



APRIL 2016

**DISCUSSION PAPER FOR THE WILDERNESS WORKING GROUP ON SETTING OBJECTIVES FOR  
ACHIEVING THE  
VISION OF THE MUSKWA-KECHIKA MANAGEMENT AREA**

The purpose of this discussion paper, as an appendix to the direction letter to the Muskwa-Kechika Advisory Board (the Board) from Greg Rawling dated April 2016, is to share with the Wilderness Working Group the perspectives of the Ministry of Forests, Lands and Natural Resource Operations (FLNR) on what form of advice would be most useful regarding the conditions under which approved industrial development would be expected abide in the Muskwa-Kechika Management Area. As per the progress report delivered to FLNR by the Board Chair and Secretariat in November 2015, the Wilderness Working Group has made considerable progress in response to the specific direction Greg Rawling previously provided to the Board. The purpose of this paper is to provide further clarity of the desired outcomes. We expect that in some cases what is included below is already contained within the Board's current draft "wilderness definition guidelines"; we include the full scope of what would be relevant in developing measureable objectives here for completeness.

The vision for the Muskwa-Kechika Management Area (M-KMA) has been articulated in legislation (e.g. the preamble to the *M-KMA Act*), management strategies and guidelines. In advance of more significant developmental pressure on the M-KMA, the Government is looking to the Board to develop and recommend measurable objectives that statutory decision makers could consider in adjudicating proposals for industrial activities (e.g. forestry, mining, oil and gas development, hydro or energy developments).

To date, no proposal for industrial development within the M-KMA has gone through an Environmental Assessment process. The Environmental Assessment Office considers information and advice from First Nations, the public and relevant government agencies related to Valued Components in regards to policy and regulatory requirements to make its recommendation to the Statutory Decision Makers. Recognizing that the legal instruments in place say that development may be considered in the M-KMA, the question is under what conditions?

The objectives for achieving the vision of the M-KMA must have sufficient specificity that a statutory decision maker could objectively measure whether a proposal meets those criteria. Conditions in the form of measurable objectives recommended by the Board must contemplate spatial and temporal aspects. Government is looking to the Board to provide up-front advice<sup>1</sup> that addresses the conditions under which industrial development may be considered. This up-front advice in the form of measureable objectives would contribute to the information that a Statutory Decision Maker considers in making a

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<sup>1</sup> It is noted that the Board utilizes a consensus based decision making model, but it has not adopted a specific process in its Operating Guidelines to resolve the making of a decision when consensus cannot be achieved. It is recognized that the Board members may have to push to reach an acceptable resolution that can be supported (or lived with) by all while not being the preferred outcome of each member.

decision on a proposed activity in the M-KMA. There are a number of aspects to address in the measurable objectives:

- How can the wilderness quality definition be applied across the M-KMA land base to achieve the intent and also limit the level of industrial exploration and development that would currently be permitted legislatively within certain zones?
  - For example, while the current definition includes wording that guides when an industrial footprint should begin to fade from the landscape, there are circumstances where a clearer more measurable guide would be desirable to a statutory decision maker (for example, “...after 40 years, the structure(s) shall be removed and the landscape returned to its original condition...”).
- What is a reasonable duration for persistence of disturbances? How should anthropogenic disturbance look on the landbase (e.g. consideration of factors such as fragmentation, pervasive versus localized disturbance, etc.)?
- At what scale(s) should objectives apply on the landbase (e.g. Resource Management Zone, watershed, sub-basin, ecosystem, value-based, etc.)?
- What should the focus of restoration activities be (e.g. linear features vs. site specific developments, etc.) and what factors should government consider related to restoration beyond regulatory requirements?<sup>2</sup>
- When is a restored area considered wilderness again (i.e. temporal considerations of development and restoration over a specified spatial scale)?
- What performance measures would verify that the vision is being met?

Industry is permitted to explore in the M-KMA. Identification of the conditions required to allow exploration to proceed in the form of measurable objectives may ultimately allow for some number of mines to be developed with restrictions, active for a few decades and then reclaimed and returned to wilderness within a generation. They may allow for wind power development if concerns for impacts to values are mitigated. In that case objectives could help a Statutory Decision Maker (SDM) and proponent make decisions on whether the objectives can be achieved and how the mitigation including restoration would be conducted. The objectives could help advise on how much forest harvesting, and where, would be consistent in achieving the social and economic development and wilderness aims. For example, do the objectives define an acceptable level of periodic forestry activity as long as access is limited and the land is returned to wilderness within some timeline?

In considering the development of measurable objectives, it is important for the M-KAB to consider relevant government policies such as the [Environmental Mitigation Policy](#) (2014). The purpose of this Policy and the associated supporting procedures is to provide a consistent approach and guidance for 1) provincial staff who provide advice and recommendations to SDMs or delegated decision makers, 2) decision makers for consideration in the process of making well-informed durable decisions, and 3) proponents developing mitigation plans to address the impacts of their proposed activities on environmental values. The *Environmental Mitigation Policy* and associated procedures outline the principles and considerations for the design of mitigation measures and mitigation plans through application of the mitigation hierarchy (i.e. avoid, minimize, restore, offset). At present, this policy is

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<sup>2</sup> We recommend that the board focus on the objectives to be achieved, and do not get caught up on how government will hold industry to those objectives (e.g. maximum duration of persistence of disturbance), as that is a role for government to address.

voluntary and is primarily targeted towards major industrial developments (i.e. major projects under an Environmental Assessment or sub-threshold major permitting project). The Board may want to consider how its recommendations on measurable objectives relate to this policy. For example in terms of setting expectations for “environmental component(s)” that are measured/managed/maintained to ensure the integrity and well-being of the environmental values. It also covers mitigation measure options like “offsets”.

In developing measurable objectives that address the conditions under which an activity could proceed, government would like advice to take the following form (as an example):

- Major projects may proceed if the following conditions are met:
  - The Environmental Mitigation Policy and Procedures are followed.
  - That restoration to X standard occurs within Y years of development or Z years of decommissioning.
  - Example with ‘strawdog’ numbers for Board to revise: All development shall have a cumulative disturbance to wilderness of no more than 10% of the M-KMA land base at any one time. All specific developments shall have a disturbance of no more than 70 years before returning to a rehabilitated natural state. No development shall create a permanent disturbance, except for independent power production and natural gas in specified locations within less than 2% of the M-KMA land base in X, Y, Z area(s). In those cases, the disturbances must still conform to other requirements, and factor in issues such as impacts to species at risk.

The Government looks forward to receiving advice from the M-KAB on objectives that would help strike the balance of wilderness and development envisioned for the M-KMA.