



Khutzeymateen Park  
(a.k.a. Khutzeymateen/K'tzim-a-deen Grizzly Sanctuary)  
Khutzeymateen Inlet Conservancy  
Khutzeymateen Inlet West Conservancy  
Management Plan

December 2011



**Cover Photo:** Carl Jensen

This management plan replaces the Interim Protection Plan that has guided the management of the Khutzeymateen Park since 1994.

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Management Plan

**Approved by:**



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December 5<sup>th</sup>, 2011

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Date



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December 5<sup>th</sup>, 2011

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Date

This plan has been developed collaboratively between BC Parks and the Coast Tsimshian First Nations. BC Parks has signed off on this plan as the current management plan for the Khutzeymateen Protected Areas. The Coast Tsimshian have received a copy of the plan for signature and are awaiting completion of discussions related to an equitable allocation of viewing opportunities prior to finalising and signing the plan. Once the First Nations sign this plan it will be a joint collaborative management plan for the protected areas.



# Acknowledgements

Preparation of this management plan for Khutzeymateen Park and the Khutzeymateen conservancies would not have been possible without the involvement and knowledge of First Nation elders and community members. The development of this management plan also benefited from the contributions and insights of commercial bear viewing operators and the public.

This management plan was informed by and builds off the work by the Lax Kw'alaams First Nation and the Allied Tsimshian Tribes in developing their Laxyuup (Land and Marine Use Plan). It also reflects on and builds from the Metlakatla Land Use Plan.

Gerren Henry was instrumental in ensuring the background material compiled by Lax Kw'alaams and the Allied Tsimshian Tribes was built into the management planning process and that the community was aware of and engaged in the management plan development. Specifically, the Gitsi'is tribe's engagement and support were instrumental in the preparation of this management plan. The Gitsi'is continued advocacy for and interest in ensuring the conservation of Grizzly Bears remains of primary importance.

Development of background material to support this management plan included: background material preparation by Adrian de Groot of Drosera Ecological Consulting, a bear viewing report by Wayne McCrory and Paul Paquet, and a natural values workshop led by The Nature Conservancy of Canada. Preparation of the management plan also benefited from the 1994 Khutzeymateen Grizzly Sanctuary Interim Protection Plan and the extensive research completed in the area over the past 30 years.

John Helin, Lesley Giroday, James Bryant, Eugene Bryant, Stan Dennis, and Inez Helin from Lax Kw'alaams First Nation and Allied Tsimshian Tribes and Harold Leighton, Dan Cardinal and Barb Petzelt from Metlakatla First Nation were actively engaged in oversight and finalization of this management plan. Ministry of Environment Planner Philip Clement actively oversaw the development of this management plan.

# K'tzim-a-deen Vision

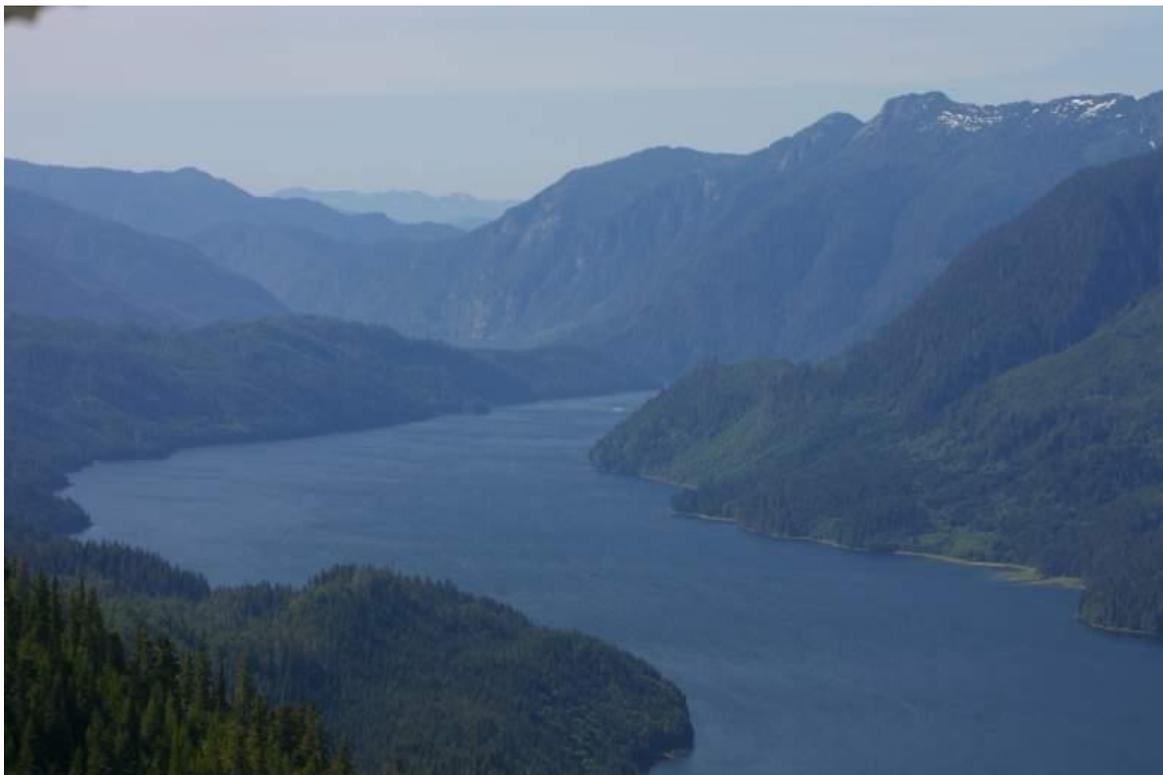
The K'tzim-a-deen (Khutzeymateen) group of protected areas continue to play a key role in the conservation of Grizzly Bears in North America by protecting a part of the ecosystem in which they live. Grizzly Bears depend on a healthy and fully functioning ecosystem which supports a variety of animals and fish.

Coast Tsimshian First Nations depend upon this area, as they have for thousands of years, as the source of their social, economic and cultural prosperity. Coast Tsimshian continue to conduct traditional activities in the K'tzim-a-deen and provide public education to explain their relationship to the area.

The area continues to offer incredible opportunities to view Grizzly Bears in their natural habitat. Human use of the area focuses on bear viewing, natural and cultural education, and traditional activities.

The K'tzim-a-deen protected areas play an important role in British Columbia's protected areas system. The protected areas are known internationally as Canada's first Grizzly Bear sanctuary and are home to one of the highest concentrations of Grizzly Bears in North America.

BC Parks, the Coast Tsimshian First Nations and the Gitsi'is Tribe collaboratively manage the protected areas. The perspectives of local stakeholders and all British Columbians are sought to inform the management of the area.



# Plan Highlights

The Khutzeymateen protected areas are located 45 kilometres northwest of Prince Rupert in the Coast Ranges. The group of protected areas is within the traditional territory of the Coast Tsimshian First Nations, and has high cultural and biological values, including providing significant and secure habitat for Grizzly Bears.

This management plan for the Khutzeymateen protected areas identifies objectives and strategies that focus on:

- maintaining representative flora and fauna;
- protecting plant communities and animal species at risk;
- protecting special features in both terrestrial and marine environments;
- protecting Coast Tsimshian cultural uses; and,
- providing controlled opportunities to view Grizzly Bears in their natural environment.

This management plan reflects the commitment by the Coast Tsimshian, the Gitsi'is Tribe and BC Parks to manage the area collaboratively. The management plan is consistent with and reflective of the memorandum of understanding with the Gitsi'is Tribe for the Khutzeymateen Park. This management plan replaces the Interim Protection Plan that has guided the management of Khutzeymateen Park since 1994, and provides management direction for the two conservancies in the Khutzeymateen Inlet. This management plan also considers direction related to Grizzly Bears in the 2006 North Coast Land and Resource Management Plan (LRMP).

This management plan retains the Khutzeymateen Park's priority for the conservation of Grizzly Bears and their habitat. Security for the bears and the future of ecotourism have both been considered and future levels of viewing in the inlet shall be maintained near current levels. Meanwhile, recreational use of the protected areas is maintained and direction is provided to enhance recreational experiences through the provision of a quality orientation session.

This management plan also reflects the key importance of this area to the Coast Tsimshian peoples, and builds on their interest to ensure that their cultural and traditional rights within the area are respected.

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# 1.0 Introduction

## 1.1 Management Plan Purpose

The purpose of this management plan is to guide management of the following protected areas: Khutzeymateen Park<sup>1</sup>, Khutzeymateen Inlet Conservancy and Khutzeymateen Inlet West Conservancy. This management plan:

- establishes long-term strategic direction for the protected areas;
- sets out a vision for the future state of the protected areas;
- addresses current issues affecting that long-term vision;
- guides management for conservation of Grizzly Bears and natural environments;
- identifies social, ceremonial and cultural uses by First Nations and ensures these uses continue through time, and provides initial direction on associated economic uses;
- defines and supports appropriate levels and types of recreational activities, and the location and kinds of facilities that will be developed to accommodate those uses; and,
- identifies appropriate uses of natural resources.

## 1.2 Planning Area

The Khutzeymateen protected areas (Khutzeymateen Park, Khutzeymateen Inlet Conservancy and Khutzeymateen Inlet West Conservancy) are located approximately 45 kilometres northwest of Prince Rupert in the Coast Ranges. The three protected areas cover the entire Khutzeymateen River watershed, most of Khutzeymateen Inlet and land adjacent to Khutzeymateen Inlet (Figure 1). The total area covered by this group of protected areas is 55,142 hectares of upland and 3,219 hectares of foreshore. Khutzeymateen Park covers 44,588 hectares of upland and 464 hectares of foreshore; Khutzeymateen Inlet Conservancy covers 10,366 hectares of upland and 2,581 hectares of foreshore; and Khutzeymateen Inlet West Conservancy covers 188 hectares of upland and 174 hectares of foreshore.

Khutzeymateen Park was the first protected area in Canada specifically established for the protection of Grizzly Bears and their habitat. The area supports one of the highest known concentrations of Grizzly Bears on the British Columbia coast.

Khutzeymateen Inlet Conservancy and Khutzeymateen Inlet West Conservancy were identified for conservancy status during negotiations between the provincial government and First Nations governments following the North Coast Land and Resource Management Plan (LRMP)<sup>2</sup>.

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<sup>1</sup> Also known as the Khutzeymateen/K'tzim-a-deen Grizzly Sanctuary.

<sup>2</sup> Throughout the management plan both conservancy areas will be referred to as the Khutzeymateen Inlet conservancies. Where management direction differs, the Khutzeymateen Inlet West Conservancy will be highlighted.

The area is located within the traditional territories of the Coast Tsimshian (Metlakatla and Lax Kw'alaams First Nations) who have occupied the area since time immemorial. Specifically, the area is within the traditional territory of the Gitsi'is. The Gitsi'is (people of the seal trap) are one of nine Allied Tsimshian Tribes that make up the Coast Tsimshian First Nations. The Khutzeymateen protected areas are an intensive traditional use area within the territory of the Coast Tsimshian First Nations and have been used since time immemorial for cultural, social and economic purposes. The Coast Tsimshian, including the Gitsi'is Tribe, has identified interests in the Khutzeymateen protected areas.

The closest community to the protected areas is the community of Lax Kw'alaams, 20 kilometres to the southwest. Prince Rupert, Metlakatla (45 kilometres south) and Gingolx (40 kilometres north) are the next closest communities.

Other nearby protected areas include Ksi X'anmas Conservancy immediately north of Khutzeymateen Inlet, Ksi Xts'at'kw/Stagoo Conservancy along Observatory Inlet to the north, Kts'mkta'ani/Union Lake Conservancy to the southwest and the Khyex Conservancy to the south (Figure 1).

