

A Short Guide to Protected Areas Designations in Alberta
A Chart for the Perplexed

By Shaun Fluker and Dave Poulton

In July 2001 the Government of Alberta announced the establishment of three new Wildland Provincial Parks in Kananaskis Country. Is a “Wildland Provincial Park” distinct from a “Provincial Park”? Do they have differing purposes as a protected area? It is likely that many residents of Alberta believe that a Provincial Park is designated, at least in part, for the purposes of the conservation of flora and fauna. While the legislated purpose of a Provincial Park contains this mandate, a closer review of the legislation which governs a Provincial Park places doubt on this belief. A review of protected areas in Alberta will highlight the fact that there is a myriad of protected area designations in the province ranging from provincial recreation areas to wilderness areas. Each of these individual designations has important implications for conservation purposes. There are now eight distinct designations in Alberta which emanate from three different statutes.

Each of these designations can be distinguished by their respective legislative purpose, if any, and the restrictions that are imposed upon commercial or personal activities within the area. The following table highlights each designation commencing with the most effective from a conservation perspective. Information contained within the table is in summary form and has been paraphrased from legislation where appropriate. As can be seen below, it is a myth that Provincial Parks offer much in terms of conservation. Relative to a Provincial Park, a Wildland Provincial Park offers some token of conservation however it is far from creating a true “protected” area. Furthermore, there is no coherent system or rationale overlying these different categories. Brought in at different times, some are extremely vague; others extremely specific in the activities they allow or prohibit. Some overlap in their intent. In summary, the protected areas legislative framework in Alberta fails to give a coherent picture of a vision or purpose for parks and protected areas.

CPAWS has for several years urged a reform and rationalization of the provincial legislation in this area. We are hopeful that we shall see such legislation in the coming months. Whether the new legislation will be an improvement of environmental protection on the ground remains to be seen. For more on this complex topic, see the “New Legislation” section of our website: www.cpawscalgary.org

DESIGNATION (number of areas/average size km2)	STATED PURPOSE	COMMERCIAL RESTRICTIONS	OTHER NOTABLE RESTRICTIONS	NOTES
Wilderness Area 3/336	None	No oil/gas, mining, forestry or other industrial related activity requiring surface rights. Existing rights to these activities would be terminated upon designation	Travel only by foot No hunting, fishing, trapping	This is the highest level of protection available in Alberta, essentially prohibiting all human activity with the exception of foot access. There are only three such areas, all in fairly remote mountain areas on the eastern boundaries of

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				Banff and Jasper National Parks. These were established at the time their legislation was passed in the 1960's and none have been established since.
Ecological Reserves 16/18.4	To preserve public lands for ecological purposes	Mining, forestry, and other activity involving surface rights, except oil/gas activity, are to be terminated but can continue to exist with consent of Alberta Environment. Oil and gas exploration and development activity is not prohibited in an Ecological Reserve.	Travel only by foot (except in limited purposes) No hunting, fishing, trapping	Carrying the rather vague legislated purpose of "preserv(ing) public lands for ecological purposes," this designation places a high level of protection, most often for scientific purposes of protecting particularly sensitive landscapes. Ecological reserves are generally very small sites with some outstanding characteristic, such as the key habitat of an endangered species.
Willmore Wilderness Park 1/4596.7	Dedicated to the use of the people of Alberta for their benefit, education and enjoyment and is to be maintained for the enjoyment of future generations	By amendments to its legislation in 1995, industrial activity was categorically prohibited from this park. Permits may still be issued to control insects or forest diseases. Commercial trail-riding and guiding, and limited amount of trapping are allowed.	None	The Willmore Wilderness Park, located north of Jasper National Park is a single protected area, passed under "stand alone" legislation in 1959. Hunting, and fishing are allowed.

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<p>Wildland Provincial Park</p> <p>32/540.2</p>	<p>Same as Provincial Parks (see below)</p>	<p>None.</p> <p>However, after designation of the Wildland Park, new rights for oil/gas, mining, and other industrial related activities requiring surface rights cannot be granted.</p> <p>The notable exception is logging activity and grazing for which new rights can be granted after designation.</p>	<p>None</p>	<p>Within the general category of Provincial Park, wildlands is a special sub-category established by a set of regulations established in 1996. Based closely on the Willmore model, this was intended to allow for the establishment of large protected areas where a wide variety of nature-based recreation could be enjoyed. It is now the form of protected area designation under which the most land is protected in Alberta.</p>
<p>Heritage Rangelands</p> <p>None – statute not yet in force.</p>	<p>• “. . . to establish certain lands as heritage rangelands in order to protect their grassland ecology;”</p> <p>- “. . . in order to ensure its preservation and protection using grazing to maintain the grassland ecology.”</p>	<p>None</p> <p>- no restriction on mineral leasing or activities (mineral extraction on candidate sites is currently avoided by agreement between the responsible government departments – grazing leases may be issued for a term of up to 30 years</p> <p>-</p>	<p>Prohibition on off-highway vehicles.</p>	<p>This category, just passed in 2000, and not yet in force or applied, is a disappointment. Intended to form the common ground between environmental concerns and ecologically-sensitive ranching, it has lost much of its power due to its failure to prohibit timber and mineral dispositions or activities.</p>
<p>Provincial Park</p> <p>68/30.5</p>	<p>Provincial Parks are developed and maintained for: (1) the conservation and management of flora and fauna; (2) the</p>	<p>None</p>	<p>None</p>	<p>The Provincial Parks Act contains very few restrictions or prohibitions on the uses which may be made of lands</p>

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	<p>preservation of specified area and objects therein that are of geological, cultural, ecological and other scientific interest; and (3) the facilitation of their use and enjoyment for outdoor recreation.</p>			<p>designated as parks, referring much of that work to regulations. Because of the flexibility which regulations provide, the activities allowed vary widely from one site to another. The designation itself can mean virtually everything from a highly commercialized and developed beach resort, to a roadside picnic area, to a remote and highly-protected wilderness.</p>
<p>Natural Area 152/9.4</p>	<p>To protect sensitive or scenic public land from disturbance and to ensure the availability of public land in a natural state for use by the public for recreation, education, and any other purpose.</p>	<p>None.</p>	<p>None.</p>	<p>The designation of an area as Natural Area carries with it a minimum of substance. The legislation provides only that the responsible Minister of the Crown may prescribe what uses may be made of land so designated. This is usually done by the development of a site-specific management plan, though many Natural Areas do not have such management plans in place. Again, therefore, the character of such areas varies widely.</p>

Provincial Recreation Area 256/3.2	Developed and Maintained to facilitate their use and enjoyment for outdoor recreation.	None.	None.	This category holds no promise of the protection of nature. It is not recognized By CPAWS as a protective designation.
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