

**SPPAC Meeting
September 14, 2007**

Current Members – Ron Quilter (BC Parks), Andy Smith (BC Parks), Gary Schaan, (chair), John Wilson, Sandy Briggs Paul Erickson, Warrick Whitehead, Dave Vincent, Barb Baker, Rick Rollins (absent).

John Milne (recorder)

Members of public – Peter Rothermel (FMCBC), John Caton (CWR), Brian Gunn (WTA), Kel Kelly (FOSP), Peggy Carswell (former SPPAC member, steering committee member setting up original Master Plan), Diana Fright (CDMC), Leroy McFarlane (Green Party North Island Rep), lady from parks planning (missed name), (Richard Genovese partner/owner of CWR,

1. **Opening Remarks** – Gary welcomed everyone. The agenda is packed. Gary will move things along. The top priority is the CWR application. Gary outlined the format of the meeting to the public. The public has an opportunity to be heard at the end of meeting, but Gary may have participants answer questions if needed. Members of SPPAC and the public were introduced.
2. **Confirm Previous Minutes** (June 1, 2007) – The minutes were late in circulating, so few members have had a chance to read them. Later it was decided to email comments to Andy and Gary.

Action – Minutes need to be reviewed and posted on website by Gary and Andy.

3. **Additions/Deletions to Agenda** – Gary proposed setting a structure for discussing the CWR issue.
4. **Review Old Minutes** – This was not done as stated SPPAC has not had a chance to review the minutes properly.
5. **New Business**
 - a. **Marmot Update** – A report has been received from Don Doyle of the Marmot Recovery Team. This report was to be sent out to SPPAC members, but this was not done. The last crew is in base camp now, 9 marmots have been released, 6 are left at the site, 2 have moved to the other side of the ridge, 1 has been lost and is feared to be dead. The season is almost over now. Minister Penner was present for the second release of marmots. The base camp will be dismantled soon. Gary understood the location of tent and camp was done sensitively. Marmots have found old marmot burrows quickly. Warrick asked about getting

copies of Don Doyle's letter. Andy will forward his letter to SPPAC members.

- b. **Paradise Trail Update** – Andy reported the new trail is finished, everything has been finished and looks good. Some seeding is left to be done along the road. Use has been heavy, and the public response was positive. A survey was done of traffic patterns. Barb noted a visitor on a scooter was using the trail today. Some fine tune ups were done this year. The October 13th weekend is set for a tentative grand opening of the trail. Planning for this event is taking place now. Gary thanked Andy for his work on this project. Ron Quilter noted many visitors are making a loop out of the hike using the chip trail along the road. There is a need for completing option B of original plan. If extra money is available maybe SPPAC would consider completing the loop. The cost may be about \$150,000. Private donations are welcome. Paul may know someone who could be approached as a donor. Materials would be the biggest cost.

Action: Refer this topic to a future SPPAC meeting.

Attempts to raise funds for Strathcona Park Wilderness Center are still taking place. \$150,000 is being spent on the Helen McKenzie Lake/ Battleship Lake loop upgrades. This contract is being put out for bids next week.

- c. **Access, Island Timberlands, Ash River and Oshinaw Lake Road** (Barb put this item on the agenda) – Barb explained Andy has been talking to Island Timberlands regarding access through their property. Andy spoke about the company opening their road, and improving access to the park in the Oshinaw Lake area and the end closest to the Drinkwater Valley. The company is willing to talk about this. Andy explained how the road repairs are being done.
- d. **Access, Timberwest and Comox Glacier Trail update** – Andy said road access is open to the Glacier Trail because of the strike. However, the issue of access problems remains after the strike ends.
- e. **Access, Timberwest and damage to access to Puntledge River Trail** (Gary put this item on the agenda) – . Gary canoed up Willemar and Forbush lakes recently to access the big trees above the lakes. TimberWest has pushed a road into the area to log to the park boundary and to within 50 m of the lakes and rivers. Slash has been left behind which has made accessing the trail difficult. Gary heard gunshots of hunters close to the park boundary. Andy has contacted TimberWest and they confirmed the boundary has been surveyed. An Ecosystem specialist responded that regulations are different on private forest lands. Andy will speak with TimberWest to see if the situation can be rectified. Warrick

asked about the Willemar/Forbush area as a potential addition to the Park. Ron Q replied he has over 100 properties on his list of potential pieces to be acquired. TimberWest has a property for sale now near the Capes and Idiens Lakes.

