier of a legal property line and society's perceptions that owning environmentally sensitive property brings obligations to manage the private land in ways that support the bigger needs for conservation. While ecologists may argue that all locations are indeed unique, Burns Bog's chemistry, form, flora and large size make this deltaic raised peat bog globally unique (McDade, 2000). The history of drainage, farming and peat extraction before the bog's ecological importance was recognized may be seen as precedent setting for continued resource extraction. Recognition of genuine ecological uniqueness and importance require us to act and amend our acceptable operations so that we meet obligations to to act for the greater, global common good.

### References

- Howie, Sarah. 2002. A Look at Burns Bog. *Davidsonia* 13: 76-94.
- McDade, Gregory J. 2000. Burns Bogs Ecosystem Review: Report of the Special Advisor to the Minister of the Environment. Environmental Assessment Office, Victoria, BC.