# Khutzeymateen Inlet Conservancies and Khutzeymateen Park: Context

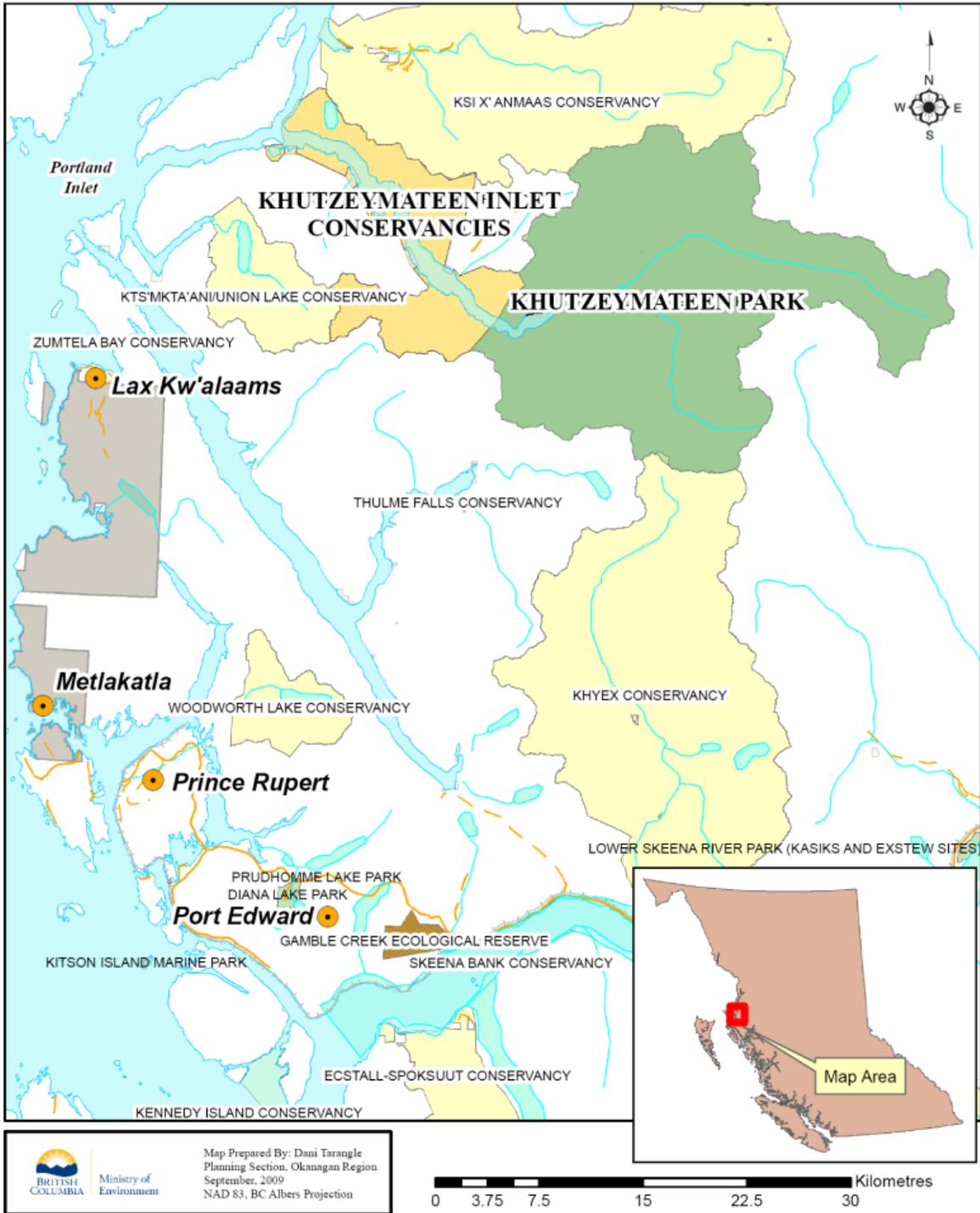


Figure 1: Regional Context Map

# Khutzeymateen Inlet Conservancies and Khutzeymateen Park: Overview

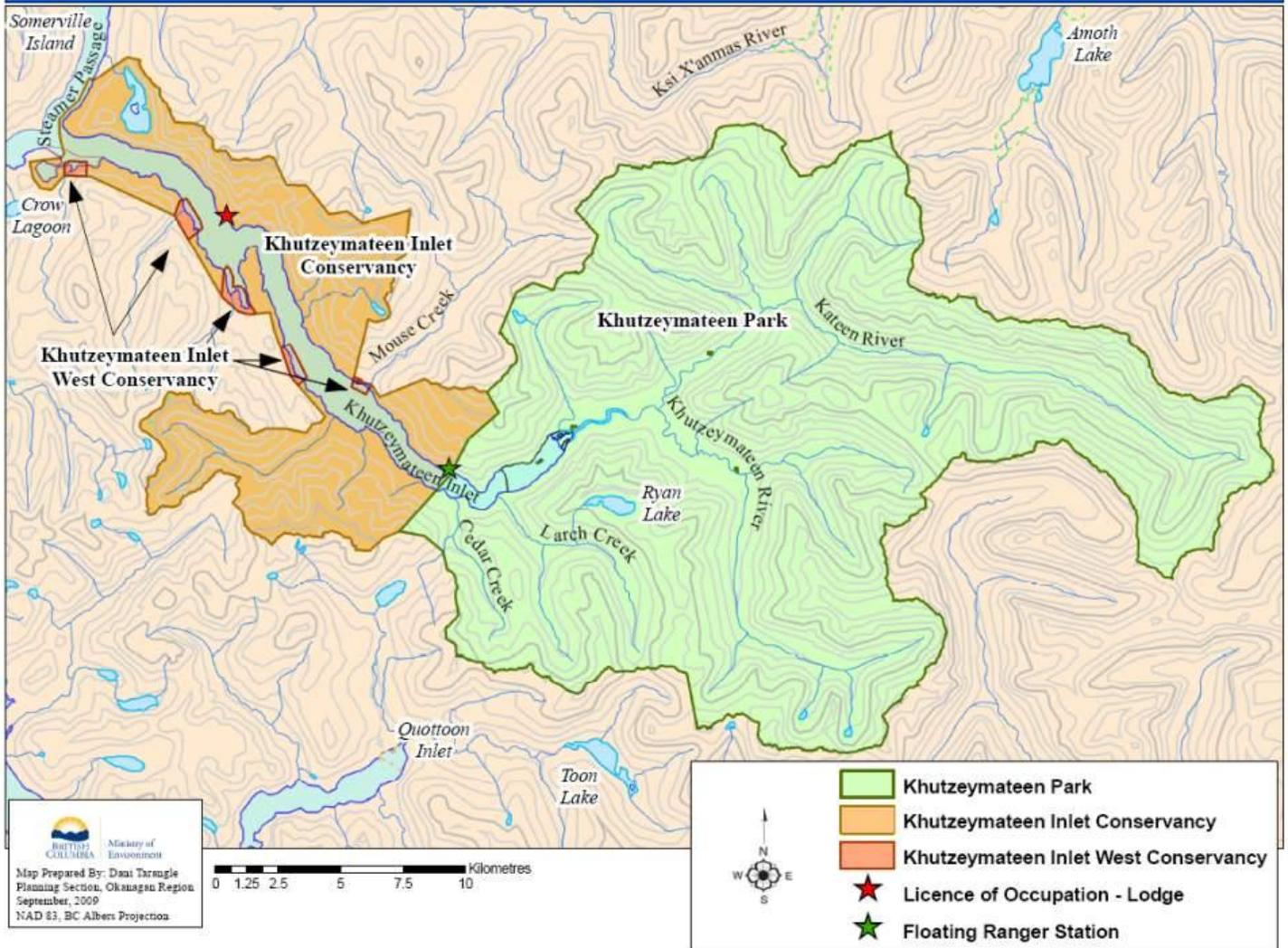


Figure 2: Conservancy and Park Map

## 1.3 Planning and Policy Context

### International Protocols

Planning and management of the Khutzeymateen protected areas occur within the context of international agreements to which Canada is signatory to or has offered qualified support to, including the United Nations *Declaration of the Rights of Indigenous Peoples* and the *Convention on Biological Diversity*. Such international protocols provide overarching guidance for conservancy management in British Columbia.

### Coast Tsimshian Rights and Title

The three Khutzeymateen protected areas, like all parks and protected areas in British Columbia, are subject to the constitutionally protected (section 35 of the *Constitution Act, 1982*) aboriginal rights and title interests, specifically of the Coast Tsimshian. Members of the Coast Tsimshian continue to exercise their rights to access and practice their culture in these protected areas.

### Provincial Legislative Framework- Khutzeymateen Park

Khutzeymateen Park (a.k.a. Khutzeymateen/K'tzim-a-deen Grizzly Sanctuary) was established as a Class A provincial park on August 15, 1994 by an Order-in-Council under the authority of the *Park Act*. The park is presently named and described in Schedule C of the *Protected Areas of British Columbia Act*.

Class A parks are dedicated to the preservation of their natural environments for the inspiration, use and enjoyment of the public. Sections 8 and 9 of the *Park Act* are the most pertinent in this regard, and direct that a park use permit must not be issued respecting an interest in land or damage or disturbance of natural resources unless, in the opinion of the minister, to do so is necessary to preserve or maintain the recreational values of the park involved.

### Provincial Legislative Framework - Khutzeymateen Conservancies

Khutzeymateen Inlet Conservancy and Khutzeymateen Inlet West Conservancy were established on June 27, 2008 pursuant to the *Protected Areas of British Columbia (Conservancies and Parks) Amendment Act, 2008*. This legislation has resulted in the conservancies being named and described in Schedule E and F<sup>3</sup>, respectively, of the *Protected Areas of British Columbia Act*, and administered under the *Park Act*.

A conservancy is set aside for four reasons:

- (a) The protection and maintenance of their biological diversity and natural environments;
- (b) The preservation and maintenance of social, ceremonial and cultural uses of First Nations;
- (c) The protection and maintenance of their recreational values; and,

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<sup>3</sup> A park use permit may be issued for the construction, use or maintenance of a road in a conservancy named and described in Schedule F for the purpose of providing access to natural resources lying beyond the conservancy.

- (d) To ensure that development or use of their natural resources occurs in a sustainable manner consistent with the purposes of paragraphs (a), (b) and (c).

Section 8 of the *Park Act* directs that any interest in land in a conservancy must be authorized by a park use permit. Section 9 directs that most uses of a natural resource in a conservancy must be authorized by a park use permit. A park use permit can only be issued if the use or activity will not restrict, prevent or inhibit the development or use of the conservancy in accordance with (a), (b), (c) and (d) above.

The *Park Act* further states that a park use permit must not be issued to authorize commercial logging, mining, or hydro electric power generation, other than local run-of-the-river projects. "Local run-of-the-river projects" in relation to a conservancy, means run-of-the-river projects supplying power for use (a) in the conservancy, or (b) by communities, including First Nation communities, that do not otherwise have access to hydro electric power.

### **Strategic Land Use Agreements**

Strategic land use planning agreements between First Nations and the Province of British Columbia establish arrangements and strategic direction for the planning and management of parks and conservancies. The strategic land use plan agreement with Metlakatla First Nation and the Province of British Columbia provides direction to protect key Grizzly Bear gathering areas and to manage recreation to reduce disturbance to bears, while allowing a high quality recreation experience. The Metlakatla agreement identifies that protected areas which are known to be important to the Coast Tsimshian, like the new Khutzeymateen protected areas, are to be established as conservancies.

### **Collaborative Management Agreements**

On August 17, 1994 one of the first collaborative agreements with a First Nation in the Province of British Columbia was signed with the Stewardship of the Gitsi'is Tribe. This collaborative agreement, structured as a Memorandum of Understanding, details a set of principles designed to develop a cooperative working relationship between the parties (Appendix 1).

Protected area management is guided by collaborative protected area management agreements (CMAs) between Lax Kw'alaams First Nation (2009) and the Ministry of Environment, and Metlakatla First Nation (2007) and the Ministry of Environment. These agreements establish a framework for the three governments to collaborate on the planning and management of protected areas. The agreements identify how the governments will work together to:

- prepare and implement conservancy management plans;
- review and make decisions on park use permit applications and renewals;
- protect opportunities for Coast Tsimshian to practice their culture;
- provides for enhanced economic opportunities are available to the Coast Tsimshian;
- and

- undertake conservancy management operations.

### **Reconciliation Protocol**

In December 2009, Metlakatla was a signatory to the Reconciliation Protocol Agreement between Coastal First Nations and the province. The reconciliation protocol provides additional direction on how park use permits will be awarded in conservancies.<sup>4</sup> Schedule B of the reconciliation protocol establishes a new government to government engagement framework through which the Ministry of Environment and signatory First Nations will collaborate to review and make park use permit determinations.

Similarly, with respect to Lax Kw'alaams, BC Parks' policy for First Nations with signed collaborative management agreements provides for economic opportunities in a manner that ensures signatory First Nations achieve an equitable portion of the economic opportunities available.

## **1.4 Community Involvement**

The most direct engagement related to the Khutzeymateen protected areas will be with the communities of Lax Kw'alaams, Metlakatla and Prince Rupert. The protected areas are within the Skeena-Queen Charlotte Regional District. The closest municipal government is in Prince Rupert, 45 km to the south. Ongoing engagement and outreach with local communities will be required to ensure that residents are aware of and supportive of the protected areas system.

Conservation and recreation groups, both provincially and locally, are also interested in discussing and sharing ideas on the long-term use and protection of the area. Due to the high profile of the protected areas, it is expected that significant community outreach will continue to be associated with the Khutzeymateen protected areas.

## **1.5 First Nation Land Use Plans**

The Coast Tsimshian First Nations have prepared land use plans that provide direction on the desired use and development of their respective traditional territories. The Allied Tsimshian Tribes of Lax Kw'alaams have prepared their Laxyuup entitled *Interim Land and Marine Resources Plan of the Allied Tsimshian Tribes of Lax Kw'alaams* (June 2004). Metlakatla has prepared the *Metlakatla First Nation Strategic Land and Resource Use Plan* (March 2004).

The Lax Kw'alaams' plan contains the following description of the scope and purpose of their Laxyuup.

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<sup>4</sup> For more information see [http://www.newrelationship.gov.bc.ca/shared/downloads/cfn\\_bc\\_reconciliation\\_framework.pdf](http://www.newrelationship.gov.bc.ca/shared/downloads/cfn_bc_reconciliation_framework.pdf).

