

VOLUME 1 - ADMINISTRATIVE
INSTRUMENTS
CHAPTER 1.3 - INTERAGENCY AGREEMENT

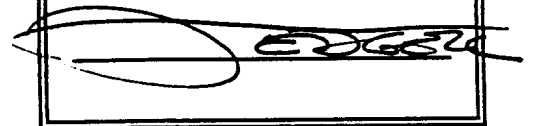
SECTION 1.3.0506

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NAME OF AGREEMENT

CROWN LAND FOR
ENVIRONMENTAL
MANAGEMENT

EXECUTIVE APPROVAL:

A rectangular box containing a handwritten signature in black ink. The signature is stylized and appears to be 'E. G. G. G.' with a large flourish extending to the left.

RECIPROCAL AGENCY

MINISTRY OF ENVIRONMENT

ISSUANCE

Director, Land Policy Branch

IMPLEMENTATION

Land Policy Branch

REFERENCES

RELATIONSHIP TO

New Agreement

EFFECTIVE DATE: 90.10.12 AMENDMENT NO.:

FILE NO:

MEMORANDUM OF AGREEMENT

SUBSIDIARY AGREEMENT

"Crown Land for Environmental Management"

Ministry of Environment
(File: 0645)

Ministry of Crown Lands
(File: 151-25-15)

1.0 PURPOSE AND SCOPE

- 1.1 The purpose of this agreement is to establish methods and procedures for allocating Crown land under the *Land Act* to contribute to the delivery of the Ministry of Environment programs for environmental management. Specific objectives are to:
 - (a) identify the various mechanisms which can be used to secure Crown land for environmental protection purposes, and establish guidelines for their respective application;
 - (b) establish a basis for the adoption of regional inter-agency agreements on the allocation of Crown land for environmental management; and
 - (c) clarify policy and procedures for resolving disputes associated with the allocation of Crown land for environmental purposes.
- 1.2 This agreement conforms with the Protocol between the Ministry of Environment and the Ministry of Crown Lands, respecting matters of mutual concern.
- 1.3 This agreement is subject to the statutes of the Province.
- 1.4 The inter-agency referral process is not precluded by this agreement.
- 1.5 This agreement applies to all Crown land including Crown land designated under the *Forest Act* as "Provincial Forest". The agreement is based on the understanding that the allocation of Crown land for environmental management will not involve the removal of Crown land from a Provincial Forest, unless agreed to by the Ministers of Forests and Environment.

2.0 DEFINITIONS

- 2.1 "Crown Land Registry" means the automated system administered by Ministry of Crown Lands which contains records of surface rights, encumbrances and administrative boundaries on provincial Crown land.
- 2.2 "Environmental Designation" means any of the following methods available under the *Land Act* for protecting or recognizing an environmental interest in Crown land.
- (a) "Reserve" means Crown land withdrawn from disposition for a specified purpose under Section 11 of the *Land Act* by Order-in-Council.
 - (b) "Map Reserve" means Crown land withdrawn from disposition for a specified purpose under Section 12 of the *Land Act*.
 - (c) "Designated Use Area" means Crown land designated under Section 13 of the *Land Act* for a particular purpose for which *Land Act* applications for disposition may be accepted. Applications for other uses which are incompatible with the "designated use" are not accepted.
 - (d) "Notation of Interest" means an entry in the Crown Land Registry which identifies an expressed interest in Crown land by another agency. This instrument ensures that for all *Land Act* proposals for the site, interested agencies will be referred to.
- 2.3 "Environmental Management" means actions taken by the Ministry of Environment to implement management programs for the environmental resources within the MOE mandate, which includes fish, wildlife, waste, water and air.
- 2.4 "Management Plan" means a document that describes a specific area and its environmental resources and prescribes management actions to sustain or enhance those resources over a stated period of time.
- 2.5 "MCL" means Ministry of Crown Lands.
- 2.6 "MOE" means Ministry of Environment.
- 2.7 "Regional Director" means the appropriate Regional Director, Operations Division of the Ministry of Crown Lands or the Regional Director, Ministry of Environment.
- 2.8 "Systems Plan" means a comprehensive document that establishes the long-term objectives, policies and strategies that the MOE will follow to

APPENDIX I

OPTIONS UNDER THE LAND ACT FOR SECURING
CROWN LAND FOR ENVIRONMENTAL MANAGEMENT

Type of Environmental Designation or Transfer	Source of Authority	Standard Term	Guidelines for Determining Appropriate <i>Land Act</i> Instrument*
Notation of Interest	<i>Land Act</i> , Administrative Policy	2 - 5 Years Renewable	MOE interest in the parcel merits an assured referral of <i>Land Act</i> applications for the parcel to MOE, and applicants are made aware of the noted interest.
Map Reserve	<i>Land Act</i> , Section 12	5 Years Renewable	No significant management, development or improvement is proposed. REGIONALLY SIGNIFICANT resource values dictate a TEMPORARY WITHDRAWAL from disposition under the <i>Land Act</i> . This designation may be used as a temporary method to reserve Crown land while preparing the appropriate documentation for Section 11 Reserve or Section 101 Transfer.
Designated Use Area	<i>Land Act</i> , Section 13	5 Years Renewable	Active management of land is proposed. A resource management planning study has rationalized environmental management as a priority use for the land in question. Only <i>Land Act</i> applications for uses compatible with the designated use will be approved by MCL.
Order in Council Reserve	<i>Land Act</i> , Section 11	5 - 60 Years	No significant management or development is proposed. PROVINCIALLY SIGNIFICANT resource values dictate a LONG TERM withdrawal from disposition under <i>Land Act</i> .
Transfer of Administration	<i>Land Act</i> , Section 101	5 - 60 Years (Standard 30 Years)	Management objectives cannot be achieved through an Environmental Designation. Active management or development or improvement is proposed, and may include rehabilitation projects, water regime management, construction of structures. Also considered where a Wildlife Management Area is proposed; where MOE has entered a third party agreement for environment management purposes; where the land is contiguous to other lands managed by MOE and integrated use of those lands and the Crown lands is proposed.

*Explanatory Note: Where Map Reserves, Designated Use Areas, and Order-in-Council Reserves are established, standard MOE habitat management activities may be conducted on the land. Transfers of Administration are warranted where significant and long-term habitat management activities are envisioned, or where WMA's are to be established.