



The Newsletter of the Beaver Valley Bruce Trail Club

Box 3251 Meaford Ontario N4L 1A5 / info@beavervalleybrucetrail.org

“Preserving a ribbon of wilderness, for everyone, forever.”

Bill 23: What Will it Mean for Our Area?

Its Effects on the Bruce Trail, on Conservation Authorities, on Housing, and on Municipalities

The passage of **Bill 23 (*More Homes Built Faster Act*)** in the Ontario Legislature in late 2022, drew most Ontarians’ attention to the accompanying development plans in the Greenbelt in the northeastern GTA. This is natural, as the Greenbelt holds a central place in Ontario’s planning framework. But Bill 23 is a wide-ranging one, amending no fewer than 10 different provincial Acts. One of these Acts is the *Conservation Authorities Act*.



Eugenia Falls, a GSCA Conservation Area

Why Does this Matter to Us? For hikers who are familiar with the Bruce Trail, conservation land is a common sight, though many hikers may not know exactly when they are passing over tracts that are owned by the local Conservation Authority (CA). In fact, the main Trail passes through watersheds of seven CAs and over no fewer than 122 different parcels of CA land, from Niagara to Tobermory – fully one-quarter of the Trail.

Conservation Authorities were initially formed under the provincial *Conservation Authorities Act* of 1946, but the disastrous Hurricane Hazel flooding of 1954 led to their mandate being expanded to acquire lands for recreation and conservation purposes, and to regulate land use generally, for the safety of the community. Today, besides stewarding their properties, CAs assess the appropriateness of thousands of planning and development applications which are annually referred to them by Ontario municipalities for review, and they perform important erosion- and flood-control as well as natural heritage preservation functions in a watershed-based approach that is considered a model worldwide for such imperatives.

So what will the Bill 23 changes mean for local CAs, and how will that affect us? The Bruce Trail Conservancy’s public stand concerning some of the measures in Bill 23 underlined, for us, the gravity of some of the changes involved. But pinning down what has happened and what is likely to happen is difficult. So “Beaver Tales” decided to talk with local **Grey Sauble Conservation Authority (GSCA) CAO Tim Lanthier**, in order to get a better fix on what to expect in the years ahead.

For those who know it, **GSCA** has a geographic range and set of responsibilities that are impressive. Many people know that 95% of Ontario’s people live in a CA-managed watershed. But who knew that 35% of the Niagara Escarpment Plan area is within GSCA’s watershed jurisdiction! Over 1100 development applications were referred to GSCA for assessment by various municipalities last year. And it is estimated that GSCA’s land holdings provide \$72M in ecosystem services annually.

Lanthier decided to address first the most obvious concern – that CA lands in our area would be used to build housing developments.

Lanthier suggests that the process for the land inventory review pursuant to the new legislation will show that GSCA lands are not suitable for development. In addition, the availability of other lands in the areas where real demands for new housing are most

/... continued on page 5

Beaver Valley Bruce Trail Club

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Please feel free to contact any Board officer or other volunteer via info@beavervalleybrucetrail.org.



Emergency contact: For trees down on the Trail, etc., contact Blain Horsley at info@beavervalleybrucetrail.org, sending location, tree size, and a photo if possible. For assistance with grass cutting on a section of Trail that is accessible by a rider-mower, contact Peter Bryce, and to report any other problem with Trail maintenance, please contact Bob Hann.

Volunteers: Like many volunteer organizations, the Beaver Valley Bruce Trail Club is always looking for interested people to serve on the Board, on the Trail, or in other capacities. If you would like to help out, please contact Kim Fisher at info@beavervalleybrucetrail.org.

Newsletter Submissions: Are you a hiking addict, an avid photographer, a local history buff, a budding auteur, an amateur geologist or naturalist? We would love to print any articles, photos or stories that you send us. Story ideas also welcome! Deadline for submissions, Spring Issue: April 15, 2023. Send to Editor of "Beaver Tales" at info@beavervalleybrucetrail.org.

