



WERAC

*Wilderness and Ecological
Reserves Advisory Council*

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

Annual Report 2007-08

Message From Co-Chairs

As Co-Chairs for the Wilderness and Ecological Reserves Advisory Council (WERAC) and in accordance with government's commitment to accountability, we hereby submit our **2007-08 Annual Activity Report** detailing the activities of the Advisory Council from April 1, 2007 to March 31, 2008. As Co-chairs of WERAC, we attest that the Council is accountable for the preparation and results contained within this report.

Under the authority of the *Wilderness and Ecological Reserves Act*, our Council advises government on the creation and management of wilderness and ecological reserves within the province. Our duties generally include consultations with government departments, industry stakeholders, non-governmental organizations, other civic bodies and the general public, and the reporting to the Lieutenant-Governor in Council through the responsible Minister. Using the best scientific information available and the most comprehensive understanding of social and economic impacts of conservation areas, we advise government on matters related to wilderness and ecological reserves.

In accordance with the Minister's strategic direction on the establishment of a Natural Areas Systems Plan (NASP), WERAC is committed to identifying and 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.

In conclusion, we would like to acknowledge WERAC members for their dedication and generous commitment to the protection of our province's natural heritage. Furthermore, we thank the staff of the Parks and Natural Areas Division for their constant support and wise guidance.



John McCarthy, Co-Chair



Christine Doucet, Co-Chair

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1. Overview

The Wilderness and Ecological Reserves Advisory Council (WERAC) advises government through the Minister of Environment and Conservation on the creation and management of wilderness and ecological reserves within the province. The Council consists of 11 members appointed by the Lieutenant-Governor in Council for a three-year term.

Council members serve as volunteers; however, travel, accommodations and related costs are covered by the current account budget of Parks and Natural Areas Division, Department of Environment and Conservation. During the fiscal year 2007-08, WERAC's budget was \$44,000. Expenses incurred by WERAC are included in the financial statement of the Department of Environment and Conservation. The Council is not required to provide an audited financial statement.

Typically, the council meets four times a year, for two days each time at various locations around the province. The Secretariat is provided by the Parks and Natural Areas Division in the person of:

Mr. Paul A. Taylor, Natural Areas Planner
Natural Areas Program, Parks and Natural Areas Division
Department of Environment and Conservation
33 Reid's Lane, Deer Lake, NL, A8A 2A3
werac@gov.nl.ca

WERAC and the Division work together to ensure that all public and private interests are considered when reserves are being planned and established. WERAC makes its recommendation on reserve creation to government with government itself making the final decision.

Current Membership*

Name	Role	Residence
Dr. John McCarthy	Co-Chair	St. John's
Ms. Christine Doucet	Co-Chair	Frenchman's Cove
Dr. Bill Montevecchi	Member	St. John's
Dr. Len Zedel	Member	Portugal Cove
Mr. Bill Kelly	Member	Goose Bay
Ms. Laura Jackson	Member	St. John's
Mr. Bruce Porter	Member	Lewisporte
Mr. Tony Ryan	Member	Port Saunders
Dr. Luise Hermanutz	Member	Portugal Cove
Mr. Peter Genge	Member	Labrador City
Ms. Phyllis Baird	Member	St. Andrew's

* The term of appointment for all eleven members has expired (three expired in October 2005, seven expired in July 2007, and one expired in December 2007).

2. Mandate

The *Wilderness and Ecological Reserves Act*, 1980, under Section 7, provides for an Advisory Council to advise government on the establishment, management and termination of wilderness and ecological reserves within the province. The Council's duties include consultation proceedings with interested government departments, industry stakeholders, the general public, and other bodies 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 B for fuller details of the legislated mandate of the WERAC.