f. **NVI Mine, Thelwood trail, Tennant Lake trail, gate and other updates**

Andy said the road is now open to the Bedwell Trail access, and NVI is still working on the road the rest of the way to Jim Mitchell Lake. They will be hauling 1 – 4 truck loads of ore per day from the old Price adit after the end of October. The Tennant Lake trail was damaged by last winter's storms. This is being repaired and trail clipped out. They still intend on working on upper trail. The damaged bridge at the Thelwood River at the south end of Buttle Lake is still being repaired. The mine's closure plan is being updated in 2008. The gate at the mine site will be ready to use by the end of September. A speaker system and signs are being installed now. Park visitors are encouraged to report in. Those familiar with the area can simply report in on the speaker, and proceed. John W said this is a private road, not public, so the mine manger has the power to do this. Warrick asked about the signs. Andy said signs will be there avoid confusion to public.

g. **CWR Bedwell Permit Applications** Gary gave SPPAC an update on what has happened this week. First priority of this meeting is to get information before discussing the merits of the proposal. The goal is to achieve consensus, if possible. Gary wants to set ground rules.

- i. **Report from Diane Tetrenko (Ministry of Tourism) on land title, status of application outside park, and response to letter from Dick Heath from SPPAC.** At June's meeting SPPAC asked Dick Heath to outline the importance of public access to the park in the Bedwell area. Andy said Diane said the trail proposal outside the park and foreshore permits are progressing through the process, This is coming to the Clayquot Regional Board on Sept. 19th. Regarding issues of public access through CWR's property, government has been researching the spending of public money on the road, and have not found anything yet. CWR is allowing public access now, and has committed to this in their application. Gary asked John Caton to comment. Gary asked if the resort is to allow public access through their private lands. John C. answered yes. Gary asked about public access through public land beyond the resort outside the park. John said public has access through this land anyway. Gary asked how a member of the public would have this access, what are the logistics? John answered they have no dock space for the public at the resort, but they welcome water taxis and float planes to drop off visitors and leave. A sign is posted on the dock giving information about passing through

CWR's property. This is all mentioned in the background documents available with the proposal. Cell phones don't work at the resort, but there is a cell phone booster at the dock to allow for communication for the public to call for pickup. Boats and kayaks should not be left at the resort due to liability issues. CWR cannot be responsible for people's property left there. There is an area across the river (Crown land) that could be used to leave kayaks. Warrick asked what would happen if the business was sold. What would happen to access then? John answered the granted tenure would be a transferable asset, and could be sold with the resort. This issue could become a part of the conditions of a PUP. Tenure could be revoked if conditions of PUP are not being met. Warrick asked if public access through the resort would be a condition of the PUP. John said the resort would sign off on this. Ron Quilter said if a PUP is issued in a park, there cannot be a condition covering the land outside the park. CWR would have to make a covenant in his sale agreement to guarantee such access. There would be a separate agreement to cover this that is not part of the PUP. Warrick asked if issuing or not issuing the PUP would affect the public access over the resort land. John said no. There is no legal way the PUP and access outside park can be tied together. CWR can make an agreement outside of the PUP.

