



WERAC

*Wilderness and Ecological
Reserves Advisory Council*

Advising government on the creation and management
of wilderness and ecological reserves

Annual Report 2019-20

Message from the Chair

The Honourable Derek Bennett
Department of Environment, Climate Change and Municipalities
P.O. Box 8700
St. John's, NL
A1B 4J6

Dear Minister Bennett:

As Chair for the Wilderness and Ecological Reserves Advisory Council (WERAC), I am pleased to submit the Annual Performance Report for WERAC for April 1, 2019 to March 31, 2020. This report meets the requirements of the **Transparency and Accountability Act** for a Category 3 entity.

Under the authority of the **Wilderness and Ecological Reserves Act**, WERAC advises government on the establishment, management and termination of wilderness and ecological reserves within the province. WERAC is committed to examining areas of the province for reserve designation and to ensuring that all public and private interests are considered when reserves are being planned and established. WERAC made progress towards its annual objectives as outlined in the WERAC Activity Plan of 2017-2020. WERAC's activities are in support of efforts to make progress on climate change, to support healthy environments and living, and improve upon tourism travel experiences.

I acknowledge WERAC members dedication to the protection of our province's natural heritage, as well as their generous commitment of volunteer time. Furthermore, WERAC thanks the staff of the Natural Areas Program for their support and guidance. We are excited about the opportunities of the coming year to advance the system of protected areas in our beautiful province. As the Chair, and on behalf of WERAC, I accept accountability for the preparation of this report and the achievement of its objectives. My signature on behalf of WERAC signifies WERAC's accountability for the reported results of its activities for 2019-2020.



Graham Wood, Chair

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Overview

The Wilderness and Ecological Reserves Advisory Council (WERAC) advises Government through the Minister of Environment, Climate Change and Municipalities on the establishment, management and termination of wilderness and ecological reserves within the province.

WERAC consists of up to 11 members appointed by the Lieutenant-Governor in Council for a three-year term. The members of the WERAC for 2019-2020 were:

| Name | Residence | Term |
|----------------------------------|---------------------------|---|
| Mr. Graham Wood, Chair | Lewisporte | 6/30/2017-6/30/2020 |
| Ms. Victoria Neville, Vice-Chair | St. John's | 6/30/2017-6/30/2020 Resigned January 24, 2020 |
| Mr. Joe Brazil | Pasadena | 6/30/2017-6/30/2020 |
| Ms. Lanna Campbell | Prince Edward Island | 6/30/2017-6/30/2020 |
| Dr. Evan Edinger | Torbay | 6/30/2017-6/30/2020 |
| Dr. Luise Hermanutz | British Columbia | 6/30/2017-6/30/2020 |
| Dr. Bill Montevecchi | Portugal Cove-St. Philips | 6/30/2017-6/30/2020 Resigned February 21, 2020 |
| Mr. Stanley Oliver | Happy Valley – Goose Bay | 6/30/2017-6/30/2020 |
| Mr. Thomas Philpott | Corner Book | 6/30/2017-6/30/2020 |
| Ms. Erin Stapleton | St. John's | 6/30/2017-6/30/2020 Resigned July 3, 2019 |
| Mr. Bryn Wood | Happy Valley – Goose Bay | 6/30/2017-6/30/2020 |

In addition to the roles of Chair and Vice-Chair, WERAC members may participate in subcommittees as required. Over the past fiscal year there were two subcommittees:

| Subcommittee Name | Members |
|---------------------------|--|
| Bay du Nord Subcommittee | Ms. Victoria Neville (resigned), Mr. Thomas Philpott |
| Social Media Subcommittee | Ms. Erin Stapleton (resigned), Ms. Lanna Campbell, Mr. Tom Philpott, Mr. Graham Wood |

The Bay du Nord subcommittee is following up on the conditions of release from Environmental Assessment for the construction of Newfoundland and Labrador Hydro's TL 267 transmission line as related to the Bay du Nord Wilderness Reserve. The Social Media committee works with various social media platforms to distribute content related to the activities of WERAC and the promotion of protected areas in general.

WERAC members serve as volunteers; however, travel, accommodations and related costs are covered by the current account budget of the Natural Areas Program, Department of Environment, Climate Change and Municipalities (ECCM). Expenses incurred by WERAC are included in the financial statement of ECCM. Please refer to the section on WERAC financial information.

Typically, WERAC meets several times a year at various locations around the province and through conference calls. This fiscal year, WERAC conducted the majority of work by email, and met four times by conference call. During this fiscal year, WERAC worked with Natural Areas Program staff on the release of the Natural Areas System Plan (NASP) for the Island of Newfoundland (A Home for Nature: Protected Areas Plan for the Island of Newfoundland). Additionally, WERAC followed up on activities related to changes in the Bay du Nord Wilderness Reserve boundary, and continued to work on the Indian Arm Brook proposed protected area.

