

# MANAGEMENT PLAN

May 2007



for West Arm  
Provincial Park



Ministry of Environment,  
Environmental Stewardship  
Division

West Arm Provincial Park

# MANAGEMENT PLAN

Prepared by  
Kootenay Region  
Environmental Stewardship Division



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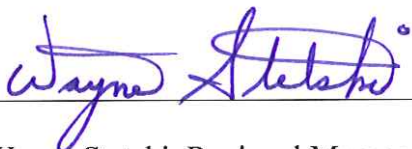
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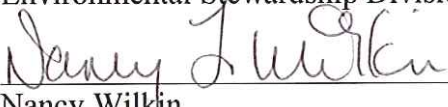
West Arm  
Provincial Park

# Management Plan

Approved by:

  
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Cover Photo: Southern boundary ridge hike by D. Haas

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Powder Bound Ski Club  
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Valhalla Wilderness Society  
Western Canada Wilderness Committee  
West Kootenay Naturalists

The planning process has been co-ordinated by Greg Chin (Planning Section Head) and assisted by the following people: Gary Price (Ecosystem Officer), Dan Harlow (Castlegar Area Supervisor); Wayne Stetski (Regional Manager); Roger Tierney (Recreation Section Head); and Ida Cale (Area Supervisor). Administrative support was provided by Heather Butler, Livia Collier and Karen Markus.

# Executive Summary

This management plan establishes objectives and strategies for the long-term management of West Arm Provincial Park. It is intended to provide strategic direction and guidance for park managers and anyone interested in the management and stewardship of this park. The plan is based on direction from the West Kootenay-Boundary Land-Use Plan, the goals of the Protected Areas Strategy, the conservation and recreation goals for the provincial park system, and a management vision that is itself based on the goals, dreams and aspirations of a variety of people that consider themselves users and stewards of the park.

## Significant Initiatives

- The vision for the future management of West Arm Provincial Park sees the park continue as the scenic forested setting for the City of Nelson, that protects and preserves some significant natural and cultural values that are managed in perpetuity for wilderness. Enhancement of natural wilderness values occurs over time through restoration of unnatural areas, minimisation of human impacts and the emphasis on a more scientific ecosystem-based approach to management. Wilderness recreation opportunities and ecologically sustainable ecotourism continue to play an important role in fostering a greater understanding of, and appreciation for, natural and cultural heritage values and continues to contribute to the economy of local communities.
- With wilderness values and wilderness recreation opportunities being the focus for this park, about 91% of the park's area has been zoned Wilderness Recreation. This will protect most of the park as a remote, undisturbed natural landscape and provide for wilderness recreation opportunities dependent on a pristine environment.
- Management of natural and cultural values includes:
  - working with stakeholders to discontinue the harvesting of red- and blue-listed species (e.g. grizzly bear) in the park;
  - pursuing acquisition of contiguous private waterfront lands with important natural and cultural values;
  - assessing the risk to natural values of pre-existing cut blocks and associated roads;
  - preparing a combined vegetation and fire management plan for the park
  - developing a long-term Community Watershed Management Plan in partnership with the City of Nelson;
  - encouraging research into the impacts of recreation on drinking water; and
  - developing an inventory and assessment of the pre-contact cultural and archaeological features.
- Management of outdoor recreation opportunities will include:
  - developing marine campsites and day use areas along Kootenay Lake;
  - establishing 12 km of marked ridge walking routes;
  - developing volunteer trail maintenance agreements with mountain bike groups; and
  - assessing the impact of extreme mountain biking on natural values.



# Introduction

## The Management Planning Process

A management plan is a document prepared to guide a park's management for the future. It sets objectives and strategies for conservation, development, interpretation, and operation of the park. This plan relies on current information relating to park values obtained from the background report. Additional information is gathered from park managers, government agencies, public interest groups, First Nations and from the public. It is important to be familiar with the Background Report for West Arm Park to fully understand this plan.

Preparation of a management plan involves a thorough analysis of the overall goals of the park, levels of use, and management objectives. Through this process, various options for managing the park are developed and assessed.

The Environmental Stewardship Division prepares management plans with a high degree of public involvement. The public and interest groups have opportunities to provide input through a variety of means, including public meetings and mail-outs. Additional information was gathered from the West Kootenay-Boundary Land-Use Plan (1995) and Implementation Strategy (1997), the West Arm Park Management Direction Statement (1999) and the West Arm Park Background Report (1999).

The plan focuses on management issues, objectives, and recommended strategies. There are five main sections in this document:

- 1) Introduction - highlights planning issues and provides a background summary of the park;
- 2) Role of the Park and Vision Statement - describes the importance of the park and the overall guiding principles for management;
- 3) Park Zoning - establishes management zones;
- 4) Management Objectives and Strategies - for managing the natural and cultural values and the outdoor recreation opportunities including provision of public information and education; and
- 5) Plan Implementation – sets priorities for implementing the management strategies.

# Relationship with Other Planning

## West Kootenay-Boundary Land-Use Plan

Land use planning in the Kootenay-Boundary region of southeastern British Columbia entered a new period with the provincial government initiative to prepare a regional strategic land use plan - the West Kootenay-Boundary Land-Use Plan (WKBLUP), in 1995. The major component of this plan was the designation of various land uses, including protected areas, over the entire region.

In addition to allocating land use, the WKBLUP also established resource management guidelines through an Implementation Strategy (KBLUP-IS) in 1997. These guidelines help to integrate land use management with a variety of government strategic policies, from the *Forest and Range Practices Act* to the Provincial Grizzly Bear Conservation Strategy. They are intended to provide broad, corporate guidance to managing agencies.

With respect to protected areas, the KBLUP-IS emphasises the importance of co-operative management of values within parks and in adjacent areas "to ensure that parks can effectively protect sensitive values contained within them." To this end, general management objectives and strategies associated with environmental, recreational and tourism values are provided for inclusion in park management including:

- Park Planning
- Pre-existing Tenures
- In-holdings
- Natural Occurrences
- Park Management

Additionally, guidelines are provided for co-ordinating management for wildlife movement through connectivity corridors. Details for each of these sections are in Appendix A, with specific management strategies included in this management plan.

## KBLUP-IS Management Direction for West Arm Provincial Park

KBLUP-IS provided specific management direction for each protected area that was established. For West Arm Provincial Park, the management emphasis was on conservation and watershed values, given the importance of the natural and cultural values in the park and the importance of the watershed for the City of Nelson. Although water works and trapping of fur bearing animals are not normally associated with the protection of wilderness, these uses were identified in the KBLUP-IS for continuance.

Specific management direction for adjacent areas was given in the form of identified wildlife connectivity corridors and the recognition of the support role to the park of the adjacent Midge Creek Wildlife Management Area (WMA). The Midge Creek WMA provides management emphasis on southern aspect lower elevation wildlife habitats for a variety of species that are absent from the park. In particular, it provides important habitat for old-growth dependent species such as mountain caribou, as well as other ungulates and grizzly bears.

# Background Summary

West Arm Provincial Park is a moderately sloping area of forested watersheds that extend from the lakeshore of Kootenay Lake to the alpine. It is located in southeastern British Columbia in the Selkirk Mountains just east of the City of Nelson on the south shore of the West Arm of Kootenay Lake (Figure 1).

The park, covering about 25,319 hectares, is one in a system of large protected areas, which includes Valhalla, Kokanee Glacier, Goat Range and the Purcell Wilderness Conservancy provincial parks as well as Mt. Revelstoke and Glacier national parks. Collectively, these protected areas conserve representative examples of the ecosystems found in the West Kootenays and contribute to the 11.3% of the land base included in protected areas of the region.

The park was established over a period of time when there was rapid change in resource and land use planning in the province. Over a few short years, several new provincial strategies were introduced and developed that contributed to the process leading to the designation of West Arm Provincial Park. The park was proposed in the early 1990s through the Parks and Wilderness for the 90s planning process, that later became the provincial strategy for identifying new protected areas known as the Protected Areas Strategy (PAS), in 1993. The park was proposed to protect watershed, viewscape, biodiversity, and recreation values.

Around the same time that the park was being considered for protection, there was significant local controversy among a myriad of stakeholders and interest groups. As many watersheds in southern British Columbia were subject to resource development activities, the Lasca Creek drainage was seen as one of the few remaining undeveloped areas. In September of 1991, 64 people were arrested protesting construction of the Lasca Creek Forest Service Road for the purposes of tree harvesting. The government initially excluded the Lasca Creek drainage from the park proposal and an 8-km access road was subsequently built into the drainage.

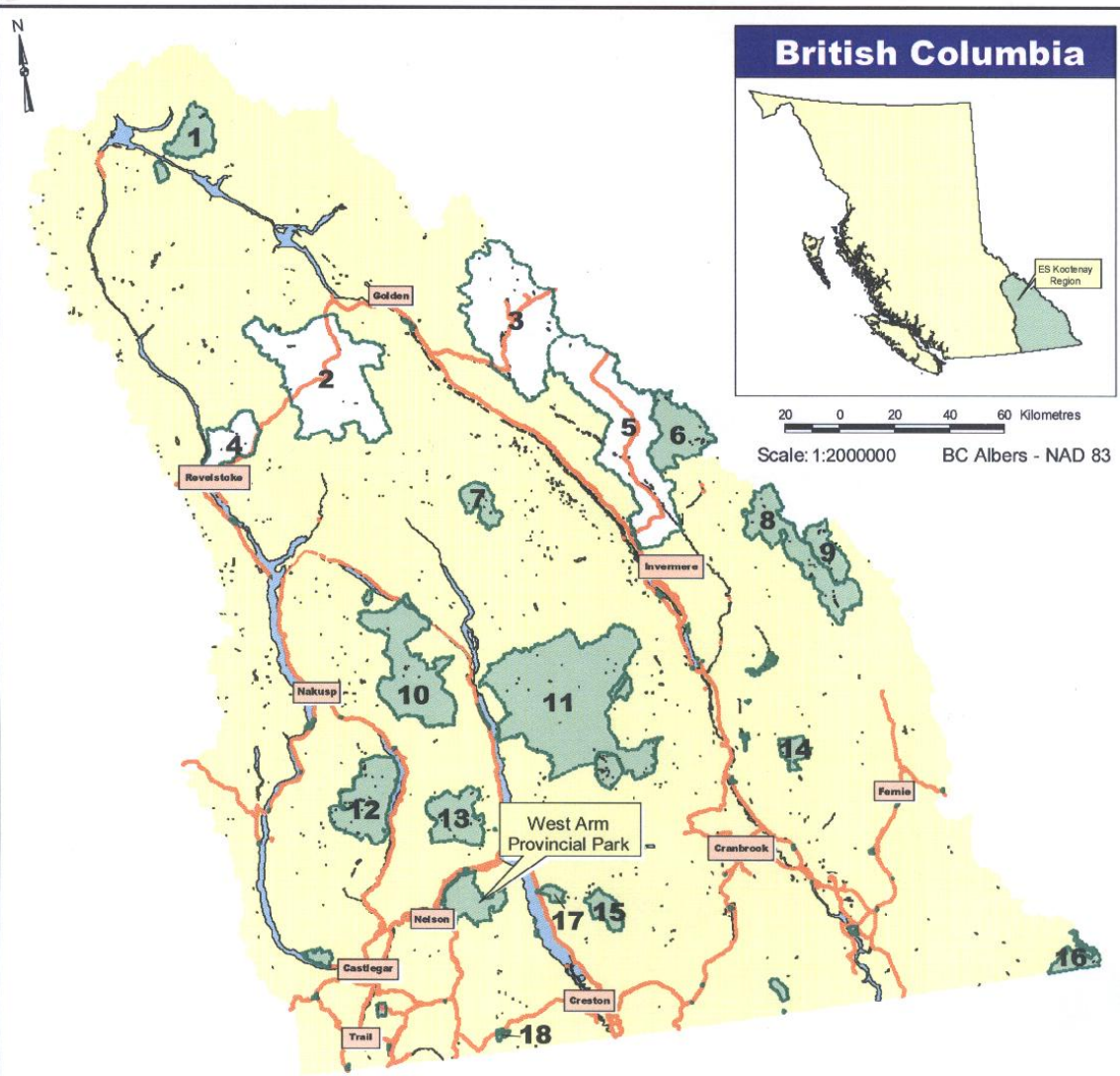
In the PAS process, the West Arm Provincial Park proposal was ranked as the fifth highest priority for protection out of 102 study areas identified in the West Kootenays. It was recommended for protection to increase protected area representation in the under-represented Southern Columbia Mountains Ecoregion (SCM). Consequently, the 25,265 ha area including Lasca Creek was designated a Class A Provincial Park on July 12, 1995 under the *Park Amendment Act, 1995*. An addition of 53.6 ha, that included some previously harvested areas at the Midge/Kutel creeks confluence, in 1995 resulted in the park's current size of 25,319 ha. The park is currently named and described in Schedule C of the *Protected Areas of British Columbia Statutes Amendment Act, 2004*.

