

JoAnne Van Rand en 393-6232

COMMENTS ON DRAFT YUKON PROTECTED AREAS STRATEGY
March 20, 1998 Version

After the last draft of the PAS, it is a relief to see that this version was probably written by authors who knew what was expressed at public workshops and working group meetings. Unfortunately it should have been this draft version that was presented at the last 3 day public workshop for discussion and it is frustrating to see the strategy progress ahead of itself.

It is commendable to finally see some criteria in this version of the strategy. While some of these criteria are clear and concise, others remain wordy and meaningless. For example, *...These areas should contain representation of ecosystems which play and important role in maintaining the ecological functions of the ecoregion.* Does this mean anything?. Perhaps it could be rewritten so the layman can understand. Also, because the main premise of the strategy is to represent the 23 ecoregions, it should follow that the criteria which distinguishes each of these ecoregions is included in the draft strategy.

The process of developing protected areas must very definitely be community driven and community based. This approach is required under the UFA and is also what the communities have clearly stated as what they wanted. The commitment to this supposition is less clearly stated in this draft than in previous ones. Is this because the strategy is trying to move the focus away from the communities towards the Regional Committee? This apparent shift won't be missed by the communities when the draft goes to public consultation.

Overall, we again want to emphasize that the PAS should be focused on the protection of ecoregions. This message was loud and clear at the public workshop, from most if not all of the interest groups represented. Given that the primary purpose of the PAS is to protect ecoregions and biodiversity, we continue to question why so many other elements are included in the strategy such as Cultural Features, Intrinsic Heritage, Spiritual Value, Economic Diversification, etc. The first three examples are already covered under the UFA and Heritage Acts, and clearly have no place in this Strategy. Examples such as Tombstone Park and several other SMAs are unquestionably chosen for reasons other than ecological, and clearly have a strong and clear forum to accomplish this outside of the PAS.

Trying to push the Economic Diversification point in the strategy is seemingly political and should have its own forum elsewhere, such as within an Economic Diversification Strategy. Its persistent appearance in the PAS is definitely telling Yukon people that the politicians don't really believe the strategy can stand on its own merit and needs something to make it more palatable to the general public. The fact that it is presented as a Goal, even more important than Quality of Life, is extremely ill-defined.

If words like large in relation to tracts of land is going to be used, then there should be some expression of exactly what is meant by large (# of hectares, # of square kilometers). The fact that the strategy refuses to even estimate the land base required is bad enough, but to augment this recalcitrance by using words like large without attaching any sort of parameters to it is certain to

meet with opposition. This brings us to the second bullet on page 21 which talks about replicating protected areas. The strategy will not estimate the land base, the strategy does not define what is meant by large, and finally, the strategy is suggesting that some (or maybe all?) protected areas should be doubled up. Where is the balance eluded to in the introduction?

Memorandum

To: Bob Kuiper
CC: Katie Hayhurst, Jesse Duke
From: Jo-Anne vanRanden (for Danièle Héon)
Date: 04/06/98
Re: PAS Draft-distr. March 20 1998/ Comments

While Danièle is taking a much-needed break, I am filling in for her and am new to the entire Protected Area Strategy. My comments are as an objective newcomer with a technical background in the geological sciences.

A summary of our major concerns are noted below:

- The Strategy is still missing the **criteria** that will be used to define an area for protection. On page 7, it is stated that the strategy "spells out the **criteria** used in site selection" yet I could not find any **criteria** in this document. There must have been **criteria** defined when the 23 ecoregions were described in the first place. Will this be the **criteria** used to protect each ecoregion and if so, why is this not spelled out? Without this **criteria**, an uncertain economic environment is created and therefore this document cannot be supported by industries (or the public) as we are unsure what we are trying to support.
- The time allocated for the review process while creating this strategy has been fast-tracked (by a political agenda?) and this has compromised the touted "open consultative process".
- Throughout this document, the tourism industry is given preferential support. The Protected Area Strategy should concentrate on protecting areas of importance and acknowledge that industries (including tourism) must coexist with protected areas if the economy of the Yukon is to remain healthy.

Specific comments with direct reference to the draft Yukon Protected Areas Strategy dated March 20, 1998, are listed below:

Page 6:

"The Protected Area Strategy defines: guidelines and principles for planning and establishing protected areas"

- Is this not the **criterion** everyone has been asking for?
- Where are these guidelines and principles written in this document?

Page 7:

Guiding Philosophy

- Is not the idea of the Protected Area Strategy to protect representative portions of the 23 ecoregions?
- The point of the Protected Area Strategy should not be to promote any industry, but rather ensure biological based conservation in the best possible way within a climate of economic reality (all industries represented)!
- Why pit development industries versus tourism?...if the tourism industry benefits from protected areas that is a positive spin-off but it should not be a guiding philosophy to developing the protected areas in the first place.