*The purpose of this plan is to describe the Allied Tsimshian Tribes of Lax Kw'alaams' vision for the future of our traditional territory, including the land and marine environment. This document is intended as a policy document that will guide how land and sea resources are used, managed and protected. We all have a collective responsibility to ensure that we sustain the abundant land and sea resources that have sustained our people for countless generations. We must all work together to achieve this vision. ... This plan is at a regional scale and provides a high-level direction for the management of a wide range of natural values and resources. ... This plan calls for more detailed planning at a larger scale to address specific resource management issues over smaller planning areas within our territory (p.3).*

The Lax Kw'alaams' plan for the Khutzeymateen "Cultural and Natural Area" includes the following:

*Management intent: protect traditional harvesting resources, wildlife and biological diversity; sustain and enhance traditional use opportunities; protect Allied Tsimshian Tribes heritage and cultural resources; restore abundance of depleted resources to historic levels; and support development of Allied Tsimshian Tribes cultural and nature-based tourism opportunities.*

*Permissible activities: traditional use subject to the Ayaawx of the Gitsi'is Tribe and house groups and the Allied Tsimshian Tribes of Lax Kw'alaams; limited Allied Tribes cultural and community forestry; and low impact tourism and commercial recreation, subject to a management plan approved by the Allied Tsimshian Tribes that addresses tourism carrying capacity, and priority access for Allied Tsimshian Tribes' recreational use and commercial opportunities.*

The Metlakatla plan for the Khutzeymateen protected areas recognizes the important tourism and recreation values. The plan also recognizes that the area is important for protection of the area's Grizzly Bear population. Specific references to the type of permissible and prohibited activities detailed in the Metlakatla plan include the following:

*No road building, no logging and no industrial activity; Metlakatla cultural use is permitted, 3<sup>rd</sup> party use only with protocol agreement; Metlakatla hunting, fishing and gathering for food and ceremonial purposes; Metlakatla use of trees including logs for long houses; Recreation including hiking and kayaking; Long houses, big houses, seasonal cabins, camps and homes; ecological restoration and enhancement as determined by Metlakatla.*

While this management plan builds on the individual land use plans, it does not replace the strategic direction contained within the respective land use plans. This management plan

for the Khutzeymateen protected areas provides a start to the additional detailed planning envisioned in the First Nation land use plans.

## 1.6 Adjacent Land Use Patterns

A number of parcels of land, are adjacent and interior to the protected area:

- DL 3969 (Carm Creek Reserve #38, 1.51 hectares);
- DL 3968 (Kateen River Reserve #39, 1.63 hectares); and,
- DL3966 (Khutzeymateen Reserve #49, 2.63 hectares).

As well, adjacent to the protected areas are a number of parcels of land that are part of the provincial forest. These parcels of land are travel corridors for Grizzly Bears moving from the Khutzeymateen protected areas or adjacent drainages and include:

- Mouse Creek Drainage; and,
- higher elevations on the south side of Khutzeymateen Inlet.

The Nass-Skeena Grizzly Bear No Hunting Area designated in 2009 eliminates hunting within the vast majority of the Grizzly Bear Population Unit. This designation expanded the no-hunting area that had already existed around the park since 1994.

## 1.7 Management Planning Process

This management plan drew upon an extensive body of research and inventories which have been completed for the watershed. In previous years, the British Columbia Conservation Corps, with research assistance from the University of Northern British Columbia, acquired baseline information on the Grizzly Bears within Khutzeymateen Inlet, and observed bear reactions to recreation use. This information has helped inform the development of this management plan.

Preparatory background work required for management planning for the Khutzeymateen Inlet conservancies was initiated in 2007 as part of a larger effort to develop management plans for a number of conservancies that resulted from the North Coast LRMP. This included a March 2007 open house held in Prince Rupert aimed at informing local government and residents of the proposed protected areas, and to gather background information.

Specific management planning efforts focussing on the Khutzeymateen protected areas occurred in 2008 and 2009:

- A planning team of Ministry of Environment, Gitsi's Tribe and the Coast Tsimshian First Nations members was created to ensure appropriate First Nation, public, and stakeholder involvement in the management planning process. Separate from the direct First Nation and Ministry of Environment meetings, a number of community

- meetings were held in Lax Kw'alaams to review the status of the management planning process and to review management direction.
- The Khutzeymateen Management Planning Team hired a consultant to provide scientific advice on bear viewing and its impacts in the Khutzeymateen protected areas, and to suggest the carrying capacity of the protected areas for Grizzly Bear viewing. The consultant completed a review of bear viewing literature and relevant scientific studies to compare present management with current industry best practices. All commercial bear viewing operators were interviewed to assess and compile personal knowledge and opinions on present and possible future management.
  - A technical team was created which included representatives from First Nations, Ministry of Environment and The Nature Conservancy of Canada. This technical team gathered information on the key identified ecological attributes, values and issues by reviewing the background material prepared for the management planning process, First Nation land use plans and traditional use study information.
  - The management planning team held a series of workshops in 2008:
    - On April 8, 2008, a workshop involving the public and stakeholders was held and, with the assistance of The Nature Conservancy of Canada, natural and cultural values warranting management consideration were identified.
    - On April 8, 2008, an evening open house to share and solicit information on the Khutzeymateen management planning process and conservancy management planning was held in Prince Rupert.
    - On April 9, 2008, a workshop with existing commercial bear viewing operators was held to identify current bear viewing practices, identify issues and share results on best bear viewing practices.
    - On September 25, 2008, a workshop with existing commercial bear viewing operators was held to provide comment on proposed management direction for bear viewing.
  - In August 2008, a public comment form specific to the Khutzeymateen management planning process was posted on the BC Parks' website. The deadline for public input was set as October 15, 2008.
  - On March 3 and 4, 2009, open houses were held in Kitimat and Prince Rupert to share information on management plan development for a variety of protected areas including the Khutzeymateen.
  - In September 2009, the draft management plan was posted on the BC Parks' website for a 30 day public review and comment period.
  - On January 19, 2010, a public open house was held in Prince Rupert to discuss outstanding concerns and feedback from the 30 day public review and comment.
  - In May 2010, the revised draft management plan was posted on the BC Parks' website for a final 30 day public review and comment period.

## 2.0 Role of the Protected Area

### 2.1 Significance in the Protected Areas System

The Khutzeymateen protected areas are significant in the parks and protected areas system because:

- The protected areas include the intact Khutzeymateen watershed and much of the land surrounding Khutzeymateen Inlet. This is very important for the protection of Grizzly Bears and prime Grizzly Bear habitat. Khutzeymateen Park was established as Canada's first Grizzly Bear Sanctuary and plays an important role in the long-term survival of Grizzly Bears in British Columbia.
- The protected areas contain two significant estuaries and the inclusion of foreshore in the protected areas helps protect marine values and sedge habitats that are highly valued by the Grizzly Bears;
- The Khutzeymateen protected areas represent and protect an area with a long history of use by the Coast Tsimshian First Nations; and,
- The protected areas also support significant recreational and sustainable tourism opportunities, specifically Grizzly Bear viewing. Due to the high profile of this area, these tours provide an important outlet for sharing information about the Coast Tsimshian culture and the importance of Grizzly Bear protection. Recreational use and sustainable tourism opportunities also support regional economic diversification.

### 2.2 Preservation and Maintenance of First Nations' Cultural Values and Uses

#### Values

The Khutzeymateen River area has a long history of use by First Nations groups. The name Khutzeymateen is the anglicised version of the Tsimshian name, K'tzim-a-deen, meaning "a deep valley at the end of an inlet".

The area is considered the "breadbasket" for Coast Tsimshian people. The land has spiritual significance to their people and they have many stories related to the Khutzeymateen.

The Khutzeymateen protected areas have been important in providing Coast Tsimshian people with food, medicine, transportation, shelter, raw materials, cultural items, and goods as a part of their economy. Within the Khutzeymateen protected areas and the adjacent foreshore and waterways, the Coast Tsimshian have numerous harvesting sites for various species of groundfish (*yee*), salmon (*uuk*, *musoo*, *sti'moon*), crab (*galmoos*), clams (*sam'k*), cockles (*gaboox*), mussels (*gyels*), Harbour Seals (*uula*) and Stellar Sea Lion (*t'iibin*). Coast Tsimshian people also used the area for gathering wild foods such as cranberries, and other wild plants including cedar bark (*hat'al*), *haalmoot*, *ksiw* and *galaaq hat'al*. Other plants were used for medicinal purposes; these include *sahwdak*, *medijica aams* and *txa'oogasteti*. The area is also an important hunting and trapping ground, especially for Sitka Black-tailed Deer (*wan*), Mountain Goat (*mati*), Marten and Mink. The Gitsi'is have

never hunted Grizzly Bears and believe that the soul of a person that dies may reincarnate into the *Me'deek* (Grizzly Bear). As a part of the hunting, trapping and gathering use by the Coast Tsimshian, there were also numerous Coast Tsimshian campsites established in the area.

Khutzeymateen Park contains one known archaeological site and there is one site beside the estuary within Indian Reserve # 49<sup>5</sup> (surrounded by the park). There were up to 13 houses in Indian Reserve #49 and the buildings on this site were likely abandoned in the 1940s to 1960s. There is high potential for additional archaeological sites in the lower Khutzeymateen River valley, including the other two Indian Reserves, with lower potential in other areas of the park. River flooding and deposits of fluvial material have destroyed most archaeological sites. There is one archaeological site in Khutzeymateen Inlet West Conservancy containing pre-contact lithic and other materials. There are no known archaeological sites in Khutzeymateen Inlet Conservancy, but no extensive archaeological assessment has yet been undertaken in the area.

A number of culturally modified western redcedar trees are present in the park near Indian Reserve #49, though the density of culturally modified trees is lower than other coastal areas, perhaps due to the scarcity of redcedar and yellow cedar trees. No culturally modified Sitka spruce or western hemlock trees are known to occur in the park.

The K'tzim-a-deen Ranger program, operated by Lax Kw'alaams First Nation, is an integral part of the management of the Khutzeymateen protected areas. Separate from physical cultural values, the opportunity for First Nations to be engaged in the management and administration of the protected areas is an important value tied to strengthening First Nations culture and achieving reconciliation with the provincial government. A part of this is the opportunity to share and educate visitors and First Nation members about Coast Tsimshian history and culture (e.g., through the on-site visitor centre displays).

## **Role**

The Khutzeymateen protected areas help preserve and maintain the ongoing social, ceremonial, cultural and economic uses of First Nations. The areas protect traditional harvesting sites thereby sustaining and enhancing traditional use opportunities. A key management focus is on protecting historically and currently used harvesting and hunting areas and activities, and their associated cultural values. First Nations access to these areas for social, ceremonial, economic and cultural purposes will be promoted. Further, First Nations involvement in cultural and nature-based tourism opportunities will be supported.

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<sup>5</sup> Indian Reserves are excluded from the protected areas as land held for/by the Indian Bands but are included in this description in order to provide appropriate context on land use in the area.

## 2.3 Biological Diversity and Natural Environment

### Values

#### ***Shoreline/Estuary Features***

The Khutzeymateen protected areas contain 77.6 kilometres of shoreline with 55 kilometres having some sort of beach/intertidal zone and 17.6 kilometres being classified as estuary, marsh or lagoon.

The protected areas contain two significant estuaries. A survey of estuaries on the north and central coast ranked the features of the Khutzeymateen River and Larch Creek estuaries.

*Table 1. Biological Importance<sup>6</sup> of Khutzeymateen River and Larch Creek Estuaries*

<b>Biological Resource</b>	<b>Khutzeymateen River Estuary</b>	<b>Larch Creek Estuary</b>
Waterfowl	High	Low
Waterbird Species at Risk	Very High	Very High
Grizzly Bear	Very High	High
Pacific Salmon	High	Medium
Salmonid Stocks	High	Low
Eulachon/Herring/Shellfish	Medium	Medium

The clam/cockle beds near Crow Lagoon are also a noteworthy natural shoreline feature.

#### ***Terrestrial Conservation - Grizzly Bears***

These protected areas include an entire intact coastal watershed (Khutzeymateen River) and much of the land surrounding a fjord that contains a very high density of Grizzly Bears, with over 50 individual bears seen in one season. Such abundance is due to the high quality Grizzly Bear habitat in the area consisting of forbs and sedges (Lyngby's sedge) and Pacific Salmon spawning streams. Features associated with the bears include bear mark trails, rubbing trees and wallows.

The Khutzeymateen protected areas are closed to the harvest of Grizzly Bears. In addition, the lands adjacent to the protected areas are also closed to Grizzly Bear harvest as part of the Nass-Skeena Grizzly Bear No Hunting Area<sup>7</sup>.

Black Bears are also present in the Khutzeymateen watershed. They take advantage of a wide variety of vegetative and animal food sources. In the Khutzeymateen watershed, research has postulated that Black Bears use marginal upland habitat to avoid the Grizzly Bears in the more productive lower elevation areas (McCrary and Paquet, 2010).