Included in the park (Figure 2) are old-growth forests of six complete drainages and the headwaters of five more. The park in general is bounded in the north by the southern shores of the West Arm of Kootenay Lake, in the east by the Harrop Community Watershed, and in the south by the Midge Creek Wildlife Management Area and the Whitewater Ski Resort. The western boundary is adjacent to a variety of land uses including community watershed, settlement areas, and forestry.

Considering the relatively high population density in the near-by communities and extensive land use development in the region, it is rare to have such a large and undeveloped park in close proximity to settlement areas. While geographically the park is readily accessible, access into this area is limited to recreational trails, historic trails, and a few forest development roads.

**Figure 1: Context**

**West Arm Park**



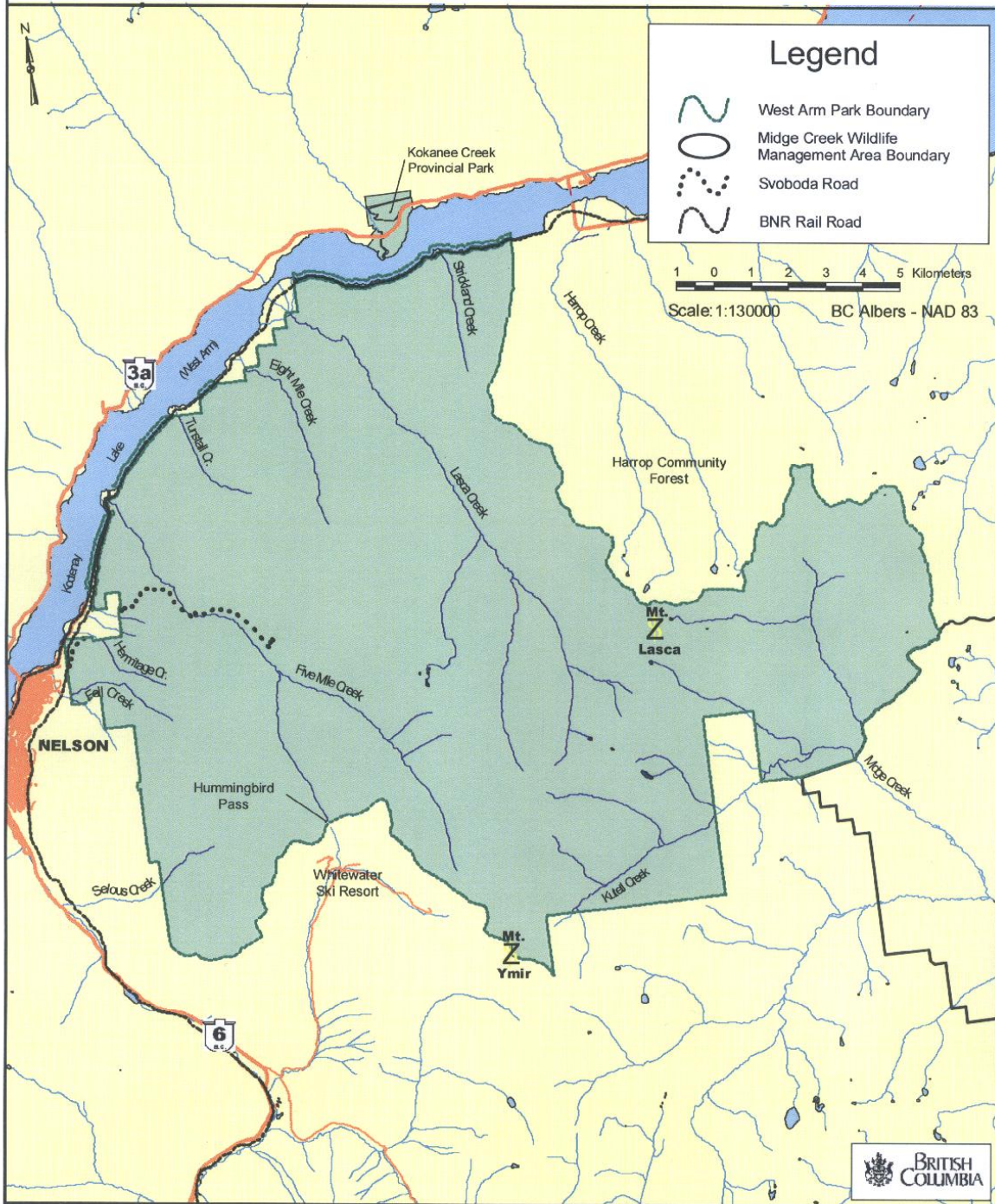
Major Provincial & National Parks - Kootenay Region	
1. Cummins Lakes Provincial Park	10. Goat Range Provincial Park
2. Glacier National Park	11. Purcell Wilderness Conservancy Park
3. Yoho National Park	12. Valhalla Provincial Park
4. Mt. Revelstoke National Park	13. Kokanee Glacier Provincial Park
5. Kootenay National Park	14. Top of the World Provincial Park
6. Mt. Assiniboine Provincial Park	15. Kianuko Provincial Park
7. Bugaboo Provincial Park	16. Akamina-Kishinena Provincial Park
8. Height of the Rockies Provincial Park	17. Lockhart Creek Provincial Park
9. Elk Lakes Provincial Park	18. Stagleap Provincial Park





**Figure 2: Base Map**

**West Arm Park**



Besides old-growth forests, West Arm Provincial Park protects important wildlife habitat for species at risk, including Coeur d'Alene salamander, mountain caribou, and grizzly bear. It is an important link for the movement of wildlife through the southern Selkirks. Given the large number of endangered and vulnerable species that are associated with the Southern Columbia Mountains, the potential is high that the park protects other species and habitats that have not yet been identified.

The outdoor recreation features and opportunities of the park are diverse and include lakeside beaches, extensive alpine hiking ridges, rocky climbing bluffs, a diversity of mountain biking opportunities, and cultural features that reflect some of the interesting historic themes of the region.

## Management Issues

This management plan addresses a number of issues identified by the Environmental Stewardship Division through previous land use planning processes and through consultation with other government agencies, First Nations, user groups, and the public.

With conservation and watershed values identified as the management priority for West Arm Provincial Park by the Kootenay Boundary Land-Use Plan Implementation Strategy (KBLUP-IS), the overall challenge for the management of this park will be to conserve these values while managing a diversity of backcountry recreational opportunities. The following are a few of the important issues identified for consideration:

## Vegetation

Natural disturbances such as fire, disease, and insect infestations are fundamental in maintaining ecosystem complexity. Some areas of West Arm Provincial Park are particularly susceptible to fire and mountain pine beetle infestation. A major fire in 2003 burned about a third of the park, raising question of whether active restoration is needed. Although allowing natural phenomena to occur without interference is consistent with wilderness management, the vegetation management strategy for West Arm Provincial Park needs to consider the risk to facilities in the park and to adjacent areas from residential areas to managed forestlands.



Plate1: Five Mile Creek 2003

## **Watershed**

Eighty percent of the City of Nelson's watershed lies within West Arm Provincial Park. Maintaining a constant and reliable source of clean water for the City of Nelson will be a priority, and activities that could possibly degrade water quality may need to be restricted.

## **Wildlife**

The park plays an important role in protecting wildlife and habitat while adding to the biodiversity and wildlife connectivity values of the SCM. Wildlife populations and habitat requirements transcend park boundaries. It is critical for the continued health and viability of the wildlife in the park that co-operative management strategies are developed with adjacent land managers. Lack of inventory information is also an important management issue.

## **Levels and Types of Recreational Opportunities**

Although a wide range of recreational opportunities exists, it is important to maintain the natural undisturbed character of the park's backcountry. Ensuring that recreational activities have minimal affect on park values is a high priority (e.g. minimising impacts by visitors on wildlife).

## **Commercial Recreation**

There is potential for commercial recreation although there are presently no commercial operations in the park. Commercial operations could range from multi-day backcountry wilderness hiking and camping to single-day mountain biking or backcountry skiing trips.

## **Adjacency**

There are adjacent uses that have implications for access and park management. They include: the Whitewater Ski Resort; the Harrop Community Forest; Midge Creek Wildlife Management Area; the Burlington Northern and Canadian Pacific rail lines along the shoreline of Kootenay Lake; and adjacent forest development and residential areas.

## **Access**

Although the park is close to Nelson, access to most of the park is difficult. There are a number of access issues that need to be addressed including the current access points and the potential for additional access as a result of forest development beside the park.

# Role of the Protected Area

## Provincial and Regional Context

West Arm Provincial Park lies in southeastern British Columbia, in the Nelson Range of the Southern Selkirk Mountains. The park is an important component in a system of large protected areas, which includes Valhalla, Kokanee Glacier, Goat Range, and the Purcell Wilderness Conservancy provincial parks as well as Mount Revelstoke and Glacier national parks. West Arm Provincial Park establishes a strategic connectivity link to the Canada-United States border between these major protected areas that join the Southern Selkirks to the Purcells. These connections and linking corridors are critical to providing for genetic exchange and dispersal of migrating species throughout the region.

