



25 Feb 2014

Christy Clark, Premier
Rm. 156, West Annex, Parliament Buildings,
501 Belleville St.
Victoria, B.C. V8V 1X4

Mary Polak, Minister of Environment
Rm. 112, Parliament Buildings,
501 Belleville St.
Victoria, B.C. V8V 1X4

Dear Premier Clark and Minister Polak,

RE: Bill 4: Park Amendment Act, 2014

Parks and protected areas hold an important place in the hearts of British Columbians. Many of us have fond memories of camping, fishing, hiking or otherwise experiencing this province's parks. We also appreciate that wilderness parks and protected areas provide a place for the province's non-human inhabitants.

As the phrase "protected area" implies, British Columbians believe that these lands are protected – the few areas of the province declared off-limits to logging, mining, the oil and gas industry and other industrial use and development. The provincial government's website refers to parks as a "public trust" – to be managed for public benefit, not private gain – and the current *Park Act* requires that any development in parks must be "necessary for the preservation or maintenance of the recreational values of the park involved."

Bill 4 – the *Park Amendment Act* – expressly provides for industrial activity within BC's parks and protected areas and paves the way for the removal of land from those protected areas for industrial purposes. As such, we oppose the Bill, and we believe that the vast majority of British Columbians would also not support it.

We take particular exception to section 3 of the Bill, which provides that permits may be granted in provincial parks for "research" without any requirement whatsoever to consider the impacts of that research on recreational or conservation values or the purpose of the park.¹ The term "research" is undefined, and we have been informed by provincial staff that they consider the

¹ Park permits related to "research" that do not fall within s. 9.3(2)(b)-(d) will be required to consider whether the research is "consistent with the purpose of the protected area," but in the case of subsections (c) and (d) dealing with large-scale industrial activities and land removals, respectively, there is no such requirement.

term broad enough to include bulk ore sampling and other large-scale industrial sampling and clearing activities that are clearly inconsistent with the park status.

Since these exemptions are specifically directed at research related to industrial activity and to the removal of land from parks, the provisions remove protection in respect of the activities that are most likely to compromise the integrity of the parks. By making 9.3 (c) optional, it specifically allows for permitting activities that would not “consistent with the purpose of the protected area.”

Bill 4 is best understood as the latest addition to a package of policies and statutes that anticipate and enable the removal of land from BC’s parks and protected areas, the most notable of which is the *Park Boundary Adjustment Policy*, which creates a structure for industry and others to propose the removal of land from parks and protected areas. Indeed, a major purpose of Bill 4 appears to be to provide legal authority for research required by the Policy as a pre-condition for removing land from parks and protected areas; until now, such research has been of questionable legality. Taken collectively, the *Park Boundary Adjustment Policy*, Bill 4 and other associated statutes, policies and decisions represent a potential major challenge to the integrity of BC’s park system.

Moreover, the fact that your government chose to introduce Bill 4 with no consultation of BC’s public, and has misrepresented the extent of the amendments in its news release and other communications with the public is not acceptable.

We, the undersigned, call upon your government to end efforts that will undermine the integrity of BC’s park and protected areas system. We ask you not to pass Bill 4, and request a meeting to discuss ways to strengthen BC’s parks and protected areas. We urge you to manage BC’s parks for the benefit of the public, and not for the benefit of industry and private interests.

Sincerely,

Canadian Parks and Wilderness Society – BC Chapter

ForestEthics Solutions

Sierra Club BC

West Coast Environmental Law Association

Wilderness Committee