

# ONTARIO FEDERATION OF ANGLERS & HUNTERS



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September 1, 2011

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Ministry of Natural Resources  
Regional Operations Division, Northeast Region  
Wawa District Office  
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Wawa, Ontario  
POS 1K0

Dear Wendy:

**Subject: E.B.R. Registry Number PB06E2025: Land Use Planning for All Provincial Unregulated Crown Lands and Waters in the Wawa District – Public Inspection of Updated Preliminary Management Options**

On behalf of the Ontario Federation of Anglers and Hunters (OFAH), its 100,000 members, subscribers and supporters, and 670 member clubs, we have reviewed the preliminary management options for land use planning in the Wawa District - Crown Land Use Atlas Harmonization (CLUAH) project – and provided recommendations.

## **Background**

For many years, Crown forest road access conflicts have been common in the Ministry of Natural Resources (MNR) Wawa District. Land use policy inconsistencies that resulted from the 1992 reorganization of MNR District boundaries has been widely cited as a major reason behind the escalating resource user conflicts. Additionally, the increasing imbalance of opportunities supplied by MNR to different Crown land resource users has also been a significant factor. The forest road network of the Wawa District is critically important for supplying recreational use opportunities by residents and non-residents. Accessibility to the forest road network has enormous implications for the socioeconomic sustainability of Dubreuilville, Hornepayne, Manitouwadge, Wawa, White River and other communities within the Wawa District.

In recent years, Crown land resource users have witnessed the erosion of public accessibility to the Crown forest road network. Lack of funding, perceived liability issues, sensitive ecological values and tourism values have been used to rationalize the decommissioning and restriction of forest roads. The public discontent resulting from diminishing accessibility is further intensified by the lack of any assurance that public resource user values will be protected (from a land use perspective). In contrast, remote tourism operators receive protection under the Tourism and Recreation Strategy for the Wawa District. This strategy only provides protection for tourism values (particularly remote tourism), but must incorporate provisions that recognize other non-commercial forms of recreation (e.g. angling and hunting), as well as forestry and other industries that sustain northern Ontario economies.

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**Crown Land Use Atlas Harmonization**

The Crown Land Use Atlas Harmonization (CLUAH) project was initiated to review existing Crown land use policies and develop high-level strategy that aims to reduce the current and future potential for conflict between resource users in the Wawa District. The current rate of conflict, particularly within forest management planning exercises, is placing considerable strain on natural resource management because of the time and resources necessary for resolution processes at the MNR District and Regional levels, as well through the individual environmental assessment process carried out by the Ministry of Environment. According to the MNR, the CLUAH project is intended to help minimize conflict and the need for formal resolution processes.

To achieve the primary objective of conflict prevention, the OFAH believes that the CLUAH project must identify, understand and target solutions to address the root causes of the conflict. Furthermore, the OFAH believes that the success of the CLUAH project should be measured by tangible evidence that the resultant high-level policies help to reduce the overall conflict in the Wawa District. The project should NOT attempt to balance the gains/losses for individuals or groups resulting from this exercise because it will only work to further polarize the issue and intensify the conflict.

The CLUAH initiative is a land use planning ‘pilot project’ that has the potential to be implemented in other MNR Districts in the future. Therefore, it is imperative that the process and outcome of CLUAH in the Wawa District accurately reflects the social, economic and ecological need for recreational land use planning. Clarity and consistency of policies, transparency of rationale and legitimacy of the demand for proposed land use designations are the primary considerations underlying the OFAH recommendations provided below. The recommendations are proposed for consideration during the development of recreational land use policies for the Wawa District. The recommendations are largely based on principles within the management options as presented during Phase III of CLUAH public consultation. In their entirety, the OFAH recommendations represent a viable alternative to the four management options that have been developed by the CLUAH Working Group and Steering Committee.