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The Bruce Trail Conservancy (BTC): Box 857, Hamilton, L8N 3N9 / 800-665-4453 / 905-529-6821 / Fax 905-529-6832 / www.brucetrail.org / info@brucetrail.org. **MISSION STATEMENT:** Preserving a ribbon of wilderness, for everyone, forever.

"The world is sweet and green, and verily Allah is going to install you as vicegerents in it in order to see how you act."
— The Prophet Muhammad

President's Message



To all of our Beaver Valley Bruce Trail Members, we would like to wish you the very best of 2023. We were disappointed to have to miss our usual end-of-year party in December because of the “triple-virus threat.” But fortunately there is lots of interest in an outdoor event later in the winter, possible snowshoeing and hot cocoa/hot toddies on a deck! We’ll keep you posted.

We did an astonishing amount of work in 2022. We made the Trail nearly perfect for the audit, and have addressed the recommendations that came out of the audit, with only minor ones remaining. We did a Herculean amount of boardwalk-building (840 feet) and other critical improvements to make Hogg’s Falls safer, more functional, and more respectful of the natural environment. We held three major hiking events, which raised a total of \$6500. A new parking lot off GR 40 (the Campbell property) is virtually complete – and we are searching for someone to plow it in winter. (Insurance rates for farmers and others who undertake such work have skyrocketed to the point where few can afford to do it.) We killed buckthorn and garlic mustard, two invasive species. We cut grass on the Trail, and then we cut grass, and then later on we cut some more grass. Blain Horsley and his chain saw crews went out – get this – on 130 separate runs to cut dangerous or fallen trees away from the Trail.

BTC had a good year: 14 new protected natural areas, 1376 km of maintained trail, 70.2% of the Trail on permanently protected land, and 4.6 km of Trail removed from roads in 2022.

There is still lots to do and lots to be concerned about, but with members like ours, we will prevail!

Joan

Auditor General's Report on Conserving the Niagara Escarpment

The Office of the Auditor General of Ontario released a comprehensive report in November 2022 in the province’s work in Conserving the Niagara Escarpment. The report reveals government shortcomings in properly monitoring and protecting the lands that are covered by the Niagara Escarpment Plan, and outlines 23 recommendations for improvement.

The Auditor General found that the Ministry of Natural Resources and Forestry and the Niagara Escarpment Commission (NEC) “are failing to fully provide the necessary leadership, resources and actions to maintain the Escarpment and adjacent lands as a continuous natural environment, and to ensure that all development is compatible with that environment,” and added in the Final Report that **“Meaningful conservation actions are necessary, as land-use controls alone will not adequately protect the Escarpment.”**

Among the individual findings of the audit:

- “The Ministry provides insufficient financial and staffing **resources** to the Commission to ensure that the [Niagara Escarpment] Plan is effectively implemented. There is no environmental monitoring because there are no staff, resources or program to assess the state of the Escarpment.” The Ministry reduced the NEC’s funding in 1996, and in four of the ensuing years since.
- “A lack of timeliness in the **appointment** process has negatively impacted the functioning of the Commission.”
- “The [NEC] membership has a narrower variety of **perspectives** than prior to the turnover that occurred in 2019/20, with more public-at-large members being appointed from industry and fewer with environmental expertise.”
- “We found that the Commission **no longer has a long-term strategic plan to fulfill the legal mandate to conserve the Escarpment** ... nor measures and targets to evaluate whether the objectives of the [Niagara Escarpment Planning and Development] Act and Plan have been achieved.”
- “The Ministry does not have a funding program dedicated to supporting the securement of lands to complete the Niagara Escarpment Parks and Open Space System and a permanent route for the Bruce Trail ... [despite that] the province’s Niagara Escarpment Plan commits to completing both the Park System and the Bruce Trail.”
- “Reports of possible contraventions [of the Niagara Escarpment Planning and Development Act] have climbed 82% over the last five years, but no charges have been laid under the Act since 2014.”
- “We found that only 19 (or 1.1%) of 1661 development permits were refused [in the last five years] ... some of the 125 Commissioner-approved applications [in the same period] went against the Niagara Escarpment Plan.”

