
Approved:

Effective Date:

Relationship to Previous Policy: This policy replaces all previous policy regarding requirements for obtaining a research permit

Park Use Permits

Research Permits

Purpose

This policy provides direction on determining whether a park use permit or resource use permit (PUP) is required for proposed research activities. This policy also provides direction on evaluation of a research permit application, and the terms and conditions required for this type of permit.

Scope

This policy applies to all proposed research activities, including research activities for academic research and for investigative use in parks, protected areas, conservancies and recreation areas. This policy does not apply to proposed research activities in ecological reserves.

Definitions

“application fee” means the fee charged to a person applying for a park use permit or resource use permit for a purpose listed in Schedule K, Part 1 or Part 2 of the *Park, Conservancy and Recreation Area Regulation*.

“cultural heritage resource” means an object, a site or the location of a traditional societal practice that is of historical, cultural or archaeological significance to British Columbia, a community or an aboriginal people.

“financial guarantee” means an obligation in writing to BC Parks supported by a security from an individual or company to indemnify BC Parks against loss arising from non-performance or default by a Permittee under a permit or in a proposal call process.

“improvements” refers to anything made, constructed, erected, built, altered, repaired, added to, on, or under the land, and attached to it or intended to become a part of it (e.g., floating camp/dock). It also includes any clearing, excavating, digging, drilling, tunnelling, filling, grading or ditching, in, on or under the land, but does not include temporary accommodations or testing equipment that will be removed at the termination of the permit.

“investigative use permit” is a park use permit which has been issued as a means of gathering information for the purpose of determining viability of land use/occupancy for commercial or proposed industrial activities;

“natural resources” means land, water, and atmosphere, their mineral, vegetable or other components, and includes the flora and fauna on and in them.

“Permittee” means the legal entity to whom the park use permit is issued.

“**protected area**” for the purpose of this policy means Crown land established or continued as a park, protected area, recreation area, or conservancy under the *Park Act*, the *Protected Areas of British Columbia Act*, or the *Environment and Land Use Act*, and does not include ecological reserves.

“**recreational values**” means those activities appropriate in the protected area for public use and enjoyment.

“**research**” means activities that are intended to increase knowledge of a certain study area, including investigation of phenomena or matter using established methods of inquiry based on gathering observable, empirical or measurable evidence.

Policy

1. Regulation of Research Activities

Research activities occurring within provincial protected areas will be managed by BC Parks through park use permits (“permits”) under the *Park Act* and authorization letters under the *Park, Conservancy and Recreation Area Regulation*.

BC Parks will regulate and manage research activities that have the following purposes:

- a) increase knowledge of protected area values for the inspiration, use and enjoyment of the public;
- b) contribute to scientific knowledge;
- c) provide educational opportunities;
- d) ensure public health or safety;
- e) determine risks or benefits to the protected area from developments, both within and adjacent to the protected area;
- f) support feasibility assessments or environmental assessments; or
- g) allow the collection of information to support a boundary adjustment request.

Research activities relating to e), f) or g) are considered to be investigative use. For the purposes of this policy, these activities will be referred to as being governed through investigative use permits.

2. Determining Appropriate Research Activities

BC Parks will evaluate research proposals considering any direction provided in approved protected area management plans or other relevant documented sources relating to the purpose of the protected area, the results of a BC Parks Impact Assessment process, a conservation risk assessment, the results of First Nations’ consultation, and any public consultation that may be conducted. The results of these evaluations will determine whether the research activity is appropriate and should be allowed.

Prior to authorizing research activities, BC Parks may itself or request the permit applicant to undertake public consultation when required to undertake a level II impact assessment or at the request of the Minister.

Appropriate research activities are those considered to serve one of the purposes of research stated in section 1 above, and which do not result in adverse impacts. Adverse impacts are considered to be those that will impair the function or role of a protected area, or the enjoyment and health and safety of visitors. When determining whether an impact will impair the function or

role of a protected area, the purpose of the protected area will be considered, as well as the extent and duration of the impacts.

3. Research Activities Requiring a Permit

Permits are required for research activities within provincial protected areas where the proposed research will involve any of the following:

- a. Destructive or invasive sampling including removing plant materials or wildlife, disturbing or removing soils or rocks, substrate impacts, or other activities that remove, destroy, damage, disturb or exploit a natural resource. Exceptions include collection of scat, small (< 1L) water samples, or loose animal hair (provided not taken from animals, or sites where animals have been baited),
- b. Any improvements (including temporary improvements that will be removed at the termination of the permit);
- c. Access to the protected area or parts of the protected area that will not use standard access points (e.g. research that requires helicopter access where helicopter access is not normally allowed);
- d. Any animal trapping, including fish and invertebrates (other permits also apply and it is the applicant's responsibility to ensure all permit requirements are met prior to conducting any research activities); or
- e. Access to restricted areas, or exclusive use of a defined area.