**Motorized Access Restrictions on Designated Remote Tourism Lakes**

There are 89 designated remote tourism lakes in the Wawa District. Of the Wawa District’s 54 lakes greater than 300ha, 29 are designated as remote tourism lakes (61% of the overall surface area for waterbodies greater than 300ha). The current Tourism Strategy provides protection for remote tourism values, largely through operational prescriptions for forest management. These prescriptions include:

- *No cut reserves* around lakes, lodges and outpost camps to prohibit timber harvest;
- *Viewshed management* to maintain an aesthetically pleasing forested appearance;
- *Timing restrictions* on forest harvesting, road construction and log hauling around lodges and outpost camps to reduce auditory disturbance for tourism clients;
- *No roads reserves* around lodges, outpost camps and designated remote tourism lakes to reduce the potential for public access to the lake; and
- *Access Restrictions* for other resource users at least 3 kilometres away from remote tourism lakes.

The OFAH believes that these existing operational prescriptions are overly restrictive for what is needed to protect remote tourism values. Specifically, the OFAH believes that the Tourism Strategy provision for access restrictions is unnecessarily restrictive and is a major contributing factor to conflict within the Wawa District.

**Motorized Access Restrictions: Size of Buffers**

**Recommendation:** Motorized access restrictions should not occur more than one kilometre from remote lodge and outpost camp lakes.

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**Rationale:** Consistency: The existing operational prescriptions for forest management state that new primary and secondary roads should be built at least 2 kilometre from a remote tourism or outpost camp lake. Prescribing motorized access restrictions that mirror these boundaries would provide greater consistency and simplicity for road use management that would help to minimize the potential for confusion.

Restriction of Entire Road systems: Not all roads or road systems terminate within a remote tourism lake buffer. This means that motorized access restrictions designed to protect remote tourism values near the designated lake also restricts public resource use on the remaining length of road that is outside of the buffer's boundaries. Reducing the buffer to 1 kilometre would mitigate these problems.

Connection Corridors: Furthermore, in some areas of the Wawa District, the proximity of remote tourism lakes to each other results in the overlap of buffers. This causes considerable restrictions to public access and reduces the public connection corridors between communities that promote and facilitate regional resource use.

Lack of Evidence: In addition, there is no existing empirical rationale that suggests motorized public access must be restricted at least 3 kilometres from a remote tourism lake. Hunt and Lester suggested that roads should not be constructed within 1 kilometre of a remote tourism lake (see *The effect of forestry roads on access to remote fishing lakes in northern Ontario, Canada* in North American Journal of Fisheries Management, 2009).

**Motorized Access Restrictions: Opportunity Lakes**

There are 49 designated Opportunity Lakes in the Wawa District with the recommended classifications: remote (24), semi-remote (14) and drive-in (11). Opportunity Lakes currently receive the same protection as designated tourism lakes based on their recommended classification.

**Recommendation:** **Opportunity lakes should only be retained if there is a significant justification for remote tourism expansion. There should be a thorough assessment to determine the overall demand for Opportunity Lakes in the Wawa District.**

**Rationale:** If actual demand by the public for remote tourism opportunities has already been met or exceeded in the Wawa District, then it is unlikely that there is a justifiable need for 24 remote Opportunity Lakes. The designation of some Opportunity Lakes could be removed or re-designated (i.e. drive-in) to diversify tourism and public recreational opportunities within the Wawa District.

**Recommendation:** **There should be no motorized access restrictions or timing restrictions (for forestry) near Opportunity Lakes.**

**Rationale:** No cut reserves, viewshed management and limitations on the location of road construction could still apply for some Opportunity Lakes to maintain their potential as future remote tourism lakes (on an as needed basis). Motorized access and forestry timing restrictions are unnecessarily restrictive in areas with no active remote tourism operations because they do not affect existing activities, nor do they impact the future potential for tourism.

**Motorized Access Restrictions: Inactive remote tourism Land Use Permits**

Some designated remote tourism lakes in the Wawa District do not currently have active tourism operations or Land Use Permits (LUP).

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**Recommendation:** Remote tourism lakes that have no active operations or LUPs should be identified and re-designated.

**Rationale:** These lakes could be re-designated as Opportunity Lakes or General Use Areas. Re-designation of inactive remote tourism lakes will help promote other forms of tourism and remove unnecessary restrictions on other Crown land users. A redistribution of resource use in the District will further reduce potential conflicts.

