
FREQUENTLY ASKED QUESTIONS

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Ministry of Forests, Lands, Natural Resource
Operations and Rural Development

Proposed Tsaa Nuna Conservancy

What is a conservancy?

- A conservancy is established to provide for:
 - a) the protection and maintenance of their biological diversity and natural environments;
 - b) the preservation and maintenance of social, ceremonial and cultural uses of First Nations;
 - c) the protection and maintenance of their recreational values; and
 - d) development or use of natural resources in a manner consistent with the purposes of (a), (b) & (c) above.
- The conservancy designation explicitly recognizes the importance of these areas to First Nations for social, ceremonial and cultural uses. Conservancies provide for a wider range of low impact, compatible economic opportunities than Class A parks, however, commercial logging, mining and hydroelectric power generation, other than local run-of-the-river projects, are prohibited. Any use or activity must not restrict, prevent or hinder the conservancy from meeting its intended purpose with respect to maintaining biological diversity, natural environments, First Nations social, ceremonial and cultural uses, and recreational values.
- Conservancies can be established by order in council under the Park Act or by inclusion in a schedule to the Protected Areas of British Columbia Act. Presently, all conservancies are established by inclusion in schedules to the Protected Areas of British Columbia Act.

Why is a conservancy being proposed?

- In March 2017, the B.C. Government and Halfway River First Nation (HRFN) signed a government-to-government agreement which included jointly recommending the establishment of a conservancy over Tsaa Nuna -an area of special and continuing significance for the practice of treaty rights by Halfway River First Nation close to Halfway River First Nation's community.
- Government-to-government agreements are important and effective frameworks because:
 - they aim to foster an enduring and respectful government-to-government relationship and to create common frameworks for working together; and

- they seek to balance interests and achieve legal certainty (limiting circumstances for legal action against the Province), process certainty (clearly defining process steps and timelines for consultation), accommodate impacts to Treaty 8 rights and offer measures to reconcile Treaty 8 rights.
- The agreement between the Province and Halfway River First Nation specifically seeks to:
 - strengthen the relationship between the Province and Halfway River First Nation and commits the parties to work collaboratively on resource stewardship in Halfway River First Nation's territory; and
 - balance Halfway River First Nation's constitutionally protected rights as established by Treaty Number 8 with the interests of the Province as a whole, which may include economic development, environmental protection and social responsibility.

What activities are allowed in a conservancy?

- The *Park Act* prohibits commercial logging, mining and hydroelectric power generation (other than local run-of-the-river projects) in a conservancy. In addition, no on-site oil and gas exploration, development or production may occur in a conservancy. Directional or horizontal drilling for petroleum and natural gas from outside a conservancy may occur.
- The framework for determining allowable activities in a conservancy is based on the land use plan or agreement leading to the establishment of the conservancy, the legislation and regulations pertaining to conservancies, and related policies. Specific policies will be established for a conservancy through the preparation of a management plan.
- A wide range of outdoor recreation activities are normally permitted within conservancies, including camping, hiking, boating, fishing and hunting. For Tsaa Nuna Conservancy, activities that are consistent with the exercise of treaty rights will be permitted.

What activities will require a Park Use Permit and how do I apply for one?

- The *Park Act* identifies the following activities that require a Park Use Permit:
 - Provision of commercial recreation services, which may include nature tours, kayak/canoe touring, big game guiding, and angling guiding to name a few.
 - Any land use occupancy, either commercial or non-commercial, such as cabins and utility rights of way.
 - Any use of a natural resource such as trapping and grazing.

- Research activities, including: collection; monitoring; survey and inventory; and, other research.
- Film production.
- Further, a Park Use Permit may only be issued if the use or activity will not hinder, restrict, prevent or inhibit the development, improvement or use of the conservancy in accordance for the reasons for establishing conservancies (see question 1).
- Existing tenures for trapping, guiding and grazing will be allowed to continue with a Park Use Permit.
- For general information about permit applications or the permitting process, visit: <http://www.env.gov.bc.ca/bcparks/permits/>

How will the park be managed?

- Once the conservancy is established, BC Parks will be responsible for managing the area.
- BC Parks will develop a management plan for the conservancy. Management plans are developed to guide how a protected area will be managed over the next 10 to 20 years. The plan sets out objectives and actions for conservation, cultural heritage, use and development of natural resources, interpretation and operation of a protected area. A management plan relies on current information relating to such subjects as natural values, cultural values, and recreation opportunities within a protected area and resource activities occurring on surrounding lands.
- In the case of Tsaa Nuna, the development of a management plan will involve collaboration with Halfway River First Nation and engagement with all other First Nations in the region, stakeholders and the public.
- For more information on the park management planning process, visit: <http://www.env.gov.bc.ca/bcparks/planning/mgmtPlanningProcess.html>