For more information, read the Auditor General report, *Conserving the Niagara Escarpment: 2022 Value-for-Money Audit*:

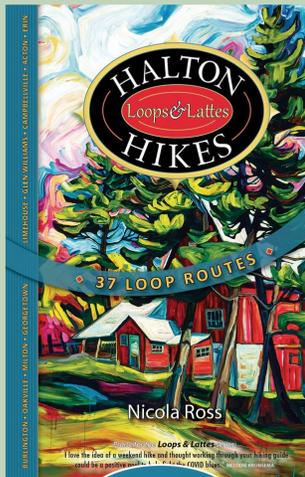
Summary: https://www.auditor.on.ca/en/content/annualreports/arreports/en22/ENV_NiagaraEsc_en22.pdf

Full report: https://www.auditor.on.ca/en/content/annualreports/arreports/en22/ENV_NiagaraEsc_en22.pdf



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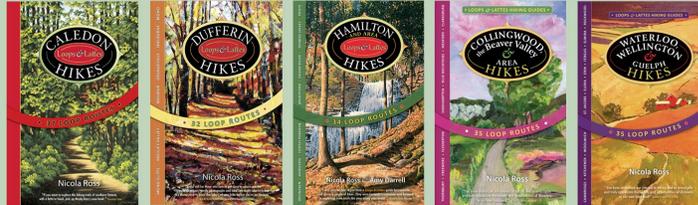
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Wish we were kidding!



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pressing, is sufficient to meet the demand. Further, although some GSCA lands may have been secured in part with provincial grants, the remaining 50% may have come from private donors. There are multiple intricacies that would therefore need to be reviewed and considered in this process. Lanthier suspects that CA land was targeted in the Bill simply because CAs are, collectively, the province's second-largest landowner, and so CA lands seemed like a place to look for home-building sites.

Second, Lanthier suggested that the legislative changes would need to be re-assessed because, rather counter-intuitively, they would actually slow down, rather than speed up, the home-building process.

Ironically, says Lanthier, although the purpose of the bill is to increase the pace of new housing creation, the bill is likely to do the opposite by making it harder and more time-consuming for municipalities to conduct their reviews. Provisions of Bill 23 and the accompanying regulations issued to date include the following:

- Forbidding CAs to provide services to review or comment on "a proposal, application or other matter made under a prescribed Act," other than for natural hazards;
- The new regulations prescribe no fewer than 10 Acts under which CAs' services cannot now be provided to municipalities, including the *Condominium Act*, the *Endangered Species Act*, the *Environmental Protection Act*, and the *Niagara Escarpment Planning and Development Act*;
- Permits may not be required within regulated areas (including wetlands) for activity that is part of a development approved under the *Planning Act* (a Ministerial decision);
- CAs are required to approve applications if the activity is "not likely" to affect "the control of erosion, flooding, dynamic beaches or unstable soil or bedrock" – **no natural heritage considerations** shall go into their analysis.

Natural heritage review is and has always been a municipal responsibility. Now CAs will no longer be available to municipalities to do critical parts of the assessment work that would allow them to fully assess the impact of a development application. Where does this leave municipalities? Most Ontario municipalities do not have, on their staffs, the broad range of expertise required to assess a given planning proposal or development's impact on the watershed's natural heritage elements at or near the site.

Thus, the bill, in restricting CAs' role and availability to municipalities, would slow down the development approval process as municipalities scramble to find other ways to deal with their new responsibilities related to natural resources, argues Lanthier.