**Motorized Access Restrictions: Messaging**

**Recommendation:** Signs indicating motorized access restrictions should incorporate clear and consistent messaging throughout the entire district. Signs should read:

“The use of motorized vehicles for the purpose of [accessing lakes x, y, z; moose hunting; etc.] from [start date] to [finish date] beyond this point for [x] km is prohibited.”

**Rationale:** Inconsistent wording and inadequate sign placement often result in confusion about the permitted and prohibited uses on a road or road system. In many cases, this can be a significant source of the conflict between resource user groups.

**Motorized Access Restrictions: Access to non-buffer areas**

**Recommendation:** For those primary or secondary roads (or road systems) that extend beyond a tourism buffer, access to the remaining length of the road by motorized vehicles should not be restricted. Therefore, signs should be posted on the road at the entry and exit access points of the buffer to make users are aware of the permitted and/or prohibited uses. The entrance sign should read as recommended above. The exit sign should read: “[Moose hunting] is permitted beyond this point.”

**Rationale:** This provides road users with a clear indication of where the motorized access restrictions do and do not apply.

**Motorized Access Restrictions: Timing**

**Recommendation:** There should be no motorized access restrictions (for the purposes of protecting remote tourism values) that extend beyond the peak (summer) tourism operating season (i.e. June 01 – August 31).

**Rationale:** Motorized access restrictions to protect remote tourism values during the ‘off-season’ are unnecessary. The construction of roads at least 2 kilometres from remote tourism lakes, as well as the existing suite of fisheries regulations provides sufficient protection for tourism values during the non-operational season. There is no empirical rationale to suggest that the existing hunting and fishing regulations jeopardize remote tourism values. In other words, motorized access restrictions should not be used as a substitute for sound wildlife or fisheries management.

**Motorized Access Restrictions: Road access restriction Land Use Permit**

**Recommendation:** Any restriction of a road or road system (for the purposes of protecting remote tourism values) that extends beyond the peak (summer) tourism operating season should require an operator to apply annually for a LUP for that period.

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**Rationale:** The application for a LUP must demonstrate adequate and relevant justification for a road closure. As a result, inactive tourism operations would not be eligible to receive an LUP and that area of Crown land would become available for public resource use. This would not only help to optimize resource use within the District, but also help to redistribute effort and minimize the potential for conflict with active tourism operations. For example, motorized road access restrictions during the moose hunt (described below) must show that they have a sufficient number of moose Adult Validation Tags and customers to use them.

**Recommendation:** **A successful LUP application would be associated with an annual fee. Failure to demonstrate a justified need or make payments would invalidate the LUP.**

**Rationale:** The annual purchase of the LUP for a road closure would further ensure that Crown land resources are optimally used and that restrictions are only used when there is a demonstrated need to do so. Annual purchase of a LUP would also help to minimize the abuse of road closures.

**Motorized Access Restrictions: Two-week moose closures**

**Recommendation:** **Current two-week road closures during the moose hunt should be eliminated.**

**Rationale:** The restriction of public moose hunting opportunities throughout the first two-weeks provides an unfair 'first chance' or quality advantage to a single resource user group. Eliminating this restriction will provide the public with more high quality moose hunting opportunities that is more equitable than the current conditions.

**Motorized Access Restrictions: Physical Barriers**

**Recommendation:** **Physical barriers (e.g. gates) should not be used to restrict motorized access on primary or secondary roads for the purpose of protecting remote tourism values.**

**Rationale:** The use of physical barriers unnecessarily restricts all Crown land resource users. For example, if a forest access road is gated to restrict individuals from a particular activity (e.g. accessing specific lakes), then all users (e.g. mushroom/berry pickers, grouse hunters, etc.) are denied access. This type of access restriction is overly excessive to achieve the desired goal.