Page 10:

Overview

- "The strategy provides a guide that articulates the goals, principles, and processes for planning and creating protected areas." Is this the **criteria** everyone wants and again where is it written in the text?
- Again tourism is promoted over other industries...a territory dependant on only tourism is NOT a diversified economy

Page 11:

Table #1

- Unclear where the Special Management Areas under the Land Claim agreements fit in (no mention of First Nation Jurisdiction)

Page 12:

How the Strategy was prepared

- Workshop #2 did not hammer out the **criteria** used for protecting areas and this is the heart of the entire strategy.
- Without a realistic timeframe to discuss these criteria, the process can no longer be called an "open ended public process".
- The time allocated for the review of this draft (three days) exemplifies the fast tracking of this document and this compromises the "open consultative process" that this document is made out to be.

Page 16:

Support for economic diversification

- Again it is made to sound like tourism alone is a diverse economy...the strategy is to protect ecosystems, NOT preferentially support tourism.

Page 20:

Representativeness

- "The protected area should represent the ecosystem so that ecological functions are maintained" ...are these ecological functions defined somewhere? There must have been criteria defined when the 23 ecoregions were described in the first place. Will this be the criteria used to protect each ecoregion and if so, why is this not spelled out?

Page 21:

"...rare and vulnerable ecosystems should be replicated within a system..."

- Major concern as to how it will be decided what is rare and vulnerable, using what *criteria*? Moreover, this is the first time this concept of double protection is mentioned.

Page 25:

Figure #2

- Step 4: "Evaluate area according to protected areas criteria" - again where is that criteria written in the text?????
- First you must know why you want to protect something before you can evaluate and do a full assessment of its impact
- Between steps 5 &6, there must be a provision for a full resource assessment

Page 27:

Interim Protection

- Without criteria for protected areas, the uncertainty at the amount of land that could potentially be interim protected, is of great concern to the economic community that depends on the land base for exploration. There is no sense of the size of land that could potentially be withdrawn.

On page 7, it is stated that the strategy "spells out the criteria used in site selection" yet I could not find any criteria spelled out in this document. I hope you find these comments useful and we look forward to the next (or first) opportunity to discuss the criteria that will be used to select protected areas.

Cc: "Russell, Don [PYR]" <Don.Russell@ec.gc.ca>, "Mackenzie-Grieve, George [PYR]" <George.Mackenzie-Grieve@ec.gc.ca>
Subject: Environment Canada support for YPAS
Date: Fri, 20 Mar 1998 11:26:28 -0800
Return-Receipt-To: <Wendy.Nixon@ec.gc.ca>

The following is a summary of Environment Canada's support for and expected role in implementing the YPAS.

Environment Canada supports protected areas in the Yukon

Environment Canada supports several national policies and initiatives that will realize significant progress through the designation of ecologically representative protected areas in the Yukon. Most of these initiatives were developed with Territorial and Provincial partners and key stakeholders. These policies and initiatives include:

- Canadian Biodiversity Strategy
- National Accord for Species at Risk
- Federal Policy for Wetland Conservation
- North American Waterfowl Management Plan
- Wildlife Policy for Canada
- Environment Canada's Sustainable Development Strategy
- Canadian Landbird Conservation Program
- Porcupine Caribou Management Agreement

Beyond these policies and initiatives, Environment Canada's ongoing programs in the Yukon focus on conserving biodiversity, including species and ecosystem, with a particular focus on migratory birds and wildlife of national/international interest.

Role of Environment Canada in Implementing the Yukon Protected Areas Strategy

(Any role beyond what is stated here will depend on resources available.)

Environment Canada, and Canadian Wildlife Service in particular, will support the drafting and implementation of the Protected Areas Strategy through working with the Yukon Government Department of Renewable Resources staff and the YPAS working group to:

- develop selection criteria
- provide information on species of interest (eg. species at risk)
- provide information on significant wetlands and waterfowl populations
- provide information on important habitat for upland birds
- develop a biodiversity database
- identify areas where information on ecosystems and species is lacking
- identify habitats and ecosystems at risk

Key issues to include in the YPAS

Environment Canada has provided comments on a number of key issues in the Draft YPAS to date. These comments are in addition to previous comments on the Draft.

1. Clearly state that First Nations Governments are to be included as partners the process. If First Nations identify their respective Renewable Resource Councils as the key players, then involve the Councils as partners.
2. Regarding resource assessments - include comprehensive evaluations of the direct and indirect economic benefit of natural ecosystems and the wildlife and human populations they support. This would include an economic evaluation of ecological benefits including: water flow rate control and filtration, oxygen production, nutrient recycling, fish and wildlife populations, edible and medicinal plants and fungi. The direct and indirect cultural benefits (heritage, social and recreational) should be included in this evaluation.
3. Indicate that habitats and ecosystems at risk as priority for implementing the strategy.
4. Clearly state that budgets and human resources available to implement the strategy are limited. It will take time, but, in most cases, establishing protected areas is more cost-effective than restoring or rehabilitating representative ecosystems.