Indeed, the Association of Municipalities in Ontario (AMO) has opposed the removal of CAs from these functions, as it would "place new responsibilities on municipalities for natural heritage and natural resources" and also expressed "concerns with the removal of 'the conservation of land' and 'pollution' as tests for regulatory approvals." (For further information, go to: [https://www.amo.on.ca/sites/default/files/assets/DOCUMENTS/Submissions/AMO's Submission Consultations Related to the More Homes Built Faster Plan_20221222_RPT.pdf](https://www.amo.on.ca/sites/default/files/assets/DOCUMENTS/Submissions/AMO's_Submission_Consultations_Related_to_the_More_Homes_Built_Faster_Plan_20221222_RPT.pdf).)

Other Effects on Municipalities

The press reported Town of the Blue Mountains (TBM) Councillors using language at a Council meeting (<https://www.collingwoodtoday.ca/the-blue-mountains-and-grey-highlands/tbm-council-outraged-by-quick-passage-of-bill-23-6179181>) like "atrocious," "outraged" and "appalling" to describe the Bill and their reactions to its hasty passage, with very little opportunity for public input.

Various intended and unintended consequences for municipalities could flow from the bill.

According to the TBM's staff analysis (<https://pub-bluemountains.escribemeetings.com/filestream.ashx?DocumentId=14854>), **under Bill 23 municipalities will bear more of the burden of paying for the infrastructure costs of development in their area, for numerous reasons**, meaning that the principle that "development pays for itself" may on uncertain ground. Bill 23 makes significant changes to the rules governing Development Charges (DCs) paid to municipalities by developers, including the following:

- Municipalities will be required to spend at least 60% of their DC reserves for priority services (e.g., water, wastewater and roads);
- Changes to DCs would reduce the DCs that otherwise would have been due from developers in the first five years;

- Municipalities would not be able to charge developers for the cost of certain studies; and
- DCs paid by developers would be reduced for rental units (buildings with four or more units); the bill would eliminate the DCs paid by developers in certain circumstances, as where some units are “affordable” (but the bill’s definition of “affordable” would, in the TBM, include units priced at \$880K).

DCs matter disproportionately at the municipal level, and to municipal taxpayers, who will make up any shortfalls.

CA fees to applicants are frozen as of January 1, 2023

As noted above, the fees that CAs charge applicants are at cost, so the rationale behind freezing them is unclear. The AMO refers to the current service delivery situation as already the “most efficient.”

Loss of Watershed Perspective

Under Bill 23, municipalities will lose the ability to choose to enter into agreements with CAs to complete certain natural heritage reviews. Necessarily this will also mean erosion of the watershed macro-perspective provided by CAs.

New Wetlands Definition

The Bruce Trail Conservancy and the CAs are involved in separate provincial discussions which are ongoing concerning wetlands management in the province. Wetlands are explicitly mentioned in Bill 23 as among the lands eligible for Ministerial development approvals under the *Planning Act* or other Acts. The current provincial proposals would change the process for determining whether a wetland is considered “provincially significant.”

Lanthier’s view is that if some of the provisions of concern in Bill 23 go ahead, and a significantly restricted definition of “wetland” is also put in place, it would amount to a “dismantling of ecological protections in the province.”

Now What?

Development pressures in our area are growing – for both affordable and luxury housing – and there can be little doubt that the existing “green” quality of our area is a big part of the attraction. Development was the top issue in last fall’s municipal election – how to sustain the local character of the area, address the slow loss of farm land, while providing for responsible growth? Is Bill 23 on the right track to facilitate a green vision for our area? Or is it likely to result in a gutting of local expertise and authority in favour of luxury developments?

For further information: <https://cela.ca/?s=bill+23>; <https://www.amo.on.ca/advocacy/health-human-services/unpacking-bill-23-more-homes-built-faster-act-2022>; <https://conservationontario.ca>; <https://www.osler.com/en/resources/regulations/2022/>.

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Let's hike in 2023!

