

SOUTHERN ROCKY MOUNTAIN ADVISORY COMMITTEE (SRMAC)

DRAFT MEETING #12 MINUTES
March 10, 2009

4:00 to 8:30 p.m.
SENIOR CITIZENS DROP-IN CENTRE
101 PINE AVENUE, SPARWOOD

SRMAC Committee Members:

Sangita Sudan Chair, ILMB	Tom Kramer Public Motorized Summer Recreation
Stewart Clow LRMS ILMB	Bill Wojtula Elderly & Disabled, CODA
Andy Cagle GIS, ILMB	Bill Hanlon Wildlands & Wilderness
Aaron Canuel MoTCA	Mike Sosnowski Motorized backcountry Tourism
Nicole McKechnie Land Officer ILMB (Recorder)	Dave Beranek Southern Guides & Outfitters
Doug Martin Ecosystems, MOE	Pat Gilmar Public Non-Motorized Winter Recreation
Dave McBeath Public Non-Motorized Summer Recreation	Kendal Umscheid, Oil & Gas - BP Canada
Kevin Podrasky, Recreation Hunting	Dave Grieve Reg. Geologist, MEMPR
Lois Halko District of Sparwood	Peter Cunningham, EK Residents Land Use Coalition EKRLUC
Peter Templin, District of Sparwood	

Alternates

Jewelle Wojtula, EKRLUC	Don Uphill, Recreation Hunting
Gordon Galloway, Public Motorized Summer Recreation	

Observers/Guests

Brian Larsen	Ryland Nelson
Joe Caravetta	

- 1. Welcome and introductions**
- 2. March 10, 2009 Agenda - Approved**
- 3. Meeting Minutes June 25, 2008 - Accepted**
- 4. Business arising out of June 25th meeting**
 - a) **Letter to Minister** - Tom Kramer read aloud the letter sent to the Minister dated November 12, 2008 [Attachment 1](#) regarding concern over the recent changes at ILMB Planning

- A response was received in February 2009 from Minister Ron Cantelon, MAL ([Attachment 2](#))
 - Mike Sosnowski asked if ILMB had gained back its 60% planning resources and will it continue to provide planning support to SRMAC
 - The Chair confirmed that government values the SRMAC and will continue to provide the table planning support.
- b) **Update: Bull River Fishing Guide Camp**
- Harry Mitchell provided an update through the Chair on the Bull River fishing guide camp - Louis Musso's fish camp tenure was approved for a seasonal camp (ie. no permanent structure)
 - Dave Beranek asked about the steps in the decision-making process for tenure applications
 - Sangita responded that during the decision making process many factors are considered including recommendations from the table, referrals, and First Nations
 - Mike Sosnowski informed RDEK unanimously rejected application for a guide camp
 - Chair informed if there are any specific questions to please contact Harry Mitchell or refer to the ILMB Land Act decisions website.

website for new applications: <http://www.arfd.gov.bc.ca/ApplicationPosting/search.jsp>

ACTION #1 : Invite Harry Mitchell to provide an update at the next meeting

- c) Updates and Q &A - by Dave Grieve
- i. **Howell Creek Exploration Project by Max Resource Corp.** ([Attachment 3](#))
- Two distinct blocks of mineral claims make up the two properties: Howell Property & Crowsnest Property
 - Low grade gold mineralization was found
 - This is the early stage of exploration, at this time a 1/1000 chance of a gold mine is present
 - Max Resource Corp. is going to submit two applications to MEMPR
 - This will require 1 km of new exploration trail
 - Currently they are conducting Geophysical surveys and there may be Diamond drilling at the 12 sites

ACTION #2: Dave Grieve to provide information once Max Resource Corp.'s applications are received.

