

# Sask. wildlife habitat changes spark controversy

By Karen Briere, Regina bureau

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Saskatchewan's environment minister says legislation that could see crown land taken out of wildlife habitat protection and sold to the producers who lease it should pass this session despite recent controversy.

Nancy Heppner last week apologized to conservationists who said they hadn't been fully consulted about changes to the Wildlife Habitat Protection Act.

But after an April 29 meeting with conservation group representatives and several ranchers, she said she expects the legislation will go ahead. The session is scheduled to end May 20.

"If there's areas where we can improve, I'm open to those," she told reporters after the first meeting. Another meeting was scheduled for May 6.

The environment ministry is using a new ecological assessment tool to assess the 3.5 million acres protected under the WHPA. Heppner said up to 10 percent of the land with the lowest ecological assessment could be removed from protection and sold.

Other land, considered of moderate ecological value, could also be sold but with a new crown conservation easement attached.

Conservation easements have been available for years in Saskatchewan but amendments to the Conservation Easement Act passed last week would allow for the sale of crown land with a crown easement attached to protect the land regardless of who owns it in future.

Land with high ecological value would remain under the WHPA.

Conservation organizations said they are concerned about the effectiveness of the Crown Land Ecological Assessment Tool, which is a computer modelling system.

"The principal I think is fine in the sense that the land should be evaluated," said Brent Kennedy, the Saskatchewan operations manager of Ducks Unlimited Canada. "Some of these lands have been wildlife protected lands for some time and they probably warrant a review as to whether they still provide that same level of habitat."

But he said the evaluation process must be fair and recognize all the ecological values of the land. DUC wants wetlands to be given full value in terms of their ecological value and function.

When the WHPA was first implemented in 1984, it set aside land for wildlife habitat. Since then other issues such as species at risk have become a greater concern.

"These lands were 25 years ago deemed to be critical wildlife habitat when sage grouse and burrowing owls were not endangered species and now they're virtually gone," said Nature Saskatchewan president and former NDP environment minister Lorne Scott.

Cattle producers said they understand those concerns.

"I think the ranchers and farmers have done a good job and our goals align with environmentalists," said Saskatchewan Stock Growers Association president Calvin Knoss.

He said much of the prairie grassland first placed under the WHPA was in such a pristine state because generations of ranchers had worked to preserve it.

But the right to own land and the long-term stability that comes with it should not be ignored.

“There’s rights that go along with owning the land,” said Knoss. “The ability to finance and (hold) equity makes it easier to make decisions and participate with changes in the economy.”

Saskatchewan crown lease land cannot be used as lender security when applying for financing.

Saskatchewan Cattlemen’s Association president Jack Hextall said he was surprised that the issue would generate so much controversy.

“Farmers and ranchers have looked after this land forever. The government hasn’t,” he said.

“We don’t have any problems with private ownership because it’s the people on the land that have been delivering the stewardship.”

Cattle producers like the idea that a uniform assessment tool will be applied to determine which land should be protected. Knoss said there have been inconsistencies in the past, resulting in a shotgun approach in the way lands were set aside.

“If there is some land that may have been included in the first place that isn’t necessary for conservation, then it hopefully will be released,” he said.

“It’s not so much the number or the amount of land that gets released, it’s doing a science-based evaluation of the need for conservation.”

Hextall suggested there won’t be a lot of land available for outright sale with no protection. And he said ranchers could work under the conservation easement.

However, NDP environment critic Sandra Morin said the easements might not be much protection because the legislation allows the minister to remove them.

“What can then happen is that someone can then make an application to have a conservation easement removed and it’s under the minister’s discretion to do so and it’s not court challengeable,” she said.

Heppner said an easement could only be removed if it met the public good.

“It can’t be done on just a simple request from a landowner,” she said.

The minister added that she is concerned that people may be taking sides on this issue.

“We are all on the same side on this,” she said. “We want to make sure people have the opportunity to buy their land but we want it protected.”

### **Saskatchewan's Wildlife Habitat Protection Act**

WHPA designated lands will be reviewed using a computer modelling program that will assess and identify:

\* land that has a low ecological value and can be sold outright

\* land that has a moderate ecological value and may be sold subject to a crown conservation easement to protect that

value

\* land that has a high ecological value and will be retained

\* Once completed, this approach may be applied to other unprotected crown lands in southern Saskatchewan that have not already been assessed for their ecological value.

\* The majority of lands now protected through WHPA will continue to be protected either through a crown conservation easement or by remaining within the WHPA. In addition, any lands protected under other legislation or policies will remain protected (i.e. provincial parks, ecological reserves and Fish and Wildlife Development Fund Lands).

Source: Government of Saskatchewan, Department of Environment

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