



**ALBERTA WILDERNESS ASSOCIATION**

*"Defending Wild Alberta through Awareness and Action"*

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

November 10, 2010

**Re Bill 29: Alberta Parks Act**

**Dear Minister Ady**

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 has reviewed Bill 29, Alberta Parks Act, and strongly believes that this act, if passed, is inadequate to achieve its own stated purpose of "conserv(ing) unique and representative land within Alberta's natural regions for present and future generations." The proposed legislation would, in fact substantially weaken the existing levels of protection afforded to parks and protected areas in Alberta. AWA believes that Bill 29 should not go ahead as it currently stands. Before it goes ahead, we believe it requires substantial revision, and a full public debate about what Albertans really want for our protected areas network.

The certainty provided by the current legislation stands to be diminished if protected areas are no longer defined in the act.

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## Purpose of the Act

- The defined “Purpose” of the proposed legislation is weak. AWA suggests that the wording should be re-written to state:

“The purpose of this Act is to foster an Alberta parks **and protected areas** system that conserves unique and representative land within **all** Alberta’s natural regions for present and future generations, **enabling environmental conservation and tourism and recreation opportunities that are compatible with the conservation of ecological integrity.**”
- The proposed Alberta Parks Act does nothing to reflect the primary priority, expressed by Albertans in the 2008 Provincial Park's Survey, for increased investment in "Land set aside to protect natural areas in an undisturbed state" (72.7% of respondents).
- AWA believes that the proposed Alberta Parks Act does not reflect the expressed wishes of Albertans; in fact it has considerably less ‘emphasis on protection and preservation of the environment’ than existing legislation. Albertans have consistently argued that parks should emphasize protecting the environment. The Alberta government’s own parks planning process identified that Albertans wanted a clearer emphasis on protection: for example, the November 2008 report *What we Heard - Summary of stakeholder consultation on Alberta’s Parks Planning Framework* included “The *Draft Parks Planning Framework* needs more emphasis on protection and preservation of the environment.”
- Under the Act's Purpose, there must be a clear statement of the primacy of conserving unique and representative lands within Alberta's natural regions for present and future generations, followed by a statement of targets for protection. The existing *Wilderness Areas, Ecological Reserves, Natural Areas and Heritage Rangelands Act* (WAERNAHR) included “it is in the public interest that certain areas of Alberta be protected and managed for the purpose of preserving their natural beauty and safeguarding them from impairment and industrial development.” The new legislation needs to include something similar.
- The 2010 *Strategic Plan 2011-2020* for the Convention on Biodiversity (to which Canada is signatory), states that the new global target for land protection has been raised from 12.5% to 17% of representative ecological regions. The Alberta Parks Act must reflect this new global target.
- A secondary purpose of the Act should be to provide recreation and tourism opportunities in certain (defined) categories of protected areas.

## Zones

- The proposed legislation suggests that four ‘zones’ of Provincial Park, but does not define these zones. These zones must be defined in **this** legislation, not in the regulations. How each of the province’s more than 500 protected areas will be apportioned between these zones is also not described in the proposed legislation. Instead, the Minister “**may** by regulation, for each Provincial Park, specify the park zone or park zones that apply in that Provincial Park” (emphasis added). Bill 29 must be revised to include a definition of the zones, and a process by which existing protected areas will be designated to a new zone.
- The existing zoning system of Alberta’s protected areas – Wilderness Areas, Provincial Parks etc – broadly follows international standards set out by the World Conservation Union (IUCN). The internationally-recognized IUCN categories for protected area management are as follows (Alberta equivalents in brackets):

- Strict Nature Reserve (Ecological Reserve)
- Wilderness Area
- National Parks (Provincial Parks)
- Natural Monuments (Natural Areas)
- Habitat/Species Management Areas (RAMSAR sites/Wildlife Reserves)
- Protected Landscape (Wildland Parks)
- Managed Resource Protected Area (Heritage Rangelands)

Why Alberta has decided to diverge from this internationally-recognized system has not been adequately explained. AWA believes there is no reason to formulate a whole new scheme of protection when the IUCN gives us a perfectly sound scientific structure.