<sup>6</sup> All resources are ranked for their regional biological importance, except for Grizzly Bears, which are ranked provincially (Mackenzie *et al.* 2000).

<sup>7</sup> Formerly called Grizzly Bear Management Areas.

Mountain Goats are present in the mountainous topography of the Khutzeymateen watershed. In winter, predator avoidance and deep snow in mountainous environments confine Mountain Goats to closed-canopy forests in close proximity to cliffs and steep bluffs. Mountain Goats are quite susceptible to aircraft disturbance (McCrorry and Paquet, 2010).

### ***Salmon and Other Fish Species***

Khutzeymateen River is an important fish bearing river. It contains habitat for numerous fish species, including Chinook Salmon, Coho Salmon, Pink Salmon, Chum Salmon, Dolly Varden and Steelhead, Rainbow and Cutthroat Trout.

Up to 50,000 Pink Salmon spawn in the Khutzeymateen watershed. Coho Salmon and Chum Salmon have runs of about 4,000 fish each. Chinook Salmon have a run of about 300. The Pink and Coho Salmon runs are at historically high levels while the Chinook Salmon are at a historical low, and Chum Salmon have declined slightly in recent times. Overall, the number of returning salmon has increased by about 360% in the last 50 years mostly due to an increase in the size of the Pink Salmon run. Small Pink Salmon runs use the lower 700 metres of Cedar Creek (average of 2,000 fish) and 300 metres of Larch Creek (average of 1,400 fish).

Other known fish-bearing streams in the protected areas include Mouse Creek, which contains a run of Pink Salmon recently averaging 9,900 fish and a very small run of Chum Salmon averaging 40 fish; and Sam Bay Creek, which contains a small run of Coho Salmon (average run of 20 fish) and a moderate run of Pink Salmon (average run of 2,000 fish). There are a number of small unnamed streams within the conservancies but there is no information on the fish in these watersheds.

Pacific Salmon are essential to the health of the Khutzeymateen watershed. Pacific Salmon, which breed in fresh water and spend at least part of their adult life in a marine environment, play a significant role in nutrient cycling bringing marine nutrients to terrestrial and freshwater ecosystems. Coastal bears obtain a significant amount of their dietary requirements from salmon and assist in the redistribution of salmon nutrients in the terrestrial ecosystem. The nutrients from adult salmon increase productivity in the whole watershed from the estuary, through the forests to the alpine. Lower salmon returns lead to lower nutrient levels in the watershed which in turn reduces the carrying capacity of the rivers to support fish and bears. Lower abundance or loss of this element would lead to lower abundance of many terrestrial and freshwater species, and lower overall productivity in the ecosystem.

### ***Ecosystem Representation***

The land portion of the Khutzeymateen protected areas (55,142 hectares) is in the Kitimat Ranges Ecosystem. The protected areas protect 2.5% of this ecosystem.

The marine portion of the protected areas is in the North Coast Fjords Marine Ecosection. The protected areas include 3,219 ha or 4.8% of the overall protected areas system representation (66,411 hectares) of this marine ecosection.

The protected areas include representation of the Coastal Western Hemlock, Mountain Hemlock and Coastal Mountain Heather Alpine biogeoclimatic zones (see Appendix 3 for more information). The Coastal Western Hemlock Wet Maritime Biogeoclimatic Subzone occurs in low elevation forests in the northern parts of the Coastal Western Hemlock Biogeoclimatic Zone. The Khutzeymateen protected areas represent the greatest single representation of this biogeoclimatic subzone in the protected system, accounting for 40% of all the land protected in this subzone.

The protected areas also include a good representation of productive forests on metamorphic rock. Crow Lagoon, which is speculated to be an extinct crater and which is now part of the ocean bed, is a special feature within Khutzeymateen Inlet Conservancy and perhaps the genesis of much of the metamorphic rock in the area.

## **Role**

The role of the Khutzeymateen protected areas is to protect an intact watershed and to ensure the needs of the Grizzly Bear are met. The Khutzeymateen protected areas protect a watershed/marine interface and fjord ecosystem in a naturally functioning complex of biological diversity. Maintaining intact ecosystems and processes that recognize the interdependency of separate smaller ecosystems in a larger healthy ecosystem are important management considerations. Managing for the Grizzly Bear as a keystone, indicator and umbrella species will help achieve this role. Management actions will preserve natural processes, habitats and the species that rely on these ecosystems.

## **2.4 Protection and Maintenance of Recreation Values**

### **Values and Uses**

#### ***Wildlife Viewing***

The Khutzeymateen protected areas offer significant wildlife viewing opportunities, primarily Grizzly Bear viewing. The Khutzeymateen watershed has high scenic values which, when combined with the high probability of viewing a Grizzly Bear in a natural setting, contributes to a very high quality visitor experience. Grizzly Bear viewing in the Khutzeymateen is considered a world class wildlife viewing opportunity. Private boat owners often visit the Khutzeymateen on their way to and from Alaska. At the Khutzeymateen Ranger Station visitors receive an orientation to bear viewing, and are invited to visit the exhibit related to Grizzly Bears and First Nations' cultural values.

Currently, two commercial tourism operators have park use permits to operate within Khutzeymateen Park. These two operators conduct multi-day trips focussed on the Grizzly

Bear viewing in the park. These operations also conduct viewing operations within the Khutzeymateen Inlet conservancies. A third permit is reserved for a Coast Tsimshian opportunity for commercial bear viewing in the park but is not currently being used.

As well, three additional commercial tourism operators have regularly operated within the inlet conservancies. One operator has a foreshore lease for a marine-based lodge moored in Khutzeymateen Inlet. The other two primarily offer wildlife viewing day trips from Prince Rupert to the Khutzeymateen Inlet from May to July. The main attraction on these tours is the Grizzly Bears found foraging on the coastline sedges within the Khutzeymateen Inlet conservancies.

One aircraft company has a park use permit to land in the park in order to transfer bear viewing clients to vessels.

### ***Recreational Boating and Fishing***

Sporadic recreational boating and fishing also occurs in the Khutzeymateen Inlet. Some recreational visitors are attracted to Crow Lagoon which is a volcanic cone that boaters can boat into and observe the upper cone walls; however, most recreational use is focused on the observation of Grizzly Bears.

### ***Hunting***

Since 1994, the hunting of Grizzly Bears has not been permitted within the park or in much of the surrounding land base. In June 2009, the Nass-Skeena Grizzly Bear No Hunting Area was expanded to include the majority of the Grizzly Bear Population Unit both within and surrounding the Khutzeymateen protected areas. The goal of this larger Grizzly Bear No Hunting Area is to provide a benchmark area that is not disturbed by hunting.

Additionally, within the park hunting of other species is closed below 1,000 metres elevation. Above 1,000 metres the park is open to hunting of Mountain Goat.

### **Role**

The role of the Khutzeymateen protected areas is to continue to provide Grizzly Bear viewing and other wilderness-based recreation opportunities which do not significantly impact the conservation of Grizzly Bears and their habitats.

## **2.5 Development and Use of Natural Resources**

### **Values and Uses**

The protected areas also have a number of non-recreational natural resource use tenures and interests including:

- Seven traplines - 614T005, 614T006, 614T009, 614T019, 614T024, 614T025, 614T026. Only one of these traplines is currently authorized by a park use permit and active;

- Fisheries and Oceans Canada (DFO) maintains a park use permit for conducting fisheries assessments; and,
- Fisheries and Oceans Canada (DFO) licenses and regulates commercial fishing and crabbing within the Khutzeymateen Inlet.

Khutzeymateen Inlet West Conservancy was established as a conservancy in Schedule F of the *Protected Areas of British Columbia Act*. Conservancies named and described in Schedule F allow for the issuance of park use permits for the construction, use or maintenance of a road to access natural resources lying beyond the conservancy.

## **Role**

The Khutzeymateen protected areas provide limited opportunities for non-recreational or non-cultural uses of the protected areas' natural resources. The potential of road access in the Khutzeymateen Inlet West Conservancy, commercial fishing and trapping are expected to be the principal non-cultural and non-recreational uses of natural resources in the protected areas.

## 3.0 Management Direction

### 3.1 Vision

The vision statement outlined at the front of this document describes the desired future condition of the protected areas in twenty years time. Management actions should be evaluated with respect to how the proposed actions or activities will contribute to or detract from the stated vision.

### 3.2 Overall Management Goals and Objectives

The protection of Grizzly Bears and their habitat and the protection of cultural values are the most significant features of these protected areas. Conservation, especially of Grizzly Bears and their habitat, shall be the highest priority in the management of the protected areas. Ecosystem-based management, as defined in the North Coast Land and Resource Management Plan, will be used to guide management of the Khutzeymateen protected areas.

The priority management goals (Table 2) for the Khutzeymateen protected areas are tailored to the specific values found in the Khutzeymateen protected areas and the role that the area plays in the broader protected areas system. A set of high level performance measures has been identified to assist in determining if overall goals are being met.

### 3.3 Social, Ceremonial, Cultural and Economic Uses of First Nations

Within the Khutzeymateen protected areas, the Lax Kw'alaams people have documented an extensive history of use which includes fishing, hunting, trapping and gathering food and medicines, among other uses. The right to continue practices identified as aboriginal rights is understood..

The binding of traditional cultures and the natural environment together in a protected area context is an aim of the Khutzeymateen protected areas. This is reflected by the involvement of the Coast Tsimshian in the management and operation of the protected areas; the protection of cultural resources in the protected areas; and the opportunity for the First Nations to conduct social, cultural, economic and ceremonial activities and access natural resources in protected areas. Table 3 contains the specific objectives, issues and strategies related to the social, ceremonial, economic and cultural uses of the protected areas by the Coast Tsimshian.

Table 2. Overall Management Goals and Performance Measures

<b>Management Goals and Performance Measures</b>
<b>Goal: Preservation and Maintenance of Coast Tsimshian Social, Ceremonial, Economic and Cultural Uses</b>
<ul style="list-style-type: none"> <li>• Cultural/archaeological inventories have been undertaken.</li> <li>• First Nations’ cultural resources are protected and sustained.</li> <li>• First Nations are able to practice their cultural activities (including the harvest of traditional materials).</li> </ul>
<b>Goal: Protection and Maintenance of Biological Diversity and Natural Environments</b>
<ul style="list-style-type: none"> <li>• Stable or increasing Grizzly Bear population in the protected areas.</li> <li>• Maintain suitable and effective levels of bear foraging habitat.</li> </ul>
<b>Goal: Protection and Maintenance of Recreation Values</b>
<ul style="list-style-type: none"> <li>• Over 90% of visitors report a high quality experience.</li> <li>• 100% of visitors have received an orientation on the Grizzly Bear Viewing – Standards of Practice.</li> <li>• Zero human/bear encounters that pose a safety hazard to visitors.</li> <li>• Commercial bear viewing operations follow the Grizzly Bear Viewing – Standards of Practice.</li> </ul>
<b>Goal: Provide for Compatible Development and Uses of Natural Resources</b>
<ul style="list-style-type: none"> <li>• Successful tourism businesses supporting the local economy.</li> </ul>
<b>Goal: Ensure Coast Tsimshian Have Enhanced Opportunities to Engage in Suitable Economic Development Activities</b>
<ul style="list-style-type: none"> <li>• Increased Coast Tsimshian engagement in economic opportunities and resultant employment in the protected areas.</li> <li>• Coast Tsimshian owned and/or operated commercial tourism entities having long-term operations in the protected areas.</li> <li>• Increase in beneficial relationships between Coast Tsimshian and commercial tourism operators.</li> </ul>

*Table 3 Objectives, Management Opportunities/Stressors and Strategies for Social, Ceremonial, Cultural and Economic Uses of First Nations.*