Unlike its sister parks Valhalla, Goat Range, Purcell Wilderness Conservancy and to a lesser extent Kokanee Glacier, West Arm Provincial Park is situated immediately adjacent to a major urban centre, the City of Nelson. Although the city has a population of over 9,500 and there is a growing alpine ski resort along the southwest boundary of the park, wilderness qualities are still significant. Most recreational use presently occurs at the periphery of the boundary and along Kootenay Lake, leaving most of the park as wilderness. While the other nearby parks are dominated by rugged mountain peaks, in West Arm Provincial Park the peaks are subdued, rounded and joined by ridges that can be easily hiked by all ages. With the close proximity to the City of Nelson, there is the potential for regionally significant recreational opportunities.

## Significance in the Protected Areas System

British Columbia's protected areas system encompasses a diversity of natural ecosystems covering about 13.8% of the Province. West Arm Provincial Park contributes to the system by protecting one of the few easily accessible and large examples of western red cedar, western hemlock, Engelmann spruce and sub-alpine fir forest communities representative of the Interior Cedar Hemlock Zone (ICH) (7,066 hectares) as well as the Engelmann Spruce - Subalpine Fir Zone (ESSF) (13,469 hectares) in British Columbia. The park supplies the best representation of the Southern Columbia Mountains (SCM) Ecosection, which is considered to be moderately represented (6.28 %) in the protected areas system. West Arm Provincial Park contributes 60% of this representation.

The natural, cultural, and recreational values of the park serve both fundamental goals of the PAS (Appendix A), including protecting representative examples of natural diversity (Goal 1) and protecting special features (Goal 2).

## Protected Areas Strategy (PAS) Goal 1 Significance

All of the main PAS Criteria for Goal 1 including representativeness, naturalness, biodiversity, and opportunities for recreation use and appreciation are addressed to varying degrees.

### **Representativeness:**

The PAS criteria for representativeness emphasised the need for protected areas in the ecosection to "collectively contain representative examples of the full range of ecosystems." Of the 13 biogeoclimatic subzone/variant (BGC) ecosystems in the SCM Ecosection, nine are represented in the protected areas system, with four occurring in West Arm Provincial Park.



The park contains many of the landform, vegetation, habitat and wildlife characteristics of the SCM Ecosection. The main missing element is the floodplain/waterfowl habitat of the Kootenay River/Lake complex, but this is protected through the Creston Valley Wildlife Management Area. The park’s contribution to the representation of these BGC ecosystems across the province is as follows:

Table 1: Provincial Representation

Biogeoclimatic Sub-zone/ Variant Ecosystem (BGC)	% of the Total BGC Area in the province protected	Number of Protected Areas in BGC	Area of this BGC in West Arm Park (Ha)	% of the Protected Areas in the Province by BGC included in West Arm Park
AT unp	22.47	151	4,496	0.11
ESSFwc 4	16.49	13	13,469	10.95
ICH dw	4.09	23	2,309	14.93
ICH mw 2	7.97	29	4,757	5.642

While there is significant replication of these ecosystems in the protected areas systems across the Province, West Arm Provincial Park’s contributions for ICH dw (14.93 %) is second only to Gladstone Provincial Park. West Arm Provincial Park’s contributions for ESSF wc4 (10.95%) and ICH mw2 (5.64%) are the fifth and sixth highest levels of representation in the province for these ecosystems respectively.

Another PAS criterion for representation is that the amount of protection “should be proportional to its occurrence in the ecosection.” Although a variety of ecosystems (9 of 13 biogeoclimatic variants) in the SCM is included in protected areas, the proportional occurrence of ecosystems (Table 2) indicates significant divergence. Table 2 focuses on only those BGC ecosystems that occur in West Arm Provincial Park.

Table 2: Ecosection Representation

BGC in West Arm Park (4of 13 BGC)	% of BGC Occurrence in the SCM	% of BGC Occurrence in PAs of SCM	% Difference (C-B)	% of BGC Occurrence in West Arm Park
A	B	C	D	E
AT unp	5.3	17.97	12.67+	17.9
ESSF wc 4	19.40	34.93	15.53+	53.7
ICH dw	18.38	8.39	9.99-	9.4
ICH mw 2	27.45	20.35	7.10-	19

Comparisons of the proportional occurrence in all the protected areas in the Southern Columbia Mountains Ecosection (Column C) and in West Arm Provincial Park (Column E) reveals significant deviations from what occurs in the ecosection (Column B). A measure of this difference (Column D) shows the degree of variation.

Proportional occurrence of the biogeoclimatic variants in the protected areas differs significantly from the occurrence levels in the ecosection ( ranging from 15.53% more to 9.99% less). These differences in occurrence are even greater when only West Arm Provincial Park is considered. The differences with the AT unp and ESSF wc 4 ecosystems are several times the occurrence in the ecosection.

### **Degree of Naturalness:**

The PAS Criteria emphasised the need for protected areas to be free of human disturbance as much as possible or able to recover to a natural state. The PAS criterion was that the existing or recoverable natural area of the park should be greater than 75%. All of West Arm Park meets this criterion.

### **Diversity:**

Diversity is a measure of the variety, concentration, and /or abundance of values in a given geographic area. The low to high elevation forests in the park contributes to the maintenance of biodiversity by supporting threatened and endangered species, including grizzly bear, wolverine red-tailed chipmunk and mountain caribou.

### **Recreation Use and Appreciation:**

Protected areas need to have qualities that attract and sustain use while fostering understanding and appreciation of protected area values. West Arm Park has high value four season recreation potential, providing a diversity of summer (e.g. hiking, mountain biking and boating) and winter recreational opportunities (e.g. back country skiing).

## **PAS Goal 2 Significance**

There are several special recreation features and cultural heritage features that also satisfy the PAS Goal 2 Criteria well. Trends in overall backcountry recreation use indicate the demand for recreational opportunities near urban areas is growing rapidly, while the traditional experience of travelling some distance to isolated wilderness areas is a declining trend.<sup>1</sup> The recreation features of the park are significant for their potential to address the demand for backcountry recreation and day use opportunities near a major population centre. Specifically:

- forested terrain of the park contributes to a diverse, regionally significant, user built mountain bike trail system adjacent to the Nelson area;
- rock outcrops along Kootenay Lake are one of the few places near Nelson for rock climbing opportunities;
- the ridgelines in the park are conducive for a variety of hiking experiences from day hikes to overnight backpacking for all ages;
- the pocket beaches along Kootenay Lake are some of the few areas along the south shore that are not private land; and
- the alpine terrain at the headwaters, the abundance of snow and the quality of snow conditions provide some of the best backcountry skiing opportunities in the region.

As for cultural heritage features, although there is little information on the one known archaeological site in the park, the presence of many more sites outside the park boundary suggest that the area is at minimum regionally important for cultural features. Determining the

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<sup>1</sup> Marketing observations from Mountain Equipment Co-op, Vancouver.

significance of these features in the protected areas system and in the region will require more detailed research and study.

## **Protected Area Roles**

The Province of British Columbia is the most physically and biologically diverse region in Canada. Its protected areas system conserves representative examples of the province's diverse natural ecosystems and special natural, cultural, and recreational features. West Arm Provincial Park contributes to the representation of the biological diversity of the SCM Ecosection, an area of high mountain ridges with wide, lake filled trenches and narrow valleys.

Each park and protected area in the system contributes uniquely in both the values they protect and the roles they serve. The roles of a park are defined by the values it contains, its contributions to the goals of the PAS, the conservation and recreation goals of the Ministry's protected areas system it serves, and the management vision that has been developed. Together these components help to define an overall strategic direction to guide the development of specific objectives and management strategies.

### **Conservation Role**

The conservation role of West Arm Provincial Park is to protect and preserve representative natural ecosystems of the Southern Columbia Mountains Ecosection including:

- old-growth forests and complete watersheds from the lakeshore of Kootenay Lake to the alpine;
- contributing to the protection of a variety of ecosystems including the AT (12%), ESSF wc4 (10.6%), ICH dw (2.3% ) and ICH mw2 (2.6% ) biogeoclimatic subzone variants of the Southern Columbia Mountains Ecosection;
- wildlife species and habitat, including grizzly bear (blue-listed) and mountain caribou (red-listed)
- slender sedge (blue-listed) growing site on the scree slopes of Ymir Mountain
- serving as a seasonal migration linkage for caribou and grizzly bear to Kootenay Lake and wildlife movement in general through the southern Selkirks;
- the community water supply of the City of Nelson; and
- the viewscape from the north shore of Kootenay Lake, the City of Nelson and from the Whitewater Ski Resort.

### **Tourism and Outdoor Recreation Role**

The recreation role of West Arm Provincial Park is to provide four-season front country and backcountry recreational opportunities in settings ranging from lakeside beach, to forested valleys to open alpine, including opportunities for boating, ridge walking/hiking, mountain biking, rock climbing and backcountry skiing. Although not as diverse and scenic as nearby

Valhalla and Kokanee Glacier provincial parks, the close proximity to the City of Nelson provides the opportunity for West Arm Provincial Park to provide recreational opportunities to the community while supporting recreation and tourism.

## **Cultural Heritage Role**

The Environmental Stewardship Division plays an important role in protecting cultural heritage features in the province. West Arm Provincial Park contributes to protecting cultural and heritage values by preserving an area that is important to First Nations and to the historic development of the region. The role of West Arm Provincial Park with respect to cultural heritage is to present and protect regionally significant themes of railway, mining, trapping, forestry, boat transportation, and First Nation traditional uses along the West Arm of Kootenay Lake.

## **Relationship with First Nations**

The historic Aboriginal – Crown relationship in British Columbia has given rise to the present socio-economic disparity between First Nations and other British Columbians. With the emergence of treaty negotiations in British Columbia and the growing awareness of aboriginal rights and title, the Province of British Columbia has begun to forge new relationships with First Nations across the province. The new relationship is based on respect, recognition and accommodation of aboriginal title and rights.

The provincial park system contains cultural and natural values that are highly significant to First Nations. Some parks are important as sources of natural medicines, foods or as sacred sites. The Environmental Stewardship Division needs to consider the traditional knowledge and concerns of First Nations.

The asserted traditional territory of one First Nation (Ktunaxa Nation) covers the park. The Ktunaxa people traditional territory covers the Kootenay Region and extends into the United States. In British Columbia the Ktunaxa Nation Council represents the interests of four Indian Band members: St Mary's Band, Tobacco Plains Band, Columbia Lake Band and Lower Kootenay Band.

The Ktunaxa/Kinbasket Treaty Council (which represents the treaty interests of the bands) is currently negotiating a treaty with the Government of Canada and the Province of British Columbia and has signed a memorandum of understanding with the Province for the management of provincial parks in the Kootenay Region (Appendix F). The MOU makes provisions for the parties to cooperate in a variety of management activities including planning, park boundary reviews, economic development and capacity building. The West Arm Park management plan proposes to build on this relationship with the Ktunaxa people in a number of areas to ensure that management of the park considers their traditional uses. The management plan will not limit treaty negotiations.