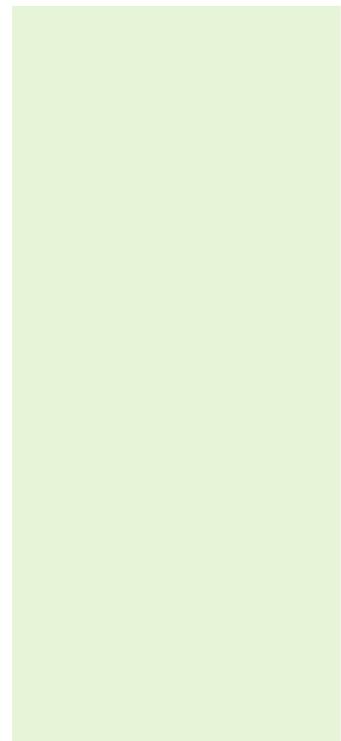
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BEAVER VALLEY BRUCE TRAIL CLUB

2023 PHOTO CONTEST(S)!

Four cool prizes will be awarded in 2023 to the best member's photos taken from or of the Bruce Trail — one prize awarded for each season! You may use old photos or photos you took in 2023.

Send up to three entries (**spring photos deadline** is May 31, 2023) to info@beavervalleybruce-trail.org

Have fun and good luck, everyone!



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Conservation News and Notes

And speaking of flooding ...

Towns along the Beaver River may not always be considered particularly “urban,” but they are no strangers to flooding, so the following should be of interest:

The Auditor General’s 2022 **Report on Provincial Flood Control** reveals: “Our audit found that the Province does not have effective systems and processes to reduce the risk of urban flooding ... a majority of municipalities do not have reliable sources of funding to finance stormwater infrastructure ... [estimated at a cost of] several billion dollars. Federal and provincial grants for urban stormwater infrastructure varied annually over the past 10 years totalling just \$187M.”

On wetlands management: “Nearly half of southern Ontario’s remaining wetlands are unevaluated and risk being lost. Between 2011 and 2015 (most recent data), southern Ontario lost an average of 1825 hectares of wetlands per year – an annual rate of loss three times higher than the previous data period (2000 to 2010). The wetlands that do remain are at risk of further loss: only those wetlands that have been both evaluated and designated as provincially significant are granted formal protection under the Provincial Policy Statement.”



And now for Some Good News!

Tree Trust TBM reports a huge year not only for its program of care for the aging tree canopy, but **great strides in planting** and other work by its volunteers, donors, professionals, and organizers.

They planted and watered hundreds of saplings in two locations of the Georgian Trail, and planted 30 ten-foot trees at Heritage Park and Delphi Point Park. Their native tree seedling nursery continues to expand, as demand for their six-foot sugar maple saplings is brisk. For more information:

<https://treetrust.ca/partner/townofthebluemountains/>.

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- Hike leaders
- Trail captains
- Native species specialists
- Invasive species assassins
- Archivist
- Trail development workers
- Data specialists

You won't believe how much fun this will be!