3. Lines of Business

The WERAC provides the following line of business:

1. Advises government on the establishment, management and termination of wilderness and ecological reserves in the province:

- Examines areas of the province in order to determine which areas are suitable for the establishment of a reserve (ie. three criteria guide reserve creation; large wilderness areas, ecosystem representation and rare natural phenomena)
- Accepts recommendations from the public in relation to the establishment of or a change in a reserve (ie. through presentations, letters of nomination, etc.)
- Hold consultations with stakeholders and public hearings to consider submissions, representations and objections respecting the establishment of a reserve

Within 120 days of the public hearings report 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, including its assessment of objections or reservations raised at the hearing

4. Values

WERAC will consider all public submissions on the identification, establishment, management and decommissioning of wilderness and ecological reserves. Using the best scientific information available, the most comprehensive understanding of social and economic impacts on protected areas and through an open, transparent and consultative process, WERAC accepts the following values:

Values	Action Statements
Transparency	The Council will exercise due diligence when considering the opinions and points of view of different parties for the purpose of advising the minister on matters related to ecological and wilderness reserves
Accountability	The Council is dedicated to providing accurate and timely information to stakeholders and to working within legislated timeframes

Responsibility The Council will work to ensure that the interests and concerns of the public are considered and accurately represented when advising the minister on the establishment of reserves

5. Primary Clients

The WERAC's primary clients include the following:

- Select members of the Public (including private citizens, environmental non-governmental organizations, and industry representatives)
- Federal Government and other provincial departments

Local service districts, town council and local governments

6. Vision

The vision of the WERAC is the timely establishment of a functional network of protected areas throughout the province of Newfoundland and Labrador.

7. Mission Statement

Creating and maintaining a network of properly designed and legally designated protected areas is one of the key ways WERAC intends to do its part to ensure the preservation of Newfoundland and Labrador's natural heritage. By 2011, WERAC will focus on supporting the development of a Natural Areas Systems Plan (NASP). To facilitate this mission WERAC will hold Council meetings at least twice annually, in various parts of the province, review and identify priority areas and review public submissions and consult various stakeholders.

Mission: By 2011, WERAC will have supported the development of a protected areas plan in accordance with government direction.

Measure: Supported the development of a protected areas plan

Indicators:

- Points of view of the stakeholders are considered in the development of recommendations
- Recommendations are brought forward to the minister for the promotion of candidate areas for reserve status

8. Goals

The following table outlines goals, measures, and indicators identified in WERAC's 2007-08 Activity Plan and highlights accomplishments achieved for the fiscal year 2007-08. The goals reflect WERAC's vision and mission statement 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.

Goal 1: By 2008, WERAC will have completed an assessment of Middle Lawn island as a protected area.

Measure: Completed Assessment.

Indicators	Accomplishments
<ul style="list-style-type: none"> Report is provided to the Lieutenant-Governor-in-Council via the responsible Minister of the results of the assessment. 	<ul style="list-style-type: none"> Indicator achieved: On November 30, 2007, WERAC recommended establishment of Lawn Islands Archipelago Provisional Ecological Reserve to Minister of Environment & Conservation

Goal 2: By 2008, WERAC will have reviewed priority issues for candidate areas.

Measure: Reviewed priority issues.

Indicators	Accomplishments
<ul style="list-style-type: none"> Report is prepared to identify the priority issues for candidate areas 	<ul style="list-style-type: none"> Indicator achieved: Priority Issue of public request to establish an Emergency Ecological Reserve in the Avalon Forest Ecoregion was addressed and a report prepared and submitted, on December 6, 2007, to Minister of Environment & Conservation not recommending the establishment of an Emergency Ecological Reserve. Active participation on Deputy Minister-appointed Working Committee reviewing study areas in the proposed NASP

Goal 3: By 2008, WERAC will have promoted the benefits of protected areas.

Measure: Promoted the benefits of protected areas.

Indicators	Accomplishments
<ul style="list-style-type: none"> The benefits of protected areas are communicated to government committees during consultation processes. 	<ul style="list-style-type: none"> Indicator achieved: On April 1, 2007, WERAC presented to the Premier’s Business Advisory Board and communicated the benefits of protected areas. WERAC has actively participated on a Deputy Minister-appointed Working Committee reviewing study areas in the proposed NASP.
<ul style="list-style-type: none"> Information regarding benefits of protected areas is provided through correspondence with stakeholders. 	<ul style="list-style-type: none"> Indicator achieved: On June 7, 2007, WERAC met with local stakeholders to discuss the benefits and local concerns about establishing Lawn Islands Archipelago as a Provisional Ecological Reserve. On March 14, 2008, WERAC met with local stakeholders to discuss benefits and local concerns associated with the proposed Mealy Mountains/ Akamiupishk National Park. Multiple letters issued under WERAC letterhead promoting benefits of protected areas.

9. Highlights and Accomplishments

Meetings

The Advisory Council met four times during the 2007-08 fiscal year: June 7-8 in St. Lawrence, September 18-19 in St. John’s, November 28-29 in Deer Lake, and March 14-15 in Goose Bay. Meetings normally include, among other agenda items, a review of incoming/outgoing correspondence, an update and discussion on the status of candidate areas, and formal presentations by government departments, industry stakeholders, the general public, and other bodies. Business minutes are recorded and on file with WERAC’s Secretariat.

To facilitate the identification of candidate reserves, WERAC carries out preliminary assessments of sites and engages local community champions. During the June meeting, an attempt was made to tour a seabird colony with community stakeholders near the community of

Lords Cove (Burin Peninsula). Unfortunately, a site visit was not possible due to inclement weather. However WERAC did meet and discussed various issues with community stakeholders and key persons (i.e. scientists, local birders, and economic development representatives) interested in reserve establishment. At this meeting WERAC was also briefed on progress made by the NASP Working Committee and updated on a presentation made by John McCarthy to the Premier's Business Advisory Board.

At the Advisory Council's September meeting, members were briefed on progress made by the NASP Working Committee towards resolving outstanding conflicts related to the NASP (i.e. challenges of engaging other Departments, addition of new areas being considered, update on Deputy Ministers meetings, etc.). A number of other items related to future reserve management and planning were also discussed and received recommendations from WERAC.

During the November meeting, WERAC was requested by the Minister of Environment and Conservation to review merits of a proposal requesting emergency ecological reserve status for an area within the Central Avalon Forest Ecoregion. Requests to establish ecological reserves are regularly submitted by individuals. Rarely are requests received to establish an emergency ecological reserve, a provision under Section 22 of the *Wilderness and Ecological Reserves Act*. Emergency Reserves can be established if, in the opinion of the Minister, the area is in danger because of some imminent activity, action or event. Reaching a recommendation was difficult. However after a thorough assessment of the situation WERAC did not recommend the establishment of an Emergency Ecological Reserve.

The final meeting of the fiscal year was held in Goose Bay, Labrador. At this meeting, WERAC received a thorough briefing on the status of the NASP. The Advisory Council also reviewed management objectives for Sandy Cove Provisional Ecological Reserve that would be presented at a public hearing for the coming May or June. The Council met with a group of Labradorians who fully supported the creation of the Mealy Mountains/Akamiauapishk National Park. Concerns and opinions were summarized and forwarded to the Minister of Environment and Conservation.

Candidate Areas

Throughout this reporting period, WERAC has continued to review and examine areas of interest. Additional files, active and outstanding, include Lawn Islands Archipelago, Sandy Cove, Mistaken Point Extension and Little Grand Lake. Each of these files is at a different stage of the reserve establishment process. The following outlines WERAC's progress on these four files:

(i) Lawn Islands Archipelago

On November 30, 2007, the Advisory Council, as per Section 12c of the *Wilderness and Ecological Reserves Act*, recommended government establish Lawn Islands Archipelago Provisional Ecological Reserve. The proposed reserve is located near Lord's Cove on the Burin Peninsula and is the only known North American colony of Manx Shearwaters. To date government has not made a decision on reserve establishment.

(ii) Sandy Cove

Sandy Cove study area, located on the Great Northern Peninsula, is proposed to protect the endangered endemic plant, Long's braya. On April 5, 2007, Sandy Cove was approved by government as a provisional ecological reserve. Provisional reserves receive protection while they are being reviewed for full designation as permanent ecological reserves. This allows the public to give input into reserve creation and management. In accordance with the *Wilderness and Ecological Reserves Act*, Section 16, the Advisory Council will host a public hearing within 90 days of the date of publication of notice issued by the Minister under Section 15. Within 120 days of the public hearing, the Advisory Council will then submit a report to the Lieutenant-Governor in Council, through the Minister, on the advisability of the establishment of a reserve. The Minister published the notice announcing Sandy Cove Provisional Ecological Reserve on March 29, 2008.

(iii) Mistaken Point Extension

Mistaken Point Extension Emergency Ecological Reserve was established on March 13, 2007, to provide protection to a newly discovered fossil site adjacent to Mistaken Point Ecological Reserve. Recommendations from both WERAC and government are now required by March 2009 to incorporate the extension emergency boundary into the existing Mistaken Point Ecological Reserve. Public consultations have been scheduled for April 12, 2008 and a report from WERAC to government is required within 120 days of the public consultation.

(iv) Little Grand Lake Provisional Ecological Reserve

Little Grand Lake Provisional Ecological Reserve (731 km²) protects extensive bogs and barren, as well as mature boreal forest that is prime habitat for the threatened Newfoundland marten. On February 11, 2004 a public discussion was held on the proposed management plan and on January 25, 2005, a report detailing WERAC's recommendations on establishing the area as an ecological reserve was submitted to government for review. To date government has not made a decision on reserve establishment.

10. Shared Commitments

Creating and maintaining a network 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. Over the coming years WERAC will continue to support the development of a NASP, a key strategic direction of government. To accomplish this, WERAC will review priority issues for candidate areas on a regular basis and help promote the benefits of protected areas by consulting with interested stakeholders, responding to correspondence and conducting presentations for stakeholders. A representative from WERAC has actively participate as a member of a Deputy Minister-appointed Working Committee reviewing study areas in the proposed NASP.

11. Challenges and Opportunities

In WERAC's Annual Report 2006-2007 a number of challenges to the promotion of protected areas in the province were identified. Over the past year, none of these concerns were addressed. These long-standing concerns remain as follows:

- 1.** Of primary concern is the lack of progress in the implementation of the NASP. Despite a strong commitment to protected areas and sustainable development in government's Blue Book, little progress in the actual designation of protected areas has been made. Release of the NASP for public review and discussion was recommended in 1996 by a NASP Committee established in 1995. To date, this has not happened. The absence of public consultations on a draft NASP and the release of a final NASP are the most significant obstacles faced by WERAC in the execution of its mandate.
- 2.** The government's recent NASP conflict resolution process has failed – as it did in 2000. While some study areas were agreed to by the committee members, others were not resolved and have been referred to the executive level. WERAC has yet to be informed of any executive level decisions or progress made at the executive level.
- 3.** Over the past five years, WERAC has submitted recommendations for the establishment of two ecological reserves (Little Grand Lake Ecological Reserve and Lawn Islands Archipelago Provisional Ecological Reserve). Both of these recommendations have yet to be addressed by government. Other WERAC recommendations were considered by government only after a considerable length of time. For example, the June 16, 2005 Sandy Cove Provisional Ecological Reserve recommendation was not officially addressed until almost two years later on April 5, 2007.
- 4.** Negotiations on the boundary of the Mealy Mountains/Akamiaupishk National Park were conducted in the absence of any consultation with WERAC. The changes recommended by government significantly impact the Systems Plan Strategy for Labrador. The original study area boundary and proposed extensions provided protection for 6 of the 10 ecoregions of Labrador. The smaller boundary and change in the protection regime for the Eagle River mean that WERAC will need to reevaluate additional areas to meet conservation goals for Labrador. Since at least the year 2002, repeated correspondence from WERAC to government on this issue was never addressed.
- 5.** WERAC does not currently have any official members. The 3-year terms for all members have expired. A second 3-year term for three WERAC members will expire in October 2008. This, despite the fact that the three members were never officially appointed for a second term.

Despite these challenges, WERAC continues to recognize many opportunities associated with its mandate.

- 1.** We look forward to the public release of the Natural Areas Systems Plan. The plan will provide an excellent opportunity to engage the public, industry and governments on the

establishment and management of a protected areas network for Newfoundland and Labrador. Such a network is crucial for sustainable development and provides a measure of certainty for industry with respect to planning.

- 2.** The release of the Natural Areas System Plan will herald an intensified role for WERAC. The committee looks forward to discussing the establishment of a system of protected areas, both the benefits and the associated constraints, with the public at large.
- 3.** The appointment of a full eleven member council will provide WERAC with a renewed sense of commitment to our mandate and provide opportunity for new members to contribute to protected areas planning and establishment in the province.
- 4.** WERAC recognizes many opportunities that arise as a result of individual submitting candidate areas for consideration by WERAC. Over the last several years, many individuals have asked WERAC to consider a local area for designation as an ecological reserve. These areas are special to the local population who wish to see the areas set aside for their children and grandchildren. To date, WERAC has been able to address a very limited number of the proposals but the public interest dedication and persistence of individuals is an inspiration to WERAC members.