Objectives	Management Opportunities/ Stressors	Strategies
To share Coast Tsimshian history and culture as a primary feature of the protected areas.	The rich cultural heritage associated with the Khutzeymateen should be understood and respected by all visitors to the area.	<ul style="list-style-type: none"> <li>• Identify and evaluate opportunities to expand cultural interpretation through the K'tzim-a-deen Ranger program.</li> <li>• Encourage tourism operators to work with the Coast Tsimshian to develop relevant protocols.</li> <li>• Support delivery of cultural learning opportunities for Coast Tsimshian members in protected areas (e.g., school visits).</li> <li>• Provide BC Parks and Coast Tsimshian support for heritage events that demonstrate living traditional lifestyles in the context of a protected area.</li> </ul>
To provide for and promote Coast Tsimshian traditional and sustenance uses and harvesting activities.	Ensure Coast Tsimshian members feel and understand that traditional uses are not limited by the provincial designation of the Khutzeymateen protected areas.	<ul style="list-style-type: none"> <li>• Deliver annual community workshops that facilitate the sharing of management issues and traditional knowledge.</li> <li>• Support initiatives that increase public and Coast Tsimshian awareness of traditional uses and harvesting activities.</li> <li>• Encourage First Nations' traditional uses in the protected areas.</li> </ul>
	Increase knowledge and documentation of Coast Tsimshian traditional and sustenance harvesting activities.	<ul style="list-style-type: none"> <li>• Encourage the Coast Tsimshian to document and monitor traditional and sustenance harvesting activities.</li> </ul>
	Recreational and commercial harvesting of marine and intertidal species does not impact abundance and the quantity of natural resources available for First Nations' harvesting.	<ul style="list-style-type: none"> <li>• Work with Fisheries and Oceans Canada to monitor the recreational and commercial catch of salmon, clams, crabs, sea urchins, etc.</li> </ul>
To identify, protect and maintain First Nations' cultural heritage and traditional use sites and features, and archaeological and historic sites.	Increase knowledge and documentation of Coast Tsimshian cultural heritage and traditional use sites and features in the conservancy.	<ul style="list-style-type: none"> <li>• Encourage ethnographic research, archaeological field assessments, and cultural heritage and traditional use field assessments.</li> </ul>
	Minimize or eliminate impacts on Coast Tsimshian cultural heritage sites and traditional harvesting areas from natural processes and by recreational use of the area.	<ul style="list-style-type: none"> <li>• Identify and evaluate risks and stresses to Coast Tsimshian cultural heritage sites and features.</li> <li>• Implement protective measures, which may include: <ul style="list-style-type: none"> <li>– site maintenance;</li> <li>– marking areas off-limits;</li> <li>– directing use away from sites; and/or,</li> <li>– public information initiatives.</li> </ul> </li> <li>• Monitor vulnerable cultural and heritage sites.</li> </ul>

Objectives	Management Opportunities/ Stressors	Strategies
To identify and sustain the abundance and distribution of flora and fauna that are important for First Nations.	Reduce or eliminate impacts to resources which are important for First Nations' traditional use.	<ul style="list-style-type: none"> <li>• Complete inventories and assessments of culturally and traditionally important resources.</li> <li>• Identify and evaluate risks and stresses to Coast Tsimshian cultural and traditional resources.</li> <li>• Implement protective measures, which may include:               <ul style="list-style-type: none"> <li>– site maintenance,</li> <li>– marking areas off-limits,</li> <li>– directing use away from sites, and/or</li> <li>– public information initiatives.</li> </ul> </li> </ul>
To bind traditional cultures together in a protected areas context.	Maintain or increase the sharing of knowledge of the area's natural and cultural history to increase Coast Tsimshian and public awareness of the area's unique cultural and ecological values.	<ul style="list-style-type: none"> <li>• Collaboratively share knowledge of the Khutzeymateen area using new media technologies (e.g., the Virtual Museum of the Coast).</li> </ul>
To provide Coast Tsimshian with enhanced opportunities to access and develop suitable economic development activities.	<p>To realize opportunities from Coast Tsimshian efforts to implement cultural and wildlife viewing tourism enterprises.</p> <p>To have Coast Tsimshian represented in economic endeavours in protected areas, including Khutzeymateen.</p> <p>To realize benefits from the permit opportunity that has been held for Coast Tsimshian use.</p>	<ul style="list-style-type: none"> <li>• Support the First Nations' operation of a commercial bear viewing opportunity and other suitable tourism endeavours for the area.</li> <li>• Support development of cultural and wildlife viewing tourism activities in the conservancies.</li> <li>• Work with the Coast Tsimshian to identify and secure opportunities for training First Nations people to become guides, guardians, interpreters and ecotourism operators.</li> </ul>

### 3.4 Biological Diversity and Natural Environment Management

Key issues which will impact the biological diversity and natural environment are presented in Table 4. The conservation of biological diversity implies that ecosystems, species, genetic diversity and the processes that influence them are maintained over the long-term.

Conservation, especially of Grizzly Bears and their habitat, will be the highest priority in the management of the protected areas. This direction is consistent with the Memorandum of Understanding between the Gits'i's Tribe and the Ministry of the Environment (Appendix 1).

Climate change is an overarching issue for the north coast as it will continue to alter weather patterns, hydrology, and vegetation, with resulting effects on fish and wildlife habitats and on human activity.

*Table 4. Objectives, Management Opportunities/Stressors and Strategies for Biological Diversity and Natural Environment Management*

<b>Objectives</b>	<b>Management Opportunities/ Stresses</b>	<b>Strategies</b>
To ensure the conservation of Grizzly Bears and their habitat.	Standards are required to minimize displacement of Grizzly Bears from prime foraging habitat and prevent unnecessary impacts on Grizzly Bear occupancy and survival.	<ul style="list-style-type: none"> <li>• Enforce Grizzly Bear Viewing Standards of Practice (see Appendix 4).</li> </ul>
	Ensure appropriate measures are in place to deal with sea level rise associated with climate change. Measures should ensure that suitable and effective Grizzly Bear habitat is being monitored and considered.	<ul style="list-style-type: none"> <li>• Research and monitor the potential impacts of sea level rise on Grizzly Bear habitat and food supply.</li> </ul>
	Take advantage of the unique opportunity, afforded by the protected areas and the associated Nass-Skeena Grizzly Bear No Hunting Area, to study and learn from a relatively undisturbed Grizzly Bear population.	<ul style="list-style-type: none"> <li>• Support research efforts that contribute to knowledge of and/or protection of the protected areas' Grizzly Bear population.</li> </ul>
	Forest fires may reduce Grizzly Bear habitat.	<ul style="list-style-type: none"> <li>• Incorporate Grizzly Bear habitat considerations into the protected areas' fire management plan(s).</li> </ul>
To identify and protect ecosystems, ecological	Knowledge of the conservancy's flora and fauna, especially ecosystems, ecological communities and species of conservation concern, requires additional research.	<ul style="list-style-type: none"> <li>• Assess and inventory ecosystems, ecological communities and species of conservation concern.</li> </ul>

Objectives	Management Opportunities/ Stresses	Strategies
	Human use may cause site-level disturbance or cause declines in the abundance and distribution of the conservancy's flora and fauna, ecological communities and species of conservation concern.	<ul style="list-style-type: none"> <li>• Identify and evaluate risks and stresses to ecosystems, ecological communities and species of conservation concern.</li> <li>• Implement protective measures, which may include:               <ul style="list-style-type: none"> <li>– ecological restoration;</li> <li>– marking areas off-limits;</li> <li>– focusing use away from sites;</li> <li>– public information initiatives; and,</li> <li>– monitoring the most vulnerable ecosystems, ecological communities and species.</li> </ul> </li> </ul>
	Spills, sewage and other disturbance from commercial marine transportation, recreation boating activity and the lodge/ranger station may contaminate intertidal and subtidal areas.	<ul style="list-style-type: none"> <li>• As appropriate, use pamphlets or other communication material to reduce or eliminate discharge of bilges and sewage in or around the clam beds.</li> <li>• Support regional water quality monitoring initiatives (e.g., biotoxins and waste disposal).</li> </ul>
To sustain the abundance and distribution of wildlife, and intertidal and subtidal species.	Marine traffic accidents may result in materials spills.	<ul style="list-style-type: none"> <li>• Train all relevant staff in their role in the British Columbia Marine Oil Spill Response Plan.</li> </ul>
	Declining salmon runs have been observed. Lower salmon returns lead to lower nutrient levels in the watershed which in turn reduces the carrying capacity of the rivers to support fish and bears.	<ul style="list-style-type: none"> <li>• Collaborate with other agencies and organizations, including Fisheries and Oceans Canada, to research and monitor salmonoid populations and implement appropriate management measures.</li> </ul>
	The marine area should be managed conservatively and provide an area of refuge for all species.	<ul style="list-style-type: none"> <li>• Recommend that the Khutzeymateen protected areas be considered as a potential marine conservation area through the Pacific North Coast Integrated Management Area (PNCIMA) project.</li> </ul>
	There is concern with the impacts associated with a commercial harvest of Dungeness Crab within Khutzeymateen Park.	<ul style="list-style-type: none"> <li>• Collaborate with Fisheries and Oceans Canada to implement a crab fishing restriction within Khutzeymateen Park.</li> </ul>
	Manage protected areas to maintain nesting habitat for Marbled Murrelets.	<ul style="list-style-type: none"> <li>• Ensure that any proposed access development in the Nature Recreation Zone: Khutzeymateen Inlet West is designed to minimize disturbance to the high value Marbled Murrelet habitat</li> <li>• Incorporate Marbled Murrelet habitat considerations into any fire management plans.</li> </ul>

### 3.5 Recreation Management

While Grizzly Bear conservation is the highest priority, allowing for limited opportunities for bear viewing allows the public to learn about bear ecology and conservation efforts. The Khutzeymateen watershed has high scenic values which, when combined with the high probability of viewing a Grizzly Bear in a natural setting, contribute to a very high quality visitor experience. Commercial tours to the park generally involve overnight trips, while tours to the Khutzeymateen Inlet conservancies may be either overnight trips or day trips which involve two to three hours of viewing time.

It is understood that the regular presence of bear viewing operators can result in some bears becoming tolerant to bear viewing. Tolerance or habituation of bears to viewing is a management tool used in bear viewing areas throughout North America. The habituation of bears to viewing results in a predictable and safe viewing experience for both the visitor and the bears. However, there is a need to ensure that there are portions of the overall Khutzeymateen protected areas where less tolerant bears may avoid human contact and habituation. This will also reflect the North Coast Land and Resource Management Plan management intent of keeping bear habituation at low to moderate levels.

Current research (McCrary and Paquet, 2010), combined with reviews from operators and managers, suggests that current viewing levels (as measured by user days and vessel days) can be sustained, but that viewing should not be significantly expanded and the maximum number of viewing interactions should be near current levels. First Nations and existing commercial bear viewing operators also support this position.

Bear viewing activities within Khutzeymateen Park will continue to be managed in a similar manner to the 1994 Interim Protection Plan by having small scale operations, and allowing only a small portion of the lower Khutzeymateen River to be available for human use which consequently provides a higher level of refuge for Grizzly Bears. The Khutzeymateen Inlet conservancies will be managed to allow a higher level of viewing activity; however, all viewing in the conservancies will be water based.

Table .5 General Objectives, Management Opportunities/Stressors, and Strategies for Recreation Value Management<sup>8</sup>.

Objectives	Management Opportunities/ Stressors	Strategies
To ensure bears are not displaced from prime foraging habitats if they are not tolerant to bear viewing activities.	Bears need an opportunity to secure adequate quantities of food if they choose not to forage where viewers are present. Creating opportunities for bears that are not tolerant to viewing will ensure that mating, feeding, resting, and other important functions are not interrupted.	<ul style="list-style-type: none"> <li>• Enforce Grizzly Bear Viewing - Standards of Practice (Appendix 4). Monitor effectiveness and update principles as required.</li> <li>• Allow only guided access in the Khutzeymateen River estuary. Visitors must be accompanied by a BC Parks and Coast Tsimshian authorized guide.</li> <li>• Establish areas and sites where bear viewing is restricted or not allowed and monitor the strategy effectiveness.</li> <li>• Do not issue permits for land-based 'safari style' 'or 'random' style bear viewing.</li> <li>• Discourage land-based recreation in the conservancies.</li> </ul>
	Habituating bears to viewing is an accepted management technique. The North Coast Land and Resource Management Plan has provided general management direction to keep bear habituation at low to moderate levels.	<ul style="list-style-type: none"> <li>• Accept the habituation of some Grizzly Bears as a means to develop predictable responses and benign interactions between bears and viewing groups.</li> </ul>
	<p>Visitors that are trained and experienced in marine-based bear viewing will reduce the disturbance and displacement of bears, and result in safe bear encounters.</p> <p>Provide opportunities for local residents to view grizzly bears in the park.</p>	<ul style="list-style-type: none"> <li>• Ensure the K'tzim-a-deen Rangers provide bear viewing orientations to all visitors.</li> <li>• When commercial bear viewing opportunities within the park are re-advertised by public tender, support proposals that have a full range of bear viewing options available to the public (e.g., both full length and short length/day trips to the park).</li> </ul>
	Consistent application of Grizzly Bear Viewing - Standards of Practice is expected to result in less disturbance to bears and result in safe viewing interactions.	<ul style="list-style-type: none"> <li>• Require all bear viewing operators and guides to follow the Grizzly Bear Viewing - Standards of Practice.</li> <li>• K'tzim-a-deen Rangers patrol the protected areas by water and communicate the Grizzly Bear Viewing - Standards of Practice with vessel operators to ensure impacts to bears are minimized.</li> </ul>
To reduce the likelihood that habituated bears are killed by	Habituated bears become more vulnerable to hunting outside of protected areas.	<ul style="list-style-type: none"> <li>• Support the continuation the Nass-Skeena No Grizzly Bear Hunting Area.</li> </ul>

<sup>8</sup> All guidelines and recommendations are intended to apply to the conservancies as well as the park. Where guidelines or management direction differs between the park and the conservancies, it is highlighted by a specific reference to the protected area unit.