**Recreation Access Enhanced Management Area**

The OFAH fully supports the designation of Recreation Access Enhanced Management Areas (hereafter referred to as Rec EMAs) on Crown land. The OFAH support for Rec EMAs is based on the premise that enhancement will actually occur in these areas, rather than potentially occur in these areas.

**Recommendation:** **Rec EMAs should include an Access Plan and be designated with realistic expectations for enhancing recreational opportunities (that cover all land use designations). Rec EMAs should not present unachievable objectives and goals to merely provide the illusion of balanced access in the Wawa District.**

**Rationale:** Rec EMAs should not be created in return for any proposal to increase remote access areas in the Wawa District. The designation of theoretical enhanced recreation management may work to further intensify conflict if actual enhancement to the status quo does not occur.



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**Recommendation:** Rec EMAs should provide specific prescriptions that enhance recreational opportunities by allocating MNR resources to:

- creation/improvement of access points to valued recreational destinations;
- construction and maintenance of roads and water crossings;
- construction and maintenance of boat launches; and
- fish stocking.

The importance of recreational values for each designated Rec EMA should be determined through public consultation of local resource user groups.

**Rationale:** The active promotion of recreational opportunities in areas that are located away from remote tourism operations will reduce the potential for conflict. An increase in the quality and quantity of road-accessible recreational opportunities will help to redistribute users throughout the District.

**Recommendation:** The designation of individual Rec EMAs should include a detailed strategy (access plan) that outlines the planning and implementation of the enhancement activities (outlined in the previous recommendation), including a budget of available funds.

**Rationale:** The proposal of Rec EMAs does not provide the necessary assurance for the protection or enhancement of road-based recreational values. Therefore, the proposal of Rec EMAs should provide a transparent access plan that details the enhancements that will occur, the annual budget and the term of financial commitment. Given the MNR's historical reluctance to invest in the type of enhancements proposed above, as well as perpetually looming budgetary cutbacks, we are skeptical that designating Rec EMAs will be a viable long-term solution to resource user conflicts in the Wawa District.

**Remote Access Enhanced Management Area**

The OFAH recognizes the value of remote recreational opportunities on Crown land. The OFAH submits that Crown land should be managed for a range of access conditions and acknowledges that managing a portion of Crown land for remoteness is a reasonable strategy in appropriate areas.

**Recommendation:** The number and size of Remote EMAs in the Wawa District should reflect the demand for remote recreational opportunities on the landscape.

**Rationale:** The existing operational prescriptions used to protect remote tourism values already provide remote recreation opportunities. Furthermore, the Wawa District has 2,237 km<sup>2</sup> and 1,841 km<sup>2</sup> of provincial and national parks, respectively. Many of these parks or zones within them provide high quality opportunities for remote recreational experiences. Given that opportunities already exist in the Wawa District, there may be a limited demand to justify the designation of Remote EMAs.

**Recommendation:** If there is a legitimate need for Remote EMAs, then they should be located in areas away from existing remote tourism protection (i.e. tourism buffers).

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**Rationale:** The Remote EMAs proposed in Management Options B, C and D are essentially extensions of existing protection for remote tourism. The designation of Remote EMAs directly adjacent to existing remote tourism buffers will further the conflict by eliminating 'connection corridors' even more than the 3 kilometre buffers already do. Locating Remote EMAs away from existing remote tourism operations would help to reduce the potential for conflicts (assuming there is a legitimate need for them in the first place).

**Summary**

To summarize the OFAH recommendations and further illustrate their potential to reduce resource user conflict, we have highlighted a specific area of the Wawa District for each of the two maps that were provided during the current phase of public consultation (see Figure 1). Figure 1(a) shows the 2 kilometre (remote lodge lakes) and 1 kilometre (outpost camp) buffers, which is similar to what the OFAH has recommended for buffer sizes. In this illustration, you can see that the reduction of buffer sizes (from the current 3 kilometres) result in most primary and branch forest access roads being located in the General Use Area. Therefore, decreasing the buffer sizes will reduce conflict between remote tourism and other recreational users. If you visualize an expansion of the buffers in Figure 1(a) by an additional 1 kilometre, you will start to see a greater overlap with forest access roads and trails. This helps explain why the current land use policies (status quo) have resulted in so much conflict in the Wawa District. Figure 1(b) is an illustration of what the same area would look like if Remote EMAs were designated (as proposed in Options B, C and D). The Remote EMAs would overlap with more forest access roads than the status quo (even entire road systems) and will have enormous potential to cause even greater conflict.