If you have any questions regarding the above, please contact me.

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Karen P
667 3193

Memorandum

To: Bob Kuiper

CC: Katie Hayhurst, Jesse Duke ← Karen P as well

From: Jo-Anne vanRanden (for Danièle Héon)

Date: 03/27/98

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① My comments

- same old document w/ different fonts
- goals of workshop not met
- we did not write the lookback
- only addressed core areas - did not discuss mechanisms for other levels of designation
- report incomplete
- not honest: doesn't reflect what was agreed to, brings new stuff in
- they tell us that there is support for timely progress, but this is a rush job. Deadlines ridiculous.

workshop didn't incorporate workshop
document doesn't reflect workshop
reads like whole YT will be fenced in

BUDGET? - include R blocks? need to mention section on original local knowledge + traditional lifestyle needs to be recognized.

page 2. "growth of tourism industry
feedback from workshop, conservationists, industry and first nations: considered tourism as part of development with serious environmental impact, not a reason to create PAs. but in fact voiced concern that PAs should be "protected" from it.

["sentence on providing certainty to resource extraction industries should include acknowledgment of opportunities cost.

NOTE: commitments: - to protect biophysical features. ∴ emphasis on protection of cultural features + enhancement of tourism + recreation should be minimized.

page 6: why put a final date? Development of network should be an ongoing thing. remove that sentence. No support at workshop for a completion date.

"contain" rare, special, outstanding natural/cultural
→ no leg. commitment
→ from workshop: added feature to PA based on ecological criteria - extracts.

most of document reads as if "CORE" type is only option

2

section 1 ctd. p. 6 ctd.

→ par on activities permitted: add management of tourism activities.

→ no max limit on land.

based on sound ecosystem management: based on what? which scientific criteria? references?

→ All places which play a critical role in sustaining natural processes should receive some form of protection: WHERE DOES THIS COME FROM? No mention at workshop legislative environment already presents overall form of protection. DELETE SENTENCE.

→ balanced approach: scientific criteria - ecological, and resource (mineral potential) + trad. knowledge.

p. 7 GOALS. Goal 1

→ areas protected primarily ... GOOD. should specify: core areas and

as is: no resource extraction permitted! is contra-ry to what has been said so far, so delete it or change it.

p. 7. - buffers corridors: where possible would be established using existing protection mechanism in legislation - would reflect what was said at workshop.

re VISION section of workshop

(3) section 2 ctd

- p. 8. Goal 2 - not same weight as goal 1.
→ should not be basis of core area.
do not create core area based on these.
→ if not in core area should not
be withdrawn
→ other leg. in place to protect those values
acknowledged at workshop.
p. 9. wildlife + habitat value: existing leg in place to protect.

wilderness: ? get real.

outdoor rec → no support from industry +
no commitment from industry
or Govt. to restrict develop-
ments in order to support recrea-
tion.

p. 9. rephrase the say sentence.

p. 10 section 3 Guiding principles.

p. 10 fragmentation of ecosystems will be avoided?
ie. protect whole ecosystem?
not mentioned at workshop.
"corridors and protected habitats"

p. 10 Key criteria: ~~consistent~~ resistance from RR
to define them
if meaningful consultation is to be used
they better start!

p. 11 "accurate baseline data + res. ass will be
used" in the initial proposals of study areas
as well as ...

④. Section 3 ctd

isn't there a contradiction

p. 11 "P.A's will explore options for protection"...

and

section 4

4.1 "includes id. of core area"
and whole tone that core areas are
a given. Will there be options
like: no core area is needed w/in an
erosion?

cannot review section 4 until
additional comments incorporated.

p. 19 Fast tracking not discussed at
workshop. - no agreement on
mechanism

p. 20 cabinet approval of study area
- interim protection if needed
not plural

section 5

p. 21

Item 2 - oppose the meaning behind
this sentence. First we decide
if there is a need for interim
protection to maintain values. Again
talking like if maximum "core" - 2/yr
protection was the only option.

-> add: limit on #'s of areas under Int. Prot.
limit on # of years of Int. Prot.

(p. 5)

section 5 ctd.

p. 21 ctd.

add bullet: • interim protection shall not affect the activities of holders of surface or subsurface disposition that were obtained before interim protection was established.

add: during the time of interim protection compensation costs will be evaluated

second section 5

p. 22 - ^{item 1} Why should negotiations of SMA be considered a goal to meet the year 2000 criteria? SMA's can mean a variety of management measures, are not public process, I don't think this should be replaced by - continue to negotiate Lic's.

- item 7 where does this come from? I can see can be start of proposal to community but do we start by by-passing the community?

p. 23 Add → review existing legislation.