Objectives	Management Opportunities/ Stressors	Strategies
hunters.		
To sustainably manage commercial bear viewing operations.	An appropriate amount of recreation and bear viewing will ensure that the wilderness recreation experience is maintained and provide opportunities for bears less tolerant to viewing to use areas of the Khutzeymateen.	<p><b>Khutzeymateen Park</b> - Allocate all future commercial opportunities through a public tender process. Ensure commercial viewing opportunities are not significantly expanded and the maximum number of viewing interactions is near current levels (including the reserved opportunity for First Nations).</p> <p><b>Khutzeymateen Inlet Conservancies</b> – Limit commercial operators to the current levels of impact, with minimal capacity for growth. Maintain allocation levels (based on vessel days) specified in park use permits to within 20% of current use levels.</p>
To ensure that Grizzly Bear ecology and natural/cultural interpretation components are a significant portion of the recreational experience.	There is a need to maintain and enhance the education and interpretive services to ensure safe viewing interactions and conservation of Grizzly Bears.	<ul style="list-style-type: none"> <li>• Develop and distribute a Grizzly Bear Viewing - Standards of Practice/protected areas brochure and orientation video for visitors.</li> <li>• In the long term, consider putting a program in place which has the guide services provided directly by the K'tzim-a-deen Ranger program.</li> <li>• Ensure all vessels provide bear viewing orientation to visitors either via the ranger station (small vessels) or by on-board presentations (large vessels) in collaboration with the K'tzim-a-deen Ranger program.</li> </ul>
	The current ranger station location provides for clear monitoring of traffic going into the park but is not easily accessible to non-commercial visitors who must navigate down the channel for orientations prior to bear viewing.	<ul style="list-style-type: none"> <li>• Maintain ranger station location in the short term. Monitor location effectiveness and, if necessary, adjust location to address management issues and operational needs.</li> </ul>
To investigate the feasibility of a fixed-viewing platform in the Khutzeymateen Inlet to minimize impact of human activity on bears.	Strategic land use planning agreements with First Nations provide an opportunity to consider the development of a fixed-viewing platform in Khutzeymateen Inlet.	<ul style="list-style-type: none"> <li>• Evaluate the feasibility of a fixed-viewing platform in the conservancies.</li> </ul>
To ensure aircraft access is managed to minimize impacts on bears and bear-viewing activities.	Providing areas of the park and conservancy that are free from aircraft noises will result in enhanced viewing opportunities and result in less disturbance and displacement of bears.	<ul style="list-style-type: none"> <li>• Do not issue park use permits for air-based commercial bear viewing.</li> <li>• Establish flight paths and landing areas that avoid prime Grizzly Bear foraging habitats, and maintain a minimum flying distance from the bears.</li> </ul>

Objectives	Management Opportunities/ Stressors	Strategies
		<p>Recommend that aircraft operators follow these instructions and build into park use permits where appropriate.</p>
<p>To ensure vessel access to the inlet is conducted in a manner that minimizes impacts on bears and bear-viewing activities.</p>	<p>Ensure an appropriate level of viewing access as vessel access can disturb and displace Grizzly Bears, and negatively impact wildlife viewing experiences.</p>	<ul style="list-style-type: none"> <li>• Do not issue park use permits for bear viewing to large cruise ship operations with mini-fleets (e.g., a cruise ship at the head of the inlet with numerous smaller viewing vessels).</li> <li>• Erect and maintain signs that direct vessels that are conducting bear viewing to operate within the parameters of the Grizzly Bear Viewing Standards of Practice.</li> </ul>
<p>To maintain the K'tzim-a-deen Ranger Program.</p>	<p>An on-site K'tzim-a-deen Ranger Program will ensure that the Grizzly Bear Viewing – Standards of Practice will be properly shared with the public and will be able to deliver education/interpretation programs. A ranger program will also conduct compliance and monitoring activities.</p>	<ul style="list-style-type: none"> <li>• Continue the K'tzim-a-deen Ranger Program arrangement.</li> <li>• Provide high quality training and experiences for K'tzim-a-deen Rangers to ensure a competent and professional program.</li> <li>• Expand interpretive service delivery by K'tzim-a-deen Rangers.</li> <li>• Work with relevant other agencies to recommend a fee model that will contribute funds from commercial operators within the conservancies to support the K'tzim-a-deen Ranger Program. Options should consider operational viability and services provided.</li> </ul>
<p>To support monitoring and research as part of an adaptive management framework.</p>	<p>Scientific research and monitoring data are essential to assess the effects of visitation on Grizzly Bears and to refine the Grizzly Bear Viewing - Standards of Practice and other guidelines for long-term management.</p>	<ul style="list-style-type: none"> <li>• Work with partner agencies to monitor bear behaviours and populations, protected area visitation and analyze the results.</li> <li>• Work with partner agencies to prepare an annual bear viewing report. This report will include an analysis and year by year comparison of visitation records and Grizzly Bear information (e.g., number of identifiable individuals and reliability of the data, number of females with young, number of adult males, and number of sub-adults).</li> <li>• Encourage appropriate partners and agencies to support Grizzly Bear Management Area research.</li> </ul>
<p>To support a sustainable bear viewing industry.</p>	<p>Commercial tourism operators have a continued interest in accessing the protected areas, while agreements with First Nations envision enhancing First Nations' economic development.</p>	<ul style="list-style-type: none"> <li>• Recommend commercial tourism operators establish mutually beneficial partnerships with, and utilize local services provided by First Nations.</li> <li>• Develop a park use permit allocation model which considers government policy and First Nation economic opportunities.</li> </ul>

Objectives	Management Opportunities/ Stressors	Strategies
To manage commercial filming to ensure consistency with Grizzly Bear Viewing - Standards of Practice and management plan direction.	<p>Commercial filming crews often require land access and close access to bears for filming.</p> <p>Commercial film production messages should not promote the Khutzeymateen in ways that are not consistent with the management plan.</p>	<ul style="list-style-type: none"> <li>• Commercial filming crews are to be accompanied by a K'tzim-a-deen Ranger or a permitted guide to ensure Grizzly Bear Viewing - Standards of Practice are observed.</li> <li>• Ensure all commercial film content is consistent with the management for the area and applications are reviewed by the collaborative management board.</li> </ul>

### 3.6 Natural Resource Use Management

Natural resource use in the conservancy that is not associated with bear viewing or First Nation uses is generally associated with the commercial harvest by licensed fisheries, by trappers and associated with the provision of access to adjacent resources through potential road corridors in the portions of the inlet established as Khutzeymateen Inlet West Conservancy (i.e., Mouse Creek, Tsamspanaknok Bay). Table 6 provides direction related to natural resource use.

Table 6. Objectives, Management Opportunities/Stressors and Strategies for Natural Resource Use and Development.

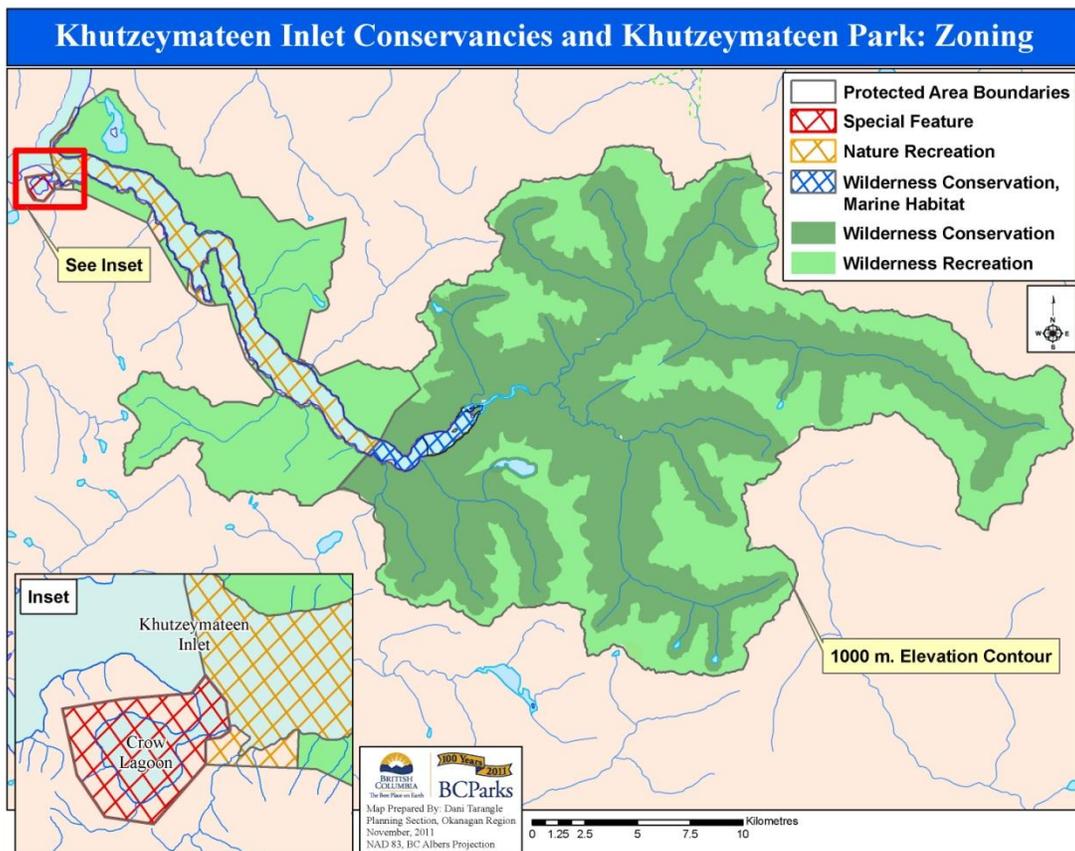
Objectives	Management Opportunities/ Stresses	Strategies
<p>To ensure that the development or use of natural resources occurs in a sustainable manner which minimizes the impacts to the natural and cultural values.</p>	<p>Commercial shellfish harvest activities within the protected areas may disturb Grizzly Bears’ daily activities and the recreational bear viewing experiences.</p>	<ul style="list-style-type: none"> <li>• Continue to manage the park as a no Dungeness Crab harvesting area.</li> <li>• Recommend that the Khutzeymateen protected areas be considered as a potential marine conservation area through the Pacific North Coast Integrated Management Area (PNCIMA) project.</li> <li>• Recommend development options which do not require road access.</li> <li>• Ensure development proposals follow the BC Parks Impact Assessment Process, and are conducted according to provincial guidelines and best practices.</li> <li>• Establish timing restrictions for road development (Khutzeymateen Inlet West) so that development can only occur when bears are not present (October to April).</li> <li>• Ensure that any proposed access development is designed to minimize disturbance to the high value Marbled Murrelet habitat.</li> </ul>
	<p>The potential development of road access through the Khutzeymateen Inlet West Conservancy could impact First Nations’ cultural and traditional values, Grizzly Bear habitats, Grizzly Bear viewing activities, and nesting sites for Marbled Murrelets.</p>	

### 3.7 Zoning

Zoning assists in the planning and management of protected areas. In general terms, zoning divides an area into logical units to apply consistent management objectives for conservation, cultural uses/features, and recreational values. The zones reflect the intended land use, the degree of human use desired and the level of management required. Social, ceremonial, and cultural uses of First Nations may occur in any of the zones in the protected area.

This management plan establishes six different management planning zones in the Khutzeymateen protected areas. Appropriate activities and facilities for each zone are listed in Appendix 2. The objective for each zone and a brief discussion on the size, zone boundary and management intent is described below. Zoning maps are provided in Figure 3. General management direction is provided in Sections 3.2 – 3.6.

It should be noted that more detailed planning under the Lax Kw’alaams’ and Metlakatla’s land use plans may result in the identification of additional site-specific cultural zones that would be recommended as amendments to the management plan to protect cultural and traditional use values.



**Figure 3. Khutzeymateen Park and Khutzeymateen Inlet Conservancies Zoning**

## Wilderness Conservation Zone: Khutzeymateen Park Valley

### ***Zone Objective***

To protect a remote, undisturbed natural landscape where no recreation facilities will be developed and naturally occurring processes will prevail. The Grizzly Bear population will be undisturbed by human activity. Management activities in the Wilderness Conservation Zone will be minimal and will focus on protecting the biological and physical features in the zone. Human use in this zone is intended to be extremely limited.

### ***Geographic Description of the Zone***

The Wilderness Conservation Zone covers the majority of Khutzeymateen Park and extends from sea level to 1,000 metres elevation. The Wilderness Conservation Zone covers 27,775 ha or 47.7% of the group of protected areas.

### ***Key Zone Strategies***

Table 6 contains specific management strategies for human use and bear viewing within the Wilderness Conservation Zone.

## **Wilderness Conservation Zone: Marine Habitat**

### ***Zone Objective***

To protect an undisturbed marine environment and provide low impact, wilderness appreciation based recreation opportunities.

### ***Geographic Description of the Zone***

This zone covers the marine portion of Khutzeymateen estuary. This Wilderness Conservation Zone covers 464 ha or 1% of the Khutzeymateen protected areas.

### ***Key Zone Strategies***

Management strategies will be oriented toward protecting an undisturbed marine environment and a low level of recreational use. The natural value tables (Table 4) provide specific direction that ensures this area remains pristine. Public recreational bear viewing is restricted to marine-based viewing.

