

June 6th 2011

Morris Seiferling
ADM, Sustainable Resource and Environmental Management
Delivered by email

Dear Mr. Seiferling,

On behalf of the Canadian Parks and Wilderness Society, I would like to take this opportunity to comment on the proposed Lower Athabasca Land Use Plan. Our comments will focus on LARP Outcomes 1, 2 and 3.

We support the government's vision for the Lower Athabasca Region. It is our view that a land use plan for the Lower Athabasca region can be advanced that balances and reconciles ecological, cultural and economic values. Unfortunately, we believe that the draft plan falls short of achieving this balance and will not ensure healthy ecosystems or world-class conservation areas.

The Canadian Parks and Wilderness Society is dedicated to the preservation of wilderness and biodiversity across Canada. Since 1963, CPAWS has helped to protect over 40 million hectares of Canada's treasured wild places. CPAWS is unique among national conservation groups because it is chapter-driven, with effective national campaigns that draw upon and support regional needs. CPAWS Northern Alberta (CPAWS NAB) is the society's first regional chapter. We have approximately 2,500+ chapter members led by a volunteer board of directors. Our conservation program is focused on the northern two-thirds of the province and is delivered by an experienced and dedicated team of staff and volunteers. Over the last four decades we have been the lead environmental group dedicated to protected areas creation and ensuring the appropriate management of wilderness areas in Northern Alberta such as Wood Buffalo National Park.

CPAWS is a signatory to the Canadian Boreal Forest Agreement. We have also submitted joint comments as a member of the CBFA's Regional Working Group for Alberta and British Columbia.

The Athabasca Heartland in north-eastern Alberta contains the bulk of Alberta's remaining intact boreal wilderness and presents the best opportunity in the province for large-scale conservation planning leading to meaningful conservation outcomes. The region is home to an amazing diversity of plants and animals such as endangered woodland caribou and wolverine and its old growth forests and peat-lands are a global storage area for carbon. Nine hundred out of three thousand of Alberta's woodland caribou live in Athabasca Heartland region.

We are encouraged to see the proposed conservation areas in the Lower Peace region and we recognize the efforts made to protect contiguous northern habitat in the Lower Athabasca.

However, there are several key areas of the proposed plan that we regards as insufficient. Our observations on the draft plan and our recommendations are described in more detail below.

Highlights include:

- **World-class conservation areas:** The network of conservation areas proposed by the draft plan is inadequate. Science supports the protection of 40-70% of ecosystems to ensure long-term ecological integrity. All identified environmentally significant areas should be protected. Surface and sub-surface protection should be afforded to all conservation areas from all commercial industrial activities including forestry.
- **Caribou conservation:** The conservation areas proposed in the LARP cover only eleven percent of the caribou range in this region, which the latest science indicates is insufficient to address (or reverse) caribou population declines¹.
- **Aboriginal consultation and shared decision-making:** The government of Alberta should achieve mutually acceptable consultation mechanisms with First Nations and pilot new joint planning and shared decision making partnerships.

We call upon the Alberta government to immediately launch the next phase of work to increase the amount of provincial Crown land under a conservation designation, and complete a biodiversity management framework including strategies to address caribou habitat needs.

LARP Outcomes 1 and 2 – “The economic potential of the oil sands resource is optimized; The region’s economy is diversified.”

Through our participation in the Canadian Boreal Forest Agreement, we support continued and increasing prosperity for Alberta’s forest sector. We are available to work with government and forest companies to realize the twin goals of world-leading conservation and forest sector prosperity.

Recommendation: Develop a vision of forest sector prosperity for incorporation into LARP and consideration in expanding the network of conservation areas.

LARP Outcome 3: “Landscapes Are Managed To Maintain Ecosystem Function and Biodiversity”

World-class conservation areas

The conservation/protected areas proposed in the draft plan are lacking in amount, location, representation, shape, connectivity and some high conservation values such as river valleys are

¹ Environment Canada. 2008. Scientific Review for the Identification of Critical Habitat for Woodland Caribou (*Rangifer tarandus caribou*), Boreal Population, in Canada. August 2008. Ottawa: Environment Canada. 72 pp. plus 180 pp Appendices.

not included in the draft plan. Several shortcomings must be addressed for the network of proposed conservation areas to be considered ‘world class’.

