

# The Public Lands Trifecta

## Important Progress Made



By Joanna Skrajny, AWA Conservation Specialist

**A**head of the May long weekend the provincial government made a number of important announcements that will help improve the health and management of public lands in Alberta.

### Public lands got an enforcement boost

On May 14, the provincial government announced that enforcement officers will be able to write on-the-spot tickets for 38 new and increased penalties for offences on public lands and waters. Some historical context is valuable here. When the Public Land Act Regulation (PLAR) was approved in 2011, it removed the authority of officers to issue on-the-spot fines. They instead had to send violators to court, often months after the offence occurred. Since enforcement officers were required then to appear in those court proceedings this require-

ment came at the expense of valuable field time. This was an additional burden on an already resource-strapped enforcement branch of government that tries to ensure that our public lands are protected and that people are safe. Now the courts only will be used to prosecute major offences.

In July 2016, the provincial government issued an Order in Council which reinstated an enforcement officer's authority to issue tickets. However, this authority only could be exercised in Public Land Use Zones (PLUZs) and Public Land Recreation Areas (PLRAs). These territories comprise a small percentage of the total area of public lands in Alberta. As of May 31, the regulation was amended to allow officers to issue tickets on all public lands – such as a \$287 fine for dumping garbage or participating in activities that could cause damage to public land. Fine amounts were also increased for almost all of the offences intro-

duced in 2016.

Last year, the province also increased its enforcement presence by hiring more problem wildlife officers, recreational engagement officers, and park rangers. The government committed to retaining these additional enforcement officers for this season. This is an important change that should help provide consistent messaging that all public lands are valuable and damaging them or placing others at risk is unacceptable.

### Livingstone and Porcupine Hills final management plans released

On May 17, the provincial government released final Land Footprint and Recreation Management Plans for the Livingstone and Porcupine Hills area and established two new Public Land Use Zones (PLUZs) there.

You can read our detailed assessment of



Actions such as defacing a posted notice or dumping garbage on public lands will now result in the offender immediately receiving a \$287 ticket instead of taking up valuable court time. Photo: © C. OLSON (Left) and © W. HOWSE (Right).

the draft plans in the last issue of the *Wild Lands Advocate*. These final plans may represent the first time a plan has been developed for our public lands that requires various ministries, industries, and decision-makers to co-operate to achieve better public lands management. The establishment of PLUZs provides designated trail systems for off-highway vehicles, provides clear guidance for both motorized and non-motorized users, and allows officers to act if they encounter any illegal activities on these lands.

Not all of AWA's concerns are addressed in the final plan. For example, the trail system crosses westslope cutthroat trout critical habitat in a number of locations. These trails likely will contribute to the continued degradation of critical habitat since the runoff from the trail system dumps additional amounts of sediment into creeks. As AWA has noted, destruction of critical habitat is illegal under the *Species at Risk Act*. We believe strict avoidance of critical habitat is required to honour the government's legal obligation to recover westslope cutthroat trout.

Another major concern is managing the industrial footprint in this region. Effectively, this footprint is not managed seriously in the final Land Footprint plan. Instead, management actions here await the arrival of yet another plan, the long-overdue Biodiversity Management Framework. Currently industry is responsible for much of the linear disturbance on this landscape, disturbance that then may be used by OHVs. The linear footprint of seismic lines and pipeline right-of-ways needs to be regulated and AWA had hoped such regulation would have been included in the Land Footprint plan.

The Livingstone and Porcupine Hills are valued for many reasons. Perhaps most importantly, this region provides water for the Oldman River basin's residents, wildlife, and agricultural producers. Conserving these public lands likely will become more important as we grapple with the challenges posed by flooding and water scarcity. While not perfect, AWA believes these plans and land designations represent one of the first serious attempts by government to be a responsible steward of our public

lands. These government actions demonstrate well that department officials and planners appreciate the necessity to balance better the many demands we place on our public lands.

## Castle Parks management plan released

Finally, on May 18 the provincial government released a final plan for the Castle Parks. This plan will guide how the parks will be managed in the future. AWA responded to the draft plan after it was released in the spring of 2017. Then we offered detailed comments to government as well as extensive pieces in the *Advocate*. As such, it is good see the final Castle plan reflect concerns raised in the consultation process and the wishes of Albertans to see this region protected.

For example, the draft Castle management plan stated that motorized recreation was not compatible with the conservation goals of these parks and recommended that OHV use be phased out in a three to five-year period. After hearing a range of public opinions during the consultation process,



This is an OHV trail (left) which eventually leads down to a bridge crossing over westslope cutthroat trout critical habitat in Silvester Creek. Clearly, the bridge does not solve the problem of sediment flowing into the creek and harming the threatened fish. PHOTO: © J. SKRAJNY

the provincial government conducted an independent review of the scientific literature regarding the impacts of motorized recreation in the Castle. This review animates the final management plan, a plan reaffirming the overwhelming body of science that is the foundation of the commitment to phase-out OHVs.

Again, there are still a number of concerns to be addressed in the months and years as these plans unfold.

Unless there is a new government after the next provincial election, summer OHV use

will be phased out in the parks. But, the plan commits to the ongoing use of snowmobiles in the park. The final plan states: “because of the relatively lower impact of winter OHV use, this activity will be permitted.” Our reviews of this activity suggest significant impacts remain. Winter is a particularly stressful time for many animals as they cope with lower food availability and higher metabolic demands. Snowmobiles can cause increased stress levels as well as displacement and changes in animal behavior. In the Yellowstone National Park area, where snowmobiles

are also allowed, wolves produced higher levels of glucocorticoid (a stress hormone) in areas and times of heavy snowmobile use. The plan also offers nothing to address concerns about the appropriateness of cattle grazing and recreational hunting in provincial parks.

The final concerns surround ensuring that these parks retain and protect the wilderness values that make them so special. Here, we will continue to advocate for responsible grazing practices and will fight against any perceived commercialization of these parks. 🐾