## **Wilderness Recreation Zone: Khutzeymateen Inlet and Upper Khutzeymateen Park**

### ***Zone Objective***

To protect a remote, undisturbed natural landscape and to provide backcountry recreation opportunities which depend on a pristine natural environment. Aircraft may be permitted to access designated sites.

### ***Geographic Description of the Zone***

This zone covers the majority of the Khutzeymateen protected areas. The Wilderness Recreation Zone provides opportunity for recreational use and access; however, recreational use and access are not to be promoted. The Wilderness Recreation Zone covers 27,040 ha or 46% of the Khutzeymateen protected areas.

## **Nature Recreation Zone: Khutzeymateen Inlet Marine**

### ***Zone Objective***

To provide for marine-based bear viewing opportunities in a largely undisturbed marine environment.

### ***Geographic Description of the Zone***

This zone covers the marine portion of Khutzeymateen Inlet Conservancy. This Nature Recreation Zone covers 2,169 ha or 3.7% of the Khutzeymateen protected areas.

### ***Key Zone Strategies***

Management will be orientated toward maintaining a marine ecosystem and high-quality marine recreation experience.

## **Nature Recreation Zone: Khutzeymateen Inlet West**

### ***Geographic Description of the Zone***

This zone covers the marine portion of Khutzeymateen Inlet West Conservancy. This zone contains 342 ha (187.6 ha land and 155 ha foreshore) or less than 1% of the Khutzeymateen protected areas.

### ***Zone Objective***

To provide marine-based bear viewing while managing for potential resource access road development.

### ***Geographic Description of the Zone***

This zone (Figure 3) includes the Khutzeymateen Inlet West Conservancy (Figure 2) and allows for the potential development of road access at Mouse Creek and other identified access points west of Tsamspanaknok Bay.

### ***Key Zone Strategies***

If required for access to resources beyond, use of this zone could include access road(s) and log dump areas. Road access and log dumps will be designed to minimize impacts on adjacent areas in the Khutzeymateen protected areas, including on cultural practices, flora and fauna, the marine environment, and recreation values.

## **Special Feature Zone: First Nations' Cultural Use and Natural Feature - Crow Lagoon**

### ***Zone Objective***

To protect the significant natural and cultural features associated with Crow Lagoon in the Khutzeymateen Inlet Conservancy.

### ***Zone Description***

This Special Feature Zone covers 203 ha or 0.4% of the Khutzeymateen protected areas. The purpose of the zone is to protect Crow Lagoon and to protect the clam and cockle beds just outside the lagoon which have long been used by the Coast Tsimshian.

Crow Lagoon itself represents a special feature in that it protects what may be a volcanic cone which is accessible to boat traffic. The lagoon is also the source of a spiritual story

that is known and told by Coast Tsimshian elders. A small passage way on the north side of the lagoon allows boaters to enter the volcanic cone and peer up at the walls of the cone.

### ***Zone Management Direction***

Visitation to Crow Lagoon is an acceptable activity that may help enhance the recreational and cultural offerings of the Khutzeymateen Inlet Conservancy. Use of the clam and cockle beds will be principally focussed on providing for traditional uses<sup>9</sup>. The Ministry of Environment will also, as practical, assist in efforts by Fisheries and Oceans Canada to monitor biotoxins.

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<sup>9</sup> The whole of the north coast is officially closed to the recreational harvest of shellfish due to biotoxin concerns and the lack of a biotoxin monitoring program to determine when and if the shellfish are safe to harvest.

## 4.0 Plan Implementation

An adaptive management approach will be applied to the management of the Khutzeymateen protected areas. Adaptive management involves planning, implementation, monitoring, evaluation and revision of management strategies to reflect lessons learned. Adaptive management is considered flexible, and responsive to stakeholder and public input.

Implementation of this management plan will involve working to implement priority strategies and to monitor key indicators that provide information about the state of the protected areas and the effectiveness of the management strategies. Monitoring results will be compared against performance measures and used to re-evaluate and revise, and where appropriate, revise inventory, analysis, assumptions, management objectives, management strategies and implementation measures.

The Khutzeymateen protected areas are part of the North Coast Land and Resource Management Plan area. Consequently, ecosystem based management (EBM) is practised in the area. Investigation and approval of any potential road construction in Khutzeymateen Inlet West Conservancy must meet ecosystem based management requirements. A fixed viewing platform is the only other potential upland development contemplated for the Khutzeymateen protected areas that will need to consider ecosystem based management requirements in its assessment and evaluation.

### 4.1 Implementation Resources

It is expected that the K'tzim-a-deen Ranger Program and the Ministry of Environment Park Ranger programs will develop and maintain collaborative workplans and operating budgets that identify timelines and responsibilities and the resources required to implement this management plan. The collaborative management partners will seek project specific funding to implement priority strategies and monitor key success indicators.

### 4.2 Priority Strategies

As part of developing ongoing workplans, priorities will be developed for implementation of strategies and performance measures. These priorities will be developed based on this management plan and taking into account the various protected area interests within the coastal protected area operations.

### 4.3 Annual Report

The Ministry of Environment and the Coast Tsimshian First Nations will prepare a summary annual report on a system-wide basis describing progress on implementation of protected

area management plans. There will also be an annual user group meeting held in Prince Rupert to review the bear viewing operating season and the K'tzim-a-deen Ranger program. At this meeting, participants will have an opportunity to input into the annual operating plan and highlight which core strategies should be implemented.

#### **4.4 Management Plan Review and Amendment**

Within 10 years this management plan will be formally reviewed by the Ministry of Environment and Coast Tsimshian First Nations. The management plan should be reviewed to examine implementation and strategy effectiveness in relation to performance measures and for ongoing relevance. The management plan may be amended by agreement of the Coast Tsimshian First Nations and the Ministry of Environment, and through a public and stakeholder input process.

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# Appendix 1: Memorandum of Understanding



## *Memorandum of Understanding*

*Between:*

The Stewardship of the Gitsi'is Tribe

*and:*

Her Majesty the Queen  
In Right Of The Province Of British Columbia  
("British Columbia")

***Whereas*** both British Columbia and the Stewardship of the Gitsi'is Tribe wish to protect grizzly bears and their habitat in the area known to the Tsimshian and the Stewardship of the Gitsi'is Tribe as K'tzim-a-deen and to non-aboriginals as Khutzeymateen;

***And Whereas*** both parties wish to set out the principles for protection of K'tzim-a-deen (Khutzeymateen) through this Memorandum of Understanding ("Memorandum");

***And Whereas*** British Columbia intends to establish a Provincial Park to be known as Khutzeymateen Park a.k.a. Khutzeymateen/K'tzim-a-deen Grizzly Sanctuary (the "Park") in the area;

***And Whereas*** the Tsimshian and Stewardship of the Gitsi'is tribal laws have always provided for protection of the natural ecosystem in the Park area which is included in their traditional territories;

***And Whereas*** British Columbia and the Stewardship of the Gitsi'is Tribe share a common interest in the protection and careful management of the unique wilderness characteristics of the Park including grizzly bears and their habitat;

***It Is Therefore Agreed*** by the parties that they will apply the following principles to develop a cooperative working relationship in the Park, namely:

**1.0 ESTABLISHMENT OF PARK**

- 1.1 British Columbia shall, subject to the Lieutenant Governor-in-Council providing the appropriate Order-in-Council pursuant to section 5 of the *Park Act* (R.S.B.C. 1979, c.309) establish Khutzeymateen Park a.k.a Khutzeymateen/K'tzim-a-deen Grizzly Sanctuary.

**2.0 WITHOUT PREJUDICE TO ABORIGINAL RIGHTS AND TREATY NEGOTIATIONS**

- 2.1 The establishment of the Park is without prejudice to any aboriginal rights that the Stewardship of the Gitsi'is Tribe may have.
- 2.2 The establishment of the Park is without prejudice to the position any party may take in future treaty negotiations.

**3.0 MANAGEMENT OF PARK**

- 3.1 The management and administration of the Park by the Ministry of Environment, Lands and Parks shall be done under the auspices and authority of the *Park Act* (R.S.B.C. 1979, c.309) and accompanying regulations.
- 3.2 The Park will also be managed according to the terms set out in paragraphs 3.3, 3.4 and 3.5, subject to paragraphs 3.1, 5.2 and future treaty negotiations.
- 3.3 The parties agree that conservation, especially of grizzly bears and their habitat, shall be the highest priority in the management of resources in the Park, and that the interests of the Stewardship of the Gitsi'is Tribe shall be exercised in accordance with this objective.
- 3.4 Nies Yaganatt (or his Stewardship Tribal spokesperson) and the District Manager (or designates) will meet to resolve issues of mutual concern as they arise, in a manner consistent with a government-to-government relationship.
- 3.5 In the event that Nies Yaganatt (or his Stewardship Tribal spokesperson) and the District Manager (or designates) cannot reach consensus, Nies Yaganatt would confer with his spokespersons and the District Manager would confer with Senior Staff; and then the parties will reconvene to resolve outstanding issues.

#### **4.0 MUTUAL COMMITMENT**

- 4.1 The parties will work together in the spirit of cooperation, respect and friendship, and welcome the opportunity to do so.
- 4.2 In all matters referred to in this Memorandum, British Columbia and the Stewardship of the Gitsi'is Tribe will address issues of mutual interest in a manner consistent with a government-to-government relationship.
- 4.3 The parties will work together to address funding issues as they arise. Financing for the implementation of any specific project or activity stemming from this Memorandum may be negotiated by the parties. Where appropriate, British Columbia will assist the Stewardship of the Gitsi'is Tribe in securing resources from other parties for specific projects.
- 4.4 The parties will ensure that the establishment of the Park will not unreasonably interfere with access to, or activities on the Tsimshian Indian Reserves Carm Creek I.R. No. 38, Kateen River I.R. No. 39 and Khutzemateen I.R. No. 49.
- 4.5 The parties will ensure that the Park is managed in a manner consistent with the maintenance of the traditional territories, the protection of historic cultural sites, and the exercise of any aboriginal rights of the Stewardship of the Gitsi'is Tribe in the Park.
- 4.6 Where possible, both parties will promote commercial, economic and employment opportunities for the Stewardship of the Gitsi'is Tribe in the Park.

#### **5.0 MEMORANDUM NOT LEGALLY BINDING**

- 5.1 This Memorandum is intended to indicate the parties' intention to work together to resolve issues of mutual concern regarding the Park. It is not intended to be a legally binding document.
- 5.2 While the parties intend that any differences be resolved through frank and open discussions, either party may withdraw from the Memorandum by providing the other party with thirty days' written notice of their intention to do so, accompanied by the reason why the party wishes to withdraw.

*In Witness Whereof* the parties hereto  
have executed this Memorandum of Understanding  
this 17th day of August 1994.

Signed on behalf of  
THE STEWARDSHIP OF THE GITS'I'S TRIBE  
by Chief Nies Yaganatt  
(Lawrence Helin),  
in the presence of:

Nies Yaganatt  
John Swanson

James Lawson  
Witness  
for Gitandoah

Merle Algeee  
Witness  
Gituzai

James Bryant  
Witness  
Gitwilgiots

Cliff Anderson  
Witness  
Gitadoiks

Marvella Helin  
Witness  
Gitspaxloats

George L. Haly  
Witness  
for Gitzaxlaal

Ruth Bryant  
Witness  
for Ginaxangiik

James Bryant  
Witness  
for Gitlan

Signed on behalf of  
HER MAJESTY THE QUEEN IN RIGHT OF  
THE PROVINCE OF BRITISH COLUMBIA  
by the Honourable John Cashore,  
Minister of Aboriginal Affairs,  
in the presence of:

John Cashore

[Signature]  
Witness

# Appendix 2: Appropriate Activities and Facilities Table

Activity/Facility	Appropriate in Special Feature Zone – First Nations Cultural Use and Natural Feature Zone	Appropriate in Wilderness Conservation Zone	Appropriate in Wilderness Recreation Zone	Appropriate in Nature Recreation Zone	Appropriate in Wilderness Conservation: Marine Habitat Zone
<b>First Nations Social, Ceremonial, Economic and Cultural Uses</b>					
Cultural, Ceremonial, Economic and Social Uses by First Nations	Y	Y	Y	Y	Y
Cultural Tourism	Y	Y	Y	Y	Y
Marine Invertebrate Harvesting	Y	N/A	N/A	Y	Y
Seaweed Harvesting	Y	N/A	N/A	Y	Y
<b>Recreation Value Management</b>					
Aircraft Access	N/A	Y	Y	Y	Y
Boating (power)	Y	N	N/A	Y	Y
Boating (non-power)	Y	N	N/A	Y	Y
Camping – backcountry	N/A	N	Y	N	N/A
Camping – anchoring	Y	N/A	N/A	Y	Y
Commercial Recreation (facility-based)	N	N	N	N <sup>2</sup>	N
Commercial Recreation (no facilities)	Y	Y	Y	Y	Y
Heli-hiking	N	N	N	N	N
Hiking/Backpacking/Walking	Y	Y <sup>10</sup>	Y	Y	N/A
Fresh Water Fishing	N/A	N	Y	Y	N/A
Hunting	Y	N	Y	Y	N
Marine Invertebrate Harvesting	Y	N/A	N/A	Y	N
Mechanized Off-road Access (non-motorized – i.e., mountain biking)	N	N	N	N	N
Motorized Off-road Access (not snowmobiles – i.e., 4x4, motorcycles)	N	N	N	N	N/A
Wildlife/Nature Viewing	Y	Y	Y	Y	Y
Administrative Buildings and Compounds	N	N	N	Y <sup>11</sup>	N
Backcountry Huts and Shelters	N	N	N	N	N

<sup>10</sup> Access to recreational use of the land in the Wilderness Conservation Zone is restricted to permitted guided bear viewing activities.

