



## ISLAND NATURE TRUST

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Hon. Natalie Jameson

Minister of Environment, Water & Climate Change

Hon. Steven Myers

Minister of Transportation, Infrastructure & Energy

Dear Ministers Jameson and Myers:

Island Nature Trust (INT) is Prince Edward Island's oldest private land trust, established in 1979 to identify and secure ecologically significant lands for conservation across the Island. With over 5,000 acres now under our stewardship, we understand the level of commitment required to protect and steward conservation lands in perpetuity. It is a substantial promise, made in spirit and delivered in thoughtful actions, to put the needs of those natural lands first, working to the best of our ability to serve the land.

Island Nature Trust is not an advocacy group. Our mandate is to protect and conserve land and we do so largely through our initiatives as a private landowner with the support of private donors and members. We receive many appeals to speak out on environmental issues and we typically decline comment, preferring to walk-the-walk and lead by example. We see ourselves as partners with both levels of government, focusing our dialogue on our collaborative work towards shared goals. However, in this instance, government policy and proposed actions strike at the heart of our mandate to be wise stewards of the gift of natural lands. We urge you to find a creative approach to supporting the services this incredibly important ecosystem at Royalty Oaks is providing to all Islanders.

The stand of red oak – our provincial tree – in the Royalty Oaks Natural Area is one of only two known remaining mature stands in PEI. It was identified in the 1982 UPEI study of candidate natural areas as one of eleven woodlands provincially most worthy of our highest level of protection, achieving the second highest score among the eleven. The Province acted wisely to secure and designate this unique stand in Royalty Oaks in 1993.

Prince Edward Island is considered a national anomaly, with almost 90 % of our land mass under private ownership. Most other provinces have roughly that equivalent in Crown land. Hence, when our predecessors sought mechanisms to protect natural spaces for their ecological significance and the services they provided to wildlife and future generations, they needed strategies tailored to PEI's circumstances. The *PEI Natural Areas Protection Act* (NAPA) was the result of a creative and

collaborative process that Islanders can be truly proud of and hold up as a made-in-PEI model focused on long-term solutions to our unique land ownership makeup. With so little public land currently under protection relative to other provinces – 4.4 % - there is an even greater rationale to ensure the sanctity of this important legislative mechanism and the lands it currently protects.

For Island Nature Trust, one of the best aspects of NAPA is that private landowners (including INT) can apply it to privately held lands. On private lands, including almost all INT lands (a small number are protected under the Wildlife Conservation Act), the NAPA designation cannot be removed. This provides certainty that the conservation value of those natural areas will persist to the benefit of future generations of Islanders, as a public service as well as a haven for the other species with which we share space.

It is therefore a great disservice to Islanders and the spirit of NAPA when the Province considers de-designating a portion of a designated Natural Area. Forever should mean forever – there is no gray area. While the rationale for de-designation always seems significant in the moment, the timeline of relevance can never compare with that intended under NAPA. Although we understand and respect that highway safety is important, we are confident there are other ways to improve safety without jeopardizing the covenant with future generations that you have already instated.

Since its designation in 1993, the Royalty Oaks Natural Area has not enjoyed the care and attention it deserves. While a provincial position of passive management of public forested natural areas may have merit in other areas of the Island, it is not well-suited to urban forests with their significant pressures from a more densely populated surround. Royalty Oaks needs some love, not further infringement of its edges.

On paper, an infringement of 0.7 acres seems trivial. Ecologically, any infringement on an already small natural area impacts the ecological integrity of the stand. It is less than a year since PEI withstood the challenge of Hurricane Dorian. The oaks remained standing while more impacted, younger conifer forest toppled. But every time we cut a bit more into intact hardwood forest, we compromise the ability of that forest to withstand outside pressures. With the encroachment of the highway, the forest's resilience is diminished, especially the pollution intolerant beech trees that make up part of the stand. It is an oversimplification to talk only about the mature trees that would be removed, ignoring the biodiversity of the forest and the social, cultural and environmental contributions it provides.

The mature red oaks that are proposed for removal are legacy trees. Responsible stewardship of an old growth forest always involves the protection of legacy trees. They are the giants that nurture new forests. Royalty Oaks trees have acted as a seed source for young red oaks across PEI, through the efforts of the Frank Gaudet provincial tree nursery. Every loss of a legacy tree is a loss of genetic diversity and that in turn is a loss of our capacity to adapt our forests to an altered climate future.

We note some positive commitments in the proposed plan for Royalty Oaks, including addressing some of the stewardship needs related to invasive species. Eradication of invasive species in this urban natural space is critical. It will require ongoing management for years to come, as the seed source for these opportunistic species have had time to sit in the soil for at least a decade. Disturbed soils and lack of native ground cover throughout the natural area invite further invasions. This urban natural area needs long-term, dedicated resources to thrive. Encouragement of local stewardship, akin to the INT's

Conservation Guardian volunteers program, would provide the kind of collaborative partnerships needed to sustain that care over the long term.

The concept of "no net loss" of natural area is an excellent start and we applaud the intent to replace loss of protected land with the addition of other land. However, where the loss of natural area cannot be avoided, the concept of "no net loss" must be in ecological equivalencies, not necessarily spatial equivalencies. The addition of old house lots to the natural area does not equate to the loss of mature forest. We know, Minister Jameson, that you have heard this message from others as well and we understand that you are investigating this further. In the instance of Royalty Oaks, the only equivalent addition would be that of the privately held portions of the red oak stand, along the northern boundary. All forests are not equal.

Finally, we must confront the elephant of unkept promises. In 2015, roughly half of a NAPA-designated Provincial property in Tryon was de-designated for the realignment of the Trans-Canada Highway. A commitment was made at that time, documented in the minutes of public meetings and of the NAPA Technical Advisory Committee, to add an adjoining 7-acre property to the designated natural area, to compensate for the loss. Five years later, that addition has still not been made. The lack of action in that instance fuels a lack of trust by the public and organizations like INT who prefer to be working together towards common goals.

The Province has an opportunity now to go about their work differently, in a way that accommodates the natural world that supports us. Island Nature Trust urges you to invest in nature, protect irreplaceable legacy trees, restore Islander's faith in government to keep its word, and protect the integrity of NAPA.

Respectfully,



Megan Harris  
Executive Director



June Jenkins Sanderson  
President