



## BRIEFING NOTE FOR DECISION

**DATE:** February 1, 2021

**PREPARED FOR:** John Allan, Deputy Minister, Ministry of Forests, Lands, Natural Resource Operations and Rural Development

**ISSUE:** Approach to improving management of helicopter-supported commercial recreation (tourism) tenures on Crown land to support caribou recovery.

### RECOMMENDED OPTION:

**Option 1: Develop *Land Act* caribou management tenure language for consideration by *Land Act* decision makers to include in new tenure documents.**

### BACKGROUND:

Southern Mountain Caribou (SMC) in BC are a focus of recovery efforts for the provincial, federal, and many Indigenous governments. In February 2020, the Province and Canada signed the Canada British Columbia Conservation Agreement for Southern Mountain Caribou in British Columbia 2020 (Section 11 Agreement) under Section 11 of the *Species at Risk Act*. The Section 11 Agreement outlines how the Province and the federal government will work together to recover SMC herds. The Section 11 Agreement also commits the Province to conduct a comprehensive herd planning process through collaboration with Indigenous nations, local government, industry and other stakeholders.

A number of prominent BC industry sectors (such as forestry and mining) have taken steps to improve their operations to support caribou recovery. The lack of similar improvements from the adventure tourism sector, who carry out extensive helicopter-supported commercial recreation activities on Crown land under the *Land Act*, diminishes the credibility of provincial efforts to recover caribou. HeliCat Canada (HCC) voluntarily committed their members to conduct training and monitoring in caribou habitat through a Memorandum of Understanding which expired in 2017, but this has not been renewed due to failed negotiations with HCC.

Improved management of helicopter-supported commercial recreation activities on Crown land is critical to meeting BC's commitments to caribou recovery and to demonstrate improved wildlife management outlined in the Together for Wildlife Strategy.<sup>s.14</sup>

s.14

### DISCUSSION:

Adventure-guiding activities (including heli-skiing, heli-hiking, heli-biking and other helicopter-supported recreation) can disturb caribou, displace them from preferred habitats, increase stress levels, movement and mortality risk, and undermine species recovery efforts. The use of helicopters for adventure-guiding and the resulting disturbance to caribou (and other wildlife) is increasing rapidly across the provincial Crown land base. Tenures for adventure-guiding on Crown land in BC are issued under the *Wildlife Act* (for angling and hunting only), the *Park Act* or the *Land Act*.

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s.13; s.14

The ADMs Caribou Recovery Board has recently endorsed an interagency approach to helicopter guiding tenures. The Ministry of Environment and Climate Change Strategy (ENV) is moving forward on a parallel decision note to address helicopter-supported commercial recreation within provincial parks under *Park Act* permits consistent with the recommendations conveyed in this note. The two ministries have been working closely to move this issue forward in a consistent manner.

**OPTIONS:****OPTION 1: Develop *Land Act* caribou management tenure language for consideration by *Land Act* decision makers to include in tenure documents.***Implications:*

- Enables the province and the sector to demonstrate rigour in the management of heli-supported guide activities in sensitive caribou habitats.
- Provides an interim solution while the *Wildlife Act* regulations can be developed to support the Section 11 Agreement.
- Requires staff time from both FLNR and ENV to engage with industry representatives, update/amend the guidelines and *Land Act* tenures and *Park Act* permits, post to the web and to advise tenure holders of the changes to their tenure.

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- HCC, who has historically resisted requests to voluntarily supply GPS flight data, may resume lobbying efforts to block these changes, but recent meetings with industry representatives indicate an understanding and willingness to work with government to implement the measures.
- Aligns with the goals of the Together for Wildlife Strategy.

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- Further decision will be required if existing tenure holders do not voluntarily accept amendments to their tenures.

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**RECOMMENDATION: OPTION 1**



Approved  Not Approved

Signature  
John Allan, Deputy Minister

2021.02.10  
Date

**PREPARED BY:**

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**REVIEWED BY:**

	Initials	Date
DM	JA	2021.02.10
Associate DM		
DMO		
ADM (RSD)	DM	February 5, 2021
ADM (ROTE)	SF	February 2, 2021
Executive Director	RL(RS), BR (ROTE)	February 1, 2021
Program Dir/Mgr.	RL	February 1, 2021

## BRIEFING NOTE FOR DECISION

**DATE:** August 4, 2021

**PREPARED FOR:** Michelle Porter, Director, Lands Branch

**ISSUE:** Tenure document language addition to support caribou recovery

### RECOMMENDED OPTION:

**Approve temporary tenure document language as an interim measure to support caribou recovery.**

### BACKGROUND:

- In January 2021, a Decision Note detailing an interagency approach to improving management of helicopter-supported commercial recreation tenures on Crown land to support caribou recovery was approved.
- The note included measures critical to meet BC's commitments to caribou recovery within the signed Section 11 agreement between BC and Canada and to demonstrate improved wildlife management outlined in the *Together for Wildlife Strategy*.
- To assist with these commitments, as an interim measure until regulations under the *Wildlife Act* are approved, Lands Branch agreed to include temporary 'pick clause' language in licences of occupation for Adventure Tourism (commercial recreation) as an option for use, as applicable, by *Land Act* decision makers.

### DISCUSSION:

s.13; s.14



s.13; s.14

**OPTIONS:**

**OPTION 1: Approve temporary tenure document language as an interim measure to support caribou recovery**

*Implications:*

- Assists the Caribou Recovery team with federal requirements.
- Clarifies Caribou Recovery Team requests to regional staff for caribou information.

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**RECOMMENDATION Approve temporary tenure document language as an interim measure to support caribou recovery.**

- Option 1

Approved  Not Approved

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Signature  
Michelle Porter, Director, Lands Branch

\_\_\_\_\_  
August 17<sup>th</sup>, 2021  
Date

**PREPARED BY:**

Lynn Brunsdon  
Mgr, Policy and Operational Support  
Lands Branch

**REVIEWED BY:**

	Initials	Date
Director	MP	August 17, 2021
Manager	LB	August 04, 2021