<sup>11</sup> Use and maintenance of the floating Khutzeymateen Ranger Station/Interpretive Centre is the only accepted administrative building.

Activity/Facility	Appropriate in Special Feature Zone – First Nations Cultural Use and Natural Feature Zone	Appropriate in Wilderness Conservation Zone	Appropriate in Wilderness Recreation Zone	Appropriate in Nature Recreation Zone	Appropriate in Wilderness Conservation: Marine Habitat Zone
Boat Launches	N	N/A	N/A	N/A	N
Anchoring	Y	N/A	N/A	Y	Y
<b>Natural Resource Use Management</b>					
Filming (commercial)	M	M	M	M	M
Guide Outfitting	N	N	N	N	N
Trapping	Y	Y	Y	Y	Y
Communication Sites	N	N	N	Y	N
Roads	N	N	N	M	N
Utility Corridors (power/transmission lines and other rights-of-way)	N	N	N	N	N
Water Control Structures	N	N	N	N	N

- Y** Appropriate  
**N** Not appropriate  
**N<sup>1</sup>** Not appropriate except to meet expressed management objectives as identified in the Management Plan  
**N<sup>2</sup>** Not appropriate, but if the specific activity or facility existed at the time of establishment of the protected area, it is normally appropriate for it to continue  
**M** May be appropriate  
**N/A** Not applicable

## Appendix 3: Ecosystem Representation

The land portion of the Khutzeymateen protected areas (55,142 hectares) are in the Kitimat Ranges Ecosection. They protect nearly 2.5% of this ecosection. Kitimat Ranges Ecosection covers the windward and leeward slopes of the Kitimat Ranges, which are massive rounded granitic mountains that are dissected by numerous fjords. Temperate rainforests dominated by western hemlock, western redcedar, amabilis fir, and Sitka spruce cover the lower slopes, with mountain hemlock, yellow-cedar and amabilis fir at high elevations; deciduous trees are uncommon.

The marine portion of the conservancy is in the North Coast Fjords Marine Ecosection, and protects 3,219 ha or 4.8% of the overall protected areas system representation (66,411 ha) of this marine ecosection<sup>12</sup>. The North Coast Fjords Marine Ecosection consists of deep, narrow fjords cutting into the high relief of the Coast Ranges. The waters are very protected from the open ocean, have restricted circulation, and are often strongly stratified. The poor water exchange and nutrient depletion lead to low species diversity and productivity. However, unique species assemblages and plankton communities are found within this marine ecosection. According to the marine protected area database, the Khutzeymateen protected areas contain 77.6 km of shoreline with 55 km having some sort of beach/intertidal zone; 17.6 km of the 55 km of beach area are classified as estuary, marsh or lagoon of which 10.5 km are contained within Khutzeymateen Park.

The Coastal Mountain Heather Alpine (CMA) zone occurs along the windward spine of the Coast Mountains where the snowpack is deep and summers are moderated by maritime influences. Treeline is lowered by heavy and prolonged snow cover. Glaciers and recently exposed bare rock occupy much of the higher elevation areas. Vegetation consists primarily of extensive beds of white and pink mountain-heathers.

The Coastal Western Hemlock, Submontane Very Wet Maritime (CWHvm1) Biogeoclimatic Subzone covers most of the land between the coastal fjords and the eastern portion of some coastal islands. The subzone rises from sea level to about 800 metres in elevation and is characterized by a wet, mild oceanic climate. Dominant tree species throughout the subzone include western hemlock, amabilis fir and Sitka spruce, with some yellow-cedar and shore pine. The higher elevation Coastal Western Hemlock, Montane Very Wet Maritime Biogeoclimatic Subzone (CWHvm2), has a deeper snowpack, cooler growing season, lower productivity and lower species diversity.

The Coastal Western Hemlock Wet Maritime (CWHwm) Biogeoclimatic Subzone occurs in low elevation forests in the northern parts of the Coastal Western Hemlock (CWH) Biogeoclimatic Zone. The Khutzeymateen protected areas represent the greatest single representation of this biogeoclimatic subzone in the protected areas system; accounting for 40% of all the land protected in this subzone (Table 2). The terrain is steep and rocky with

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<sup>12</sup> Marine ecosection data sourced from the provincial marine protected area database - <https://apps.gov.bc.ca/pub/mpna/home.do> - on September 29, 2009.

very heavy snowfall and low plant species diversity. Western hemlock and Sitka spruce are the dominant tree species; western redcedar and yellow-cedar occur sporadically.

The Mountain Hemlock Moist Maritime Biogeoclimatic Subzone windward variant (MHmm1) subzone covers subalpine forests between the CWH and CMA zones on the windward side of the Coast Mountains. Snowpack in the subzone is heavy and can cover the ground for five to nine months. Mountain hemlock, amabilis fir and western hemlock are the dominant tree species; yellow-cedar occurs sporadically. The Mountain Hemlock Moist Maritime Parkland Biogeoclimatic Subzone (MHmmp) covers an area that is transitional between higher elevation forests and true alpine areas. Discontinuous forested areas in this subzone are interspersed with lush herb and heather meadows, fens and bogs.

Biogeoclimatic (BEC) Subzone or Marine Ecosession		Area (ha)			% of BEC subzone in Provincial Protected Areas in Khutzeyma-teen	% BEC subzone in protected areas system
		Khutzeymateen Park	Khutzeymateen Inlet Conservancy	Khutzeymateen Inlet West Conservancy		
Coastal Western Hemlock, Submontane Very Wet Maritime	CWHvm1	2,023	3,593	188	1.9	14.5
Coastal Western Hemlock, Montane Very Wet Maritime	CWHvm2	2,778	2,546	-	2.0	19.86
Coastal Western Hemlock Wet Maritime	CWHwm	11,176	-	-	40.0	9.1
Mountain Hemlock Moist Maritime Subzone Windward Variant	MHmm1	8,043	1,775	-	2.2	27.4
Mountain Hemlock Moist Maritime Parkland	MHmmp	9,383	1,842	-	16.1	31
Coastal Mountain Heather Alpine	CMAun	10,811	423	-	15.7	30.4
Water-fresh		374	187	-	-	-
North Coast Fjords <sup>13</sup> (930,000 ha ecosession)	NCF	464	2,581	174	4.6	7.1
Total		45,052	12,947	362		

<sup>13</sup> Column totals for the North Coast Fjords Ecosession reflect ecosession representation values.

# Appendix 4: Grizzly Bear Viewing – Standards of Practice

## Grizzly Bear Viewing in the Khutzeymateen Protected Areas - Standards of Practice –

The following standards of practice ensure the protection and conservation of Grizzly Bears in the Khutzeymateen watershed.

The goals of the standards of practice are to:

- Minimize the impact to Grizzly Bears; and,
- Ensure the safety of Grizzly Bears and viewing groups.

The objectives of the standards of practice are to:

- Ensure that public and commercial operators do not disturb bears from daily activities.
- Ensure aircraft access is managed to minimize impacts on bears and bear-viewing activities.
- Ensure vessel access to the inlet is conducted in a manner that minimizes their impacts on bears and bear-viewing activities.
- Ensure consistent application of Grizzly Bear viewing standards by operators and public visitors.
- Ensure Grizzly Bears have no access to human food/garbage sources.
- Ensure Grizzly Bear ecology and natural/cultural interpretation components are a significant portion of the recreation experience.

### **1) Ensure that public and commercial operators do not disturb bears from daily activities.**

Public and commercial bear viewing may have an adverse impact upon Grizzly Bears foraging behaviours thereby reducing nutritional intake. Disturbing bears that are not tolerant to viewing can interrupt mating, feeding, resting and other important functions. Bears need an opportunity to secure adequate quantities of food if they choose not to forage where viewers are present. Park managers will accept the habituation of some Grizzly Bears as a management strategy to ensure a safe and predictable response from bears and benign interactions between viewing groups and bears.

A need for further research (habitat mapping) has been identified for the inlet to identify possible no-bear viewing refuges. A research program that tests the effectiveness of no-viewing sites is being considered.

#### ***Standards for the entire Khutzeymateen Group of Protected Areas***

- Bear viewing guides must be trained and understand bear behaviour.
- While viewing bears, guides must watch for behaviour indicating that a bear may be becoming stressed. If a bear shows signs of becoming stressed, guides will end the viewing session with that particular bear.

- A viewing distance of 75 metres should be maintained for large vessels (over 25 feet) and 30 metres for smaller vessels. For the general public, a minimum viewing distance of 50 metres is required. All guides will be mindful of maintaining a deep water barrier between the vessel and the bears.
- No more than two vessels viewing a bear or group of bears at any one time. Each vessel may spend a maximum of 20 minutes viewing a bear or group of bears. All vessels must travel near the centre of the inlet and approach a bear at a speed of 5 knots or less. When leaving a viewing session, vessels will depart the scene as unobtrusively as possible.

***Standards specific to the Park (Klutzeymateen River estuary)***

- Guided access only.
- No commercial bear viewing on the Klutzeymateen River above a line which is to be located in the first 300 metres of the river system and as specified in park use permit conditions.
- Only one permitted viewing group is allowed in the river estuary during the high tide (maximum 10 people).
- Access limited to small motor boats with four stroke motors (< 50 horsepower).
- Land-based viewing will only be permitted from areas on the islands in the main estuary centre. Land-based viewers must be no closer than 30 metres from bears and maintain a water barrier.
- To minimize impact on bear trails and marking areas, viewing of mark trees and trails may only occur under the following terms: visit to mark sites will be limited to 15 minutes per day; groups will minimize impacts by staying off mark trails and will not urinate in the vicinity of mark sites; and, viewing of mark sites may be closed should viewing result in decreased bear use of marked sites.

***Standards specific to the Klutzeymateen Inlet Conservancies***

- No land-based bear viewing.
- View tolerant bears and avoid viewing bears that show signs of intolerance.

**2) Ensure aircraft access is managed to minimize impacts on bears and bear-viewing activities.**

Aircraft noise displaces bears and negatively impacts viewing experiences.

- Air-based bear viewing will not be permitted.
- Aircraft are requested to stay a minimum of 500 metres vertically and horizontally from bears.
- Permitted bear viewing guides that use aircraft to exchange clients must use landing areas that avoid prime Grizzly Bear foraging areas unless required for safety and weather issues.
- Work with aircraft companies and bear viewing operators to establish flight paths and landing areas that avoid prime Grizzly Bear foraging habitats.

**3) Ensure vessel access to the inlet is conducted in a manner that minimizes their impacts on bears and bear-viewing activities.**

Vessel access can disturb and displace Grizzly Bears and negatively impact wildlife viewing experiences.

- Large cruise ship operations with mini-fleets will not be permitted (e.g., a cruise ship at the head of the inlet with numerous smaller viewing vessels)
- Maintain signs at the narrows that directs vessels to stay to the centre of the channel (or 300 metres from shore) and maintain slower speeds to avoid disturbing and displacement of bears.

**4) Ensure consistent application of Grizzly Bear viewing standards by operators and public visitors.**

Inconsistent application of Grizzly Bear viewing standards could result in the disturbance of bears or an unsafe viewing interaction

- Mandatory orientation by K'tzim-a-deen Rangers on bear viewing standards to all visitors.
- All tendering opportunities for commercial bear viewing will require applicants to demonstrate significant experience and qualifications in bear viewing/behaviour and biology.

**5) Ensure Grizzly Bears have no access to human food/garbage sources.**

Grizzly Bears may become food conditioned if they have access to human food and garbage sources.

- Garbage/food/attractants must be tightly controlled and not left accessible to bears.

**6) Grizzly Bear ecology and natural/cultural interpretation components must be a significant portion of the recreation experience.**

There is a need to maintain and enhance the education and interpretive services to ensure safe viewing interactions and conservation of Grizzly Bears.

- A bear viewing/protected areas brochure and orientation video will be available for both guided and public visitors. The document will educate visitors on the rules and regulations, as well as best practices for bear viewing. The document will reassure visitors that BC Parks is proactively managing bear viewing to ensure the long-term survival of Grizzly Bears.
- All vessels are required to check in with the ranger station for orientation upon arrival to the protected areas and to become familiar with bear viewing standards.

- Large tour vessels will develop a suitable orientation for visitors onboard that will be developed in conjunction with, and potentially delivered with the support of the BC Parks K'tzim-a-deen Ranger program. Specifics of the orientation will include education about bear ecology, behaviour, conservation and best bear viewing practices.