

Bulkley Valley Community Resource Board  
Box 577  
Smithers, BC  
V0J 2N2

October 23, 2007

Terje Vold  
Terje Vold & Associates Consulting Ltd  
571 Pegasus Way,  
Victoria, BC  
V9C 4G5

**Re: Proposed Process for Completing the Bulkley Recreation Access Management Plan**

Dear Terje

The Bulkley Valley Community Resource Board (BVCRB) appreciates the considered effort you have put into designing a process to complete a Recreation Access Management Plan (RAMP) for the Bulkley Valley. We have the following comments on the draft document you have given us to comment on.

1. If an arbitration process is needed, it will be important that all parties buy into the process to ensure the final result is accepted. The use of an outside arbitrator if the consensus and mediation processes are not successful could hinder the acceptance of the final RAMP. The regional manager of the Integrated Land Management Bureau (ILMB) is the final decision maker, and we feel the final decision should rest with this office. We have attached a consensus process that outlines how we feel this would proceed (Attachment 1).
2. The government commitment to the process is good, but it needs to be clearly stated that the commitment to implementation includes compliance monitoring, enforcement, education and awareness. Implementing the plan on maps is not sufficient.
3. The BVCRB has a plan amendment process for the LRMP that has been agreed to by the ILMB. We feel that this amendment process should be used as the guideline for the amendment process for the RAMP and have attached this process for you in a slightly changed form to reflect the RAMP (Attachment 2).
4. It needs to be clearly stated that the BVCRB is not advocating changing any cabin agreements. We feel, however, that information on the tenure, maintenance and booking of cabins be provided up-front in the RAMP process as background information.
5. The RAMP completion process must include the entire Bulkley TSA so that there is certainty in the future and areas do not default to one type of use without planning.

6. The Town of Smithers and other local governments should be kept informed of the process but not be directly involved. This is because local governments are not direct users of the recreational resource, though the tourism industry that is important to these governments would benefit from the completion of the RAMP through increased recreational activity.
7. The term “Recreational Activity” needs to be clearly defined at the outset of the process so all participants understand the scope of the RAMP.
8. That when the roles and responsibilities of government agencies are clarified, that which legislation these roles and responsibilities are drawn from be clearly laid out. This must be written in layman’s language, and provided at the outset of the RAMP completion process.
9. That the existing reports “Bulkley Recreation Strategy – Dave Harris, 2001” and “Bulkley Tourism Opportunities Study – Greg Meredith, 2002” be used as reference materials and tools in the RAMP process because of the good work that has gone into these reports.
10. There should be a reference in your report to the provisions under the Forest and Range Practices Act (FRPA) for the penalties of \$100,000 fine or a year in jail for damage to the environment. This would place a legal context to poor recreational activities.
11. That the RAMP needs to provide a balance of recreational opportunities in the Bulkley TSA. This cannot be achieved by continuing the past practice of inserting one-off agreements.
12. That your report reference the Forest Practices Board special report on access management in BC, and the recommendation there-in. This would place a provincial context to access management issues in BC.

We have included 3 other documents to show you how the BCVRB and others are involved in recreation issues in Smithers and provincially (Attachments 3, 4 &5). Thank you for considering this comment on your report. We look forward to receiving the final report.

Regards,

Adrian de Groot  
Chair, Bulkley Valley Community Resources Board

## **Attachment 1**

### ***Suggested RAMP Table Consensus Decision Making***

#### **1. DEFINITION**

Consensus is a collective decision that is reached either by all Stakeholders or by some Stakeholders with no expressed disagreement by the other Stakeholders.

For the Purpose of the RAMP Table Decision Making Process, a Stakeholder is defined as a representative of one of the organizations identified by the RAMP Table, and has a letter authorizing him or her to represent a 'constituency' of organizations with common recreational interests.

#### **2. CONSENSUS PRINCIPLES**

The Stakeholders shall use a consensus process in all their discussions under the following principles:

- The Purpose of the process is to reach a decision.
- A Stakeholder shall act in utmost good faith at all stages of the process.
- A Stakeholder shall respond to the concerns and goals of others as valid.
- A Stakeholder shall make best efforts to accommodate the interests and concerns of others, rather than the positions and demands of others.
- A Stakeholder shall fully explore all submissions brought to them and shall search for solutions through problem-solving methods.

