
Approved:	Jim Standen
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Effective Date:	January 30, 2018
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Relationship to Previous Policy:	This policy replaces all previous policy regarding notification and engagement with the public on park use permits, resource use permits, or ecological reserve permits
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Park Use Permits

Public Notification and Engagement

Purpose

The purpose of this policy is to set direction on how BC Parks will inform the public of permits that have been issued or may be issued within provincial parks, protected areas, conservancies, ecological reserves and recreation areas, and to provide criteria on when the public will be engaged prior to making a decision on a permit application.

Scope

This policy applies to park use permits and resource use permits within parks, protected areas, and conservancies, and resource use permits in recreation areas, and ecological reserve permits within ecological reserves. Permits for operation of campgrounds (e.g. Park Operator Agreements, Operations Permits) are not addressed by this policy. This policy does not address, replace or prejudice the Province’s legal consultation requirements with First Nations under the *Canadian Constitution Act, 1982*, or as otherwise required by government-to-government agreements.

Definitions

“**active permit**” means a permit that has been issued under the *Park Act* and which has not yet expired or been cancelled

“**application**” means a written application on an application form approved by BC Parks to undertake an activity that requires a permit under the *Park Act* or *Ecological Reserve Act*, and includes an application to undertake a new activity or an application to renew, transfer or amend an existing permit

“**engagement**” means citizen participation in decision-making processes that affect the public in whole or in part¹, and encompasses a spectrum of participation from providing information, to consultation, involvement, collaboration, and empowerment

“**park**” for the purpose of this policy means Crown land established or continued as a park or conservancy under the *Park Act* or the *Protected Areas of British Columbia Act*, a recreation area under the *Park Act*, or a protected area under the *Environment and Land Use Act*, and includes ecological reserves under the *Ecological Reserve Act* or *Protected Areas of British Columbia Act*

¹ Definition from the International Association of Public Participation (IAP2)

“**permit**” means a park use permit or resource use permit issued under the *Park Act*, or an ecological reserve permit issued under the *Ecological Reserve Act*

Policy

The policy provides direction to BC Parks staff on when information will be made available to the public, what information should be routinely released to the public (section 1.2), and the criteria that should be used to determine where public input will be sought prior to permit issuance (section 1.3).

1.1 Principles and Authorities

BC Parks is committed to informing the public about permit applications and active permits within parks. BC Parks intends to realize this commitment by sharing up-to-date information on active permits within the parks system on a webpage, providing notice to the public where a permit is intended to be issued, and identifying to the public when public consultation will be undertaken as part of the permitting process.

1.1.1 *Park Act* Authorities

Section 20 of the *Park Act* provides authority to issue park use permits and resource use permits, and also enables the minister to require that the public be provided an opportunity to review and provide comments on an application before a park use permit or resource use permit is issued (section 20(3)). Where an opportunity for review and comment will be required, certain information, such as details on the park use permit or resource use permit application, where information can be found, and the time period and address that the public may use to submit comments, must be provided by the minister under section 20(3.1). BC Parks staff are designated to act on behalf of the minister to issue park use permits and resource use permits.

1.1.2 *Ecological Reserve Act* Authorities

Ecological reserve permits are managed under the *Ecological Reserve Act* which does not contain provisions on advertisement of permits. However, in order to maintain transparency and consistency across the parks system, the direction in this policy will also be applied to ecological reserve permits. BC Parks staff are appointed as administrators under the *Ecological Reserve Regulations* and may authorize the use of an ecological reserve for research or educational purposes.

This policy sets direction on when the minister may require public comment, how information on a proposed permit will be made available where comments are being sought, and how comments will be considered in the decision making process.

1.2 Information Sharing

BC Parks shares information on active permits and provides notice to the public where a permit is intended to be issued. The intent of these notifications is to share information; section 1.3 of the policy sets direction on when and how public comment may be sought.

1.2.1 Information on Active Permits

Activities that have been authorized under permit within parks are published online for the public to view. The intent of these postings is to create transparency on decisions to authorize activities within parks, and increase awareness of permitted activities within parks.

Information provided on active permits will include, at a minimum, the name of the person or company holding the permit, the location of the permit (name of park(s), area of province), the date the permit was issued, the length of term of the permit, and a summary of activities authorized under the permit. Information on active permits should remain available online until the permit is no longer active (i.e. expires or is cancelled). BC Parks will endeavour to make available all relevant information on an active permit, subject to the *Freedom of Information and Personal Privacy Act* and technical limitations.

1.2.2 Notification of Permit Applications

Prior to issuing a permit for commercial recreation activities, general research activities, major film activities or to allow for changes to existing land use activities, staff will provide information to the public about the application in an accessible format. The intent is to share information with the public on applications for permits within parks, and to increase awareness of permit applications being considered for decision, but not to seek comment on applications.

Before staff send a draft permit for decision, they will post information on a publically-available website identifying the name of the person or company applying, the type of permit applied for, the proposed location of the activity (name of park(s), area of province), the requested length of term of the permit, the proposed activities, and whether the application is new or is a renewal, amendment or transfer to an existing permitted activity.

Information on permit applications for commercial recreation activities, general research activities, or to allow for changes to existing land use activities should be posted online for no less than 10 days, and will be removed after a decision has been made on the permit application.

1.3 Engagement

There may be cases where input from the public is sought prior to making a decision on a permit application. Decisions to seek input from the public should consider existing policy within BC Parks, such as BC Parks Impact Assessment Policy and the Fixed Roof Accommodation Policy.