# Vision Statement

The long-term management vision helps to guide what should be done in the short-term. The Vision Statement is an important guide for reacting to changing demands for recreation or for incorporating new approaches to conservation management. This Vision Statement for West Arm Provincial Park describes the desired condition of the park 20 years from now. It sets the tone for how the park may differ from what it is today.

## Vision for West Arm Provincial Park

*West Arm Provincial Park continues to be recognised as the scenic forested setting for the City of Nelson that protects and preserves in perpetuity significant biodiversity, cultural, recreational and watershed values of the Southern Selkirk Mountains. Wildlife linkages between West Arm Provincial Park and other parks and wildlife management areas in the Kootenays have been established, forming a contiguous network that is sustaining biological diversity throughout the region. Ecosystem-based management is applied in the park and, through the co-operative efforts of public and private interests, also applied outside the park to restore species at risk to sustainable levels.*

*Natural processes, such as fire and insect infestation, have made some modifications to the landscape but essential natural, cultural, recreational, watershed, and visual values have been retained intact. Some natural values in the park have actually been improved through the restoration of previously disturbed and harvested areas.*

*The growth of the City of Nelson has increased the need for domestic water, but water quality and quantity have remained unaffected by park use or management.*

*Varieties of lakeside and low impact recreational experiences are available and supported by limited facilities such as trails. Environmental education programs have helped foster a strong stewardship relationship with park users. High standards of ethical use have enabled a diversity of recreational users to co-operatively share in the use of the park without degrading environmental values such as water quality.*

*Commercial recreation opportunities have been developed owing to the heightened demand by an ageing population with more leisure time and finances, improved wildlife viewing opportunities and the increased appreciation of heritage values and the culture of First Nations peoples. With the development of supporting tourism facilities outside the park in adjacent communities, sustainable ecotourism has become an important part of the local economy.*

# Protected Area Zoning

## Introduction

The Environmental Stewardship Division uses zoning as a tool to assist in the planning and management of a provincial park. In general terms, zones divide a park into logical units for management. It applies uniform and consistent management objectives based on natural, cultural, and recreational values, and existing and projected patterns of access and recreation use in relation to specific conservation goals. The zones reflect the intended land use, the degree of human use, level of management and development permitted. The range includes five zoning options: Intensive Recreation, Nature Recreation, Special Feature, Wilderness Recreation, and Wilderness Conservation. The zoning framework used by the Ministry of Environment for the protected areas system is in Appendix B.

Based on West Arm Provincial Park's natural and cultural values, roles and vision statement, the park has been divided into three zones: Wilderness Recreation Zone, Nature Recreation Zone, and Special Features Zone. While most of the park is remote, existing hunting and trapping use, which was recommended to continue as an allowable use by the KBLUP-IS, precludes management as a Wilderness Conservation Zone. The zone objective, description, rationale, location in the park (Figure 3), and allowable uses for each zone are as follows:

## Wilderness Recreation Zone

### Zone Objective:

To protect a remote, undisturbed, natural landscape and to provide backcountry recreation opportunities dependent on a pristine environment where air access may be permitted to designated sites.

### Zone Description:

The Wilderness Recreation Zone encompasses approximately 23,040 ha (91%) of West Arm Provincial Park including the drainages of Midge Creek, Kutetl Creek and Five Mile Creek.

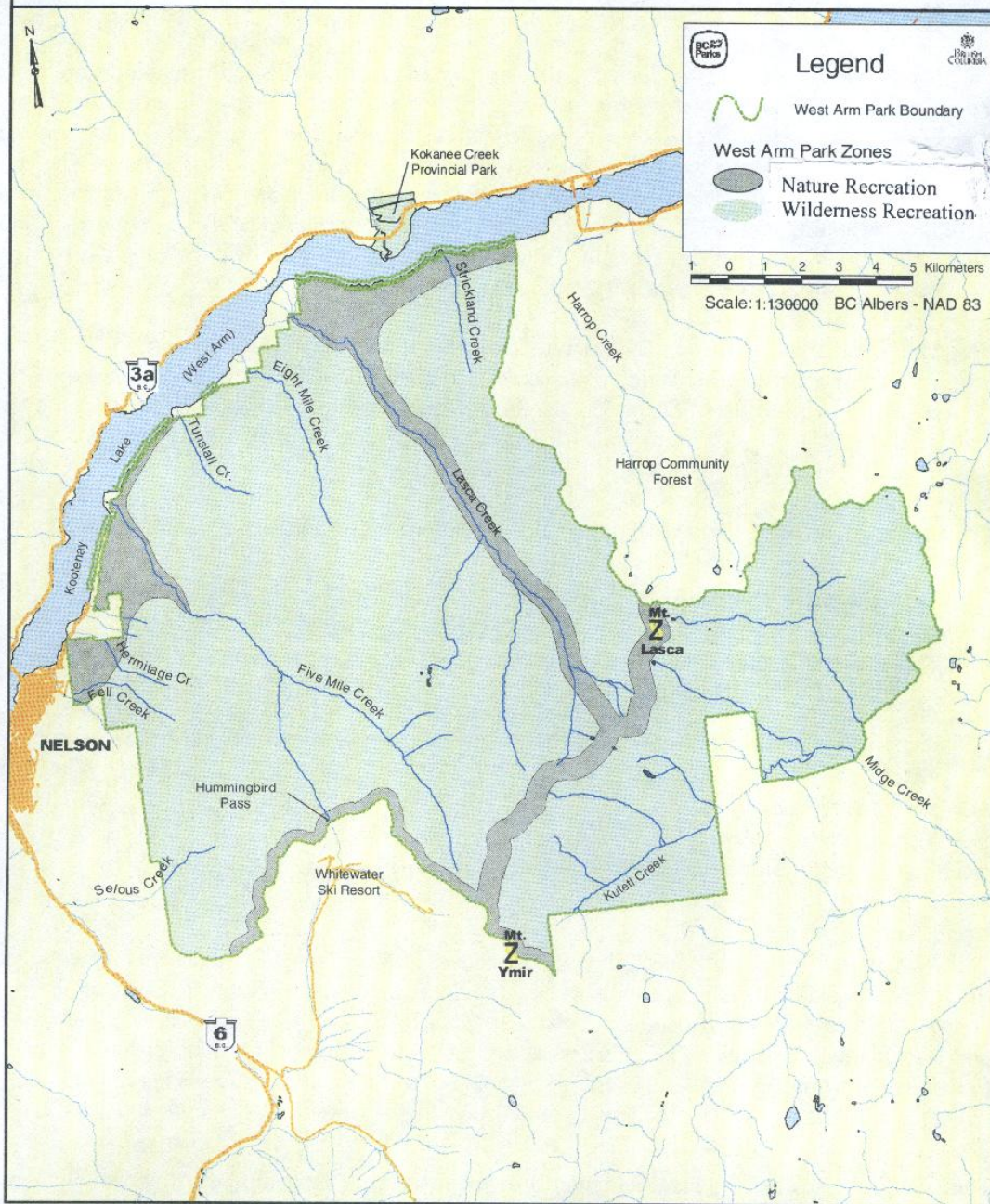
### Zone Rationale:

The Wilderness Recreation Zone allows for the continuation of dispersed traditional recreational activities such as backpacking, day hiking, and backcountry skiing in a remote setting. The park is also open to hunting, but very little use occurs in the park. Use levels for all activities are generally low and consistent with a wilderness experience. There are no existing facilities or proposed facilities for this zone. In addition to supporting wilderness opportunities, management of this zone for low levels of use also supports the protection of community water supplies for the City of Nelson and residential areas along Kootenay Lake.

The intent of this zone is to place a high priority on conserving the natural environment while providing some level of backcountry use that is consistent with its wilderness atmosphere. It is the second highest level of conservation management within the spectrum of management zones. Wilderness Recreation zones are large natural areas where natural ecological processes occur largely uninfluenced by human activity.

**Figure 3: Zone Map**

**West Arm Park**





## Zone Activity, Use and Facility Application:

Table 3 defines the activities, uses, and facilities that will apply to the Wilderness Recreation Zone in this park. The Allowable column indicates the generic status of such activity, use, or facility in the protected areas system. The Applied column indicates if the activity, use, or facility is appropriate in this zone in this park.

The symbols within the figures below are defined as follows: Y = allowed subject to conditions identified in the management plan; M = may be permitted if compatible with protected area objectives; N = not allowed; N1 = allowed for expressed management purposes only; N2 = present and allowed to continue (KBLUP) but not normally allowed; N/A= not applicable.

**Table: 3**

Activity/Use/Facility	Allowable in WR Zone	Applied in this Park's WR Zone
<b>Activity</b>		
Beach activities (swimming, sunbathing, etc.)	Y	N/A
Boating (power)	N	N/A
Boating (non-power)	Y	N/A
Camping - no trace	Y	Y
Camping – other	N	N
Commercial recreation (facility-based)	N	N
Commercial recreation (non-facility based)	Y	Y
Fishing	Y	Y
Hiking and walking	Y	Y
Hunting	Y	Y
Natural and cultural values appreciation (birding, photography, wildlife viewing)	Y	Y
Recreational gold panning/rock hounding	N	N/A
Scientific research (manipulative activities)	M	N1
Scientific research (specimen collection)	M	N1
Skiing (downhill & cross-country track based)	N	N
Skiing (helicopter or cat-assisted)	N	N
Skiing (other)	Y	Y
Trapping	N	N2
<b>Use</b>		
Aircraft access	M	N
Exotic insect/disease control	N	N
Filming (commercial)	N	N
Fire management (prescribed fire management)	M	M
Fire management (prevention)	N1	N1
Fire management (suppression)	N1	N1
Fish stocking and enhancement	N	N
Forest insect/disease control	N	N1
Grazing (domestic livestock)	N	N/A
Guide outfitting (fishing)	Y	N/A



<b>Activity/Use/Facility</b>	<b>Allowable in WR Zone</b>	<b>Applied in this Park's WR Zone</b>
Guide outfitting (hunting)	Y	Y
Guide outfitting (nature tours)	Y	Y
Guide outfitting (river rafting)	Y	N/A
Horse use/pack animals (not exotic)	Y	N/A
Motorised Water access	N	N/A
Non-motorised water access	Y	N/A
Noxious weed control	N1	N1
Off-road Access (non-mechanical - dog sleds, horse sleds)	M	N
Off-road Access (mechanical activities)	N	N
Off-road Access (motorised - not snowmobiles)	N	N
Off-road Access (snowmobiles)	N	N
Pack animals (exotic)	N	N
<b>Facility</b>		
Administrative buildings and compounds	N	N
Backcountry huts and shelters	M	N
Boat launches	N	N/A
Campgrounds and picnic areas (vehicle access and serviced))	N	N
Campgrounds (other)	M	M
Communication sites	N	N
Interpretation and information buildings	N	N
Roads and parking lots	N	N
Ski hills and snowplay areas	N	N
Lodges and other serviced accommodation	M	N
Trails (hiking, cycling, cross-country skiing)	Y	M
Utility corridors	N	N
Water control structures	N	N

# Nature Recreation Zone

## Zone Objective:

To protect scenic values and to provide backcountry recreational opportunities in a largely undisturbed natural environment.

## Zone Description:

The Nature Recreation Zone covers approximately 2,273 ha (8.98%) of the park. This designation is applied to the shoreline of Kootenay Lake; the Lasca Creek trail corridor, the hiking ridges of the park and the northwest area of the park currently used for mountain biking and rock climbing.

## Zone Rationale:

In West Arm Provincial Park, the key indicators for applying the Nature Recreation Zone are the types and levels of use. Areas of higher use than the Wilderness Recreation Zone and activities not normally associated with the remoteness and solitude of wilderness experience have been included in the Nature Recreation Zone.

## Zone Activity, Use and Facility Application:

Table 4 defines the activities, uses, and facilities that will apply to the Nature Recreation Zone in this park. The Allowable column indicates the generic status of such activity, use, or facility in the entire protected areas system. The Applied column indicates if the activity, use, or facility is appropriate in the zone in this park. The symbols within the figures below are defined as follows: Y = allowed subject to conditions identified in the management plan; M = may be permitted if compatible with protected area objectives; N = not allowed; N1 = allowed for expressed management purposes only; N2 = present and allowed to continue (KBLUP-IS) but not normally allowed and N/A = not applicable.

**Table: 4**

Activity/Use/Facility	Allowable in NR Zone	Applied in this Park's NR Zone
<b>Activity</b>		
Beach activities (swimming, sunbathing, etc.)	Y	Y
Boating (power)	Y	Y
Boating (non-power)	Y	Y
Camping - no trace	Y	Y
Camping - other	N	N
Commercial recreation (facility-based)	N	N
Commercial recreation (non-facility based)	Y	Y
Fishing	Y	Y
Hiking and walking	Y	Y
Hunting	Y	Y
Natural and cultural values appreciation (birding, photography, wildlife viewing)	Y	Y
Recreational gold panning/rock hounding	N	N/A
Scientific research (manipulative activities)	N1	N
Scientific research (specimen collection)	M	N1

Activity/Use/Facility	Allowable in NR Zone	Applied in this Park's NR Zone
Skiing (downhill & cross-country track based)	N	N
Skiing (helicopter or cat-assisted)	N	N
Skiing (other)	Y	Y
Trapping	N	N2
<b>Use</b>		
Aircraft access	Y	N
Exotic insect/disease control	N1	N1
Filming (commercial)	M	M
Fire management (prescribed fire management)	N	N
Fire management (prevention)	N1	N1
Fire management (suppression)	Y	Y
Fish stocking and enhancement	M	M
Forest insect/disease control	M	M
Grazing (domestic livestock)	N	N/A
Guide outfitting (fishing)	M	M
Guide outfitting (hunting)	Y	Y
Guide outfitting (nature tours)	Y	Y
Guide outfitting (river rafting)	Y	N/A
Horse use/pack animals (not exotic)	Y	N/A
Motorised Water access	Y	Y
Non-motorised water access	Y	Y
Noxious weed control	Y	Y
Off-road Access (non-mechanical - dog sleds, horse sleds)	Y	N/A
Off-road Access (mechanical activities)	Y	Y
Off-road Access (motorised - not snowmobiles)	N	N
Off-road Access (snowmobiles)	Y	N/A
Pack animals (exotic)	N	N
<b>Facility</b>		
Administrative buildings and compounds	N	N
Backcountry huts and shelters	Y	N
Boat launches	Y	N/A
Campgrounds and picnic areas (vehicle access and serviced))	N	N
Campgrounds (other)	Y	Y
Communication sites	N1	N1
Interpretation and information buildings	N	N
Roads and parking lots	N	N
Ski hills and snowplay areas	N	N
Lodges and other serviced accommodation	Y	N
Trails (hiking, cycling)	Y	Y
Utility corridors	N	N
Water control structures	N	N

# Special Feature Zone

## Zone Objective:

The objective of the Special Feature Zone is to protect and present significant natural or cultural resources, features, or processes because of their special character, fragility, and heritage values. Management emphasises a high level of protection and ongoing monitoring and limits facilities to those used for interpretation.

## Zone Description:

The Special Feature Zone is applied to archaeological site DjQg 5 - stone igloo remnants on the shore of the West Arm of Kootenay Lake opposite the mouth of Kokanee Creek. The zone covers about 5.4 ha of the park.

## Zone Rationale:

These special cultural features are vulnerable to being impacted by public uses. The zoning precludes camping and other forms of specific recreational development. Additional sensitive and special features sites that may be found in the park will be managed under this zoning regime.

## Zone Activity Use and Facility Application:

Given the high level of protection and generally low use in the Special Feature Zone, there are no zone activity, use or facility applications other than natural and cultural appreciation use and interpretative facilities.

**Plate 3: Kootenay Lake shoreline at Lasca Creek**



# Natural and Cultural Heritage Values Management

## Introduction

This section of the management plan addresses the principle natural and cultural values of the park such as vegetation, water, and fish that constitute the park's representative ecosystems and special features. Each section begins with a brief description of the park value including the associated concerns and management needs. This is followed by the objectives and management strategies that are needed to implement the management vision for the park.

## Ecosystem Management Approach

The Environmental Stewardship Division is moving toward a more science dependent ecosystem-based management approach for protected areas to enhance ecosystem values and processes. This requires:

- integration of available science-based information with management;
- understanding of the interrelationships of the ecosystem's biological and non-biological components;
- a focus on long-term or large-scale issues;
- a holistic view of the environmental system and many environmental problems; and
- interagency co-operation given ecosystems extend beyond jurisdictional boundaries.

Much of the understanding, knowledge and the practices to implement an ecosystem management approach for protected areas are still in the formative stages and will be developed over time. In addition to the Environmental Stewardship Division's approach, the KBLUP-IS also emphasised the importance of an ecosystem-based approach to land and resource planning and management to maintain healthy functioning ecosystems and, in protected areas, to maintain ecosystem representation.

There is ongoing forest development and mineral exploration adjacent to West Arm Provincial Park. Park ecosystems may be affected by these activities if not carried out in a manner considerate of park values. Most of the adjacent area outside the park boundaries, except along the southern boundary, has been designated as Special Resource Management Zones (SRMZ) in the WKBLUP. The SRMZs adjacent to the park contain associated natural values and a wide range of uses and facilities, from industry to tourism, recreation and community watershed and settlement. This land use designation is intended to maintain the integrity of the numerous special and sensitive regional biodiversity values, including ecosystems in the region that are not adequately represented in the protected areas system, while continuing with a range of land uses. The KBLUP-IS contains a number of resource management guidelines that are used to implement the intent of SRMZs.

Some transient ecosystem components, such as fish and wildlife, can be most affected by land uses outside the park. How fish and wildlife interact with human beings outside the park can affect ecosystems in the park. For these ecosystems to remain healthy and functional it is important for the landowners and managers involved to work co-operatively and in co-ordination with BC Parks to avoid disruptive impacts that affect the viability of the ecosystem.

Essential to understanding ecosystems is an understanding of the natural processes affecting them. While some processes like climate are very complex and unmanageable on a park basis, other processes such as wildfire, disease and insect infestation are connected directly to the land and can be considered in the management of the park.

Natural Disturbance Types (NDT)<sup>2</sup> can provide some indication of the frequency of changes in the ecosystem because of wildfires, windstorms and, to a lesser extent, insects and landslides that occur on forest stands. There are two Natural Disturbance Types in West Arm Provincial Park - NDT 2 (infrequent stand-initiating events<sup>3</sup>) and NDT3 (frequent stand-initiating events). The former is the most prevalent in the park covering around 70% of its area. The Biodiversity Guidelines of the Forest Practices Code identify the mean return interval for stand – initiating events in NDT2 and NDT3 ecosystems to be about 200 years and about 150 years respectively. While natural processes that cause successional changes in ecosystems are significant in the park, they occur over extended periods.

There are large gaps in the available information and our understanding of the ecosystems in this park. To develop a strategy for an ecosystem management approach requires these gaps to be filled and management practices to be developed.

### Objective:

To preserve unimpaired representative ecosystems, ecological values and natural ecological processes within the park while working with adjacent land managers to maintain the integrity of sensitive values in support of the park.

### Strategies:

- Develop predictive ecosystem maps at 1:20,000 scale covering representative ecosystems of the park, including portions of the ecosystem outside of the park boundaries.
- Develop an ecosystem management strategy that incorporates principles of ecological integrity including the major ecosystem components of vegetation, fish and wildlife and natural processes like fire, insects, and diseases.
- Work co-operatively with other government agencies and land managers to ensure mountain caribou and grizzly bear habitats external to the park are maintained, including connectivity throughout the region's protected areas, SRMZs and wildlife management areas.
- Work co-operatively with other government agencies, community groups and the public to address key resource issues that affect the ecological integrity of West Arm Provincial Park (e.g. road developments and deactivation, harvesting plans).
- Monitor and provide input into forest harvesting planning and development, mineral exploration projects, and commercial recreation proposals near the park.

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<sup>2</sup> A classification of ecosystem natural disturbance used in British Columbia to set biodiversity objectives for resource activities

<sup>3</sup> Those processes that largely terminate the existing forest stand and initiate secondary succession in order to produce a new stand

- Co-ordinate the development of communication and educational resources with other agencies and private groups to enhance the overall effectiveness of activities that support ecosystem integrity.
- Provide input through provincial review systems for proposed major developments that may impact the park's ecosystem values.
- Work with the Ministry of Forests and Range and Range to retain old growth (age class 8+) stands where possible in support of wildlife connectivity, riparian and wetlands flora and fauna.

## Land and Resource Tenures

Management of the land base in West Arm Provincial Park primarily involves management of tenured land uses and addressing boundary issues. There are a number of pre-existing tenures and rights in the park including domestic water licenses, trapping, and guide outfitting. These activities have been occurring in the park and vicinity for many years prior to the establishment of the park. The KBLUP-IS recommended that the legal rights of these pre-existing tenure holders continue, but the terms of the tenure could be modified through the management planning process for the park.

This section of the management plan addresses non-recreational tenures, while recreational tenures, including guide outfitting, are addressed separately in the management of recreation opportunities section. Although water licenses are a non-recreational tenure, they are addressed in the Water Management section of the plan.

There are four trapping licenses, which cover nearly all the drainages in the park. Although trapping is considered by policy as a non-conforming use in parks, it is permitted to continue based on the direction provided by the WKBLUP and KBLUP-IS. The intensity of harvesting for fur bearing animals can vary significantly depending on market demand. For many trappers the activity is more a traditional way of life with historic roots than a resource industry. As all species have a role in the ecosystem and are interdependent in many ways, the harvesting of fur bearing animals may be affecting other aspects of the ecosystem. However, no studies have been done in the park to date to assess the effects.

With respect to park boundaries there are two main issues. Firstly, there have been suggestions that additional lakefront land be added to the park through the purchase of private waterfront properties along the northerly park boundary as they become available. Given the general limited availability of public access to lakeside opportunities and the significant natural, cultural and recreation values of these areas, acquisition of these lands would significantly enhance the park. Ecosystem representation would be improved by including the complete drainages of the major creeks in the park. The lower portions of these creeks are important for spawning fish and lakeshore recreation, and some contain archaeological sites.

Other potential additions include the railway rights-of-ways that bisect the park. Although the Canadian Pacific Rail right-of-way is still being used for rail transportation, the Burlington Northern Rail (BNR) right-of-way has been abandoned for some time and is used by the public for cycling, hiking, lake access, and rock climbing access. The BNR right-of-way was purchased by the Province of British Columbia for potential future opportunities to meet transportation or

utility corridor needs. It is currently managed by the Regional District of Central Kootenay under lease as part of a regional trail system that complements West Arm Park. The BNR right-of-way also includes Troupe Junction, a large flat area used in the distant past for turning the trains around. This site contains old cottonwood trees on a sandy soil base. The shoreline is dominated by a sandy spit that provides several hundred metres of well used beach frontage. As with the other lakeside properties mentioned, Troupe Junction would make an excellent addition to the park.

The second boundary issue concerns trespass structures. There are a number of structures (e.g. cabins, fences) adjacent to and within the park that may pose risks to the public and park values. Each situation requires assessment and consideration of options appropriate for the site conditions.

### Objective:

To maintain pre-existing non-conforming tenures while maintaining the conservation objectives of the park.

### Strategies:

- Canvas tenure holders annually to determine their interest in selling their trapping rights.
- Monitor furbearer harvest volumes and encourage conservative targets.
- Ensure all trappers have acquired a Park Use Permit in accordance with the *Park and Recreation Area Regulation*.
- Include an assessment of the impact on ecosystem health of harvesting fur bearing animals when considering the ecosystem requirements for species at risk.
- Minimise any other impacts on fur bearing animals that may arise in the future.
- Work with trappers to discontinue the trapping of red- and blue-listed species in the park (e.g. wolverine).

### Objective:

To enhance park values by expanding the park into adjacent high value lands and to also reduce the risk to public safety and park values by trespass structures.

### Strategies:

- Identify and individually assess trespass structures and implement options that best address the risks.
- Pursue acquisition of private lands as they become available, including the railway right-of-ways adjacent to the park, Troupe Junction and L. 6892, L. 8469, L. 2542, L. 8216 and L. 4682.



- Pursue conservation covenants with landowners in the interim until the properties can be purchased.

## Vegetation

Most of the forests in West Arm Provincial Park lie within the wet interior rainforest, a globally important region. The vegetation is representative of four biogeoclimatic zones ranging from valley bottom to mountaintop. Most of the park is comprised of high elevation biogeoclimatic subzones, but also includes a significant amount of low elevation subzones not well represented in other protected areas.

A significant proportion of the forest cover in West Arm Provincial Park is classified as old age, age class 8 (141 – 250 years) or class 9 (251+ years). These old age stands, which offer the potential to provide old-growth attributes, are considered one of the most critical ecological components of the park. Approximately 70% of the park is mature or old growth western white pine, Douglas-fir, lodgepole pine, western red cedar, western hemlock, subalpine fir, and Engelmann spruce.

Lodgepole pine 80 years and older covers about 23% of the park as a result of regeneration from fires around the turn of the century and the lack of any significant fires since then. These mature stands represent a significant risk for mountain pine beetle infestation. Small pockets of mountain pine beetle infestation have been seen in the park since 1987. A 1993 study indicated that the infestation could interfere with other forest values such as water quality and visual quality in the western portions of the park. A November 1999 aerial survey of the park found a small outbreak of mountain pine beetle in about 30 trees in the Tunstall/Hermitage creek area. Aerial surveys from 2002 - 2004 confirm continuing expansion of mountain pine beetle in the park with the lower elevation Kootenay Lake facing slopes the most affected areas.

Natural disturbance regimes in the park are believed to be dominated by moderate to long intervals of low intensity impacts by insects, fungi and wind, with larger impacts by stand replacement wildfire<sup>4</sup>. The most recent major fire occurred in the summer of 2003, where approximately 8000 hectares of the upper forested elevations of the park were burned, including the Kutetl, upper Midge, upper Lasca and upper Five Mile creek drainages.

The proliferation of non-native plant species is another major threat to native plant communities. The park has occurrences of invasive plant species including Spotted Knapweed, Common Tansy, Yellow and Orange Hawkweed and Scotch Broom. Although the distribution and abundance is not known travel corridors areas are particular locations for spreading infestation. One of the secondary impacts of the 2003 wildfire was an expansion of invasive weeds along fireguards.

West Arm Provincial Park has several hundred hectares of cut blocks in the Kutetl Creek – Midge Creek confluence that were included in the boundary when the park was established. These cut blocks and associated roads may require extensive restoration and deactivation to protect from erosion and slides.

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<sup>4</sup> Development of a Restoration and Monitoring Strategy in Relation to Fire and Natural Disturbances in West Arm Provincial Park, Rachel Holt and Marlene Machmer, Pandion Ecological Consultants LTD. May 2005.

While a comprehensive plant inventory has not been done, the biogeoclimatic zones that occur in the park are associated with about 42 listed (endangered or vulnerable) plant species, and some potentially may be found in the park.

#### Objective:

To restore previously harvested forest areas in Kutetl Creek drainage to a natural condition.

#### Strategies:

- Assess the risk to natural values of cut blocks and associated roads and investigate, if necessary, prescription options and their effectiveness to restore harvested areas.

#### Objectives:

To protect rare, endangered and sensitive native plant communities and species as they are identified.

To allow natural processes to continue but within established acceptable levels of risk.

#### Strategies:

- Complete updating Mountain Pine Beetle and Spruce Bark Beetle mapping including ground truthing
- Complete fire severity mapping for the 2003 wildfire
- Complete a vegetation inventory to locate, identify, and map species at risk in the Nature Recreation Zones, and areas that could potentially be impacted by recreation.
- Prepare a combined vegetation and fire management plan and mapping for the park including:
  - identifying management strategies for specific issues (e.g. insect infestation, disease, and blowdown) in consultation with stakeholders and other agencies;
  - defining the role of these natural disturbances in the maintenance of natural ecosystem diversity; and
  - considering fire history, natural fire regimes, effects of suppression, historical use of fire by humans, concerns of other agencies and values (e.g. drinking water) in need of protection.
- In the interim until the fire management strategy is prepared, the Ministry of Forests and Range and the Environmental Stewardship Division will jointly undertake an initial assessment of all wildfires. A fire may be allowed to run its natural course provided that it meets biodiversity objectives, water management objectives, and that visitors, adjacent commercial forests and park facilities are not in danger. The intent is to allow natural fires that occur under normal (non-extreme) environmental conditions to run their natural course. Use of heavy excavating machinery will not normally be permitted to fight fires in the park.
- Retain wildlife trees except where there is a hazard to visitors or facilities whereupon a Wildlife/Danger Tree Assessment will be conducted to determine the highest value and remedial action.

## Objective:

To prevent the spread of invasive plant species and eliminate established invasive plants.

## Strategies:

- Inventory, assess and monitor the presence of invasive plants along access corridors, fireguards and use areas.
- Remove invasive plants as required using the most effective low-impact method available.

## Water

Although some of the foreshore of Kootenay Lake is included in the park and there are a few small alpine lakes, the water values of the park lie mainly in the fairly intact, forested watersheds that the park protects. There is little information available on the creeks, rivers, and lakes of the park. Several watersheds, including Anderson Creek, Fell Creek, Selous Creek and Five Mile Creek, provide water for the City of Nelson. Others provide water to adjacent landowners. There are 24 existing water licenses in the park that are to be continued, as provided for by the KBLUP- IS.

Five Mile Creek provides about 80% of Nelson's water. Under its water license, the city has a small dam, spillway, and intake house on Five Mile Creek about 4 kilometres south of Kootenay Lake. A pipeline from this point brings the water to the city reservoir. According to the city's Public Works Department, the current water supply is more than adequate to meet the existing and future needs of the city.

It is not very common for a community's water supply to be located in a provincial park. While most parks are managed to protect natural values and the dynamic processes of nature, the added function of being a water supplier for a major population adds a dimension of complexity to the management of West Arm Provincial Park. As a general precept, management of large provincial parks tries to minimise interference with natural processes. However, processes such as fires, disease, and insect infestation may need to be managed differently in community water supply areas to protect the overarching public interest of maintaining drinking water values. Key to protecting water values is the retention of forest cover. The forest canopy controls snow storage, melting rates and moderates maximum run-off flows, while forest ground cover and tree roots help stabilise slopes and prevent erosion. The wildfire of 2003 affected roughly 20% of the Five Mile Creek Drainage.

In West Arm Provincial Park, little is known about, and no assessments have been done on, the risks posed by natural processes on drinking water values. Equally absent is information on the potential impacts of recreation use in the watershed.

A 1999 Auditor General's report entitled, "Protecting Drinking-Water Sources," highlighted the lack of information on the impacts of recreation and recommended the Province gather this information to help manage recreation in watersheds. Fortunately, most recreation in the Five Mile Creek drainage takes place below the water intake and therefore has no affect on the water being used. Very low levels of hiking do occur during the summer along the headwaters

ridgeline of Five Mile Creek, while in winter, backcountry skiing occurs in the snow laden bowls of the headwaters. It is not known if these activities are having any affect on water quality.

Minimising any potential impact by summer hiking on Five Mile Creek, particularly if use levels significantly rise, could be addressed by developing a ridge trail, where possible on the outside of the ridge, so surface water drains into Kutetl Creek and Apex Creek drainages, not into the Five Mile Creek watershed. Winter recreation poses different threats as use levels are believed to be higher and the area of the watershed used by skiers is greater than hikers. An adaptive management approach combined with monitoring of water quality will be needed to mitigate any potential risks to water quality from backcountry skiing. Management could entail such things as signage and programs aimed at instilling a high standard of conscientious recreational use, to perhaps controlled use by permit. Should water quality be impacted and continue to decline despite mitigation, discontinuing recreational uses would need to be considered.

### Objective:

To protect and maintain the natural qualities of water and their ecological processes for park and domestic use.

### Strategies:

- Develop, in concert with the City of Nelson, a watershed impact assessment of the 2003 wildfire.
- Develop a long-term Community Watershed Management Plan in partnership with the City of Nelson, other associated agencies, park users and stakeholders including:
  - assessing the risk of natural processes to drinking-water values;
  - developing a strategy to mitigate impacts from recreation and harmful natural processes;
  - incorporating the vegetation management strategy; and
  - monitoring water quality periodically, in co-operation with the City of Nelson.
- Encourage research into the impacts of recreation on drinking water to assist in water management of West Arm Provincial Park and other areas.
- Prohibit further water impoundment, diversions or new domestic use projects in accordance with the *Park Act*.