- ii. **Stormcat Program Update** – Chair provided update from Oil & Gas Commission
- In operations since 2001, previously Encana
 - Current operations have slowed down
 - Hold permits for 9 wells, no commercial production
 - In December new MOE regulations came out that disallows surface discharge, however Stormcat has an exemption for the 9 wells since water is not saline
 - In the future any newer wells developed by Stormcat will not be exempt and the company will be required to comply with the new regulations

ACTION #3: Invite a Stormcat representative to attend the next meeting

5. New Business

- a) **Presentation: British Petroleum (BP) Canada Mist Mountain Coalbed Gas Project** – by Kendal Umscheid
- Tenure does not include Dominion Block or Flathead Drainage
 - Environmental baseline studies are ongoing and will take 3-5 years
 - Studies include: aquatic life, songbird, winter wildlife, goshawk surveys, badger population studies, ongoing grizzly studies, methane seep survey, weather stations
 - Exploration drilling is the next step but based on public input will defer drilling for least 3-5 years and give time for more environmental studies
 - The development phase (conceptual) will include 250 long-term local BP full time jobs in local BP offices located in Fernie and Sparwood
 - Plan for In 2010 appraisal work done out of BP's Calgary office
 - Question– Will the water from wells will be deep injected
 - Response: water will be hauled away to existing well sites in Alberta during appraisal work
 - Water quality is unknown at this time, and may actually be potable
 - Question- how deep is deep injection?
 - Up to 3-4 Kms
 - Question on how many major carnivore species are being assessed
 - Can be discussed with biologists at open house meeting planned for late April

ACTION #4: Where are the offices located, website address, email and 1-800 #?

ACTION #5: Chair will inform when the open house is scheduled?

- b) **Presentation: Access Guardian (AG) Workplan** by Mike Sosnowski / Joe Caravatta ([Attachment 4](#))
- Hiring an Access Guardian was as a result of consensus reached by the SRMAC, over the need to have more Conservation Officers on the ground
 - The AG will be an employee trained by the COS, but funded by the taxpayers of the RDEK's Area A
 - The AG will look after Area A (80% of time) as well as the Wigwam and Tunnel Creek areas
 - The AG will be working most weekends
 - The AG's priorities are:
 - Public Education
 - Public Relations
 - Enforcement
- AG Discussion on maps**
- Pat Gilmar and Kevin Podrasky informed they have several brochure maps and signs remaining
 - Chair suggested removing these items from circulation especially the brochures since they are inaccurate
 - Joe Caravatta noted that the maps and SRMMP signs are not legal under the Wildlife Act and questioned the maps accuracy, as the COS cannot

hand out inaccurate maps (ie. Upper Flathead is now a AMA but it is not on the maps)

- He asks to think about the **enforceability of an area and showing it accurately on the maps**
- Chair informed the SRMMP technical maps are currently being amended to reflect recent additions and remove long term errors
- The maps will be posted to an FTP site once ready for SRMAC review

ACTION #6: Chair to arrange gathering brochures and signs currently in storage

ACTION #7: Forward to Joe C maps for AG for Elk, Mid/Lower Elk, & Flathead/Wigwam).

ACTION #8: Joe Caravatta would like: 1) a list of all members at the table and all email addresses to provide to Access Guardian and 2) expressions of interest from people who would like to show the AG around.

- Dave Beranek mentioned the issues around signage (ie. AMAs are not recognizable on the signs)
- Dave also noted that focusing in 3 areas is a good idea
- Kevin Podrasky agreed that a public education plan for the AG is a good but the public also wants to know what is the place to get the most up to date maps
- Could there be a website that the maps are posted on?
- Can the maps have a date stamp on them so people know that they have the most current map?
- Version control - Can the maps be regularly updated once a year to avoid multiple date stamps in one year?
- Joe Caravatta pointed out that the maps have to be sympathetic to the public (ie. simple to follow and simple to apply – eg: to use a bridge crossing or major creek as boundaries)

ACTION #9: Joe Caravatta and Andy Cagle to research GPS Units.