1.3.1 Public Consultation

BC Parks will consider undertaking public consultation on a proposed permit application in cases such as the following:

- The application is for development of a fixed-roof accommodation facility;
- The application is for investigative use research;
- The application may result in restrictions on public use or access;
- The application is for a major new ski Resort Activity or Improvement as defined in the BC Parks Ski Resort Policy for Cypress, E.C. Manning and Mount Seymour Parks; or
- Assessment of an application identifies information gaps (1.3.1.1).

In these cases existing policies, such as the Fixed Roof Accommodation Policy; Provincial Protected Area Boundary Adjustment Policy, Process and Guidelines; Ski Resort Policy; or the Impact Assessment Policy, have identified scenarios where public comment should be sought prior to a permit decision being made. These policies consider the potential impacts of the activity, and whether previous public input exists that can inform the decision (e.g. direction in a park management plan). Requirements for public consultation on permit applications should consider the intent of the public consultation requirements in these policies.

1.3.1.1 BC Parks Impact Assessment Policy

BC Parks Impact Assessment Policy identifies where there may be cultural, ecological or recreational impacts associated with a proposed activity. Where this policy identifies that a Level 2 or 3 Impact Assessment is warranted, BC Parks may determine that public input is required prior to making a decision on an application. Requirements for public consultation will be consistent with the Impact Assessment Policy and Procedures. Costs for Level 2 or 3 Impact Assessments will be borne by the proponent, including the gathering of information from the public.

1.3.1.2 Notification of Opportunity for Input

This section of the policy, as well as section 1.3.1.3, will set out how BC Parks should publish details on the consultation process as required in section 20(3.1) of the *Park Act*.

Under section 20(3) of the *Park Act*, BC Parks may determine that public review and comment is required. In cases where this will be required BC Parks will seek to inform the public of this opportunity using a variety of tools. As a minimum standard, information will be provided on a publically-accessible website indicating the name of the person or company applying, the proposed location of the activity (name of park(s), area of province), the requested length of term of the permit, proposed activities, and whether the application is new or is a renewal or amendment to an existing permitted activity. The closing dates for comments to be submitted, and the address to which comments should be sent must also be indicated. The time frame for comments to be submitted will be a minimum of 30 days, but should be extended in accordance with the proposed length of term of the permit, and the level of Impact Assessment required.

For some applications other methods of advertisement may be required, including traditional media such as newspapers, or more active participation such as open houses. Decisions to pursue other forms of notification should consider the following:

- The location of the activity and standard internet access in the surrounding area;
- Known public interest in the activity;
- Potential impacts of the activity (i.e. Level 2 or 3 Impact Assessment); and

- Other applicable BC Parks policy (e.g. Fixed-Roof Accommodation Policy for BC Parks).

1.3.1.3 Timing of Notification for Input

Notification of an opportunity for comment on a permit application will occur only after an initial assessment of the application has been completed by staff.

Where it is determined that a permit application should require public input prior to a decision being made, and that the permit application will require a competition prior to being awarded, the period for public comment will occur prior to the opportunity being posted on BC Bid. This will allow public comment to be considered prior to the competition for the permit taking place. All permits requiring a competition should be posted on BC Bid to inform interested parties of the offered opportunity.

1.3.1.4 Consideration of Comments

Comments received as part of the public consultation process are one factor that will be used by BC Parks staff to help determine whether the particular application being considered is acceptable. Comments may identify where permit conditions should be required to prevent or mitigate impacts, or whether there are impacts that may not be mitigated. The type of information being sought would include (but is not limited to) existing public uses (recreational or otherwise) that may be impacted, impacts to adjacent land owners, or identification of important cultural or natural values.

Comments should be considered in context of the particular application at hand, and should not be used to make broad recommendations of the appropriateness of a general type of activity. BC Parks will retain a record of comments but will not directly respond to comments received.

Where public consultation has been undertaken as part of a park management plan development or amendment process, a Ski Resort Development Plan process, or a boundary adjustment application process, and a permit application related to these consultation processes is subsequently received by BC Parks, the results of these consultation processes will be taken into consideration.

1.3.2 Opportunity for Input from Existing Permittees

This policy does not change BC Parks' existing practice of discussing new permit applications with permit holders where the BC Parks Impact Assessment Process identifies potential conflicts with existing permitted operations.

Related Guidance/Considerations

Park, Conservancy and Recreation Area Regulation

http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/180_90_00

Active Park Use Permits

<http://apps.nrs.gov.bc.ca/pub/pae/active-permits>

Strategic Management Planning Policy

<http://www.env.gov.bc.ca/bcparks/planning/docs/mp-strategic-policy.pdf>

BC Parks Protected Area Management Planning Manual

<http://www.env.gov.bc.ca/bcparks/planning/docs/management-planning-manual.pdf>

BC Parks Zoning Framework

<http://www.env.gov.bc.ca/bcparks/planning/docs/zoning-framework.pdf>

BC Parks Impact Assessment Process, Part 1: Policy

http://www.env.gov.bc.ca/bcparks/conserve/impact/ia_proc/policyf.pdf

Fixed-Roof Accommodation for BC Parks Policy

http://www.env.gov.bc.ca/bcparks/fixed_roof/docs/fixed_roof_policy_july_06.pdf

Provincial Protected Area Boundary Adjustment Policy, Process and Guidelines

<http://www.env.gov.bc.ca/bcparks/PBAProcess/pdfs/boundary-adj-guide.pdf?v=1470960846327>

BC Parks Ski Resort Policy

<http://www.env.gov.bc.ca/bcparks/permits/consultation/docs/ski-resort-policy-signed-oct30.pdf?v=1471622779512>

APPROVED AMENDMENTS:

Effective Date:	Summary of Changes: