



ALBERTA WILDERNESS ASSOCIATION

"Defending Wild Alberta through Awareness and Action"

Honourable Cindy Ady
Minister of Tourism, Parks, Recreation and Culture
#418 Legislature Building
10800-97 Avenue
Edmonton, AB
T5K 2B6

July 13, 2010

Dear Minister Ady

Re: Proposed Parks Legislation

Alberta Wilderness Association (AWA) appreciates the opportunity to participate in your ministry's process to provide comment on Alberta's proposed new Parks legislation. As you and your ministry know, AWA works throughout Alberta towards more representative and connected protection of Alberta's unique and vital landscapes that are the source of our abundant clean water, clean air and vital habitat for wildlife in each one of our six natural regions. We have been working in Alberta for more than forty years, to raise the profile of Alberta's spectacular wilderness, and to help Albertans learn more about the value of our wilderness and wildlife, and participate in opportunities to protect and care for the legacy that we will leave for future generations

AWA believes that the documentation you have provided for review and comment does not emphasize that the predominant role of a parks and protected areas network in Alberta is to protect or improve ecological integrity. If the new legislation does not improve on the current state of affairs in this respect, then there seems little point in the process you have initiated.

Alberta's protected network is clearly currently incomplete. The protected areas targets established during the Special places program have still not been met. Three of Alberta's six Natural regions – the Grassland, Parkland and Foothills Regions – have less than 2 per cent of the land base protected. Despite continued government commitments, existing protected areas such as Rumsey Natural Area still do not have management plans. AWA believes that the focus of TPR should be on committing resources to completing the province's protected areas network, and fulfilling existing commitments, before an expensive and time-consuming re-naming process is initiated.

The sketchy information provided during this consultation process leaves us uncomfortable and without enough information to participate fully and meaningfully. For example, definition of the different provincial park "zones" is very unclear, and not even explained in the document, *Questions and Answers on the Proposed New Parks Legislation*, 2010. Given this constraint, and recognizing the importance of protecting and improving ecological integrity of protected areas, AWA offers the following.

Need for New Parks Legislation

- AWA has reservations about the proposed legislation. The need for re-designation of existing parks and protected areas has never been adequately explained. According to the website for Tourism, Parks and Recreation - <http://www.tpr.alberta.ca/parks/consult/legislation/> - "During consultations on *Alberta's Plan for Parks*, Albertans told us that we need to better communicate what activities are permitted in our parks, and why, and to make the park classification system easier to understand." And yet reading *2008 Survey of Albertan's Priorities for Provincial Parks* (sic), making the parks system easier to understand is not mentioned as a priority by participants. The highest priority expressed by Albertans in the *2008 public survey*, is for increased investment in "Land set aside to protect natural areas in an undisturbed state" (72.7% of respondents), yet the new legislation barely addresses this.
- If there is indeed "confusion" amongst Albertans about the current parks classification system, then there seems little reason to believe that changing names of parks is going to solve this. Clear rules and regulations, clear signage and adequate enforcement funding might reasonably be expected to address this confusion in a more effective manner.
- The current system of protected areas management in Alberta is a de facto "zoning" system. So the need for a new "zoning" system has not been adequately explained.
- If the stated intention for new parks legislation is to "help increase the clarity of the parks system," (*Questions and Answers on the Proposed New Parks Legislation*, 2010) then the information currently available suggests that this is not likely to be achieved. Giving all existing (and new) parks and protected areas the same name, regardless of what activities are or are not allowed is not likely to lead to "clarification." Casual visitors to parks will have no idea of what the purpose of a park is, nor what activities they are allowed to undertake. AWA believes that education might be a more efficient and considerably more cost-effective way to deal with confusion. Under the current system, designation as "Recreation Area" or "Wilderness Area" at least gives some indication of what the protected area is. This would not be the case under the proposed changes.

Principles for New Parks Legislation

AWA believes new legislation for Parks must be underpinned by fundamental and clearly-defined principles:

- The main purpose of provincial protected areas legislation must be to protect the natural values of the land: human activities (recreation and industrial) should be allowed only where they do not compromise this purpose.
- Preserving the ecological integrity of parks and protected areas must be mandated as the first priority in the new legislation, and not left up to future ministerial discretion.
- The needs of species at risk and their habitat must be one of the dominant principles of the designation and establishment of parks and protected areas within the new parks legislation.
- Existing Parks must not receive a reduced level of protection. "Simplification" must not be used as justification for weakening protection of existing parks and protected areas.
- The public must be involved a meaningful sense in decisions around the management of parks and protected areas. The government commits to "Advance public notice for establishing, disestablishing, or changing boundaries of provincial parks or heritage rangelands" (*Questions and Answers on the Proposed New Parks Legislation*, 2010), but "public notice" is **not** consultation.

- Parks legislation must be integrated with other government department tools for protecting wildlife and wildlands, to ensure agreement and the best potential for investment in protection at every level of government.