- The legislation must specify that certain activities will not be allowed in certain types of zone.

### **Wilderness Areas**

- Protection of the province's the three Wilderness Areas – White Goat, Siffleur and Ghost River – will be considerably weakened if Bill 29 is acclaimed. Currently the three Wilderness Areas are listed in the schedule of the Wilderness Areas, Ecological Reserves, Natural areas and Heritage Rangelands Act WAERNA). To change these areas, or downgrade protection, would currently require a change in legislation. Under the proposed new system, they would not be listed under the Act. They would be downgraded to Provincial Parks, and what 'Zone' of Provincial Park they may fall into is not defined in the proposed legislation: this would be determined at the ministerial level. Current legislation enshrines the fact that certain activities are prohibited in these Wilderness Areas, including "travel in a wilderness area except on foot" as well as hunting, trapping or use of motor vehicles. These provisions must be added to the new legislation.
- AWA believes that, just as the Willmore Wilderness Park is exempt from the proposed new legislation, so the Wilderness Areas should be exempt from these changes. The proposed legislation already sets a precedent in removing Heritage Rangelands from the proposed Provincial Parks system. AWA believes that Wilderness Areas must receive the same treatment, and must be kept distinct from Provincial Parks. Existing provisions and conditions for Wilderness Areas must then be transferred from the existing legislation.
- Alternatively, if existing Wilderness Areas are to receive their own specific zoning within Provincial Parks, then these must be defined in the Act rather than in future regulations.

### **Ecological Reserves**

- Under current legislation, an Ecological Reserve is a "representative example of a natural ecosystem in Alberta" and "contains unique or rare examples of natural or biological features." If the intent of the provincial government is to "maintain existing levels of protection and recreational access across the province" (*Government of Alberta News Release*, November 4, 2010) then this proposed legislation is not adequate to achieve this intent. If Ecological Reserves are to be transferred from their current level of legal protection, then the new legislation must include provisions that specify that no new industrial leases or dispositions will be issued, no hunting is permitted and no motorized vehicles are allowed.

## Clarity

- In an effort to “clarify” the existing parks network, the essential complexity of that network is not adequately addressed in the proposed legislation.
- According to the October 2010 Government of Alberta document, *Questions and Answers on the Proposed New Parks Legislation*, “The proposed legislation will provide better clarity to Albertans on what recreation and conservation activities are permitted in provincial parks across the system.” Bill 29 does not appear to provide better clarity in any way. Better clarity could be provided by a simple website which detailed how individual sites are designated under current legislation, what activities are allowed, and what activities are prohibited. Improved signage in existing protected areas could add to that clarification.
- Instead, Bill 29 starts again with new legislation and new (undefined) designations that we have no certainty will achieve the purpose of protected areas and the network that we know is required to maintain our biodiversity and ecological integrity. The need to “provide better clarity to Albertans on what recreation and conservation activities are permitted” has not been addressed in this Act, and will need even more investment in education, signage, communication and so on. What will be the costs of replacing signage across the entire network of provincial protected areas?

## Public Comment

- The proposed legislation suggests that future changes may be subject to 60 days’ notice (Section 8). The word ‘notice’ does not allow for any public consultation or input of any sort. The Bill must be amended to define meaningful public consultation and participation in any proposed future changes.

## Minister’s Responsibilities

- Section 9 of Bill 29 details the Minister’s responsibilities. This section must be changed to include a clause that the Minister will give primary emphasis to the maintenance of ecological integrity in the administration of this act.

For the last several years, AWA has discussed with the Parks department at several levels the need for more open and transparent communications with the public about Parks and Protected Areas. We are disappointed that this proposed act does not reflect those conversations, or the expressed wishes of Albertans.

Yours truly  
ALBERTA WILDERNESS ASSOCIATION



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

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