Amount Protected: The Cumulative Environmental Management Association, The Boreal Forest Conservation Framework and the Regional Advisory Committee, all recommend higher levels of protection for the region—30% to more than 50%. The ecologically appropriate amount of protection depends on the extent and level of threat to biodiversity, which is considerable in the lower Athabasca region. To increase the chance of success of maintaining biodiversity in the region, a higher amount of protection is needed than in areas of less industrial use.

Recommendation: Increase the amount of provincial Crown land under a conservation designation to more than 50%, while at the same time ensuring continued economic prosperity.

Location of conservation areas: There is not enough protection of land in the southern part of the region. Southern regions have greater biodiversity.

Recommendation: Identify new protected areas to fill gaps, particularly in the southern part of the LARP region, including for caribou habitat conservation.

Recommendation: Reconsider the proposals advanced by First Nations and the recommended RAC conservation areas.

Representivity of conservation areas: Not enough caribou habitat or representative ecosystems are protected in the southern part of the region. Most protection is in the north in the Canadian shield, which is quite different from the boreal ecosystems in the rest of the Lower Athabasca Region.

Recommendation: Make sure the network of conservation areas is representative of the types of ecosystems within the entire region.

Shape of conservation areas: To be most effective in maintaining biodiversity, protected areas should maximize the amount of interior habitat.

Recommendation: Avoid long and narrow protected areas by making them wider.

Connectivity of conservation areas: The conservation areas to the south along the SK border are not connected to the areas to the north.

Recommendation: Make sure all landscape level protected areas are connected.

Real Protection Status of Conservation Areas

The draft plan indicates: “Any new petroleum, natural gas tenure or mineral rights tenure sold in a conservation area will include a restriction that prohibits surface access. This will not preclude the development of resources lying underneath conservation areas.”

The development of resources, especially if it includes water removal from aquifers under or adjacent to the protected area, (which is the case in both mining and SAGD developments) can cause local declines in water levels in wetlands, and could be quite damaging to ecosystems. Because very little is known about groundwater and its connections to surface water in the region, this policy is very risky.

Recommendation: Both the surface and sub-surface of conservation areas should have complete protection from commercial industrial activities. Before approving developments adjacent to protected areas, studies must first demonstrate that they will not negatively affect the conservation area.

We understand that the proposed *ecosystem forestry* areas in the draft LARP are meant to be managed according to IUCN Category VI. In considering the proposed IUCN category VI areas, it is important to clarify that, according to IUCN, categories are meant to be applied only to areas that meet the basic definition of a protected area and that category VI areas are not meant to accommodate large-scale industrial harvest, rather to focus on “low-level non-industrial use of natural resources compatible with nature conservation.”

Recommendation: Confirm that only “low-level non-industrial use of natural resources compatible with nature conservation,” is envisioned for these areas.

Recommendation: Do not include these zones in the conservation areas percentage until the management of these areas is clarified in policy and in regulations.

Environmentally Significant Areas:

River Valleys have long been recognized as having high conservation value, including by the Regional Advisory Committee which stated: “The dominant functions of river corridors are to maintain water quality and quantity, maintain natural diversity (including biodiversity, vegetation and landforms), provide critical habitat for fish and wildlife and provide landscape connectivity between conservation areas and other habitat. Equally important are the maintenance of aboriginal traditional uses and cultural resources, the preservation of corridor aesthetics and character, and the provision of recreation and tourism opportunities.” These areas are not adequately protected in the draft plan.

Recommendation: Protect all major watercourses, with ecologically-based boundaries, to ensure absence of industrial development and pollution. All source areas including riparian

zones within the watershed (lakes, rivers, streams & ephemeral drainages) should be strictly protected.

Recommendation: All environmentally significant areas in the region as identified by aboriginal communities, environmental groups and government studies should be considered for protection and consulted upon. McClelland Lake Fen and Watershed is a good example of a high conservation value in the region that could be protected as is the Richardson Country and Moose Lake.