**Conclusion**

The OFAH has long recognized the need for better recreational land use planning for Ontario's Crown land. Therefore, the OFAH fully supports the use of recreational land use planning to help reduce the high degree of conflict that currently occurs in the Wawa District. Although the OFAH believes that the CLUAH project has considerable potential to prevent resource user conflicts, we caution the MNR from endorsing a management option that will eventually polarize resource users even further. We agree with the MNR's objective to make land use policies more clear and consistent; however, we do not believe that the current approach effectively and successfully addresses the root causes of conflicts between Crown land user groups. Creating Rec EMAs for road-based users and Remote EMAs for remote tourism operators will not help to prevent current or future conflicts. We believe that Management Options B, C and D as presented in Phase III of the CLUAH exercise will actually further intensify the conflicts.

Yours in Conservation,



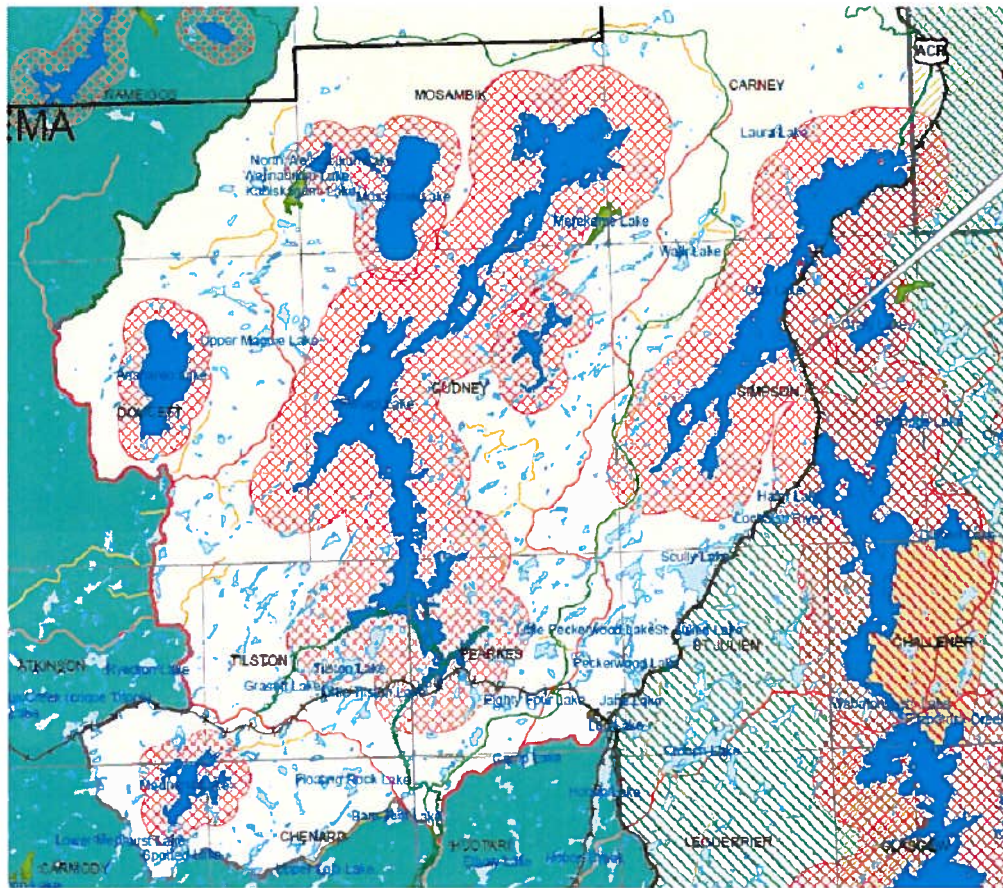
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 Attach.

