



Village of PEMBERTON

PO Box 100
7400 Prospect St.
Pemberton
British Columbia
CANADA
V0N2L0

P. 604.894.6135
F. 604.894.6136

www.pemberton.ca

March 18, 2019

Dear Crabapple Tree Recipient or Family Member,

The crabapple trees that line Portage Road in honour of our past and current community members have created a welcoming gateway to downtown, and more importantly, paid tribute to locals who have had a personal impact on the people who have lived here or who have contributed to the betterment of Pemberton.

The trees have also been the source of Stewardship Pemberton's Crabapple Project; an important fundraising initiative which greatly assisted the Village in the maintenance of the trees, while reducing the bear attractants in this very busy area.

Unfortunately, even with the success of the Crabapple Project and the continual efforts to keep up with the removal of crabapples, bear activity in this area has increased due to the habitual nature of our area bears. This in turn has resulted an increase in human wildlife conflicts and safety concerns for residents and students walking to and from school.

In October 2018, the Village of Pemberton received a 'Letter of Non-Compliance' (the Notice) from the Province of BC's Conservation Officer Service (the Service) stating that the Village must take immediate and appropriate action to ensure the Village does not continue to operate in contravention of the *BC Wildlife Act* by removing all ornamental and non-ornamental crabapple trees located along Portage Road, or by installing electric fencing around the trees.

The Notice (attached) states that the Service has received numerous complaints with respect to bears feeding on both the ornamental and non-ornamental trees, and that the bears pose a safety risk and could be destroyed if they continue to return to this area. Therefore regrettably, the Village must remove the trees.

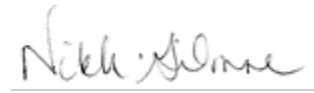
However, to ensure those honoured with a memorial tree continue to be recognized and to preserve the aesthetics of Portage Street's streetscape, the Village will be planting new non-fruit bearing species, that, once grown, will provide a welcoming entrance to Pemberton's downtown. Additionally, the Village will erect site signage with the tree recipient names and will explore options for repurposing the wood from the trees that are removed.

The Village plans to undertake this project this Spring, with tree removal to commence in April. Tree replacement will commence shortly after removal in May. To offset the costs of the tree replacement, the Village applied for, and received funding from Tree Canada/BC Hydro Fund. Due to the nature of this project, we are making every effort to contact each tree recipient or their family to notify them of this project. We encourage you to share this letter with anyone you know who has a memorial tree, or has obtained one in honour of a family/community member. We greatly appreciate your assistance with sharing this information.

Should you have any questions regarding this project, we encourage you to contact Jill Brooksbank at the Village of Pemberton at 604.894.6135 x230 or at jbrooksbank@pemberton.ca.

Yours Sincerely,

VILLAGE OF PEMBERTON

A handwritten signature in cursive script, reading "Nikki Gilmore", enclosed within a thin black rectangular border.

Nikki Gilmore
Chief Administrative Officer



British Columbia

RECEIVED
OCT 19 2018
VILLAGE OF PEMBERTON

October 19th, 2018

File # 201807657

Attention: Village of Pemberton
Box 100, 7400 Prospect Street, Pemberton, BC V0N 2L0

RE: Notice of Non-Compliance

This letter is to address concerns the Conservation Officer Service has in regards to the Ornamental and Non Ornamental Crab Apple Trees located on Portage Rd, Pemberton, BC. The Conservation Officer Service has previously addressed non-compliance with the Village of Pemberton in regards to the Crab Apple Tree attractants on;

- October 2, 2002
- September 7, 2010
- September 6, 2018

A Dangerous Wildlife Protection Order was also issued to the VOP on 2002-10-21.

Conservation Officers have received numerous public complaints in regards to bears feeding on these trees including both ornamental and non-ornamental. The Conservation Officer Service understands the importance of these memorial trees to the community however this wildlife attractant has a significant risk to safety of the residents and visitors of Pemberton.

The above incidents are in non-compliance with the following legislation:
Wildlife Act section 33.1 (2) – Attract dangerous wildlife to land or premises.

The Wildlife Act defines "**attractant**" as any of the following:
(a) Food or food waste, compost or other waste or garbage that could attract dangerous wildlife;

The Conservation Officer Service is concerned with bears becoming food conditioned and habituated to people as a result of being attracted to this highly populated area. Every year, bears are destroyed because they pose a public safety risk or they cause significant damage to property.

It is compulsory that you take immediate and appropriate action to ensure that the Village of Pemberton does not continue to operate in contravention of the BC Wildlife Act. To this end, the Village of Pemberton is required to:

- Remove all Ornamental and Non Ornamental Crab Apple Trees located on Portage Rd, Pemberton
OR
- To secure Ornamental and Non Ornamental Crab Apple Trees located on Portage Rd, Pemberton. Securing the Ornamental and Non Ornamental fruit trees would be by one of the following;
 - Installing of electric fencing
 - Removal of **all** fruit from trees **as soon as** trees bear fruit yearly.

For your reference, a copy of the Wildlife Act can be found at the following web address:

http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96488_01

Please be advised that this letter should not be received as a waiver of any violations and is without prejudice to any further legal action that the Conservation Officer Service may take under the BC Wildlife Act.

If you have any questions or wish to discuss this matter further, please contact, Conservation Officer Brittany Mueller at: 604-966-1028

Sincerely,



Brittany Mueller
Conservation Officer
Ministry of Environment and Climate Change Strategy
Brittany.Mueller@gov.bc.ca

pc:

Sgt. Simon Gravel, Conservation Officer Service, Ministry of Environment,
Simon.Gravel@gov.bc.ca

Inspector Murray Smith, Conservation Officer Service, Ministry of Environment,
Murray.J.Smith@gov.bc.ca