WERAC Secretariat support is provided through the Natural Areas Program and the Natural Areas Planner:

Natural Areas Planner
Natural Areas Program, Land
Department of Environment, Climate Change and Municipalities
P.O. Box 2006,
Corner Brook, NL, A2H 6J8
Phone: (709) 637-2081

werac@gov.nl.ca
Twitter: @werac_nl

Copies of this report can be obtained in alternate format at the address above.

Together, WERAC and Natural Areas Program staff work together to ensure that all public and private interests are considered when reserves are being planned and established. Local public consultations are required as part of the establishment process, and take place during the public consultation phase of a proposed reserve. WERAC then makes its recommendation to Government with the Lieutenant-Governor in Council making the final decision.

Mandate

The **Wilderness and Ecological Reserves Act**, under Section 7, provides for an Advisory Council to advise the Lieutenant-Governor in Council on the establishment, management and termination of wilderness and ecological reserves within the province. The Council's duties include consultation proceedings with interested government agencies, organizations and the general public on the establishment of a reserve, and preparation of a report to the Lieutenant-Governor in Council on the advisability of the establishment of a reserve. Please refer to Appendix A for details of the legislated mandate of WERAC.

Highlights and Partnerships

During this reporting period, WERAC continued to work with the staff of the Natural Areas Program. Through the WERAC Secretariat, the Natural Areas Program provided administrative, planning and mapping support to WERAC.

The Way Forward

The Provincial Government developed a vision for sustainability and growth in Newfoundland and Labrador entitled **The Way Forward**. The document does not make specific reference to establishing and maintaining protected areas in the province, however, there are a number of ways in which the activities of WERAC support the actions therein.

The Way Forward speaks to the need to reduce provincial greenhouse gas emissions and work on making progress on climate change. WERAC supports efforts to address climate change by protecting areas and making management recommendations aimed at maintaining protected area integrity. Protected areas help reduce climate impacts by storing carbon and supplying ecosystem services for disaster risk reduction, water supply and public health. The efforts of WERAC to establish new protected areas and guide management can play a supportive role in provincial efforts to mitigate climate change.

The Way Forward also focuses on creating policies, practices and environments that are supportive of health and well-being, and taking actions for healthy living. Natural areas and contact with nature is critical for our physical, mental, social and spiritual health and wellbeing. WERAC supports the goal of healthy people and communities by recommending the establishment of a system of protected natural areas for the public of Newfoundland and Labrador to experience and enjoy.

Lastly, **The Way Forward** describes the need to improve upon the delivery of tourism travel experiences in the province. The document references the need to deliver desirable travel experiences that highlight the core experiences of nature and wilderness. Wilderness and ecological reserves are a large part of our tourism branding and among some of this province's significant 'travel demand generators', particularly

Mistaken Point Ecological Reserve/UNESCO World Heritage Site and Cape St. Mary's Ecological Reserve. WERAC regularly advises on management of wilderness and ecological reserves to support the goal of enhancing the experience of visitors to reserves and the maintenance of the ecological integrity of these sites.

Report on Performance

During the 2019-2020 fiscal year, WERAC continued to focus on three main areas: work to support the public release of the NASP for the Island of Newfoundland, continuing work associated with boundary changes to Bay du Nord Wilderness Reserve, and a proposal to protect the Indian Arm Brook Study Area. Project timelines are necessarily longer than one year, due to the complexity of work and legislated timelines under the WER Act.

Natural Areas System Plan (NASP) for the Island of Newfoundland

WERAC's main focus this year was the public release of a NASP for the Island portion of the Province. Advising on the development and management of a system of properly designed and legally designated protected areas is one of the key ways WERAC works to ensure the preservation of Newfoundland and Labrador's natural heritage.

Following the resignation of Victoria Neville and Bill Montevecchi, the then-Minister of Fisheries and Land Resources met via conference call with WERAC, on February 28, 2020, to ask the Council to publicly release the NASP under the WERAC logo for an informal, 30-day consultation. The Council was to report back to Cabinet at the end of that period on initial feedback received.

The plan document, "A Home for Nature: Protected Areas Plan for the Island of Newfoundland", was subsequently modified to include a Message from WERAC inviting feedback from the public as per the Council's mandate. A Question and Answer Document was also drafted to support the Protected Areas Plan. A release date of March 18, 2020 was selected and information for the media and a contact list was prepared. Due to impending closures of public buildings due to Covid-19, the idea of a public launch was abandoned; then the release date itself was delayed until after March 31, 2020. An in-person meeting of WERAC was also delayed due to Covid-19 travel restrictions.