Zoning

- The proposed legislation will give the minister the “authority to designate zones within Provincial Parks through Ministerial Order” (*Questions and Answers on the Proposed New Parks Legislation*, 2010). Park designations should only be changeable through legislation, not just through ministerial discretion.
- How will the zoning be determined? What will the process be, and will this be a public process? Printed information suggests that there will be “public notice” of establishing or disestablishing parks but, as stated above, this is a long way from consultation.
- Existing Wildland Parks must be zoned for no motorized access. Either the definition for Zone B should be changed, or Wildlands should be designated as Zone C
- Industrial access must not be allowed in Zone B or C ‘Parks’.
- Zone C. The wording for this zoning must be changed. “Access to these areas may be highly controlled or limited to foot access only” must be changed to “Access to these areas **must** be highly controlled **and** limited to foot access only” (emphasis added).

Industrial activities

- Nowhere in any of the background information is industrial access mentioned. Alberta has parks and protected areas which allow oil and gas wells, pipelines and seismic lines. Existing parks allow industrial access in many cases (including Natural Areas and Ecological Reserves). Rumsey Natural Area is a perfect example of how “protection” of parks can be undermined when definitions of permitted activities are left vague, or changed without public input. Despite being designated a Natural Area, sales of oil and gas leases have continued in Rumsey, and promises of no new surface access have been broken. New legislation must clarify exactly what is and what is not allowed in parks and protected areas.
- Industrial access must not be allowed in Zone B or C ‘Parks’.

“Recreation”

- The term “recreation” needs to be defined in all cases. Motorized and non-motorized access are entirely different things, and it must be clear which is referred to. In the absence of any further information, it must be assumed that “recreation” refers to motorized recreation unless specified otherwise. (Motorized recreation was only the thirteenth-most popular recreation activities listed by Albertans in the 2008 public survey).
- Although recreation, and specifically non-motorized recreation is indeed “critical to the quality of life we experience as Albertans” (*Questions and Answers on the Proposed New Parks Legislation*, 2010), Albertans also recognize that recreation is not, and should not be, the top priority within protected areas. The 2008 public survey found that 70.8% of Albertans believe the top priority for Alberta Tourism, Parks and Recreation should be to set aside more land and leaving it in an undisturbed state.
- Motorized water sports must not be allowed in Zone B or C ‘Parks’. Their use on waterbodies and waterways must be clearly regulated.

- AWA believes that it is crucial that any new recreation opportunities and facilities should only be developed in newly designated parks land, and not at the expense of existing protected areas. Turning existing protected areas into campgrounds is not the way Albertans want to see the shortfall of recreation facilities being addressed.

New Parks

- Certain Natural Regions – Grassland, Parkland and Foothills - are severely under-represented in Alberta’s protected areas network (less than 2% of each region is protected). New Parks legislation is an ideal opportunity to address this lack of representivity of protected areas.
- The 2008 public survey identified “*Land set aside to protect natural areas in an undisturbed state*” as the highest priority “Area for Increased, Maintained or Decreased Investment” (72.7% believed there should be increased investment). Similarly, by far the highest number of respondents, 32.8% (the next-highest priority was 14.6%) identified *Environmental protection/conservation* as their *Number one priority for future investment*.
- The proposed Parks legislation must lay out the process for designation of new parks and protected areas. The Alberta government’s own newly-updated *Environmentally Significant Areas* reports must be the starting point for this new designation.

Wilderness Areas

- If the Willmore Wilderness is to be exempt from the new legislative reshuffle, then it would also be appropriate for the three Wilderness Areas – White Goat, Siffleur and Ghost River – to also be exempt. These Wilderness Areas are much more akin to the Willmore Wilderness than a Provincial Recreation Area campground and parking lot.

Wildlands

- Existing Wildland Parks must be zoned for no motorized access. Either the definition for Zone B needs to be changed, or Wildlands must be designated as Zone C.

Species-at-Risk

- In the continued absence of provincial species-at-risk legislation, new Parks legislation must include specific measures to address the need to protect species at risk and their habitat within the protected areas network.

Parks Advisory Council

- Any Parks Advisory Council must allow for self-selection of stakeholder representatives, and roles of the group will need to be clearly defined. The council must be science-based, with adequate stakeholder and scientific representation. Sufficient funding to allow stakeholder participation, and appropriate scientific research must be guaranteed.

Funding

- There must be a clear government commitment to funding under the new parks legislation. Increased levels of enforcement staffing will be needed to ensure that new and confusing designations are understood. The public 2008 survey identified “*Enforcement of rules and*

regulations” as the second-highest priority “Area for Increased, Maintained or Decreased Investment” (65.9% believed there should be increased investment).

- What will the cost be to construct new signs for all Alberta’s protected areas to reflect the new names? Signs will have to be re-made; brochures will have to be reprinted. All of this will come at a considerable cost to taxpayers.

Yours truly

ALBERTA WILDERNESS ASSOCIATION

A handwritten signature in black ink, appearing to read 'NDG', is centered below the association name.

Nigel Douglas,
Conservation Specialist

cc: Harry Chase, Alberta Liberal Party Critic for Tourism, Parks and Recreation

cc: Brian Mason, NDP Party leader

cc: Paul Hinman, Wild Rose Alliance Party