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Alberta Northwest Species at Risk Committee



May 31, 2021

The Honourable Jason Nixon  
Minister of Environment and Parks, House Leader  
Office of the Minister  
Alberta Environment and Parks  
323 Legislature Building  
10800 – 97 Avenue  
Edmonton, AB  
T5K 2B6

**RE: Response to Draft Bistcho Sub-Regional Plan**

Dear Minister Nixon:

Alberta Northwest Species at Risk Committee (NWSAR) thanks you and your Ministry for this opportunity to provide feedback on Alberta's Draft Bistcho Sub-regional Plan, released on March 29, 2021.

We understand the time and efforts that have gone into developing a Draft Bistcho Sub-regional Plan that has attempted to accommodate several overlapping land users.

NWSAR members appreciated the opportunity to play an integral role on the Bistcho Sub-regional Task Force, and look forward to assisting with the development of the Chinchaga Sub-regional Plan.

We look forward to continued engagement and dialogue with you and your Ministry on Alberta's approach to boreal caribou recovery and management in Northwest Alberta. If you have any questions or concerns, please do not hesitate to contact me.

Yours Sincerely,



Lisa Wardley  
Chair, NWSAR  
Councillor, Mackenzie County

cc: Alberta Northwest Species at Risk Committee  
Clear County Council  
County of Northern Lights Council  
Mackenzie County Council  
Town of High Level Council  
Town of Rainbow Lake Council

The following is a summary of the concerns, questions and potential solutions that have been identified by NWSAR Committee, Mackenzie County, and other local stakeholders and residents.

1. Throughout the Draft Plan, there are references to further input and feedback from “Indigenous Peoples, stakeholders and the public.” **We request that municipalities be specifically included throughout the document as a stakeholder.** Municipalities represent a broad range of perspectives, are accountable to their residents, and can play a major role in gaining community buy in.
2. The Bistcho Lake Sub-Regional Plan (BLSRP) is being developed and implemented for an area of the Province that does not yet have a Regional Land Use Plan, being the Lower Peace Regional Plan (LPRP). The Draft Plan specifies that it will be enacted as a Sub-regional Plan under the established 2012 Lower Athabasca Regional Plan (LARP). We have significant concerns with land use controls for our region being included under a planning regime for another area of the Province. More specifically those concerns are:
  - a. This could limit the ability for local stakeholders to provide ongoing feedback to the plan.
  - b. There is no clear mechanism for incorporating the Access Management Plan (AMP), the Recreation Management Plan, Trail Management Plan, or other recreation and tourism plans and opportunities into the BLSRP. For example:
    - i. Mackenzie County has not been provided with an answer when they have asked if the BLSRP can be amended without opening up the entire LARP.
  - c. This will limit the ability of the Province to actively monitor and respond to progress within the BLSRP, as it is geographically removed from the staff and resources allocated to the LARP.

We realize that creating a detailed Lower Peace Regional Plan will be time consuming and not meet the timeline requirements of the Species at Risk Act (SARA) and/or the Section 11 Agreement. **We request that the LPRP be created as a cover document under which the applicable Sub-regional plans can be incorporated, including the BLSRP.** This will ensure transparency and accountability for implementation, monitoring and responses to the Sub-regional plans.

3. The draft plan commits to an initial review after 5 years, and then every 10 years after the first review. Does the plan need to be opened for review in order to incorporate items like the Recreation Management Plan and the associated Access Management Plan? Does the LARP need to be opened in order to review the Bistcho Lake Sub-regional Plan component? Who will be involved in the review of the plan? Will there be extensive local input, including from relevant municipalities? **We request that the BLSRP clearly identify that robust local involvement will be included in all future Plan reviews, and that Plan reviews be completed locally and independently of other aspects of the LARP.**
  
4. The Bistcho Sub-regional Task Force spent 18 months working through complexities and concerns specific to the Bistcho area. The Task Force developed 29 recommendations, all of which provided detailed rationale and considerations for the study area. The concern lies within the fact that many of these recommendations did not make it into the Draft Plan, and the Draft Plan is very similar to the Draft Cold Lake Sub-regional Plan. The missing site-specific Access and Recreation Management Plans further emphasize the disconnect between meaningfully implementing this Plan within the Bistcho area, and duplicating a template across several Sub-regional planning areas. **We recommend incorporating the following Task Force recommendations into the Draft Plan:**
  2. *Hay-Zama bison continue to be monitored and managed for population and health;*
  3. *Ensure inter-jurisdictional research and monitoring programs engage partners, which are accessible to the public, provide consistency, and are repeatable;*
  5. *Establish and implement a comprehensive sub-regional fire management plan;*
  6. *Meaningfully consider previous multi-stakeholder planning work;*
  8. *Work with local communities, stakeholders, and Indigenous nations to effectively support the implementation of the sub-regional plan;*
  9. *Develop an optimized regional access management plan that coordinates access (both spatially and temporally) to minimize footprint and optimize access for all users;*
  10. *Ensure the Regional Access Management Plan is initiated in a timely fashion for this sub-region; and*
  19. *Management of current protected areas in the region must be revisited and improved.*