#### **3. CONSENSUS PROCESS**

1. A Stakeholder shall make best efforts to reach a consensus with the other Stakeholders on all RAMP Table decisions.
2. If the Stakeholders do not reach consensus on a specific issue, they shall apply the following process:
  - the Stakeholder (s) that dissent from the majority shall each identify whether the disagreement is over wording or over principles;
3. If the disagreement is over wording, the Stakeholders shall make best efforts to find alternative words so that consensus can be reached;
4. If the disagreement is about principle, the dissenting Stakeholders shall prepare a written report as soon as possible that succinctly states:
  - their disagreement with the other Stakeholders;

- the reasons for the disagreement; and
  - a documented alternative to both their view and the majority's view;
5. on review of the alternative wording under 3 above, or the alternative view under 4 above, the Stakeholders shall reconsider the issue;
  6. if a decision cannot be reached after reconsideration, the Stakeholders shall use the following dispute resolution procedure:
    - jointly appoint a mediator to help resolve the disagreement;
    - if the disagreement still cannot be resolved, settle the issue by a majority vote of the Stakeholders;
  7. when a majority vote occurs, the Stakeholders shall include in the minutes of the meeting:
    - a record that the question was settled by majority vote because of an inability to reach consensus;
    - all details of both sides of the disagreement; and
    - a copy of the dissenting Stakeholders report under 4 above.
  8. if a decision still cannot be made, the Stakeholders shall use the following dispute resolution procedure:
    - the Facilitator will act as a Mediator to help the Stakeholders reach agreement.
    - Any remaining unresolved issues will be forwarded to the ILMB Regional Manager, along with all documentation regarding the issues.
    - the ILMB Regional Manager, will then make the final decision in consultation with the Skeena Regional Managers Committee.
    - Areas will then be designated as per the final decision.
    - A Written Rationale for this decision will be made available to the public.

## Attachment 2

### Amendments to the Bulkley Recreation Access Management Plan (RAMP): Process and Criteria

The Bulkley Recreation Access Management Plan (RAMP) was completed and approved on March 31, 2009, and it is intended to guide public outdoor recreation uses within the Bulkley Timber Supply Area (TSA). The RAMP was developed through a *Consensus Decision Making Process* in accordance with provincial government policy for land use planning. The RAMP Completion Table included various recreational stakeholders, members of the Bulkley Valley Community Resources Board (BVCRB) and a team of Agencies representatives in consultation with local Government and First Nations.

If the proposal for an amendment to the RAMP comes from an entity other than the BVCRB the proponent(s) for the change would be responsible for fulfilling the following requirements:

- The name(s) and address(es) of the proponent (s), affiliated organization(s), and consultants hired (if any) to collect data or to prepare the proposed amendment;
- A clear description of how the current RAMP is not meeting the needs of the particular recreation Stakeholders (s) in question;
- An explanation of efforts made to work within the RAMP framework to address the specific Stakeholder concerns, or why this is not possible;
- New information, including the results of effectiveness monitoring, that shows the underlying technical assumptions in the current RAMP were incorrect or social Choices defined by the RAMP are not being met, or that substantial new management issues have arisen that was not anticipated;
- A clear description of analyses of any data presented, the source of the data, and the methods used to collect the data;
- A detailed description of the proponent's proposed amendment(s) to the RAMP;
- If possible, provide names of persons or organizations that are considered experts on, or have significant interest in the amendment, and may be contacted for review or comment regarding the amendment; and
- Demonstrated support from a broad cross-section of the community to amend the RAMP plan;
- If the BVCRB decides there is a need for an amendment to the RAMP to address concerns raised by Stakeholders, Board members or the public, they will recommend to the Minister of Agriculture and Lands (MAL), Integrated Land Management Bureau (ILMB), and the Ministry of Tourism, Sports and the Arts (MOTSA) that they consider amendments to the RAMP plan.

If the above criteria and information requirements are met, the BVCRB would consider recommending an amendment to the RAMP to the Integrated Land Management Bureau (ILMB). Any amendment proposed by the BVCRB would have to be agreed to, and carried out by the Minister of Agriculture and Lands (MAL), Integrated Land Management Bureau (ILMB) and the Ministry of Tourism, Sports and the Arts (MOTSA).

For further information please:

1. contact any member of the BVCRB;
2. email your comments to the chair of the BVCRB (fill in name and e-mail address);
3. visit the BVCRB website at [www.bvcrb.ca](http://www.bvcrb.ca);
4. or mail comments to:  
Bulkeley Valley Community Resources Board  
Box 577, Smithers, B.C., V0J 2N0.

### Attachment 3

#### **The Forest Practices Board (FPB) Special Report, Access Management in BC Issues and Opportunities, Nov 2005 stated that there is:**

*Several overlapping laws and regulations to restrict recreational access...Yet, there has been no clarity no direction about which tool should be applied, by what agency, under what circumstance. This issue has been festering for a number of years, and can frustrate planning processes where a regulatory approach may be needed...*

*Public access restrictions are rarely popular and can be difficult to enforce. The problem with overlapping enabling authority is that, in many cases, no agency chooses to tackle the challenge (particularly with limited resources), preferring that another agency take the lead instead. This not only results in a lack of clarity with respect to agency roles and responsibilities, but can also be an excuse for inaction where restrictions may be needed most.*

This same report goes on to mention the Bulkley RAMP specifically, stating that:

*The Bulkley Recreation Access Management Plan, profiled in case study #7, illustrates the need for an effective dispute resolution process for contentious areas, where consensus cannot be readily achieved. The Board has investigated five complaints in this plan area, and repeatedly recommended that policy direction be provided on the issue of public use restrictions.*

- A number of issues related to public access restrictions should be addressed*
- *collectively by the various agencies involved (as noted in Table 3) including:*
  - *the circumstances that might prompt the need for a regulatory use restriction;*
  - *which legislative tool would be used;*
  - *dispute resolution mechanisms;*
  - *how agencies will work with stakeholders to help implement a regulatory use*
  - *restriction effectively (for example, through public education, communication and signage); and*
  - *compliance and enforcement.*

The Forest Practices Board (FPB) Special Report Access Management in BC, Issues and Opportunities, Nov 2005 made the recommendation that:

*The Ministry of Agriculture and Lands (the Ministry responsible for ILMB) in consultation with other relevant Government Agencies, should develop a Provincial policy on when and how Public Access restrictions should be imposed on Crown land, including which Agency should be responsible for implementation and enforcement.*

*Areas requiring access planning to resolve issues need to be identified and prioritized, and adequate resources are necessary so that planning can take*

*place in key areas to secure recreation use opportunities, reduce environmental impacts, and resolve disputes.*

The Forest Practices Board (FPB) requested that MOFR and ILMB advise on the progress towards implementing these recommendations by December 31, 2006.



## **Attachment 4**

Bulkley Valley Community Resources Board  
Box 577  
Smithers, BC  
V0J 2N0

October 24, 2007

Mr. Jim Davidson, Mayor  
Town Of Smithers  
Box 879  
Smithers, BC  
V0J 2N0

Dear Mayor Davidson

### **RE: Backcountry Recreation – File 5280-09**

Thank you for soliciting the perspective of the Bulkley Valley Community Resources Board (BVCRB) on backcountry recreation in the Smithers area. The BVCRB was formed to produce, and later monitor the implementation of, a Land and Resource Management Plan (LRMP) for the Bulkley Timber Supply Area (TSA). The need for a Recreation Management Access Plan (RAMP) was identified in the LRMP, which was signed off by the provincial government. In addition, the LRMP states that “ATVs will be permitted on identified hard surface roads and trails only (in sensitive terrain)”.

There is also concern about recreational use impacting the Telkwa caribou herd, which is recovering from low population numbers. A voluntary access management agreement has been in place for several years, but the measures in this agreement are being contravened.