ACTION #10: For follow up: Load the maps distributed by the AG to the replans website

- Dave Beranek asked if the Forest & Range Practices Act (FRPA) is going to be enforced
- Joe Caravatta said that the FRPA is enforceable by the COS: anyone who alters the soil is an offender (ie. If a person is intentionally ripping up the ground)
- COS are hoping to have the authority to seize property (trucks or ATVs) under Section 46.1 (b)
- Aaron Canuel mentioned that MoTCA has the same issues for recreation sites under the FRPA and they rely on the COS for enforcement
- Joe Caravatta would like to see all ATVs licenced in BC
- Dave Beranek wanted to know if the SRMMP mapping is consistent with the FRPA and suggested a qualifying statement be added to the maps that informs offenders that they could be liable for a ticket
- Bill Hanlon suggested putting updated SRMMP maps on the Backcountry roads Map book.

- Tom Kramer asked if the updated SRMMP maps will be downloadable; Andy Cagle confirmed that this would be an option

ACTION #11: What should the Access Guardian's monthly notes contain? Chair will send out a draft COS report for comments

- Some suggestions: GPS coordinates with location of offence, Survey (get information from offenders – where they are from, how they heard about an area, etc)
- Aaron Canuel pointed out that it is the statistics gathered that help determine if there is follow up needed (ie. Education, meetings, tickets, etc.)
- Dave Beranek wondered if there could be something like an information card that could be handed out to tenure holders so they could collect information on offenders they see in the backcountry (licence plate #, description of vehicle, taking photos, etc)

ACTION # 12: Create a database with GPS points submitted by AG

c) **For Discussion:**

i. **Norboe/Brule/Boivin Proposed FRPA Sec. 58**

- Aaron Canuel was looking for feedback
- Proposed FRPA Sec 58 has not yet gone to the referral process
- First part of proposal would be to take on Boivin Creek area and aim for success – there are 2 locations (3 potentially) for gates where they could do effective compliance and enforcement, and see how it goes over the next 1-2 years then think about moving south into Weigert Creek
- The area was identified as non-motorized, but needs more than voluntary closure
- Bill Wojtula asked why this area was proposed for closure
- Some reasons were historical discussions at the table, Boivin Creek is Elkford's secondary water source and in close proximity to the town,
- Peter Cunningham informed Boivin's has historically been used as a cross country ski area with a gentleman's agreement that snowmobilers stay out of the drainage, and it is close to town and can be accessed by foot
- Bill Wojtula is not in favour of more closures and if the area does not need to be closed, then leave it open
- Peter Cunningham asked if the map was correct to show the closure all the way to the Bull River and across the FSR at Norboe Creek.
- There was discussion about where to have the boundaries of the proposed Sec 58
- Dave Beranek thought the three phased approach would be fine
- Peter Cunningham wondered why not all three phases at same time.
- Aaron Canuel pointed out that the FRPA is already enforceable in these drainages and that Sec 58 can be employed when there are conflicts between users in an area
- Aaron Canuel asked the table if there were any concerns with moving ahead to a referral process and advertising
- Tom Kramer wanted time to think about it as it is already designated as a RA.1

- Dave McBeath thought that there would be the same amount of concern over doing the whole area as there would be to do just the first phase in Boivin, so he agreed to proceed
- Mike Sosnowski agreed that the area is already closed, but now they are going to enforce it, so he voted to proceed
- Since the proposal is to move from FRPA to enforcing an AMA there was questions regarding, if an argument could be made that the AMA is not in place because of wildlife (?)
- Doug Martin clarified that that an AMA also protect habitat and not just wildlife so it would be very difficult to prove that an AMA is not in place for a valid reason
 - An offender under the *Wildlife Act* loses his/her hunting and/or fishing licence, but offenders under FRPA don't

ACTION #13: Provide Aaron with historical paper maps.