5. The Draft Plan briefly touches on recreation and tourism, essentially saying that these are regulatory details that will be determined later. We have concerns with this important socio-economic aspect of the Plan being referred to as a regulatory detail that could be deferred indefinitely. The handling of the 2001 Caribou Mountains Wildland Provincial Park, and the still unreleased, Draft Management Plan for that park has eroded the public trust in the government to follow through and develop the planning documents that allow for public enjoyment of Crown lands. **We request that a maximum two-year time limit be established for the development and public release of a detailed Recreation Management Plan for the BLSRP, including all related supporting plans.**

Operating certainty is critical to all businesses, and existing recreation and tourism operators are struggling due to the current regulatory uncertainty. We want to ensure that both public and private operators will have the opportunity to develop and provide opportunities for residents and tourists to enjoy the public lands across the Sub-regional plan area.

6. The proposed Access Management Plan (AMP) is a fundamental gap that must be addressed, as this is the practical implementation of the Plan. When the existing and proposed road networks are overlaid, there are hundreds of kilometers of roads that are nearly parallel and provide access to the same areas. The AMP ignorantly determines that the proposed network is more practical. We fully support reducing the road footprint and aggregating access along key corridors, but it is not practical to reclaim one road only to construct a new road parallel to the existing disturbance, all to satisfy a line on a map generated by a planner from outside the region. **We request that the AMP be developed and managed in such a way as to minimize the amount of reclamation and new construction required, and that the existing road network form the basis of the future road network. In essence, use the existing roads and plan for the future road network based upon the existing infrastructure assets.**

The AMP also seems to be focused on assigning liability to a user, and in the absence of an entity to assign the liability to, we can expect roads to be reclaimed. This approach will have a significant negative impact on trappers/outfitters and traditional land users, effectively pushing these low-impact users off the landscape. We are also concerned that this will stifle the opportunity for low-impact tourism opportunities, and junior oil and gas companies to continue exploration within the current industrial footprint.

In addition, certain land users (i.e. forestry industry) appear to have more influence on and dominate the implementation of the plan. **We request that**

**more time and resources are allocated to identify the requirements of other land users including municipalities, trappers, outfitters, other industries, tourism operators, and the public.**

Another gap within the AMP is the failure to identify and specifically allow for a future multi-use corridor to accommodate rail, road, fibre, power, pipeline, etc. The ability to accommodate a multi-use corridor is critical to the long-term economic outlook of not only the region, but Northern Canada. **We request that a multi-use corridor be specifically identified and accommodated within the Bistcho Lake Sub-Regional Plan, through the new Provincial Corridor Task Force within a maximum two-year time limit.**

7. NWSAR's understanding is that the 60-day public consultation period saw a severe lack of public participation and consultation. This is concerning to us, as those who this Draft Plan could affect the most have not had an opportunity to discuss concerns and provide solutions to the Government of Alberta. NWSAR believes that the public may find the Draft Plan difficult to understand and relate to, as it does not provide site-specific actions, which could be evaluated. **We believe that the development of the Access and Recreation Management Plans, specific to the Bistcho Lake Sub-regional planning area, would benefit the public and local land user's ability to meaningfully respond and provide input to the Draft Plan. Hosting stakeholder and public consultation sessions to discuss and specifically develop the AMP and Recreation Management Plan are required.**
8. The Draft Plan does not provide any socio-economic information or analysis – NWSAR understood that a level of socio-economic analysis would be provided for consideration in the plan. This is predominantly the reason why residents, business owners and operators cannot “see” themselves in the Draft Plan, and do not understand the relevance of participating in engagement sessions. **We request that a socio-economic analysis of the Draft Plan be developed concurrently with the Access Management Plan and the Recreation Management Plan. Should these occur after Plan implementation, they should occur within a maximum two-year time limit.**
9. The Draft Plan has attempted to accommodate general existing and future development opportunities. As one of the major goals of this Plan is to satisfy the Federal Government's requirement for Caribou Range/Action Plans, will this Plan achieve this goal? – it appears flexible and includes limited specifics on how the Plan will improve the self-sustaining status of

the Bistcho Caribou herd. The 100-year habitat recovery modelling is unrealistic because:

- a. It appears that the model assumes all disturbance is at zero years of reclamation in Year 0, and then Table 1 *disturbance types and number of years until considered restored (undisturbed habitat)* plus 40 years is when the disturbance is considered restored and comes off the landscape completely. In reality, several of the existing disturbances within the Bistcho area will have seen some form of reclamation (i.e. well-reclaimed, harvest block) this site-specific data and planned reclamation of other disturbances should be factored into modelling from Year 0 to show incremental progress by decade. As we could achieve higher levels of undisturbed habitat (as required under the Federal Recovery Strategy for Woodland Caribou) sooner than 80 years. **We request that site-specific reclamation data be included in the habitat disturbance modelling, which includes remaining life expectancy, remaining reclamation years, and final reclaimed dates for all existing disturbances.**
- b. Understanding that future wildfire behaviour is unpredictable, it is impractical to model that wildfire footprint would become zero over time. It is bad enough that the entire fire perimeters are used in habitat modelling, rather than the calculation of the actual burnt areas within the fire perimeters. **We request that additional habitat disturbance modelling scenarios be developed and included in the Plan to show at least one scenario where future wildfires within the planning area are included.** Natural Resources Canada/Northern Forestry Centre has developed Fire Return modelling for the Mackenzie area under two (2) Climate Change scenarios – NWSAR would be happy to contribute this data to ensure habitat modelling at least considers future wildlife on the landscape.

Overall, the habitat modelling is not representative of the habitat disturbance situation within the Bistcho planning area – it is generic and lacks site-specific data, which provides little merit in reality. **We request that points a and b above are acted upon prior to finalizing the Plan.**

In addition, the terms “reclamation” and “restoration” appear to be used interchangeably under Section 3.1 of the *Woodland Caribou Habitat Recovery Analysis* Appendix. It is not clear what measure is being used to start “time to reclamation” – does this timeline start once operations are complete? **For example, once operations at a mining site are complete**

**and closed, it takes 60 years to achieve reclamation status, plus 40 years to achieve restoration status at which point this disturbance comes off the landscape – a total of 100 years?**

10. We understand that the BLSRP was created in order to respond to and satisfy the Federal Recovery Strategy for Woodland Caribou. We realize that in order to achieve the requirements that the Plan must include provisions that are beneficial for caribou. We also understand that activities outside the caribou range affect the activities inside the range, and vice-versa. However, the restrictions outside the caribou range within the Bistcho planning area are so similar to the restrictions within the caribou range. As currently drafted, the BLSRP is effectively a larger Caribou Range Plan that does a poor job at considering the socio-economic impacts outside of the caribou range. **We request that every requirement restricting land access and economic development for all areas of the BLSRP outside of the currently identified caribou range be removed from the plan. Furthermore, we ask that the BLSRP specifically enact policies to encourage economic activity in all areas outside the currently identified caribou range.**
11. The Access Management Plan and the planning units that have been developed to help coordinate the AMP do not practically fit on the landscape. The planning units do not align with the proposed Harvest Timing Units (HTU) within the aggregated harvesting plan. Nor do they make practical sense from an oil and gas perspective, where existing fields and operations are divided amongst several planning units. In addition, two of the proposed planning units minimally incorporate the caribou range, yet this small overlap of caribou range means that the allowable disturbance within the planning unit is capped at 20%. **We request that the Planning Units within the BLSRP be revised as follows:**
- **improved alignment with HTUs;**
  - **improved alignment with existing oil and gas fields, assets and operations;**
  - **that the caribou range boundary aligns with the boundary of the Planning Units;**
  - **that the disturbance within the Hamlet of Zama City, plus an additional 2 km buffer around the Hamlet be exempted from the disturbance calculations for the planning unit; while**

- **ensuring that no planning units straddle the caribou range boundary to maximize the amount of potential resource activity outside of the caribou range.**
12. Overall, we are pleased to see that the Government of Alberta will work with Indigenous Peoples and other local land users when decision-making on the restoration of legacy seismic lines. It is very important that this commitment is maintained and upheld, and that every effort is made to ensure local stakeholders are contacted directly. **We request that the Government of Alberta utilize their existing local contacts to connect with local-level land uses when identifying legacy seismic lines for restoration.**