Caribou Conservation

The draft plan states: “Some of the proposed conservation areas in the Lower Athabasca include important caribou habitat. The land disturbance plan will establish land disturbance limits and industrial practices to minimize industrial footprint in identified caribou habitat. Alberta’s recovery plan and management actions focus on maintenance and restoration of identified populations and habitat. Address caribou habitat needs in alignment with provincial caribou policy.

A new biodiversity management framework for the Lower Athabasca Region will bring context to these efforts at the regional level. The framework will be developed by 2013 and will address caribou habitat needs in alignment with provincial caribou policy.”

In May 2009 the Alberta Landscape Team’s² analyses showed that the time for management action in the Athabasca Landscape area is now: “Risk of extirpation increases yearly, and further delays in management action implementation will compound the current challenges.”

The short term maintenance of many of the caribou herds in the LAR likely requires wolf control for more than 50 years.³ Killing top predators has cascading effects on other wildlife and is not consistent with healthy ecosystems. The longer we take to restore the habitat needs for caribou the longer predator control will be required to maintain caribou populations.

We believe that the final LARP needs to demonstrate how caribou will be conserved and recovered. There are real gaps in the draft plan to effectively address caribou conservation, of which habitat protection is a foundational tool. The conservation areas proposed in the LARP

² Athabasca Landscape Team. 2009. Athabasca Caribou Landscape Management Options Report
www.albertacariboucommittee.ca/PDF/Athabasca-Caribou.pdf

³ Ibid.

cover eleven percent of the caribou range in this region, which the latest science indicates is insufficient to address (or reverse) caribou population declines⁴.

Given that a significant driver in any land use plan is to address the needs of sensitive species, including woodland caribou, to better address gaps in the draft LARP we recommend the Government of Alberta:

Recommendation: Significantly expand the use of caribou habitat protection as part of the caribou strategy.

Recommendation: Incorporate the suite of recommendations of the Alberta Caribou Committee (2009) and the latest data on caribou, in providing specificity on how and where caribou will be conserved in the Lower Athabasca region.

Recommendation: Commence implementation of the provincial caribou strategy now, and to help facilitate that, immediately proceed to the Aboriginal consultation phase of Alberta's caribou policy.

Recommendation: Invite forestry companies to consider selected avoided harvest areas in support of LARP outcomes and caribou conservation.

Aboriginal consultation and shared decision-making

CPAWS supports the principle of moving towards government-to government-management of traditional lands, and we are engaged in many leading cooperative planning initiatives across Canada. We support First Nation objectives to sustain traditional livelihoods, contribute to economic development and ecological and cultural protection, and advance consultation processes with federal, provincial and territorial governments.

The LARP vision statement and the RAC recommendations recognize that the meaningful inclusion of Aboriginal peoples is important to land use planning. While the draft Lower Athabasca Regional Plan (LARP) does support a sub-regional planning, it is not clear that this will result in a co-management partnership with First Nations.

We believe that for successful implementation of the LARP and remaining planning regions, it will be necessary to achieve mutually acceptable consultation mechanisms with First Nations and pilot new joint planning and shared decision making partnerships. We therefore recommend the Government of Alberta:

Recommendation: Support the identification and incorporation of First Nation cultural and ecological values in planning processes.

⁴ Environment Canada. 2008. Scientific Review for the Identification of Critical Habitat for Woodland Caribou (*Rangifer tarandus caribou*), Boreal Population, in Canada. August 2008. Ottawa: Environment Canada. 72 pp. plus 180 pp Appendices.

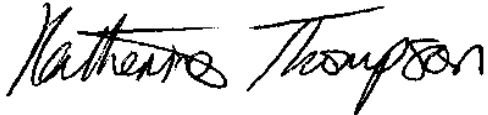
Recommendation: Engage First Nations directly in the development of regional and sub-regional plans, in accordance with government-to-government agreements. There are several examples of treaty-based land use planning processes in other Canadian jurisdictions that could be drawn from to create an Alberta-specific solution.

Recommendation: Reconsider the proposals submitted by First Nations to move towards joint planning and shared decision making partnerships, and take steps towards those objectives.

Recommendation: Deepen its efforts to meaningfully consult with and accommodate affected First Nations throughout the land use planning process and its implementation.

Recommendation: Develop and co-manage conservation lands with Aboriginal peoples.

Sincerely,



Katherine Thompson
Executive Director