Bay du Nord

On August 19, 2016, changes to the Bay du Nord Wilderness Reserve were gazetted and the boundaries of the reserve were changed to accommodate the construction of a new transmission line, TL 267, and add 45km² to the southern boundary. Prior to release of the TL 267 construction project from the environmental assessment process, Newfoundland and Labrador Hydro was required to submit a decommissioning plan. This plan was approved by the then-Minister of Environment and Climate Change in June of 2016.

The Bay du Nord Subcommittee had previously conducted an assessment of almost

200 water crossings, including bridges and culverts that were installed as part of the construction phase, to determine which ones should be removed post construction in order to help protect the integrity of the reserve. The recommendations developed as a result of this assessment were communicated to Newfoundland and Labrador Hydro. During a field visit in June 2018, a Natural Areas staff member validated these decisions in the field and Newfoundland and Labrador Hydro supported these requests. Through 2019-2020, WERAC continued to monitor progress on the Bay du Nord decommissioning plan to ensure the actions required under this plan are completed.

Indian Arm Brook

As part of the public consultation held in 2016, WERAC made a commitment to stakeholders to hold a follow-up public information session once a Question and Answer document was developed and distributed. The Indian Arm Brook Question and Answer document was completed and approved by WERAC in 2017-18. The Council has been in touch with the Notre Dame Rod and Gun Club and informally with the Town Council of Lewisporte. WERAC has indicated their continued intention to go back to the public with answers to their questions and to hold another public meeting when appropriate after October 1, 2020 (after the public consultation period on the Protected Areas Plan).

Objective Indicators for the 2019-20 Year

The following objectives and indicators outline accomplishments achieved for the 2019-20 fiscal year. The two following objectives (1-Establishment and Management and 2-Education and Awareness of Protected Areas) reflect WERAC’s vision and are based on the advancement of proposed protected areas through the government system, and increased public awareness and participation in the activities associated with the establishment and management of protected areas in Newfoundland and Labrador. These activities help government achieve its objective of enhanced management of our Province’s natural environment. The extent to which WERAC is able to achieve these objectives and indicators is connected to the process of development of the NASP for the Island of Newfoundland. The following objective and indicators will be applied in 2019 and 2020. WERAC reports on these objectives annually.

1. Establishment and Management

WERAC advises government on the establishment, termination and management of the provinces wilderness and ecological reserves. WERAC succeeded in meeting this objective over the 2019-2020 reporting period.

Objective 1: By March 31, 2020, WERAC will have advised government on the establishment and management of wilderness and ecological reserves in Newfoundland and Labrador.

| Indicators | Accomplishments |
|---|--|
| <ul style="list-style-type: none"> • Provided reports to the | <ul style="list-style-type: none"> • No reports were required since no public |

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| responsible Minister of the results of the assessments and recommendations, as required | consultations were held for reserve establishment. |
| <ul style="list-style-type: none"> Advised Land Management Division on reserve management, as required | <ul style="list-style-type: none"> WERAC advised the Department on management of Bay du Nord Wilderness Reserve related to post-construction mitigation for TL267 through the reserve. |
| <ul style="list-style-type: none"> Evaluated and responded to public submissions for protection | <ul style="list-style-type: none"> There was one informal submission from the public for Little Fogo Islands; WERAC asked for a formal submission with a map, but an updated proposal was not received. |
| <ul style="list-style-type: none"> Conducted public consultations and feedback processes as needed. | <ul style="list-style-type: none"> WERAC started planning for the public release and a 30-day initial consultation on the Protected Areas Plan for the Island of Newfoundland as requested by the Minister on February 28, 2020. |

2. Education and Awareness of Protected Areas

During the 2019-20 reporting period, WERAC increased public awareness and participation in activities associated with the establishment and management of protected areas in Newfoundland and Labrador. While WERAC succeeded in meeting the indicators for this objective for regular WERAC activities, WERAC does not feel that it met the level of education outreach required for the release of the Protected Areas Plan. The Council lacked the ample time and communication resources required to conduct effective public engagement in advance of the plan's release.

