

Muskwa-Kechika Advisory Board

Wilderness Definitions, Guiding Principles and Recommendations for the Muskwa-Kechika Management Area

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MUSKWA-KECHIKA
MANAGEMENT AREA

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1. Purpose Statement

The Muskwa-Kechika Management Area (M-KMA) was created with the vision and intention to establish a world standard for environmental sustainability and economic stability, serving as a model that balances human activities such as resource extraction and tourism with conserving its environmental values and wilderness state over time. The M-KMA consists of approximately 1/4 Park and Protected Areas, and 3/4 Management Zones.

This document respects and acknowledges that the M-KMA lies within the traditional territories of the Kaska, Tsay Keh Dene and Treaty 8 traditional territories. The advice in this document respects the culture of these First Nations that dates back thousands of years and that all activities in the M-KMA should recognize, respect and consider First Nation's rights, title, values, and traditional knowledge.

All developments and activities in the M-KMA should also recognize, respect and consider local values and community knowledge.

The designating 1998 legislation creating the M-KMA Act —the *Muskwa-Kechika Management Area Act*—sets out the management intent for the area in the preamble as follows:

- *Whereas the Muskwa-Kechika Management Area is an area of unique wilderness in northeastern British Columbia that is endowed with a globally significant abundance and diversity of wildlife;*
- *And Whereas the management intent for the Muskwa -Kechika Management Area is to maintain in perpetuity the wilderness quality, and the diversity and abundance of wildlife and the ecosystems on which it depends while allowing resource development and use in parts of the Muskwa -Kechika Management Area designated for those purposes including recreation, hunting, trapping, timber harvesting, mineral exploration and mining, oil and gas exploration and development;*
- *And Whereas the long-term maintenance of wilderness characteristics, wildlife and its habitat is critical to the social and cultural well-being of first nations and other people in the area;*
- *And Whereas the integration of management activities especially related to the planning, development and management of road accesses within the Muskwa -Kechika Management Area is central to achieving this intent and the long-term objective is to return lands to their natural state as development activities are completed...*

Given the significance of the preamble of the *Muskwa-Kechika Management Area Act*, its stated management intent, and in context of Section 17(2)(a), it is important to define the following with respect to the Muskwa-Kechika Management Area:

- “wilderness”,
- “wilderness characteristics” and
- “wilderness quality”

2. Definition of Wilderness

Recognizing the significance of the preamble of the *Muskwa-Kechika Management Area Act* and its stated management intent of the Muskwa-Kechika Management Area, “wilderness” is defined as:

“a large natural landscape where the integrity of ecological systems are maintained”

3. Definition of Wilderness Characteristics

Recognizing the significance of the preamble of the *Muskwa-Kechika Management Area Act* and its stated management intent, “wilderness characteristics” in the Muskwa-Kechika Management Area are defined to generally include:

- a natural appearing landscape where evidence of human activity is not readily apparent,
- a high probability of experiencing human solitude, and
- ecological integrity

4. Definition of Wilderness Quality

“Wilderness quality” is defined as a measure of the degree to which the wilderness characteristics within the MKMA fluctuate over time.

5. Guiding Principles and Recommendations

The M-KMA was created with the vision and intention to establish a world standard for environmental sustainability and economic stability, serving as a model that balances human activities such as resource extraction and tourism with conserving its environmental values and wilderness state over time. The M-KMA consists of approximately 1/4 Park and Protected Areas, and 3/4 Special Management Zones.

Within the MKMA’s Special Management Zones there are different Resource Management Zones (RMZ’s) with different management intent. These RMZ’s provide guidance to the MKMA Advisory Board when creating advice to Government and/or industrial development proponents and given the differences of management intent between RMZ’s the Board’s advice at the precedence and strategic level will vary depending on where a development project is proposed within the MKMA.

Overarching this, the Board offers the following general principles:

- 5.1 Inside the Parks and Protected Areas of the M-KMA, wilderness will remain free of industrial activities such as, but not limited to, forestry, mining, oil and gas development, hydro or other energy developments.

- 5.2 Within the Management Zones of the M-KMA, where resource development and use is allowed, there may be an impact on wilderness quality and characteristics during the period of operation or activity as well as during the restoration/reclamation period.

The Advisory Board will work with the University of Northern British Columbia to develop and implement a risk assessment framework that will guide future industrial activities within the M-KMA in a transparent way. Specifically, the University is undertaking work to create a new data layer in Nobi Suzuki's model for Wilderness Quality and Characteristics which we believe will be invaluable in assisting decision makers with deliberations of industrial activity proposals.

The following guiding principles and recommendations are meant to assist government decision makers and proponents in the application of the above definitions of "wilderness", "wilderness characteristics" and "wilderness quality", recognizing the significance of the preamble of the *Muskwa-Kechika Management Area Act* and its stated management intent of the M-KMA.

