

ENR Legislation Review: Protected Areas Act

Alternatives North's initial comments March 27, 2018

| Key Amendment | Comment |
|----------------------|--|
| Purpose | <p>Alternatives North believes that the ongoing development of principles or goals for the legislation is a critical step for the consideration of future allowable activities. We understand that the language of the latter will be developed at a later date, but the principles that will be used in the consideration of case-by-case situations is an important part of the early development of this act.</p> <p>Alternatives North wants assurance that this legislation can be used for protection/conservation of freshwater areas, similar to those established in other jurisdictions.</p> <p>We would like to see inclusion of necessity for Ecological Integrity and Cultural Integrity, such as below adapted from the Great Bear Lake Watershed Management Plan:</p> <ul style="list-style-type: none">a. Ecological Integrity The concept of ecological integrity gives us a way of thinking about the health of ecosystems and the stresses acting on them. It gives us the opportunity to identify goals and objectives (to focus our efforts on maintaining ecological integrity) and to develop tests to determine the acceptability of proposed activities in and around the protected area. Ecological integrity can be thought of as ecosystem health, or the natural condition of an ecosystem. An ecosystem has ecological integrity when:<ul style="list-style-type: none">▪ the structure and function of the system (or the particular collection of species in the system and the processes by which they are related) are not impaired by human-induced stresses; and▪ the system retains its resilience, in the sense that the diversity of organisms in it and the processes that support them are likely to persist.b. Cultural Integrity The concept of cultural integrity is to protect and promote the existing and future well-being of the communities in the region of the protected area, having regard to the interests of all Canadians, and paying special attention to the existing and future social, cultural and economic well-being of participants, land |

| | |
|--|--|
| | <p>used by participants and the rights of participants. Like the concept of ecological integrity, the concept of cultural integrity gives us a way of thinking holistically about the health of the affected communities and their relationship with the protected area. It gives us the opportunity to identify goals and objectives to focus our efforts, and to develop tests to determine the acceptability of proposed activities in the protected area.</p> <p>This concept was included in the Sahtu Land Use Plan, CR #15, such that "any land use activities permitted in the watershed are consistent with the maintenance of the area as a self-sustaining ecosystem".</p> |
| <p>Establishment, Management, Governance</p> | <p>Need for public consultation if the government wants to remove the protected area designation or if there are changes to allowable activities. This should not just be within a management plan, i.e., removal or changes to allowable activities requires the same level of public consultation as establishment.</p> <p>Support interim protection while the establishment process is underway (five year minimum).</p> |
| <p>Allowable/Prohibited Activities</p> | <p>Support that there will finally be GNWT legislation that prohibits activities such as mining and oil and gas development in protected areas. Thank you.</p> <p>Concern regarding other allowable activities. Suggest that for any potentially allowed activity, proponents must demonstrate to management board, through public consultation, that proposed activities are consistent with maintaining the cultural and ecological integrity of the protected area. This would include the existing and future social, cultural and economic well-being of affected communities.</p> <p>Suggest need for clarity and thresholds on 'artisanal uses', i.e., what was called 'small 'c' commercial, rather than big 'c' Commercial'. Concern that this could eventually deteriorate into protected areas being exploited commercially, rather than being truly protected. Consider that zones should allow for no artisanal use at all, i.e., it should not be blanket for the entire protected area.</p> <p>Suggest inclusion of precautionary principle regarding assessing allowable activities.</p> |
| <p>Requirement for Management Plans</p> | <p>Support this requirement. Suggest inclusion of requirement for research and monitoring to improve the understanding and maintenance of the ecological and cultural integrity of the</p> |

| | |
|---|--|
| | <p>protected area and the overall landscape.</p> <p>In addition, suggest that activities outside of the protected area but within the watershed of such should also be regulated and monitored to ensure the maintenance of the cultural and ecological integrity of the protected area, particularly their water quality.</p> <p>Suggest that the management plan needs to include a description of how the protected area relates to the overall protected area/conservation network.</p> <p>Suggest that the requirement for public involvement at all steps in the process of developing a management plan (i.e., at the pre-drafting stage, establish appropriate participatory mechanisms, with ability to identify and assess items such as broad goals; ecological and cultural integrity issues; and zoning needs).</p> <p>Suggest the legal authority of the plan must be clear that it provides the necessary powers to indeed manage the area for ecological and cultural integrity, including authority to allocate budget according to the management goals and objectives.</p> <p>Suggest need to ensure that the management board is broadly representative and that members are appropriately qualified in science and/or TK.</p> |
| Report to Legislative Assembly | <p>Support. Glad this includes how PA's 'contribute to broader conservation network planning goals'.</p> <p><i>Question:</i> how and when are the network goals established?</p> |
| Public Consultation | <p><i>Question:</i> where does the management board come in vis a vis public consultation (is a 'proto board' involved in establishment consultations? Does the board lead review of management plan, or ENR?</p> |
| anything missing from the key amendments or provisions? | Noted above |