- ii. **Park Permit Application status/clarification and response from Dick Heath re SPPAC letter** – Ron Quilter reviewed the process of evaluating this proposal and possibly issuing a PUP as stated on page 3 of CWR's open house material. There is a series of steps to go through, and how this is done is covered by the different documents, park act, master plan, etc. There has been a public involvement process which satisfied requests for a round table and a hike through the valley. If the permit is accepted, then an impact process would be followed (Levels 1 and 2). The assessment is a list of suggested topics to be looked at as determined from the feedback received at the open houses and other inputs to parks. If the impacts identified can be mitigated satisfactorily, then the permit would be granted. Eg. Impacts to fish – can they be mitigated? Parks are not yet at the stage of going to level 1. This is the next step to be decided on. Ron read the SPPAC letter to Dick Heath listing impacts on elk, large predators and fish as things that need to be assessed. Warrick asked why is this process continuing when the public is against it. He thinks parks wants this to go ahead. Ron answered Ministry approves or rejects the permit, not the public. SPPAC has not taken a position on this issue yet, some members are supportive, some opposed, some are on the fence. Where are we going with process? Gary said this is the opportunity to decide. Gary said SPPAC's position needs to be

reasoned, based on statutory criteria. SPPAC can make a recommendation.

- iii. **Roundtable outcome report (Sept 13)** – Barb reported on the discussion. There was talk about horses, processes, the Master Plan, bridges, roofed structures, etc. Most of these questions would be answered by a level 2 impact process. There is a need to decide if the Master Plan is being interpreted correctly. There is a need to decide on the issue. Dave Vincent sees a lot of distrust and confusion because the process has not been explained to the public. The key element not yet answered is the Master Plan issue. This could be the show stopper. So far Dave thinks there are show stoppers. Dave thinks maybe this should proceed to a Level 2 Impact Assessment. The critical question is whether or not horses should be allowed in this part of the park. Does the committee support horses in this valley? Dave wants to hear what Peggy Carswell has to say about the Master Plan. He said there are two separate issues – the philosophy of the Master Plan, and the horse issue. John W. refers to the Master Plan. Dave said to approve this proposal would this take an amendment to the Master Plan?
- iv. **Peggy Carswell was invited to make her presentation** -Peggy spent 5 years from 1988 – 1993 working on the Master Plan. She feels strongly about this experience. She has spoken to Jim Rutter and Anne Fiddick (the two other members of the committee at the time) and is passing on their feelings too. Anne asked Peggy to remind SPPAC that there is a process to ensure the Master Plan is followed. This is SPPAC's role. In 1987 Peggy stood up for the park and at that time was an elected area director for the Comox Strathcona Regional District. At this time the Regional District representing many different political interests unanimously supported preserving the wilderness character of Strathcona Park. Peggy, Jim and Anne were the Steering Committee set up to make recommendations for the Park.

Their committee carried out an extensive public consultation process, called Restoring the Balance. In April 1993 the Master Plan was published. Its vision was to preserve Strathcona Park as a wilderness area. All three former advisory members think this CWR proposal is not in keeping with the values envisioned in the Master Plan. Parks is considering horses because they are not expressly excluded by Master Plan, and Zoning Matrix. In 1993 this proposal would not have been considered. Extensive horse damage was evident elsewhere in the Park. The public feeling was that no horses or mountain bikes should be allowed anywhere in the park. They were restricted to two areas away from other areas, in previously

alienated areas, where old roads were stable and not subject to erosion, and connected with other horse trails outside the Park. Horse use elsewhere was considered and rejected.

The CWR proposal creates a dangerous precedent that permits development that erodes wilderness values. Peggy, Anne and Jim are willing to participate in further discussions on this issue. SPPAC has a disadvantage that are no members on it now that were here in the beginning, similarly no parks staff except Ron Q after 1999. Dave asked about stability of the old roadbed in the Bedwell. Peggy said the old committee could only achieve consensus by allowing horses in these areas with no intent to set precedence for any other areas. The Bedwell was not accessible to horses at the time, so was not considered. There was no request to have horses elsewhere. If there had been such a request, it would have been rejected. Wilderness becomes more valueable as there becomes less of it, as it becomes a scarce commodity. Ron Q. says the zones in the Park are the same as before, and that zoning allows horses and facilities in this area. Peggy says it may fit the zoning matrix, but it does not fit with what is in the Master Plan.

Gary supports Peggy's opinion on this. Most other members agreed too. Gary thinks the Master Plan would need to be amended if this permit were to go ahead. Dave says this is a show stopper until there is an amendment. Gary thinks this is not quite so strong an impediment. What is the process to amend the Master Plan?

(Anne and Jim Fiddick joined the meeting at about 8 p.m).

John W said amending the Master Plan is a major time consuming process. This would also open the whole plan to discussion, not just one part. Warrick mentioned FOSP's legal opinion regarding horses, the zoning matrix and Master Plan. Should this legal opinion be looked at? Gary thinks this legal opinion is sketchy. Dave asked Ron what is parks' position on the Master Plan? Ron said they talked about this in 2006, and the perception was the Master Plan was not clear then. Either. Dave thought this issue has been skated around for a while now. Dave thinks the Master Plan does not allow horses in the Bedwell. Ron said with the condition of the old road, the management team considered the zoning matrix. Anne Fiddick spoke, and apologized for not speaking up when she was the SPPAC chair, and expressing her opinion more strongly. She told of the Larkin Commission and its role in coming up with an assessment of public opinion. A lot of money spent on extinguishing logging and mining claims in order to preserve the Park from commercial use in it. SPPAC is only an advisory committee and its role is to make sure

the Master Plan is followed. Anne stated there was only one concession to a horse group which was for a non commercial public group of horse users. The intention of the Master Plan was not to allow horses elsewhere in the Park, or to allow commercial development in the park.

Peter Rothermel spoke.– FMCBC's position is that there must be an amendment to the Master Plan using a public process before approving this permit. The trail was in better shape than he expected it to be, it was less bushy than he thought it would be. Elk have kept it open. Side creeks have deposited huge boulder fields in the valley bottom. These boulder fields are solid rock and would not be impacted by horses. What remains of the road bed is stable with some problems evident such as sink holes which would be dangerous to horses. The hikers spent a lot of time using the gravel bars, and crossed the river several times. Above You Creek the condition of the trail is unknown. At the Round Table last night the intent was to clear up the situation and provide information to be recorded publicly. John W. asked how much of road bed has gone. There were different assessments from various people who had been on the hike (15% to 40%), but the average of the assessments was that between You Creek and bridge about 25% of road is gone. General agreement accepted this figure as fairly accurate.

Brian Gunn – WTA – Brian concurs with Peter's assessment above. He has experience with horses having run a dude ranch in the interior for a number of years Brian thinks this proposal will not do any damage to the road or the river. Brian is concerned with the interpretation of the Master Plan. He said in the late 1980's B.C.'s park system was devastated. Now we have 14% of the land base in parks. These parks can't be maintained, but private interests from the WTA can do this. These operators have a code of ethics, can educate the public about parks, and protect these park lands. We will lose parks to resource industries if this kind of proposal is not accepted. This proposal also provides employment to first nations people. This is at a low elevation, and not subject to the kind of horse damage seen in the in alpine. Our parks system is now robust. The thrust of the Master Plan is not to keep commercial development out of the Park. CWR uses no trace activities. It is time for people's thinking to change.

Kel Kelly – FOSP – Kel encouraged SPPAC to consider the public interest, to remember one of the P's in SPPAC stands for Public. Kel agrees times have changed. SPPAC's mandate is to check out public opinion before changing the Master Plan. He asks have the public's values really changed? He encourages committee to say no to this

permit. If want to entertain CWR,s proposal then there should be a full public process before changing the Master Plan.