cc: OFAH Board of Directors  
 OFAH Land Use/Access/Trails Advisory Committee  
 Mike Reader, OFAH Executive Director  
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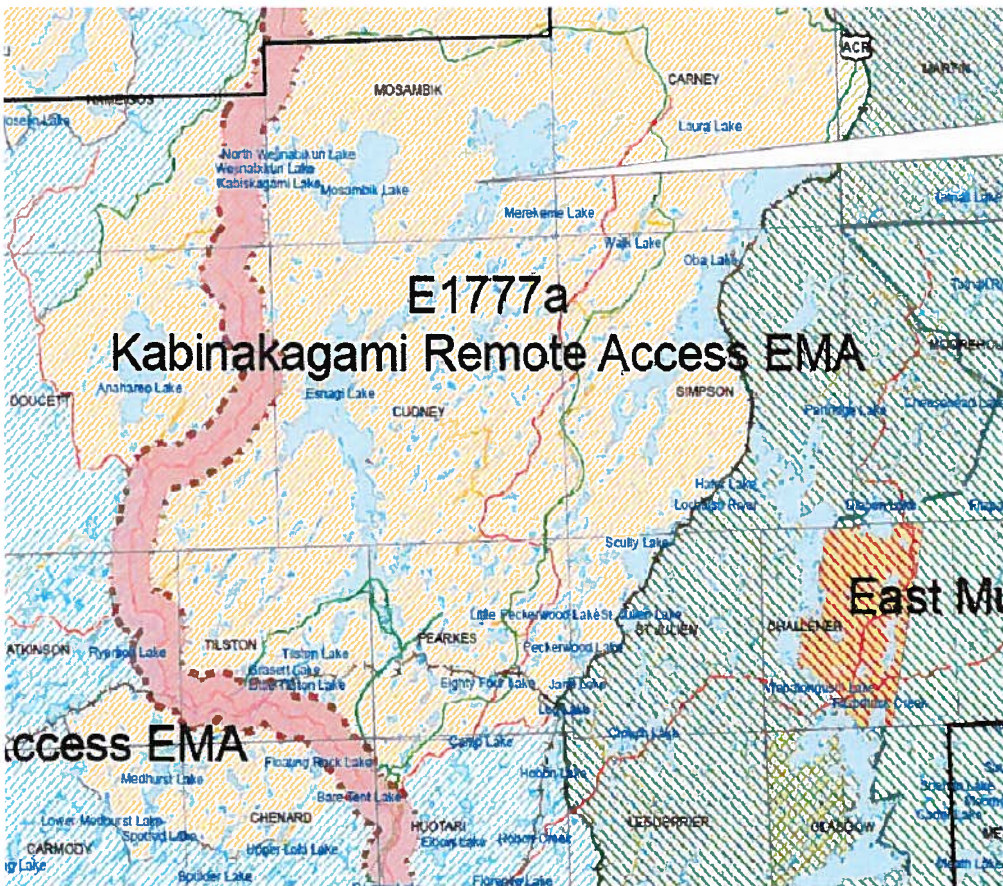
(a)



**LEGEND**

- Remote Tourism Buffer
- Designated Remote Lake
- Opportunity Lake
- General Use Area
- Recreation Access EMA
- Primary Forest Access Road
- Branch Forest Access Road
- Trails (e.g. snowmobile)

(b)



**LEGEND**

- Remote Access EMA
- Recreation Access EMA
- Primary Forest Access Road
- Branch Forest Access Road
- Trails (e.g. snowmobile)
- Recreation Access Rout

**Figure 1.** The same geographic area of the Wawa District is highlighted from maps representing (a) Option A, and (b) Options B, C and D, as presented during the Public Review of the Preliminary Management Options for the Crown Land Use Atlas Harmonization Project. OFAH has adapted Figure 1 (maps and legend) from the original MNR maps for illustrative purposes only. Please see the original maps posted on the EBR Registry website ([www.ebr.gov.on.ca](http://www.ebr.gov.on.ca)) for more details.