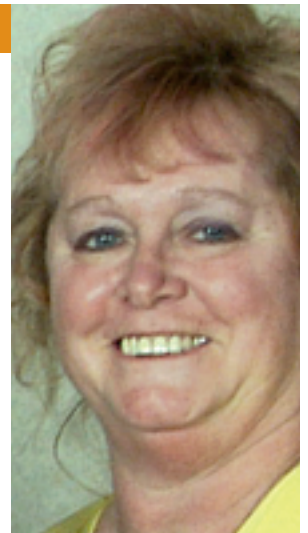


Leta Best



The **Magic, Menace,** *and Mystery of the Sea*

The theme of this issue of *The Scrivener* is “things marine.” Water is the purveyor of life and at times the instrument of death. From the moment of birth, a love-hate relationship exists with water. As children we love to play in it. At the same time, the mystery of what’s hiding under the surface makes us wary to trust this mystical element of our environment.

Streams, lakes, ponds, rivers, and the oceans have impacted upon many aspects of my life.

Being a Notary, one of the most fascinating areas of my practice incorporates the transfer of water and foreshore rights. When you think of a real estate conveyance, you think of land. Living on Vancouver Island as I do, however, you also deal with remote properties and downtown parcels of lands

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that border streams and sea. Another important factor affecting the transfer of property on Vancouver and the Gulf Islands is well water. Water views, foreshore rights, and the availability of water greatly affect the value of real property.

Recently, I spent two days learning about and discussing the new Integrated Land and Resource Registry Project. What is this project? It is a spatially enabled, accurate, efficient, and accessible electronic register of all legal interest in Crown and private land and resources that serves the business needs of a diversity of users and clients. The concept is one-stop shopping for any legal interest that may affect a parcel of land that you are interested in procuring for personal or commercial purposes.

Now, not only will you be able to search the title to real property in our province, you will also be able to readily

search interests in water rights, foreshore rights, and other types of interests vitally linked to the ownership of lands. This registry service will attract investment in our province and enhance economic growth.

Boating, water skiing, scuba diving, clamming, trapping prawns, and crabs and fishing have given me numerous opportunities to enjoy the water. For over 30 years, I have enjoyed “girls’ week on the boat” with my friends (no pictures, no stories is our rule). On girls’ week we spend many hours trapping crabs and digging for clams for our dinners. Also, during the past 30 years, I have enjoyed diving, spear fishing, trolling, and jigging in both local waters and in Hawaii.

But in the early morning hours of February 26, 2004, the ocean that has given me so much pleasure was about to have a devastating impact upon the lives of the family and friends of three men.

A tragic accident took their lives when the trawler *Hope Bay* capsized off the coast of Goose Bay in Queen Charlotte Sound. Canadian racing legend Roy Smith, along with skipper Dennis Webber and deckhand Derek Myers, perished.

I have known Roy Smith for over 40 years. We first met when he was competing in the jalopy class of cars at Western Speedway. Roy went on to become a four-time Nascar Winston West Champion and competed in the Winston Cup Series at the Daytona 500 three times.

Roy was a reluctant champion, however. He could have had the fame of a Dale Earnhardt, if Roy had opted for a life in the big leagues of racing, rather than home and family. Because of the path Roy chose, I had the opportunity to become a closer friend to him and his wife Diana, whom we affectionately call Chuck.

During the past few years, Roy and Chuck invited me to fish with them out of Tahsis on Vancouver Island for salmon and off the coast of Kona, Hawaii, for big-game fish. Roy and Chuck opened their home to me and treated me as a member of their family.

During the recent celebration of Roy Smith's life, his importance to many people was emphasized when three people described Roy as their best friend. What a legacy to his life.

Another friend of Roy's said that whenever you talked to Roy, he always . . . always . . . left you with a smile. To those left to grieve for Roy—family, friends, and fans alike—please remember the Roy stories and the Royisms; they will bring smiles to our faces in the future as they did during his life. The essence of Roy will remain with us forever.

To my dear friend Chuck; to Chuck and Roy's wonderful sons Gary and Aaron and their beautiful spouses Angie and Tara; to Chuck and Roy's beloved grandchildren Mark, Alysha, and Avery; and to the spouses and families of Derek and Dennis, my heartfelt sympathy.

News of the tragic demise of these three men and of the deaths of countless others brings home the full impact of the magic, menace, and mystery of the sea. ▲

KEYNOTE

Val Wilson

Marine Matters

Spring is the season of renewal and growth. Under the guidance of our forward-thinking magazine committee, we are adding colourful photographs to illustrate many of the articles in *The Scrivener*. We trust you will agree they take this publication to the next level of excellence.

Thanks to Marilyn MacDonald of Graffiki Design for her fine efforts in creating our new interior look. (Enjoy Marilyn's article on page 42.)

Our "Marine Matters" theme gave us the opportunity to showcase beautiful pictures from around our spectacular province. We are delighted to offer you information about some of the agencies and associations who have a responsibility for monitoring and preserving our water resource.

Over the past weeks, I have learned many organizations are involved with our BC water. Thanks to Duncan Williams—Aquaculture Manager—and Keith Anderson—Section Head, Land and Water Allocation—both of Land & Water BC Inc., for their able assistance regarding our topic. Thanks, too, to David Icharia, Communications & Project Manager of BC Water and Waste Association, for his assistance in arranging the interview with Harlan Kelly (page 30) and for providing the following list of organizations from his area of expertise. BCWWA provides training for the industry and facilitates education transfers with respect to issues surrounding potability of water.

- Environmental Operators Certification Program (EOCP); Water Supply Association of BC; The Air and Waste Management Association (AWMA); Canadian Water Resources Association (CWRA); Coast Waste

Management Association (CWMA); SWANNA Solid Waste; Vancouver Island Improvement District Association (VIIDA); BC Onsite Sewage Association (BCOSSA); BC Groundwater Assoc; and Environment Canada, Pacific and Yukon Region.

The following organizations have jurisdiction over our water.

- Land and Water British Columbia Inc. issues tenures and permits under both the *Land Act* and *Water Act*. *Land Act* Tenures permit the occupation of Crown land and Crown land covered by water, e.g., marinas, log storage areas, fish farms. *Water Act* Licences and Permits authorize the consumption of water for drinking, industrial uses, etc.
- The Department of Fisheries and Oceans Canada works in the areas of commercial fisheries, water quality, and fish habitat in both freshwater and saltwater.
- The Canadian Coast Guard has a mandate to look after the interests of the boating public and protect the rights of navigation under the *Navigable Waters Protection Act*.
- The Ministry of Water, Land and Air Protection has a mandate to look after water quality, fish habitat, and fisheries in freshwater.
- Ministry of Agriculture, Food and Fisheries (MAFF) provides aquaculture licences for commercial aquaculture, e.g., oysters.
- Local municipalities and regional districts have zoning bylaws that govern the types of uses for both Crown and private land. In many areas, this includes both upland and foreshore areas.

We can all feel more confident knowing that qualified professionals are working to safeguard one of our most valuable resources: our precious water. ▲

Val Wilson is Editor-in-Chief of *The Scrivener*.