Note that guidance should also be sought from the Land and Resource Management Plans (LRMP's) that overlap and/or recommended the creation of the M-KMA. These and any other relevant plans, such as First Nations plans, should also be considered in the decision making process.

A. Environmental Stewardship

- 5.3 All developments should be designed to avoid or minimize adverse impacts on wilderness quality and characteristics;
- 5.4 Best management practices and best available science should be employed.
- 5.5 Best efforts should be made to assess and mitigate potentially adverse cumulative effects of all developments.
- 5.6 A baseline inventory of wilderness characteristics and quality should be undertaken commensurate with the potential impacts of proposed activities in order to determine benchmarks for development, restoration and reclamation.
- 5.7 All human caused disturbances, activities and developments should be restored as soon as possible and is able to be done or put into practice successfully.
- 5.8 Reclamation/restoration plans, including financial assurances commensurate with the potential impacts of proposed activities where applicable, must be in place prior to commencement of any development or issuance of a licence, permit or authorization.

- 5.9 Progressive reclamation must commence as soon as possible and where it is able to be done or put into practice successfully.

B. Pace and Scale of Industrial Activities

THIS IS HERE AS A MARKER FOR FUTURE DISCUSSION WITH THE BOARD AND MINISTRY OFFICIALS.

The following Wind Resource Development piece is not finalized by either the working group or the Advisory Board. It is appended here for further discussion.

The following are considerations identified by some members of the Board believe are critical to guide a statutory decision maker not only in interpreting the Preamble to the Act but to also guide his/her evaluation of a wind resource development proposal:

- As the wind will always blow it is doubtful that towers will be removed at some future date providing the price for energy remains economical. This means that impacts to visual quality, ecological integrity, and public use of the land will persist on the landscape, creating impacts to Wilderness Characteristics that are essentially permanent;
- There is concern for caribou and their habitat, as caribou are a listed species and thus deserve special consideration. The M-KMA has important winter range habitat for caribou, much of which is located on ridge tops where snow depths are low to due wind scouring. These areas also have high wind power potential which creates a conflict with the needs of the caribou.
- It is unknown at this time what impact wind power stations would have on other ungulates, grizzly bears, fur bearers as well as birds and bats. There should be studies done to ensure these species are not negatively impacted by a wind power development proposal;
- There is a significant amount of infrastructure required for wind power generation that will likely create permanent access for humans and predators. This infrastructure ranges from all weather road building to foundations for and installation of towers, to power line grids; all will create significant impacts to wilderness quality and characteristics, wildlife and cultural values. Increased access and direct removal of alpine habitat will result in impacts to vulnerable species such as caribou, Stone's sheep, and mountain goats; and
- The topographical profile of the MK rises gently from the front ranges and more steeply closer to the Rocky Mountain Divide. Because of this, wind towers, essentially industrial developments not found in wilderness, would be visible from the higher ground for this entire distance;

The following are the conditions that some members of the Board advise that a wind resource development proposal should abide by should a proposal be approved:

- Wind Resource Development should be restricted to the area as outlined on the attached map. No other Wind Resource Development throughout the rest of the MKMA should be authorized until this specific foot print has faded from the view shed/landscape unit and the Wilderness Characteristics have been restored;
- The industrial foot print of this disturbance should begin to fade at the time that the wind turbines require upgrading or replacement (currently envisioned to be 40 years after commissioning) or as new technology renders the development economically unfeasible;
- The ministry should require the proponent to undertake a visual inventory/assessment to determine the extent to which the installation may be visible and that the data collected be used to reasonably mitigate or minimize the visual presence of this activity to people recreating in the MKMA;
- To the extent practicable, access to this specific area should be limited to existing access originating from outside of the MKMA;
- To the extent practicable transmission lines from this specified area should follow the existing access corridor identified in the preceding bullet;
- Public access should be restricted 24/7; and
- The proponent should pay an annual levy (to be determined with ministry officials) that should flow to the MKMA Advisory Board to implement and/or test best management practices to mitigate negative impacts to local Mountain Caribou populations, other potentially impacted wildlife and any other activities it deems meaningful or useful for mitigating negative impacts of this activity and/or to monitor if the expected results/outcomes of the Board's expectations are materializing on the landscape.

C. Socio-economic

- 5.10 All permitted commercial and industrial activities in the MKMA must pay a levy to support managing the MKMA; and
- 5.11 All permitted commercial and industrial activities within the MKMA should demonstrate a net or positive socio-economic benefit.