Contact Kim Fisher at info@beavervalleybruce trail.org

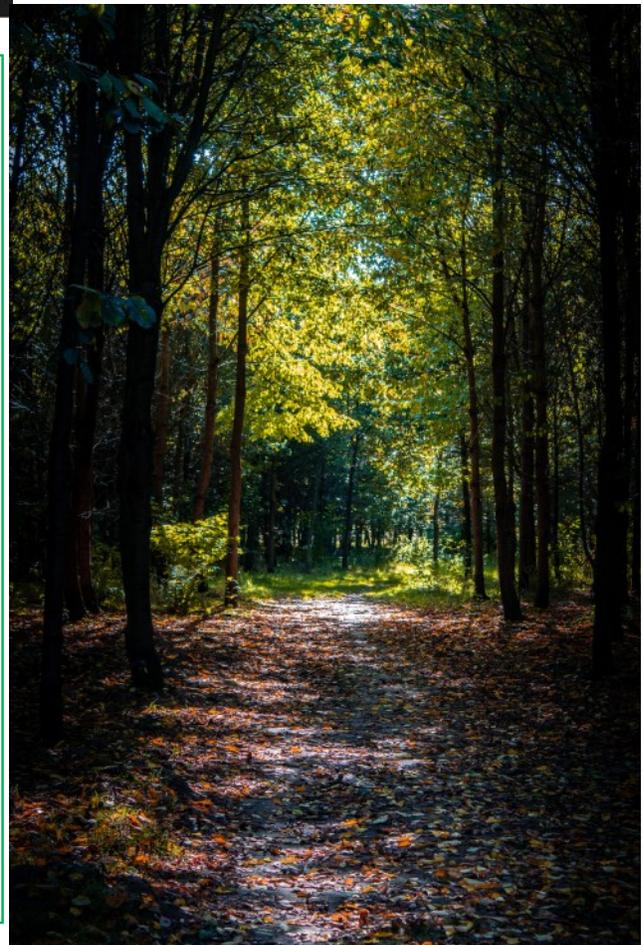
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“The Niagara Escarpment is one of the most prominent natural features in southern Ontario and widely seen as one of Canada’s natural wonders. This ridge extends 725 kilometres through southern Ontario from the Bruce Peninsula to the New York border, where the Niagara River plunges over the Escarpment at Niagara Falls. The Escarpment area includes the largest stretch of continuous forest in southern Ontario and some trees along its cliff face are over 1500 years old. It is also a source of agricultural land. Because of its ecological significance, it is recognized internationally as a World Biosphere, designated by the United Nations as a place to conserve nature and promote sustainable development.”

Ontario, Office of the Auditor General (2022): *Value-for-Money Audit: Conserving the Niagara Escarpment.*



Trail Development and Maintenance: Director's Report: Bob Hann (Jan 5, 2023)
Last year, Next year,
and
Call for 5 New Trail Captains!!

A: Goodbye 2022. Isn't it comforting that, with all the less than optimal things that happened in the world in 2022, the work of our Beaver Valley Trail Workers continues to be a source of satisfaction and hope. Again, we done good—very good.

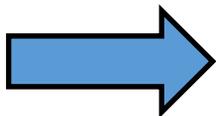
B: Hello 2023. But that was then, and this is now. Anything good on the horizon?

Well, for starters, for many of us, working with other volunteers in *flying squad work parties* is one of the most enjoyable benefits of being a TD&M volunteer. It is therefore great news that we have identified 50 projects for you to help with in 2023 (only one of which is completing the Hogg's Falls project).

Second, no doubt with the continuing onslaught of invasive killer bugs and climate change wind storms, our *chain sawyers* will have ample opportunity to top their 2022 numbers: 130 outings and 853 dangerous trees dispatched during the year.

Third, those of us who love showing off with powered *whipper-snippers* and *mower/tractors* can take comfort that I have it on good authority that the grass, wild chervil and garlic mustard will be back—probably in greater force—on our trails next year.

C: Trail Captains Needed! We are blessed with the volunteer services of 88 *Trail Captains* (TCs) and assistant trail captains (ATCs) who last year took on the responsibility (with the help of our support crews) for ensuring that all of our 69 trail sections were kept to the standard our Club strives for. They did that for a number of reasons: some for the health benefit of being outdoors in the forest, some because their town residence did not have enough space to exercise their gardening skills, some because they wanted a bigger piece of property to brag about, some to get some much-needed exercise, some to make a significant contribution to caring for the environment, some as payback for all their past enjoyment of the Bruce Trail, some to enjoy the company of being part of a team of like-minded and interesting people—and of course, some to get the privilege of regular, lengthy emails from the TD&M Director.