## Fish

Fisheries values within the park are primarily associated with the foreshore area of the park covering Kootenay Lake and the creeks. The small, high elevation lakes and wetland areas presently have no inventory information, although empirical evidence suggests that they are shallow lakes with no fisheries habitat. The creeks and Kootenay Lake have 27 species of fish, although the majority of species are associated with the latter. The larger creeks in the park, such as Lasca Creek, have blue-listed (endangered) pure strain resident cutthroat trout and bull trout, although little else is known about the fishery. Angling for these endangered species is currently permitted. Angling for bull trout is on a catch and release basis, whereas there is a 4 fish per day limit for other trout species.

## Objectives:

To contribute to the maintenance of the current natural diversity of fish species.

To maintain natural fish habitat, including spawning areas in the creeks and along Kootenay Lake.

To increase knowledge and understanding of fish values in the park.

## Strategies:

- Manage natural fish stocks in collaboration with First Nations and anglers, including considering catch and release for all species in Lasca Creek or a fishing closure.
- Gather baseline data on fish values in the park.
- Monitor human use of fish resources through recreation surveys and information from other agencies. If any changes are required, they will be implemented by managing access to the area and fishing regulations.
- Provide information on fishing regulations and fish conservation measures to park visitors.

## Wildlife

West Arm Provincial Park, (lying in Wildlife Management Unit M 4-7) protects habitat for a diversity of resident and wide-ranging transient species in association with other nearby large parks (Valhalla, Purcell, and Kokanee Glacier), the Midge Creek Wildlife Management Area, and Special Resource Management Zones surrounding these designated areas. There are a number of red- and blue-listed species (potentially 9 red-listed species and 14 blue-listed species) including habitat for grizzly bear and mountain caribou in the park. The size of the park and connectivity with other protected areas help to ensure the viability of these important ecosystem components.

Managing wildlife values is one of the most difficult challenges for wilderness areas. In addition to the demands for harvesting, wildlife viewing, impacts on habitat, concerns for sustainability and conflict with humans, effective management is limited by lack of scientific information on the well-being of species and their complex ecological relationships. Combined with the natural dynamics of wildlife movement in and out of parks over a large area, these diverse elements necessitate shared and co-ordinated management among a number of agencies. There are some agreements in place between government agencies to co-ordinate the co-operative management of wildlife, including the sharing of information and working together to collect inventory data.

## Mountain Caribou

The Kootenay Region supports populations of mountain caribou of international significance. Far south of the northern boreal forests typically associated with caribou habitat, the herds of the Columbia Mountains are unique, and depend on tree-growing lichens of mature cedar hemlock and Engelmann Spruce-Subalpine Fir forests as their winter food source.

West Arm Park provides critical habitat for the South Selkirk Caribou (SSC) population; a small and declining herd of Woodland Caribou estimated to be around 35<sup>5</sup> animals. This group's home range includes portions of the United States, which also has them listed as an endangered species. Recovery of the SSC is a joint inter-agency and international effort. A Recovery Plan developed by the U.S Fish and Wildlife Service (USFWS) has been in place since 1993. A Provincial mountain caribou recovery plan was developed for British Columbia in 2002 to address the threats to caribou and their habitat. One of its recommendations is to adopt or revise the USFWS Recovery Plan as a local recovery Action Plan for the South Selkirk population.

The 2003 wildfire in West Arm Park had a significant impact on mountain caribou habitat, affecting an estimated 40 % (3,805 ha.) of the suitable habitat in the park. The caribou habitat in the park is an important component of the recovery strategy for this herd, placing greater reliance on the remaining unburned areas for species recovery. The extent of the damaged habitat and the potential for recovery will need to be determined to support planning for caribou recovery strategies.

## Grizzly Bear

The park contains prime grizzly bear habitat for the South Selkirk population including:

- alpine-subalpine glacier lily digging areas
- some avalanche chutes for early summer habitat
- huckleberry areas for late summer use
- denning areas and other critical habitats
- mid-high elevation habitat areas

For grizzly and black bears, the 2003 wildfire is expected to have a positive impact on their habitat as the result of increased berry production through natural regeneration of vegetation. West Arm Park also supports linkage to other prime habitat areas in Midge Creek and Kutetl Creek.

The main threats to grizzly bears associated with the park lie outside the park boundary. With the close proximity of settlement areas such as the City of Nelson to grizzly bear habitat, the South Selkirk population encounters significant conflicts with humans, resulting in high mortality rates<sup>6</sup>. They are considered a non-viable population in terms of a sustainable harvest. In support of the goal for recovery of the South Selkirk population, the wildlife management units remain closed to grizzly bear hunting and portions of adjacent management units are being closed. Bear Aware programs based in Nelson and another focusing on Highway #3 are helping raise awareness in the community on what can be done to reduce conflicts with bears.

The British Columbia Grizzly Bear Conservation Strategy, released in 1995, included the commitment to establish a network of Grizzly Bear Management Areas (GBMA) across the province. Work subsequent to the strategy has identified 3 categories of GBMAs: benchmarks (the largest areas with the intent to establish one in each of the ecoprovinces with substantial grizzly bear populations); core areas (smaller than benchmark areas and represent refugia within grizzly bear population units); and linkages (the smallest and span current or potential human-caused fractures or barriers to grizzly bear movement and dispersal). One of the objectives for

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<sup>5</sup> A Strategy for the Recovery of Mountain Caribou in British Columbia by The Mountain Caribou Technical Advisory Committee, Province of British Columbia, Sept 2002.

<sup>6</sup> Kootenay Region records show 8 recorded deaths from 1996-2006 and estimate equal number of unrecorded deaths

protected areas of the KBLUP-IS is to establish grizzly bear benchmarks<sup>7</sup> for scientific study. The selected GBMA benchmark in the Southern Interior Mountains Ecoprovince is likely to be elsewhere than West Arm Provincial Park; however the park may have potential as a linkage GBMA (e.g. with respect to the threatened South Selkirk population).

### Objective:

To sustain the natural diversity of wildlife species and habitat, with priority given to rare, endangered or threatened species.

To contribute to the maintenance of opportunities at the regional level for genetic interchange between populations inside and outside the park.

### Strategies:

- Inventory and assessed the extent and condition of remaining mountain caribou habitat in the park, including identifying opportunities for restoration and long term threats to viability.
- Co-ordinate wildlife management with the management of species that move between the park and the adjacent Midge Creek Wildlife Management Area.
- Develop a co-ordinated, long-term approach to wildlife management with other government agencies, including the Ministry of Forests and Range, and First Nations, with emphasis on the following key elements:
  - habitat improvement, nuisance wildlife, and transplantation;
  - access, connectivity and range management; and
  - co-ordinating wildlife management objectives.
- Investigate opportunities to establish a grizzly bear linkage benchmark for scientific study and management.
- Encourage the assistance of volunteers (e.g. bird watching clubs, anglers, etc) to collect wildlife data with Environmental Stewardship Division Observation Cards.
- Manage bear/human conflicts in accordance with the Environmental Stewardship Division's Bear-People Conflict Prevention Plan.

## Cultural Heritage Values

An archaeological study of the Lasca Creek delta and the West Arm shoreline, completed in 1992, indicated moderate to high cultural and archaeological values near and within the park. It was found that there are a number of significant archaeological features of pre-contact history adjacent to the park boundary along the West Arm of Kootenay Lake.

There are five previously recorded archaeological sites between Harrop and Tunstall creeks along the lake, although studies to date are inconclusive about the purpose or significance of the

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<sup>7</sup> A stable population of bears used to compare and measure changes to other populations and the environment

features. These sites include a structure near the park boundary that may be a Chinese baking oven associated with construction of the railway; 3 igloo-like structures resembling piles of rocks; 4 more “stone-iglors” (2 intact) and evidence of a “powder house”. The described location of one group of stone iglors (DjQg 5) is an area within West Arm Provincial Park, but the location has not been confirmed in the field. A more extensive archaeological assessment of the remainder of the park may be required, since only the shoreline and the first 750 m inland have been studied.

### Objectives:

To gain a better understanding of the pre- and post-contact history associated with the park.

To work with First Nations to increase historical and cultural knowledge and protect important cultural and historic values as they are discovered.

To work with First Nations and other government agencies to ensure First Nation access to important cultural heritage sites.

### Strategies:

- Protect 'in situ' important features, sacred sites, and archaeological sites. These sites and features will not be identified on any public park maps in order to protect them from being discovered and damaged.
- Adopt the BC Archaeological Assessment Guidelines whenever development plans for other resources have the potential to disturb archaeological sites.
- In concert with First Nations, undertake an inventory and assessment of the pre-contact cultural and archaeological features of the park including DjQg 5.
- Work with First Nations and the Archaeology Branch in managing the archaeological and heritage resources in the park.

## Aesthetic Values

The City of Nelson and area viewsapes are highly valued, given the high level of naturalness and value to tourism and the environment. West Arm Provincial Park contributes significantly to the visual setting of Nelson, the surrounding areas and two major highway corridors (Highway 3A and 6).

The Ministry of Forests and Range’s visual quality maps for the area indicate high visual values and retention or partial retention visual quality objectives should be maintained. The majority of the visual values are from the highways, towns, and residences with views of the park periphery. There are also outstanding views from major peaks such as Ymir Mountain, Mount Lasca, Evening Ridge, Mount Ferguson, and throughout the extensive ridge system.

Although the 2003 fire affected nearly a third of the park, most of the damage occurred at the upper elevations toward the southern reaches of the park, well away from the City of Nelson and most of the viewing vantage points.



## Objectives:

To minimise human-caused changes to the views in and out of the park so that the visual qualities and wilderness nature are protected.

To design and situate park facilities in a manner that preserves the visual integrity of the park.

## Strategies:

- Locate and design all park facilities in harmony with the visual setting and in accordance with park zoning objectives.
- Provide advice to the Ministry of Forests and Range and forest licensees through planning and development processes to minimise the impact of forest activity on park values.

## Scientific Research and Education

The Environmental Stewardship Division's knowledge of the park is limited. Improved knowledge of the natural and cultural values of the park is critical to proper management.

## Objectives:

To promote education and conservation through increasing understanding of the natural and cultural values of the park.

To encourage study of the park as a comparative benchmark for monitoring ecological change.

## Strategies:

- Encourage local colleges, universities, other agencies, and corporate sponsors to establish funding to undertake appropriate and timely research such as inventory and monitoring.
- Limit specimen collecting to what is essential for accomplishing needed research objectives that support park management.
- Ensure that any material that is collected for scientific research will remain the property of the Province of British Columbia, regardless of where it is stored.

# Outdoor Recreation Opportunities Management

## Introduction

The natural features of West Arm Provincial Park provide a wide variety of outdoor recreational activities, from backcountry hiking, to frontcountry day use. These activities must be carefully managed so that they are compatible with the park's zoning, are not detrimental to its natural and cultural values, are consistent with visitors' expectations, and respect the Vision Statement of this management plan.