D. Management of Access Roads and Motorized Trails

- 5.12 Access roads and motorized trails should only be proposed where and when a potentially feasible project exists;
- 5.13 The amount of new road in the MKMA should be minimized;
- 5.14 Unless otherwise specified in an LRMP new roads should be short-term and temporary for the duration of the project;
- 5.15 Roads, other than for industrial natural resource extraction such as mining and forestry from within the MKMA, should not be created;
- 5.16 Linear infrastructure (power lines for example) should only be constructed to facilitate the extraction of natural resources within the MKMA unless specified otherwise in LRMP's (for example, the Liard River Corridor Park);
- 5.17 Access management plans or access planning should be developed or undertaken where there is either a single proponent or where multiple proponents are proposing projects within a common area of the MKMA to minimize impacts;
- 5.18 In the case of a single industrial and/or commercial proponent proposing a project within the MKMA, to the extent possible, it should bundle its linear infrastructures to a single access corridor (power lines and primary access for example);
- 5.19 In the case of multiple industrial and/or commercial proponents proposing projects in areas within the MKMA they should be encouraged to:
 - use existing linear infrastructure to the extent possible, and/or;
 - collaboratively develop shared linear infrastructure within common access corridors wherever possible and where it is able to be done or put into practice successfully;
- 5.20 To the extent possible, new access and linear infrastructure (power lines for example) should avoid special features (Protected Areas for example) identified in LRMPs or that may arise from consultation with First Nations, communities and others;
- 5.21 Access should be used for the original intended project or purpose only, except if used for another authorized purpose to minimize impacts. Prolonging the presence of road access should not be driven by cost and/or convenience when other, non-road means of access are available;
- 5.22 New public motorized access to industrial activities should be prevented;

- 5.23 Access should be designed to standards that meet project and safety needs in a manner which allows the access to be deactivated, restored or rehabilitated and returned to a natural state in a cost-effective and expeditious manner;
- 5.24 Non-road access options such as helicopters and low-impact access options should be utilized where safe and are able to be done or put into practice successfully;
- 5.25 Winter road access is preferred, if safe, cost-effective and able to be done or put into practice successfully; and
- 5.26 New public or commercial motorized access should not be created.

6. Appendix A - Definitions

For the purposes of this document, as the following definitions are provided for clarity and understanding:

- Access deactivation - Measures taken to stabilize roads and trails during periods of inactivity, including the control of drainage, the removal of sidecast where necessary, and the reestablishment of vegetation on permanently deactivated areas.
- Access rehabilitation - to undertake measures on a road, trail or other access related structure (for example, landings on a forestry cut block) to a former state. The range of rehabilitation measures include returning an access structure to a safe and useable condition for which it was originally designed to restoring soil productivity, preventing surface soil erosion and minimizing negative impacts to fisheries, aquatic habitats, wildlife, wilderness quality and characteristics, etc. Rehabilitation measures may include, but not be limited to, erosion control, slope stabilization, roadway surface and subgrade stabilization, road surface and subsurface drainage control and mitigating stream and wet area crossings.
- Access restoration - to undertake measures to a road, trail or other access related structure (for example, landings on a forestry cut block) that does not allow uses for which it was designed (for example, use by industrial traffic) or any other industrial, commercial or public uses and will return it to an earlier or original natural condition. Access restoration measures may include, but not be limited to, erosion control, slope stabilization, roadway surface and subgrade stabilization, road surface and subsurface drainage control and mitigating stream and wet area crossings.
- Commercial Activities – primarily individuals or groups of individuals who have an emphasis on sales, profit or success.
- “Ecological integrity” - a state or condition where structures and functions of the ecological system (or ecosystem) remain unimpaired by human-caused disturbances, where all native species are present at viable population levels and where, within successional limits, the ecosystem is likely to persist and evolve naturally. Ecosystems

have integrity when their components (plants, animals and other organisms) and processes (such as growth, reproduction, predator-prey relationships, and disturbance regimes) are functioning within a natural range of variation over long periods of time. The term ‘unimpaired’ is used here within the ecological context that while all use causes an impact an impaired ecosystem is one that does not recover from the use.

- “Ecological system” - ecosystem: a self-sustaining community of plant and animal species, the non-living components of the environment on which that community depends, and the interrelationships between all of these.
- Industrial Activities – activities that are of, or, related to industry (mineral, energy (wind, oil and gas, etc), forestry and trapping resource activities).
- “Large Area” - the M-KMA is 6.5 million hectares in size and the management intent is to maintain wilderness quality across the area. Recognizing that while resource development and use is allowed in the Management Zones with the long-term objective of returning lands to their natural state, sufficiently large areas are requisite for human wilderness experiences and the maintenance of ecological integrity.
- Licence/authorization - members or employees of the timber, mineral exploration and mining, wind resource development, and oil and gas industries which possess current permits, licenses, tenures or authorizations to conduct their industrial activities within the MKMA area. Industrial users do not include those with guide outfitting or recreational operator licenses as they are included in the definition for commercial activities.
- “Natural” – an area perceived as unaffected by humans or human activities, particularly industrial activities, where ecological integrity is maintained.
- Net or positive socio-economic benefit - An assessment of the impacts of a course of action on the social, environmental and economic well-being of a community, region, or the province as a whole that predicts the course of action will result in an overall net or positive benefit to society (community, region, or province).