



April 24, 1997

MEMORANDUM

To: Scott Milton (F-1)

From: Rod Hill (F-3)

Re: Proposed Approach, Yukon Protected Areas Strategy

As requested, I have the following comments:

Page 1 - Definition. I question whether Heritage Rivers should be included on the list of "protected areas" at all. My understanding is that the Heritage River program provides a means of providing recognition of the heritage aspects of certain rivers, and provides for creation of a management plan to manage development. I believe that no protection is afforded or intended, and there is no intent to restrict industrial development. Groups such as CPAWS would like to think that heritage rivers are protected areas, but this may be wishful thinking on their part.

Page 2 (and throughout) - a strong emphasis is placed on continuing the process of establishing protected areas through the Land Claims process. As mentioned on page 4, this concept was contained in the "A Better Way" document. However, this commitment will cause many political problems for the government because the land claims process is confidential, and all other interests are excluded. Many Yukon interest groups, including the mining industry and municipalities, have long complained about their lack of involvement in the land claims process.

By proceeding along this course the government will be limiting input from most legitimate interests (prospectors and exploration companies, hunters, trappers, outfitters etc.) until the point at which management plans are developed, after the protected areas are already established. The government will be sending out the message that settlement of land claims and establishment of protected areas will be done at any cost, and to the exclusion of other interests. Such a process clearly conflicts with other commitments, such as "to use open and meaningful public and stakeholder participation processes" (p. 5).

One really has to wonder whether the interests of all Yukoners will be served by doing this. Renewable Resources should take a second look at this, and determine whether or not they really want to go this route. In my view, establishing protected areas through the land claim process should only be done in rare and exceptional circumstances (e.g. Tombstone), where this may be the only way to reach a final agreement with a particular First Nation. All other protected areas should be established through a fair, open public process.

Page 3 - Wilderness benefits - I question the statement that "The cumulative impacts of development have already seriously affected wilderness in the Yukon". This may be true in a few small areas of Yukon, but most of Yukon is largely untouched, with no significant impacts of human activity evident at all.

Page 3 - Ecoregion representation - some clarification is required here. Previously it was the stated position of the Parks Branch that for those ecoregions which cross into NWT or BC, where there is adequate ecoregion representation in those other jurisdictions no further representation would be required in Yukon. I would like to see that commitment enunciated here.

Page 3 - Economic benefits/Opportunity costs - this limited discussion mentions briefly that there may be some economic benefits to be gained from Yukon's growing tourism industry, and that some options for some types of industrial development may be foreclosed within some areas. I think that there have to be firm commitments made that no protected area will be established without a comprehensive analysis of the costs and benefits which clearly show that the benefits of establishing the protected area clearly outweigh the costs. (For example, all other things being equal, it clearly does not make any sense to preclude development of a mine which might employ up to 1,000 people directly and indirectly for the sake of creating a few dozen tourism jobs in a park.)

Page 5 - Key Commitments - another key commitment which the government has made over the years in various documents, including the existing Parks Policy, is that no land will be permanently withdrawn from staking without a mineral assessment having been completed. That commitment should be clearly enunciated here.

Page 6 - Protecting critical marine natural regions - one has to wonder why this is included. With the Yukon Act as presently written Yukon has no jurisdiction over the offshore, therefore we have no critical marine natural regions to worry about.

Pages 9-11 - since we are already close to the end of April, presumably the time lines indicated here will have to be extended.

Page 14 - Year 1 - again, I question why the Bonnet Plume and Tatshenshini rivers are included here, since Heritage Rivers are not intended to be protected areas.

General Comments

In general, I find this document to be extremely biased or weighted towards the establishment of protected areas, with little or no consideration being given to the interests of other stakeholders. Our department has always recommended a "balanced" approach to development (i.e. we promote environmentally and socially responsible development; there has to be a net benefit to Yukon society from development projects). There should be more of a balanced approach here too (e.g. we support protected areas as long as there is a net benefit to society from establishing a protected area). Other than vague promises about public consultation, there is no mention in this

document about taking into account other values or competing interests such as exploration, mining, forestry, agriculture, trapping, or hunting during the establishment of protected areas.

On page 7 there is a passing reference to the fact that we have been working with the Chamber of Mines to develop a mineral assessment process, but there should be clear statements to the effect that mineral resource values, and other resource values, will be taken into consideration during the protected area selection process. The mining industry will be looking for statements which clearly indicate that the government will make every effort to minimise the amount of land with high mineral potential which will be alienated.

There should also be a statement somewhere in the policy which clearly states that the sizes of areas selected for protection will be kept to the minimum required for protection of the particular site, feature or ecoregion, and that the presumption will continue to be that all vacant crown lands not subject to such protection will continue to be open for the beneficial use and development by individuals, companies and industries subject to the laws of general application.

(signed by)

Roderic P. Hill
Manager, Mineral Resources
Mines & Resource Development Division