Objective 2: By March 31, 2020, WERAC will have promoted an awareness and understanding of protected areas around the Province and the role of the Council.

| Indicators | Accomplishments |
|---|--|
| <ul style="list-style-type: none"> Communicated knowledge about protected areas and WERAC through public consultation and correspondence and discussion with primary clients | <ul style="list-style-type: none"> WERAC maintains a presence on social media (Twitter: @WERAC_nl and Facebook: https://www.facebook.com/Wilderness-and-Ecological-Reserves-Advisory-Council-WERAC-NL-846818648698446/). Social media presence is geared toward communicating knowledge about protected areas and WERAC. |
| <ul style="list-style-type: none"> Conducted outreach activities in communities interested in proposed and established | <ul style="list-style-type: none"> No community outreach activities were conducted in 2019-20. However, following the resignations of two WERAC members, Graham |

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|-----------------|---|
| protected areas | Wood (WERAC Chair) participated in an “open line” conversation on February 27, 2020 to discuss the Natural Areas System Plan. |
|-----------------|---|

Opportunities and Challenges

Public release of the NASP is the greatest opportunity for the Council, but also the greatest challenge. Through media briefings with the then-Minister of Fisheries and Land Resources and the chair of WERAC, the public was made aware of the suite of proposed reserves that would be released in a Protected Areas Plan for the Island of Newfoundland. This has started a public discussion about protected areas in the province.

With 32 proposed sites, however, there are a number of associated challenges. The consultation workload will be demanding for a volunteer council. It will be a challenge to provide information to all interested parties and to receive public feedback on all the sites at once during the initial phase 1 consultation period. Looking ahead, there will have to be detailed phase 2 site-by-site consultations to discuss boundary issues and work on management options with local residents and reserve users. These consultations will be time consuming and the public may be impatient to proceed quickly with detailed site consultations.

Resignation of council members has been a challenge for WERAC during this reporting period. Co-chair Victoria Neville and the longest-serving member of WERAC, Dr. Bill Montevecchi, stepped down from the Council early in 2020. Their departures sparked a great deal of interest and discussion with the media and among the public over the yet-unreleased Natural Areas System Plan. The loss of long-standing and dedicated membership on the council has been a challenge, particularly with the heavy workload as the Council moved forward with preparing for public release of the NASP.

WERAC remains committed to pursuing its mandate and acknowledges that competing priorities for Secretariat staff and resourcing for public consultations on the Protected Areas Plan may continue to be a challenge for the Council.

Financial Information

WERAC does not have a stand-alone budget and as a result, audited financial statements are not required. Expenses associated with WERAC members are funded through ECCM. WERAC met four times via conference call during the 2019-2020 fiscal year. Costs for conference calls are not tracked separately but would be less than \$500 for the whole year.

Appendix A: Legislated Mandate

(Source: **Wilderness and Ecological Reserves Act**)

Advisory Council

6. The Wilderness and Ecological Reserves Advisory Council is continued for the purpose of advising the Lieutenant-Governor in Council through the minister on matters in relation to the establishment, management and termination of reserves and for the better administration of this Act.

Powers of council

11. (1) The advisory council may examine an area of the province in order to determine which areas are suitable for the establishment of a reserve.

(2) The advisory council may accept recommendations from the public in relation to the establishment of or a change in a reserve.

Duties of council

12. (1) The advisory council shall give information on the areas determined as suitable for the establishment of a reserve under section 11 to interested departments of the governments of the province and Canada and to interested Councils, commissions or other bodies, whether incorporated or unincorporated, members of which or the members of the Council of management or Council of directors of which, are appointed by an Act or by the Lieutenant-Governor in Council.

(2) Where, in the opinion of the advisory council, the comments received under subsection (1) from the interested departments and bodies do not change the opinion as to the suitability of the area for the establishment of a provisional reserve, the advisory council shall give a report to the Lieutenant-Governor in Council.

Information on reserves

15. Within one year from the date of the establishment of a provisional reserve, the minister shall prepare and publish, in a newspaper in circulation in the area of the provisional reserve, a notice that contains

(a) a boundary description of the area of the proposed reserve;

(b) an outline of the management plan of the proposed reserve; and

(c) a statement indicating that the minister requires written notice within the next 30 days where a member of the public intends to participate in a public hearing on the establishment of the reserve.

Public hearing

16. (1) The minister shall set a time and place for the holding of a public hearing by the advisory council to consider submissions, representations and objections respecting the establishment of a reserve including the boundary description and management plan of the proposed area.

(2) The time of the holding of a public hearing shall be within 90 days of the date of publication of the notice referred to in Section 15 but after 30 days notice has been given to the public of the time and place of the hearing.

Report to Lieutenant-Governor in Council

17. (1) The advisory council shall report in writing to the Lieutenant-Governor in Council, through the minister, on the advisability of the establishment of a reserve including a review of the benefits and disadvantages of the establishment, and with a review on public hearing proceedings held under section 16, including its assessment of objections or reservations raised at the hearing.

(2) A report under subsection (1) shall be made within 120 days of the public hearing.

(3) Where the advisory council in its report made under subsection (1) recommends the establishment of a reserve, it shall include in that report

(a) the boundary description, management plan and proposed regulations in relation to that proposed reserve as revised in consideration of the public hearing; and

(b) comments on the rights and interests affected by the establishment of a reserve and an estimate of the compensation for those rights and interests.