However, when last month we asked each of the 88 to confirm that they would be with us for another year, to our total surprise, 5 said thanks for the memories, but they wanted a break. This would not normally be cause for concern, but this is the first time the I find I do not have a healthy waiting list of prospective TC recruits. So ... **this is where I ask if there are 5 of you out there who want to at least talk to me (hannbob@ican.net) about taking on the Trail Captain role.**

Being the Beaver Valley Club, we do of course have lot of documentation detailing the job, and have a structured application/recruitment process. However, in brief: since we rely a lot on our TCs, we do give preference to applicants who:

- are **local** residents or are around during key trail maintenance periods,
- **have the time** to do a core set of tasks (e.g., painting blazes, pruning foliage) on their own trail (in the spring this means trail monitoring and cutting back foliage at least once every three weeks for most trails!),
- have already participated in or are willing to participate in at least one **flying squad** work party,
- are willing to work with and assist **support squads** for certain tasks (e.g., mowing and whipper-snipping crews) on their trail, and
- will commit to responding to **communications** with the TD&M management team via email in a timely manner.

As well, comfort working with gas- or battery-powered whipper-snippers is not mandatory, but definitely an asset!

Anybody willing to see if this might be exactly the opportunity they have been waiting for?

Bob

Safe Winter Hiking

Every year around this time we like to remind hikers of how dangerous (and expensive!) it can be to engage in winter hiking without taking the proper precautions. Our volunteers work hard enough during the spring, summer and fall, so we don't ask them to do trail maintenance during the winter. As a result, **icy patches can present real risks, deep mud is common, and steep drops or crevices can be invisible in the snow.** So, for safety's sake, and the sake of your pocketbook (the cost of getting rescued can be steep), if you do wish to hike in the winter,

- Choose a trail you know well or a well-used trail;
- Let someone know where you are going and when you expect to return;
- Use the Bruce Trail or other App, or municipal signage, to make a note of your starting and end points;
- Carry a phone (but remember reception can be spotty);
- Avoid X-Country trails, or you may be confronted by a wild-eyed ectomorph with REALLY low blood sugar.

Trail Closures

For up-to-date information on trail closures, go to https://brucetrail.org/?s=trail+closures&ct_post_type=post%3Apage%3Aproduct%3Asidemenu

News Flash! Coyotes Present on Ribbon of Wilderness!

Hikers who are new to our area may not know that we all need to be aware that our Trails move through what is intended to be a "ribbon of wilderness" ... and that ribbon very definitely includes coyotes and other predators. City folks in many parts of Canada are all too aware of the possibility of urban coyotes taking away their beloved household pets. Out here in the Beaver Valley, hikers need to be even more aware — in this case, of coyotes working in packs, usually at night. Please, watch for coyote tracks, **never hike alone at night**, and **never let your dog off leash at night**, or you may find yourself or your beloved companion facing more than just the elements.

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Final information for 2023 : <http://worldwide.on.ca/morocco2023/index.html>

Andalusia 2: Exploring Moorish Spain April 25 to May 5, 2023 Limited Space
Final information for 2023 : <http://www.worldwide.on.ca/andalusia2023/index.html>

Crete & Rhodes October 2023 : this tour is in the preparation final stages and will be on the market shortly. Departure dates will be October 14 to 28 with 7-nights in Crete, 5-nights in Rhodes and 1 final night in Athens. Fully escorted by Charles Whitlock.

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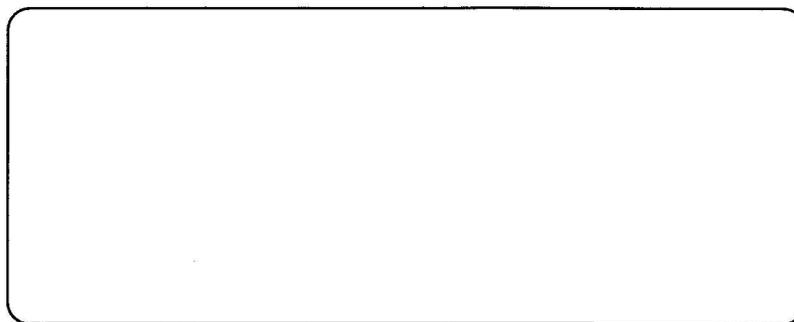
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