In short there are three main recreational issues that overlap somewhat: 1) conflict between motorized and non-motorized recreational users; 2) damage to sensitive terrain (alpine and wetlands mostly) by inappropriate ATV use; and 3) non-compliance with plans once they are in place and the ability of government to enforce these plans. I will discuss each of these issues further below.

A RAMP process was initiated shortly after the LRMP was completed, but the resulting RAMP did not cover all areas in the Bulkley TSA as agreement could not be reached among user groups in some contentious areas. Since that time there have been numerous conflicts between motorized and non-motorized recreational users in the area. For a number of years, the BVCRB has been asking the provincial government to initiate a process to complete the RAMP in hopes of resolving these conflicts. A report is now near completion detailing a process for completing the RAMP; we now need the process to be initiated.

One proposed solution to damage to sensitive terrain has been the establishment of a Off-road Vehicle Park where a system of mud bogs and hill climbs could be made. The BVCRB is interested in this proposal, but would need specifics on a location and potential impacts to waterways etc. before endorsing an area. However, such an area may not satisfy individuals.

Regarding compliance and enforcement of plans, no single agency has a clear mandate to enforce plans, and there is a lack of manpower and resources. Also, there is a need for mandatory registration and licensing of ATVs and snowmobiles to facilitate enforcement. While some progress has been made with recent legislation that introduced fines for damage to environment, much more needs to be done. The Forest Practices Board recently produced a good report on the issues; it can be accessed at <http://www.fpb.gov.bc.ca/news/releases/2005/12-07.htm>.

These issues affect the Town of Smithers by the uncertainty about where people can recreate and have the experience they are looking for. Until these issues are resolved the tourism sector will not develop as fully as it could. The Town of Smithers can assist by raising these issues with the provincial government, specifically the Ministry of Agriculture and Land's Integrated Land Management Bureau, and our MLA Mr. Dennis MacKay. If you do take action on this issue, we would like to be informed of them by being sent a copy of any correspondence.

Regards,

Adrian de Groot, Chair  
Bulkley Valley Community Resources Board

Cc: J. Penninga, Director, Rural Area 'A', Regional District of Bulkley-Nechako  
Dennis MacKay, MLA Bulkley-Stikine  
Eamon O'Donoghue, Manager – Client Services, Integrated Land Management Bureau  
Kevin Eskelin, District Recreation Officer, Ministry of Tourism Sport and the Arts  
Barry Smith, Skeena-Stikine District Manager

## **Attachment 5**

Bulkley Valley Community Resources Board  
Box 577  
Smithers, BC  
V0J 2N0

October 24, 2007

Bruce Fraser, Chair  
Forest Practices Board  
3rd Floor - 1675 Douglas Street  
PO Box 9905, Stn Prov Gov't  
Victoria, British Columbia  
V8W 9R1

### **RE: Access Management in British Columbia Special Report**

Dear Mr. Fraser

The Forest Practices Board (FPB) produced a Special Report titled "Access Management in British Columbia: Issues and Opportunities" in November 2005. In this report there was request to the Ministry of Agriculture and Lands and the Ministry of Forests and Range to update the FPB on progress towards implementing recommendations in this report by December 31, 2006.

The Bulkley Valley Community Resources board (BVCRB) has been interested in recreation issues in our region, and for many years has been working to get government to complete a Recreation Access Management Plan (RAMP) for the Bulkley TSA. Many of the recommendations in the report are relevant to the recreation issues that would be addressed in a RAMP. The BVCRB is thus interested in hearing from the FPB whether you have been informed of the progress in implementing your recommendations. If possible, we would like to receive a copy of any responses on this issue from the government ministries involved.

Regards,

Adrian de Groot, Chair  
Bulkley Valley Community Resources Board

cc

Dennis Mackay, MLA Bulkley-Stikine  
Eamon O'Donoghue, Manager – Client Services, Integrated Land Management Bureau  
Kevin Eskelin, District Recreation Officer, Ministry of Tourism Sport and the Arts  
Barry Smith, Skeena-Stikine District Manager, Ministry of Forests and Range