



Backgrounder: Non-administered Conservation Lands, Designated Use Areas, and Notation of Interest Cancellations in the Skeena Region

Conservation Lands designated under the Land Act are referred to as “non-administered” Conservation Lands. They are either Land Act Section 16 (Fish & Wildlife Reserves), which restricts all development) or Section 17 (Designated Use Areas), which restricts or regulates development to ensure conservation objectives are achieved.

These Land Act designations are interim conservation designations until a more secure designation is established, becoming “administered” conservation lands such as a Wildlife Management Area (WMA) under the Wildlife Act with a management plan.

If S.16s or S.17s are being considered for cancellation by B.C. Lands (Authorizations), then the provincial procedure is for Authorizations staff to consult with government conservation lands personnel and have them identify which non-administered conservation lands are no longer required (Land Procedure: Management of Crown Lands for Conservation Purposes, S.4.3.1). **This was done in 2016, but the recommendations were ignored by Authorizations.**

Many of these non-administered conservation lands were designated under the Land Act as a result of extensive public processes such as land & resource planning.

Between 2019 to 2020, through five Cancellation Orders, Skeena Region Authorizations cancelled the bulk of these non-administered conservation lands, eliminating their interim conservation and recreation management directions established under the Land Act. **There was inadequate consultation with government conservation lands personnel, and the rationales for retention resulting from the one consultation in 2016 that did occur were ignored. There was no notice or consultation with land & resource plan implementation committees (Bulkley Valley Community Resources Board and Kalum Plan Implementation Committee), Indigenous Nations, Municipalities or Regional Districts, or the public in general.**

Maps of the cancellation locations are no longer readily accessible to government agencies or resource/land developers. The risk of incompatible development in these land parcels that are contrary to their management direction is worrying many residents of the Skeena Region. The removal of these designations is already undermining the conservation status of these areas. For example, BC Timber Sales logged one of the Conservation Lands in the Bulkley Valley since the cancellations and currently has multiple cut blocks laid out in another for commercial logging purposes, not for habitat management.

Even if these cancelled lands are re-established, there is no assurance that they will not be cancelled in the future. We are requesting that the cancelled non-administered conservation land parcels be given immediate interim protection, with the intent to collectively be upgraded to a Wildlife Management Area (WMA) under the Wildlife Act or alternate designation to become “administered” conservation lands, as per the provincially established procedure. A Wildlife Act WMA designation would provide statutory protection, afford management planning and on-the-ground operational budget to administer these lands, and would prevent the cancellation of these hard-fought land parcels for conservation purposes.

The provincial government's policy encourages the kind of local planning effort represented by Land & Resource Management Plans, Sustainable Resource Management Plans, Local Resource Use Plans,



etc. Reinstating and strengthening the pre-existing protections for these areas will serve to further these goals.

Our Ask:

- Interim legal designation to protect cancelled non-administered conservation lands. Options include re-designation as Lands Act S.16 Map Reserve, Land Use Objective Regulation - Objective Set by Government, or use of the Environment & Land Use Act Order (via an Lieutenant Governor in Council Order), until a Wildlife Management Area designation, or alternate designation in line with Indigenous Nations' expectations, is established for the land parcels.
- Initiate a public consultation process for Indigenous and non-Indigenous groups to re-evaluate the cancellations of non-administered Conservation Lands.
- Reinstatement funding for the Office of the Wet'suwet'en to identify cultural-heritage & traditional use significance of the now cancelled non-administered conservation lands within the Bulkley Valley, in support of reconciliation efforts that were initiated prior to cancellations.
- Fully implement the Auditor General's recommendations regarding the Management of the Conservation Lands Program.
<https://www.bcauditor.com/pubs/2021/management-conservation-lands-program>
- Ensure that Authorizations (B.C. Lands) are in line with the provincial government's Together for Wildlife strategy commitment, notably Action items 10 & 11: (i) comprehensive review of land designations under the Land Act...to improve the effectiveness of those designations for wildlife; (ii) make investments to manage existing Conservation Lands and acquire new priority lands for wildlife stewardship.

Examples of cancellations of concern:

- 1) Land Act S. 17 Wildlife Habitat Management Area (WHMA) & S.16 Fish & Wildlife Reserve cancellations in the Bulkley Valley, totalling 7,653 ha (18,886 acres).
- 2) S.16 Pine Creek-Atlin Map Reserve is now under threat with a proposed private run-of-the-river project.
- 3) S.17 Designated Use Areas of 170 ha covering Stewart estuaries, highly productive ecosystems that are also a sandhill crane overnight migratory stop-over.
- 4) Notation of Interests (NOIs) candidate protected areas such as Jennings Lake, Lower Teslin West, and Inklin-Nakina.

In total, across the entire Skeena Region (NW B.C.), there is 544,726 ha or 1.35 million acres of cancelled Land Act-designated conservation lands of concern.

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