



Feb. 25, 2013

CPAWS Yukon comments re:

Consultation on the Peel Watershed Regional Land Use Plan

To the Government of the Yukon,

Thank you for the opportunity to submit comments to the Consultation on the Peel Watershed Regional Land Use Plan.

Accept the Peel Watershed Planning Commission's Final Recommended Plan:

CPAWS Yukon supports the Peel Watershed Planning Commission's Final Recommended Peel Watershed Regional Land Use Plan and urges Yukon Government to accept this document as they move forward with their management of the Peel Watershed. The Final Recommended Plan (FRP) is the product of more than six years of careful research and consultation with a diverse range of stakeholders and the Yukon public, and is consistent with the requirements of the Umbrella Final Agreement (UFA) and the individual Agreements with affected First Nations.

In contrast to the FRP, Yukon government's proposed new land designation system was produced unilaterally and behind closed doors, without any input from affected First Nations or the public – a tactic that is wholly inconsistent with the requirements of the UFA. If Yukon government insists on implementing its new proposal instead of the FRP, they would undermine six years of open and transparent democratic process.

Yukon government's proposed new land use designations are not consistent with the land use planning process outlined in the UFA:

Yukon government's new land use designations and concepts are not consistent with the land use planning process as laid out in Chapter 11 of the Umbrella Final Agreement. Yukon government had the opportunity to reject the Commission's Recommended Plan at an earlier stage in the process, but chose instead to propose modifications to the Recommended Plan. The modifications proposed by Yukon government did not include the new land use designations or

concepts now being consulted and, according to UFA 11.6.3.2, these therefore have no validity in the current consultation-. Furthermore, the introduction of scenarios that are so radically different from the FRP this late in the process constitutes a rejection of it, a move that is not consistent with the process outlined in the Umbrella Final Agreement.

Consultation process misleading and non-transparent:

Yukon Government should have addressed the Final Recommended Plan in these consultations, rather than introducing an entirely new land designation system and concepts.

We do not endorse government's new land use designations but we do wish to record that the way they have been presented to the public is misleading. Instead of presenting their map concepts in colours that would correspond to those of the FRP, government chose to present Restricted Use Wilderness Areas (RUWAs) as green to suggest that they provide landscape protection. In actual fact Yukon Government's proposed RUWAs allow road and surface access, making them the equivalent to Integrated Management Areas Zone II (IMAs) within the FRP. As such these areas within the government's proposal should have been coloured the same orange as the IMAs of the FRP to ensure the public was adequately informed of the meaning of the Government's proposal and could compare and contrast it properly with the FRP.

We also wish to state that we felt the open house model used for this final round of consultations was ineffective, and not conducive to meaningful engagement, especially in communities where presentations are necessary to help the public understand the complex information being presented and face-to-face meetings and discussions are more in-line with traditional models of communication.

We also found it frustrating that comments were not released throughout the consultation process as they were received so that others could learn from and be informed by their fellow Yukoner's contributions, and so that an open and transparent process could be maintained.

The Final Recommended Plan provides true protection, Yukon government's new land use designations do not

The FRP with its 80% protection (55% permanent protection, 25% interim protection) from extractive industry and roads will safeguard the region from the creeping incrementalism which has destroyed biodiversity in so much of the rest of North America. The FRP ensures fundamental ecosystem values such as the quantity, quality and flow of the water; it protects landscapes at a scale suitable for large predators; it provides the kind of altitudinal and north-south range needed for species to adapt to climate change; and it preserves options for future generations. The Yukon Government proposal does none of these.

As we have expressed numerous times in our written submissions and meetings with the Commission since its inception, science tells us that wilderness, wildlife and conservation values are not maintained by fragmented protected areas. Yukon government's so-called protected areas are not only fragmented but also allow roads and other surface infrastructure. There is a wealth of information from across North America that roads diminish wildlife and water systems. Where roads are absent, these values are typically sustained, even in conjunction with some development activities. Where roads are present, these values are typically diminished, even when development is otherwise undertaken to high standards.

Yukon Government's RUWAs do not constitute a protected landscape but a mitigated "working" landscape (terminology from public consultation website) such as we already have across the vast majority of the Yukon. This is not balance, either in the Peel or in the Yukon as a whole, it will not ensure the ecological and cultural values of the watershed, it does not preserve options for the future and it does not capture the wishes of the majority of Yukoners as regards the future of the Peel Watershed. As an Integrated Management Area planning tool, which is where the RUWAs properly belong, we believe it would be expensive to administrate and complex to enforce as we expressed in some detail in a meeting with Yukon government planning staff.

Certainty for renewable industries:

Large scale protection not only protects important natural and cultural systems, it also can provide certainty necessary to attract larger investment and training opportunities in management, interpretation, and tourism as well as enhanced business opportunities. Without a substantial core protected area, the Yukon Government proposal neglects the potential of the area to contribute more strongly to a sustainable economy, and the opportunity to attract government or private money is missed.

It is important that renewable land users such as the First Nations, trappers, recreation users, subsistence harvesters, wilderness tourism operators, and guide outfitters are all assured that the resources they base their businesses and lives on will be there over time in uncompromised form. These renewable values both economic (First Nation, wilderness tourism etc.) and natural (wilderness, wildlife, habitats, water quality etc.) are certain to be degraded if Yukon Government moves forward with their proposal.

Final Recommended Plan - A balanced compromise:

In response to the previous consultation on the Recommended Plan, CPAWS Yukon advocated for 100% protection of this globally important watershed. First Nations clearly stated they want 100% protection. The public who participated in that consultation showed an overwhelming desire for 100% protection. The Commission's FRP is a careful compromise for all stakeholders,

one that balances the needs of industry while maintaining the wilderness characteristics. Upholding the wilderness characteristics is a goal that all parties agreed to from the onset of this land use planning process. When the Commission released its Final Recommended Plan, CPAWS Yukon was disappointed to see that the amount of protection had dropped significantly, with surface access permitted, and only 55% of the watershed permanently protected. CPAWS Yukon remains strong in its opinion that the watershed should be completely protected; however we understand the difficult task of balancing competing land uses. In July 2011 CPAWS responded to the release of the FRP with a congratulations to the Commission and a willingness to compromise in the spirit of democracy and working together with other interests.

In summary :

We urge the Yukon Government to accept the Peel Watershed Planning Commission's Final Recommended Peel Watershed Regional Land Use Plan as we feel it is a fair and balanced compromise which provides options for future generations while protecting one of the largest intact pristine wilderness areas on the planet.

Please feel free to contact me if you have any questions.

Sincerely,

Gill Cracknell

Executive Director, CPAWS Yukon