The above list is not all-inclusive, and any time that a research activity will involve removal, destruction, damage, disturbance or exploitation of a natural or cultural heritage resource, a permit will be required.

4. Research Activities not Requiring a Permit

Where an individual or applicant proposes to conduct activities within a protected area in a manner consistent with public use, a permit will not be required. Activities that meet all the following criteria will be considered 'consistent with public use' and do not require a research permit:

- a. No improvements (permanent or temporary) are made, and
- b. No natural resources or cultural heritage resources are removed, destroyed, damaged, disturbed, or exploited, except for
 - i. Activities that involve collection of scat, small (< 1L) water samples, or loose animal hair (provided not taken from animals, or sites where animals have been baited),

5. Notifications and Permission Required

Where no permit is required, researchers must still contact the regional BC Parks office to inform them of the research activities. Prior to undertaking any research activity within the protected area, an applicant must receive an authorization letter from BC Parks, which will include instructions for protected area access and term, and acknowledge any special use of protected area land required for the research project. An authorization is a requirement of the Park, Conservancy and Recreation Area Regulation. BC Parks may require the researcher to submit a report summarizing the findings at the end of the research activities

6. Research by Provincial or Federal Agencies

Where a provincial or federal agency wishes to conduct a research project within a protected area, a permit will not be required, though authorization to allow the proposed activity is still required. Such agencies are still required to notify and work with BC Parks in the development and

implementation of their research proposal to ensure that natural, cultural and recreational values in the protected area are protected and impacts accounted for, and that research efforts are coordinated with other activities occurring within the protected area.

7. Investigative Use Permits

Investigative use permits grant rights to carry out activities for a short term, but do not authorize occupation of land or use of resources for any purpose other than investigative use or activities associated with investigative use, including investigations, appraisals, inspections, analysis, inventories or surveys. Only temporary improvements may be made under a park use permit for investigative use.

BC Parks' issuance of an investigative use permit will in no way guarantee that any future permits for land use/occupancy or commercial activities will be granted to the Permittee.

The Permittee must allow public access to the area without interference, except where there are concerns for public health and safety and the right to restrict access temporarily has been expressly granted in the permit. BC Parks may authorize overlapping permits.

BC Parks will set permit conditions to a standard it deems necessary to maintain protected area values.

When evaluating impacts to the protected area from the investigative use activities, impacts from methods of access will be considered. The BC Parks Impact Assessment process will also consider cumulative impacts from an entire investigative use project, as well as cumulative impacts to the protected area from other past and present activities such as regular public use and other permitted activities.

8. Investigative Uses Not Allowed

Where an application to conduct investigative use research is not approved, the proponent may consider applying for an adjustment of the protected area boundary in order to conduct investigations. The application must follow the direction in the Provincial Protected Area Boundary Adjustment Policy, Process and Guidelines.

9. Permit Renewals

An investigative use permit will generally not be renewed, unless the Permittee can provide evidence that there is a legitimate requirement that necessitates further investigative use in the protected area.

10. Term Length

The amount of time required to collect the necessary data will determine the permit term length.

11. Transfers

Permits are non-transferable, except with the prior written consent of BC Parks. At time of transfer, administrative fees under the *Park, Conservancy and Recreation Area Regulation* will be applied, and transfer will be subject to any additional terms and conditions that may be required.

12. Reporting

Where the Permittee is collecting information that is of interest to BC Parks and will increase understanding of protected area values, the Permittee may be required as a condition of the permit to submit the results of the investigations to BC Parks.

13. Notifications

Prior to the Permittee (or its employees, contractors or sub contractors) entering the protected area, the Permittee will be required to provide notice to BC Parks. The manner and timing of notification will be detailed in the permit.

14. Financial Guarantee

Where BC Parks determines that the proposed investigative activities pose a potential risk to resources within the protected area, the Permittee may be required as a condition of the permit to post a financial guarantee to be held by BC Parks. Should the Permittee fail to meet any of the required permit conditions, BC Parks will draw down the financial guarantee to cover any required costs.

15. Fees

The intent of this policy is to have fees for investigative use permits similar to those charged for investigative permits on Crown lands.

16. Related Guidance/Considerations

BC Parks Conservation Program Policies- Research, Inventory, Monitoring

http://www.env.gov.bc.ca/bcparks/consERVE/cpp_pi/research.pdf

Research Guidelines for Protected Areas of British Columbia

http://www.env.gov.bc.ca/bcparks/consERVE/research_guide.pdf

Provincial Protected Areas Boundary Adjustment Policy, Procedures and Guidelines

http://www.env.gov.bc.ca/bcparks/planning/bound_adj_policy.html

BC Parks Impact Assessment Process

<http://www.env.gov.bc.ca/bcparks/consERVE/impact/impact.html>

APPROVED AMENDMENTS:

Effective Date:	Summary of Changes:
2012-08-29	Revised to clarify criteria on when permits are required, and process on where permits are not required
2014-02-19	Policy updated to address academic and investigative research activities and considerations for adjudication of permit applications.