Gary – Gary summarized the Ahousaht First Nation’s position as presented by Deputy Chief John Frank at the Roundtable. Their priority is to protect the environmental integrity of the Bedwell (Bear) Valley. It is within their traditional territory (as is 1/3 of Strathcona Park) and remains very important to them. Access to the Bedwell Valley is required to support social healing within their community as well as for potential economic benefits from tourism derived from working with CWR. John Frank read a letter at the Roundtable from Sean Attlee, a traditional Chief, which gave Ahousaht support to the CWR PUP application.

John Caton – John says the Master Plan is not clear, it has shades of grey. His grandchildren will see what was in the valley 100 years ago if this proposal goes ahead. He has recognized first nations’ territory, has helped them, worked with them to create employment, and to create a holistic center. John respects them more than anyone else. Has formed a sustainable collective here, and spent over \$500,000 on restoring fish and elk habitat. He is creating an opportunity for the public to access that part of the park. Tourism represents a huge part of the economy of B.C. The government’s goal is for tourism to double its revenue by 2015. Using parks are a part of this plan. John believes in maintaining controlled access to parks, He respects the initial work of SPPAC, but feels it is now time for change. If the Master Plan is the sticking point, then there is a need to establish with the Minister of the Environment what that is. If SPPAC is to make a recommendation, then it needs a legal opinion. This application process has been going on since 2002. CWR has met with FOSP and they have said this proposal would not occur. In 2006 CWR put in an application, and went through due process. This should have been completed in 180 days. This needs to be dealt with, a decision needs to be made.

Gary asked for committee members’ opinions. Ron wants to read from some past minutes from SPPAC meetings. He noted a lack of consensus, the management plan issue was dealt with before, so was a possible Master Plan review. Ron wants due process to carry on.

John Wilson – John thinks this proposal is not supported by the Master Plan, so he is in favour of denying the application.

Barb – Barb thinks the proposal has some merits, but the Master Plan issue is not settled yet. This needs doing.

Dave – Dave says the Master Plan issue is a problem, and he has difficulties with horses been allowed in parks. This proposal does

not fail the test of alienation, and it has economic benefits. The anticipated impacts can be mitigated. This should go to a Level Two Impact Assessment. He would have to support this going ahead.

Paul – Paul more information has come out in bits over time. As a businessman he sympathizes with the proponent over the time delay. This issue needs clarity. In terms of the Master Plan, guidance is ambiguous, but the intent of the Master Plan should be supported. On this basis this does not meet requirements of the master plan. Paul knows from experience that horses and hikers do not mix. Hikers not common in the Bedwell, but allowing horses says this is not a hiking trail. Lots of visitors come from all over to hike, and will not hike trails used by horses. Paul can't support this proposal.

Sandy Briggs – Dave's and Peggy's comments have helped. The Master Plan is specific, and horses are not allowed. Sandy does not support this proposal. Since the 1980's there is little left of wilderness outside of parks, and what there is must be protected.

Warrick - Warrick referred to his hike to a remote area of the Chilcote. He encountered horse riders who were surprised that hikers were there. The rider's guides said fewer people were riding than before, and they were taking horses to a cabin, then walking from there. More hikers than before were coming, and fewer horse riders. There is a change in parks, and we can still have commercial operators taking hikers into park enabling them to make money. Warrick is against this proposal.

Gary - Gary thinks the Master Plan is important. The integrity of park and its history is tied to the Master Plan. Gary doesn't oppose the permit application, and thinks the change of ownership issue can be dealt with. The failure of bridges in the valley poses a problem. He was impressed by the Ahousah's position. He is ideologically opposed to commercial interests operating in parks, but is impressed by the opportunity for stewardship here. This valley is not pristine wilderness.

How should committee proceed at this point. Paul would like a consensus and to resolve this issue. Dave offered a motion.

SPPAC's advice to parks is to resolve the master plan issue.

Parks should come up with a legal opinion that refutes or does not refute the FOSP legal opinion. Also, Parks should come up with a process for resolving Master Plan. This should go to a Level 2

Assessment which may lead to an acceptance. Paul agrees with the first part of this, but not the second. Dave says the opinion of the committee is not to support the proposal, but is only a recommendation. Ron says SPPAC can reach a consensus, or he can take all opinions forward to the Regional Manager (Dick Heath).

Ron says SPPAC needs to discuss a review of the Master Plan. Ron has heard that SPPAC mostly does not support proposal because it does not fit Master Plan.

Gary said SPPAC has consensus about this not fitting Master Plan. Sandy said he has two flavours of no – he is against the application as it is against the Master Plan, and he is against it even if the Master Plan can be interpreted to allow it. Ron said the Master Plan is not a legal document, it is policy. The Minister can change it if he wants to. Dave asked if this can move forward without changing Master Plan? The answer is no. There is a mixed message that some are against it because of the Master Plan issue, and some are against it no matter what.

Ron will pass this information on to the Regional Manager, Dick Heath. The wording of the SPPAC recommendation is:

The advice of the committee is that the master plan requires an amendment. Based on the current reading of the master plan, a park use permit should not be issued. If the amendment is not required, some members of the committee see benefits with proceeding with the PUP, and other members are adamantly opposed to the concept.

John Wilson thinks this is not strong enough. The master plan is clear, this is not supported.

**ADDENDUM TO SPPAC RECOMMENDATION AS
DISCUSSED AT THE JANUARY 18/08 SPPAC MEETING:**

“The Committee recommends that, based on the Master Plan and Master Plan Amendment a Park Use Permit cannot be issued for CWR’s proposal. The proposal has limited support from some members, while others are adamantly opposed.”

h. Della Falls Upper Camp and general use – Andy spoke of the situation here. Large tree branches were falling on the campground creating a hazard. Parks looked for another site, but couldn’t find a good one. They established another site further up near Della Falls on a gravel bar. They leveled off the gravel bar to create a

campsite, and closed the old campsite, but people are still camping at the old, closed site. They need to take facilities out of the old site. Last winter's storms took out the new facilities on the gravel bar. There is a sanitation problem from people using the old site with no outhouse. Paul asked what are the liabilities. The answer is falling trees. Parks have a strict hazard tree policy that must be followed. The options are to close the old site, cut down hazard trees, or take all facilities out, and call it wilderness. Doing so would reduce liability, but not remove it. Andy would like to take the issue to the risk management branch, and see if parks can accept this risk. Then they could beef up the facilities. Andy is looking for direction, but not much is available.

i. **SPPAC Recruitment** – Andy sent out a draft letter to SPPAC members for recruiting new SPPAC members. SPPAC needs more members. John W and Sandy have served for 7 years, so when they leave there will be fewer than the quorum of 6. An ad similar to previous ones will be circulated. SPPAC needs youth, first nations, and women. SPPAC can have up to 10 public members. Old members can reapply. Comox Valley will need representation. October 19th is the deadline for applications. This needs to be done sooner than later. John W suggests sending out the notice to previous members. John and Sandy will attend one more meeting after this.

Rick Rollins has been dropped from the committee due to missing too many meetings according to the terms of reference.

j. **Forbidden Ski Hill Degradation and potential impacts on Strathcona** – Andy said this issue needs deciding on. Parks are open to ideas. The plan to depark the area has not worked out. What about liability? Good question. 4X4's are going up the face of the old ski runs. The Comox Valley Economic Development group have some parties interested in doing something up there. A question about the oil spill there was asked. The oil in soil is still there. Dave said oil had washed down the creek to Forbidden Plateau Rd.

6. **Public Question Period** – none

7. **Confirm next meeting** – NVI meeting date to be set before the end of the year, around the end of November, early December. Next SPPAC meeting to be January 18, 2008.

8. Ron presented gifts to John and Sandy and thanked them for their hard work and contributions for the last 7 years. Gary also thanked both. Ron presented both with a lovely framed picture of Crown Mountain and a certificate of appreciation.