- ii. **Referral process Tunnel Creek Hut** - by Aaron Canuel
 - Hut or Yurt is a 50m x 50m recreation site at the headwaters of Tunnel Creek
 - It is a winter shelter (6 person size) (primarily for ski touring)
 - A public site restricted to winter and intended for non-motorized use no commercial activity
 - It is a site managed in part by the ? ____ ski society ?, but it is Crown land in part managed by Rec and Trails
 - Pat Gilmar added that the hut would be flown in each season, it would use propane heat, and is well above the trap line in the area
 - Snowmobile access is only after March 15th to get to McDermott Creek
 - Several requested letters/documentation
 - Pat Gilmar informed he would forward these to the Chair – letters were sent to the Fernie Snowmobile Association and Sparwood Club

ACTION #14: Pat Gilmar to forward copies of letters/documents on the Tunnel Creek Trail

- iii. **Update on Mountain Lakes Trail** (aka Heiko's Trail) by Aaron Canuel
 - Trail is from Hartley Road to Island Lake
 - History of trail is that MOFR gave Heiko permission to start maintaining a trail with boardwalks, ladders, handrails, etc.
 - There was formal recognition of the trail by MOFR, not legally established but was noted in the land use plan
 - Aaron proposed that the trail be designated for summer as non-motorized
 - Pat Gilmar added that the first 200 m of the trail was built using motorized vehicles, but the rest of the trail was hand built
 - There was some discussion around non-motorized and non-mechanized
 - Someone raised the issue about erosion and was informed that a properly built trail does not have bike erosion issues
 - Dave Grieve noted that the plan provides the outline but Aaron Canuel would be making the final decision on the designation of the trail

ACTION #15: Information will be provided to the SRMAC on Mountain Lakes aka Hykos trail.

iv. MoTCA Draft Trail Strategy

- Pat Gilmar asked for an explanation of the Fernie Trails Alliance
 - MoTCA is interested in partnerships with local clubs/stakeholders to help manage trails or recreation sites

- d) **Proposed trapper cabin site on Pollock Creek** (Upper Flathead on East side)
 - Irene Teske would like some feedback from the table about a proposed cabin site that is not within the trapper's area
 - Sangita provided a map, but during the roundtable discussion someone pointed out that the site may have moved due to some concerns Tembec had with the original proposed site (1st site was in an area of standing timber, new site it in a clearing)
 - Discussion about trapper cabin deferred to next meeting

ACTION #16: A proper map showing the proposed cabin site will be sent out via email and input will be solicited from the various sectors for consideration by MOE.

- e) **East Flathead AMA** discussion
 - MOE will conduct a review of the East Flathead AMA as was suggested by the hunting sector represented on the SRMAC
 - Question arose as to why the AMA was first put in place & why it is now being reviewed
 - Area was designated as a non-motorized in the SRMMP
 - Recommendations were made by members on the SRMAC to establish an Access Management Area under the Wildlife Act in order to further address issues around unauthorized use on roads
 - Several members within the hunting sector felt that there was not adequate consultation with their sector prior to putting the AMA in place
 - A map was submitted to Bill Adair during a meeting attended by MOE that showed roads of interest the hunting sector wanted considered.

ACTION #17: Kevin Podrasky will provide a map showing roads the hunting sector would like considered in the review that were also presented to MOE.

- The Chair informed that an East Flathead AMA Working Group will be established and asked for volunteers
- Bill Hanlon asked why not use the recreation working group
- Chair responded that this issue is about hunting access under the AMA not about recreation access in the SRMMP
- Tom Kramer volunteered
- Julie Wojtula asked to represent the EK Residents Land Use Coalition
- Dave Beranek wanted assurance that the working group would look at the AMA objectively and not just get into a philosophical debate

ACTION #18: Chair will send out a draft list of those invited to join the East Flathead AMA Working Group.

ACTION #19: Flathead Access Management Area Working Group Meeting to be scheduled in June

- **Dave Eider** Guide Outfitter in the area and his associate Brian Larsen will also be asked to participate in the working group

ACTION #20: Invite Dave Eider Guide Outfitter and Brian Larsen to working group

- Peter Cunningham wanted to know about the pipeline trail starting in Corbin
 - Who decommissioned that road? (Alberta Natural Gas?)

ACTION #21: Chair to find out who closed the road along pipeline trail

6. Meeting adjourned

Minutes compiled by Nicole McKechnie and revised by Sharon Ferguson