

SRMAC RECREATION IMPLEMENTATION WORKING GROUP
Meeting #3 Minutes
October 18, 2005

In Attendance:

Pam Cowtan, MAL (chair)	Joe Tress, Tembec
Bill Adair, MAL	Dave McRitchie, Non-motorized summer
Kelly Lode, MOE (notes)	Raymond Myles, RDEK
David Wilks, Dist. of Sparwood	Mike Sosnowski, Motorized Back-country tourism
Casey Brennan, Ecosystems	Jim Thorner, Winter Motorized
Peter Cunningham, EKRLUC	Paul Kramer, Chamber of Commerce
Pat Gilmar, Non Motorized Winter Rec	David Beranek, Guide Outfitters
Bill Hanlon, Wildlands	George Wilson, Recreational Hunting

Action Items and agreements highlighted in green

1) Confirm Working Group members

Pam introduced Bill Adair to the table members. Bill is now a Planner with the Ministry of Agriculture and Lands. Bill moved to Cranbrook from Fort St. John.

Pam feels this working **group needs to meet more often** and all at the table were on side with that. Pam asked the group if they thought a Terms of Reference was necessary. Mike asked that they **remain with one representative for each sector** to speak at these meeting and all seemed in agreement with that.

2) Changes to MSRM

MSRM no longer exists. Land use planning now falls under the Ministry of Agriculture and Lands – Integrated Land Management Bureau. Our Associate Deputy Minister (Mike Lambert) reports to 5 other Deputy Ministers - our job is to provide service to these ministries. Recreation is now with the Ministry of Tourism, Sports and Arts (MTSA). Neil Shuttleworth now works for MTSA. Forest Rec officers remain in their current offices at this point. The Bureau is developing 'Front Counter BC' which will be a single window service for clients of provincial natural resource ministries and agencies. Scheduled to open in Cranbrook in 2007.

3) Signs and Brochures

The Ministry of Environment (MOE), through the Nature Trust, has a Conservation Youth Corp team that is putting vehicle access signs up for MOE and for SRMAC. Wildlife Act closure signs are being put up and they are placing some of our signs up as well. They have given us a map showing locations of where they have hung the signs. Some of the table members have noticed signs being placed in the wrong areas and have also seen evidence of signs being taken down. One example is Brule Ck. The Youth Corp group are putting both summer and winter signs up and have noted the UTM coordinates. It would be **useful to have UTM coordinates showing where SRMAC members have been putting up signs and also where they are being taken down.**

The question was put forward as to whether the table thought the intent of the plan was working and if they thought it was worthwhile putting signs up? Bill H feels roads are not being acknowledged because it is not legislated. Local people abide by plan but those out of town do

not. Not everyone knows about the plan though. It seems like the only education right now is signs, no advertising in the paper or on the radio. The brochures are out there but are hard to understand. Some thought it might be **beneficial to explore the opportunity to have the plan published in the Backcountry Map book**. Pam stated that we have been stretched with staff resources but now that Bill has filled the vacant position, we can hopefully move forward with education and publications. It is helpful to be able to read the information and also see signs in place in order for the education to work. Pam pointed out that there is basically no project funding this year to support further brochure/signage. It was suggested that funds be requested in anticipation of needing it. Also, Bill Bennett needs to be informed of the resources needed. The job needs to be finished.

Ray asked how far are we from having this plan enforced and implemented. Pam advised that legislation needs to come first. The plan has some motorized restrictions under FRPA and the Wildlife Act and the Conservation Officer Service continues with enforcement and compliance within their regulations. This plan provides strategic direction. **A written request has gone to MOF and MOE to review and advise how they might be able to implement the recreation direction in the plan**, ie. how they might use their legislative tools to implement and enforce. **Bill Adair will follow up on this and report to committee.**

How can we try to get the word out? One idea put forward was that once ATV licensing becomes mandatory, brochures could be handed out at insurance offices (Falkins, EK Realty, etc). Also publications such as Snow Riders, Koocanusa Publications, etc. Dave B feels that without legislation all this effort is useless. Albertans will do what they want. There is legislation that supersedes this plan right now. Some people are following the plan and breaking the law at the same time, without even realizing it. An example being Middle Kootenay Pass – if you are hunting this area with a vehicle, you are breaking the law. Four years of effort is going nowhere. Pam reminded the table that the intent of the plan is to provide strategic direction to government agencies, so in that regard the plan is working – Commercial Rec tenures are an example. It is not working as well with public recreation because there are limited legislative tools to implement it, for e.g. FRPA is used to manage recreation opportunities on a very specific level.

Pam does not foresee blanket legislation passing for the entire SRMMP. She thinks it would be better to begin by targeting certain areas of the plan for legislation. It is felt that the public recreationists are the only ones not controlled and they are the ones harming the land. Albertans are a real problem and they don't respect the land base at all. Casey feels we need to shoot for 100% compliance because it doesn't take much to ruin the landscape. Pam suggested that out **of the 400,000+ hectares, we determine the areas that hold priority values. These areas are the ones we need to focus on and some are already legislated closures under FRPA and the Wildlife Act. We need to let MOF and MOE know if people are not abiding by these closures.** Some feel that government staff aren't working hard enough and that is not acceptable. Some were under the impression that the outcomes of the meetings held with Bob Jamieson would have the FRPA areas moved forward. **Mike S would like a list of government staff and ministries/agencies this plan has been forwarded to in the hopes that they will be pursuing this.**

Joe Tress asked Pam if she was aware right from the beginning that there was little chance of legislation for the whole plan? Pam told everyone that at first we were told there would be legislation under MSRM and now that has changed. The SRMMP has been approved as policy by Cabinet and for agencies to implement and they refer to this plan when making decisions. The tools that could be used to legalize the recreation access closures fall under FRPA and the Wildlife Act. Joe's concern is that these tools don't cover the entire land base of this plan.

Objectives need to be recognized at an operational level and we need to understand who delivers on the operations part. Pam responded by telling everyone that is why we took it forward to the Ministry of Forest and the Ministry of Environment. Joe would like to know **what those agencies are going to do so we can see how much of it can be enforced**. Pam met with staff from MOE and MOF in July and they are supportive of the plan. **They will review the plan and let us know what they can do with the legislation they have**. They likely will say they need resources for enforcement but then this would be identified to Victoria.

Bill H suggested putting up barriers in areas that are high conflict until there is legislation. Spend some money eliminating the problem. Maybe user groups can contribute some money. Pam suggests that those areas be moved forward right away, ahead of other areas. Identify priority areas. Ray M said he doesn't know of anyone that has been fined for breaking the law under Forestry's legislation. Pam said that MOE is helping with the youth corp and trying to make sure signs are very clear so it is easier to enforce.

Casey thought the sub committee was in support of new AMAs for certain areas. Pam doesn't recall this table agreeing to AMA's. Mike said that he doesn't believe in AMA's. They are very difficult to change in the future once in place. Dave B reminded everyone that we were told in order to legislate, the tools are FRPA and the Wildlife Act. He would like to see the identified priority areas legislated by June 2006. AMA's can be written the way you want them – they don't have to be totally restrictive. Bill A told the table that this is a province-wide issue – lots of plans and no tools. What can we do with what we have and what can we do for the future? Bill H asked if legislation exists and we have input into designing AMA's, why should we be afraid of it? With support, AMAs can be changed. Some view FRPA as a tool that regulates big tenure holders only, not public recreationists. The table needs to come together on what they want. Dave suggests prioritizing plan areas and state dates as to when we want them completed. Let the government choose which legislation to use. **Pam will push MOE and MOF for their response and get stakeholder concurrence on what they've come back with**. We need everyone to be onside and suggest we should move forward with the two tools we have available.

Peter asked Bill A how long it took to get the Muskwa-Kechika (M/K) Plan legislated. Bill said it took a couple years and they are still working on it. There is special legislation for the M/K plan and Joe wondered if that might be a possibility for the SRMMP. **It is important to prioritize areas now, but keep working on legal teeth for the entire plan. Pam will look at the Muskwa-Kechika Plan.**

Priority areas to push forward:

Summer: (discussion)

- o east side of Flathead is a priority to Dave B. (Pollock Creek, North Kootenay Pass and existing but grown-in roads) and the east side (pink zone) is a hot topic right now
- o Middle Kootenay Pass – take heights of land on both sides of the road. Bill – loop road was discussed and it was agreed that the extra spur beyond the loop is an error on map. Loop was what Kent wanted to keep open. AMA - Leave loop road open. All in agreement that they support using the Wildlife Act to legalize the summer closure for Middle Kootenay Pass. Pam will also investigate use of FRPA in this situation but cautioned that, with transfer of Recreation Program from MOF to MoTSA, this might not be the most expedient way to proceed. Peter would like Kent to have the opportunity to review this. Pam said the agreement from this group will be sent out to all SRMAC for their input and agreement. Bill H suggested taking in the Haigbrook drainage with Middle Kootenay – no consensus on this

Dave says Haigbrook road is washed out (last part). **Move forward with legal summer closure for Middle Pass creek drainage as per the plan (send out to SRMAC for their agreement) and send out note to all to see if they support Haigbrook creek – all agree**

Winter: Middle Pass is fine - as per plan

Summer:

Casey – Sage Creek to Akamina-Kishinena. Feels this is a priority area for legal restrictions. Saw quad tracks and found lots of garbage left behind. This area can't be entered from the Alberta side. Need signs. No agreement on moving this forward to legal closure at this point.

Pam asked if Pollock an issue? **Pam/Bill A will talk to Alberta Ministry about Pollock and North Kootenay.** Part of the road in Pollock is in the creek.

4) Review of Recreation Chapter amendments (to date)

We need to confirm amendments to move forward for approval. Housekeeping. Tabled for next meeting.

5) Definition of Hardened, Stable surfaces

Tabled for another meeting.

6) Status of new roads

Joe Tress of Tembec proposed **that the SRMAC meet with licensees prior to new roads being built** in order to discuss the long term use of a road after industry is finished using it. He is only talking about 50 km of road (approx). Look at the strategic plan and issues around it, and come up with an agreement on the road beforehand. Possibly **meet once a year before construction season starts.**

Ray asked what forestry would say about Crown land? Joe told him that it was done in the Alexander where an AMA was in place before construction started. Does it affect the integrity of the area? Ray feels they are hard to close once they're opened. Pam told the group that because this plan is strategic - plan states that new roads in RA1 are closed, and new roads in RA2 are open. Joe feels it would be good to make a decision on something that isn't there yet. Joe is suggesting we review new roads to see if there should be some change to that.

Dave questioned – under FRPA, who is accepting liability of these new roads? No one wants to maintain/fix them. Joe informed them that industry's responsibility ends when their road permit lapses and responsibility falls onto the Crown. They usually let it revert to a 'wilderness road'. When they are proposing a road it would be nice for them to know what the majority of the stakeholders would like. They can also provide where they will be building roads.

Dave noted that it would be better to have mining and industry use the same roads if possible. Mike has a backcountry tenure and, until there is legislation, he does not want to be the only one operating according to this plan. He would be putting himself in an unequal position. Agrees that all roads should be managed and road density needs to be managed but all use has to be legislated.

Bill H said that during the RMS, level of access and reasonable access was discussed. The intent was to identify the saturation point and from then on, any new roads would be discussed. We negotiated for reasonable access – automatically being open is not right. There are values

in all zones. Pam recognizes that road density is an issue and believes the plan is balanced. Joe's idea makes sense for the table to discuss where new roads should remain open. Mike asked why we should put restrictions on ourselves if legislation is not there to put restrictions on everyone? George asked if we could agree on the concept that Joe suggested? Mike agrees with Joe's suggestion but feels it needs to be legislated first. Joe – upper Flathead is one example where this discussion would be beneficial. Ray feels this method would allow stakeholders to buy into it. Casey noted that it would be important to have MOE staff available on discussion day to examine wildlife issues. Dave told the group that it is difficult to develop a business plan if lots of new roads are being added. New roads become open to everyone except tenure holders with business plans. When is enough roads enough?

7) Additions to agenda

a) Expansion of Fernie Ski Hill:

There was an ad in the Fernie Free Press showing the proposed expansion. It encompasses a large area of Crown land but very little information provided. Maybe we could ask Island Lake to attend one of our meetings? It may be too late for the comment period – end date November 7th? This area has been discussed at this table for the past 4 years. Mike S has a tenure in this area. **Pam will check for information and send out to table members. Pam will contact MoTSA and identify that this table has concerns with this application.** Applications must adhere to the SRMMP. This is a large resort application and, as such, it is likely dealt with out of Kamloops.

b) Education:

We **need to have an education kick-off about this plan.** Maybe start something in the schools?