West Arm fulfils wilderness backcountry and frontcountry recreation expectations in a relatively undisturbed wilderness setting. The sense of solitude and mountain scenery are integral parts of the attraction to this area. The natural, undisturbed character of the park's backcountry and frontcountry is important to maintain and a high priority will be placed on ensuring that recreation activities have minimal effect on the landscape. As well, minimising interaction between visitors and wildlife, particularly grizzly bears, will be a priority.

In maintaining a quality wilderness recreation experience, values must be assessed and use monitored and managed to ensure that recreation does not affect the ecological and social integrity of the park and the experience itself. In co-operation with local residents, conservationists, First Nations and recreational users, the Environmental Stewardship Division will assess the impact of recreation activity in the park.

This section of the management plan describes the strategies for managing outdoor recreation, park visitation and providing park information. It will consider:

- 1) Providing opportunities for people to experience the park in ways that are compatible with park features and values;
- 2) Providing outdoor recreation activities in such a way that there are minimal conflicts between user groups; and
- 3) Providing the tools for creating public awareness of, and respect for, the natural and cultural values in the park.

# Outdoor Recreation Opportunities and Facilities

## Hiking and Backpacking

West Arm Provincial Park has a number of hiking and backpacking opportunities, from easy access day hiking on the western boundary and the trail up Lasca Creek, to remote wilderness backpacking opportunities in the farthest reaches of Midge and Kutetl creeks. There are also scenic mountain ridges that form the central east-west spine of the park that provide the potential for a variety of hiking routes and a range of experiences. Although human land use of the surrounding area is evident in the high alpine, the backcountry experience has a high level of naturalness and solitude. Besides the Lasca Creek Trail and a few trails in the northeast sector, most of West Arm Provincial Park is undeveloped. While not known for wildlife viewing, hikers may see some wildlife such as grizzly bears or mountain caribou in the park at certain times of the year.

### Objectives:

To provide a variety of backcountry and wilderness camping opportunities dependent on a wilderness environment.

To assess and monitor impact of backcountry visitors on natural and cultural values.

### Strategies:

- Mark ridge walking routes (12 km) using cairns and markers.
- Maintain routes and trails, as prescribed by zoning.
- Close, relocate or improve trails as required if bear and visitor safety problems arise.
- Assess conditions and monitor backcountry visitor numbers and destinations to protect natural values in accordance with the Backcountry Recreation Impact Monitoring (BRIM) Policies.
- Educate visitors about minimum impact camping at all sites in the park to avoid site degradation and minimise human-bear conflicts.
- Encourage the use of portable camp stoves instead of open campfires to reduce the potential of forest fires and environmental damage.

## **Lakeside Recreational Opportunities**

The small beaches and foreshore areas of the park are used for a variety of lake-oriented recreational opportunities, from camping to day use. Some of the foreshore area of the park is also used for motor boating and water skiing. These activities are currently not supported by any facility development. Consequently, sanitation and uncontrolled campfires are growing issues.

### **Objective:**

To provide a variety of primitive camping and day use opportunities along the shoreline of Kootenay Lake.

### **Strategies:**

- Develop 3 - 6 primitive marine campsites/day use areas along Kootenay Lake, including sanitation and fire rings.

## **Rock Climbing**

There are several areas along the western boundary of the park between Fell Creek and Five Mile Creek that provide locally significant rock climbing opportunities. The 25 to 30 bolted rock-climbing routes are popular with local climbers for top roping and lead climbing. Routes are low elevation and vary widely in degree of difficulty and length from 10 – 25 m. Access to these sites utilises the Burlington Northern Rail right-of-way.

### **Objective:**

To provide a variety of low impact rock climbing opportunities

### **Strategies:**

- Monitor the impact of climbing use through the Backcountry Recreation Impact Monitoring (BRIM) process, including the impact on any rare plant habitats that may be found on low elevation cliffs.
- In concert with the local climbing community, develop and distribute information on rock climbing ethics and safety.

## **Motorised and Mechanized Activities**

Although some motorized activities, such as helicopters, ATV's and snowmobiles, are accommodated in some provincial parks in British Columbia, motorized activities are generally not compatible with the wilderness nature and land use intent of many protected areas. Motorized recreation is more suitable in areas that are less environmentally vulnerable and supported by extensive road networks.

Mountain bikers, as well as motorised boats along Kootenay Lake, currently use the park. Mountain bikers are believed to be the more prevalent user group in terms of visitation numbers and extent of use. About five or six kilometres of user developed mountain bike trails can be found in the park. The trails were mainly developed for intermediate and advanced mountain bikers and are generally steep. The trail system beyond the park boundaries in a few cases trespasses over private land, including residential land and the Burlington Northern Railway right-of-way. Some trails are eroding and may affect the water quality of Svoboda Road residences.

A number of local mountain bike enthusiasts using the park have formed a cycling club and are committed to assisting in the planning, development and maintenance of mountain biking opportunities in the park.

### Objective:

To provide low-impact mountain bike and motorised boating opportunities.

### Strategies:

- Inventory and assess, in cooperation with mountain bike groups, the impacts of mountain bike trails in the park to determine management requirements to protect from soil erosion and enhance rider experiences including risk assessment of extremely steep trails. Closing and rehabilitating trails or developing alternate routes may be required.
- Consider where appropriate, developing volunteer trail maintenance agreements with mountain bike groups to ensure that park values are protected and mountain biking opportunities are sustainable.
- Discontinue mountain bike trails in the park that also require trespassing on private land unless formal agreements for use can be acquired from the landowner.
- Limit mountain biking use in the park to the general area encompassing existing trails.
- Continue to allow for motorised boat access to the park.
- Prohibit all other forms of mechanised recreation including all-terrain vehicles, motor cycles, snowmobiles and aircraft except as may be required for management purposes.

## Hunting

The park is open to hunting for mule and whitetail deer and elk in the fall, and black bear, wolf, coyote, wolverine, lynx, cougar, bobcat, and other species in appropriate seasons. Those First Nations who have an aboriginal or treaty right to hunt for sustenance or ceremonial purposes may do so in all provincial parks, subject to conservation requirements and public safety concerns.

The Environmental Stewardship Division must manage hunting conservatively to ensure healthy wildlife and predator populations. There is a spectrum of management techniques that are used. These include open seasons, limited entry permits, hunting closures, archery season, and motor

vehicle restrictions. The Environmental Stewardship Division has special concerns in relation to the protection of red- and blue-listed species in the park (i.e. mountain caribou and grizzly bears) from hunting.

### Objectives:

To manage hunting opportunities in the park using sound and accepted wildlife management principles.

To support healthy wildlife populations while providing for conservative hunting opportunities.

### Strategies:

- Assess, monitor and regulate hunting in co-operation with First Nations, hunters, and special interest groups to ensure healthy wildlife populations and habitats are maintained.
- Obtain updated wildlife data in order to manage for healthy populations and appropriate hunting levels.
- Adjust harvest levels according to fluctuations in wildlife populations, including natural predators.
- Work with hunting groups to discontinue the hunting of red- and blue-listed species in the park.
- Review proposed changes with First Nations and recreational hunters.

## **Backcountry Skiing**

The headwaters of Kutetl Creek, Lasca Creek, and Five Mile Creek form a series of inter-connecting bowls that have some of the best snow conditions and backcountry skiing in the area. Backcountry skiers are day users that access the park via the adjacent ski lifts of the Whitewater Ski area or via trails through Hummingbird Pass. Use is estimated at about 50 - 100 user days/week with the season running from December to April.

### Objective:

To provide backcountry skiing opportunities that do not adversely affect water values and are independent of the need for any infrastructure facilities.

### Strategies:

- Continue to allow backcountry skiing in the park but measure and monitor levels of use.
- Prohibit construction of huts or other facilities to maintain the natural experience.
- Encourage, through on-site signage, backcountry skiers to avoid activity or behaviour that may compromise water quality.

# Commercial Recreation Opportunities

Ecotourism is one of the fastest growing tourism sectors in the province. With the ageing of the baby boomer generation having a major influence on this growth with respect to increases in disposable income and leisure time, the demand for ecotourism is expected to continue to increase. Many rural communities see this as an opportunity to improve and diversify their local economies.

Through a wide range of commercial recreation/ecotourism opportunities ranging from guiding to campgrounds to ski resorts, the Ministry of Environment's protected areas system contributes significantly to the economy of the province. Recent studies estimate that provincially the parks system contributes about \$521 million<sup>8</sup> to the provincial GDP with the West Kootenay parks contributing about \$22 million.

For ecotourism to work successfully in provincial parks, great care must be taken to ensure sustainability of important ecological values and avoid user conflicts. The findings of the Legacy Panel<sup>9</sup> indicate a greater public demand to have ecological integrity as the paramount consideration in park management. This is also supported at the regional level by the KBLUP-IS, which recommended a tourism management strategy that considered the opportunities for tourism, subject to the prime goal of protecting park values. Major tourism developments are to be excluded from parks. Infrastructure needs that support tourism, such as roads, lodgings, and staging areas, are to be located outside park boundaries for the most part.

There are currently no commercial recreation uses in the park other than limited guide outfitting. The guide outfitting territory covers most of the park except the area west of Five Mile Creek and Fell Creek. Government records indicate the guide outfitter has made one hunting trip into the park each year since 1998.

Given the size of the park, park values and close proximity to Nelson, there are some potential opportunities to develop low impact recreational services such as guided backcountry skiing or hiking.

## Objectives:

To promote sustainable ecotourism opportunities in support of adjacent communities.

To continue to provide commercial guide services within acceptable limits of impact.

To encourage stewardship of park values by all commercial operators and users.

## Strategies:

- Limit new commercial recreation services to low impact proposals that do not require infrastructure to be located in the park in accordance with the KBLUP-IS.

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<sup>8</sup> Economic Benefits of BC Parks by Cooper and Lybrand Consulting, 1994

<sup>9</sup> Panel of non-government individuals appointed by the Minister of Environment, Lands and Parks in 1997 to study various protected areas issues. After extensive public consultation throughout the province, the panel made a number of recommendations in their final report published in February 1999.

- Encourage any proposed ecotourism infrastructure to be located in nearby communities.
- Conduct an impact assessment process for new recreation services with specific concerns for the impact on species at risk. Quotas may be set for commercial operators and a limit set on public visitation when environmental and/or social carrying capacities are close to being met.

## Access Strategy

The opportunity for a wilderness experience depends, in part, on how access is managed. Access management helps define the type, impact, distribution, and amount of use. It is also important to maintain the wilderness qualities of the park and keep visitor numbers low. The KBLUP-IS indicated that, within the context of restoring natural diversity, some existing access points and trails within protected areas could be closed or decommissioned to support primitive wilderness recreation.

There are two vehicle accessible roads currently used that go to the park boundary - the Lasca Creek Forest Service Road from the Community of Harrop (1.5 km ) and the Svoboda Road from the City of Nelson (1.8 km). The latter is composed of two portions that are in the park and a central portion outside the park on private land. Svoboda Road is a non-standard, narrow, single lane road that provides accesses to private residences and the water intake at Five Mile Creek for maintenance. It is also used for the purpose of accessing the many mountain bike trails within the park near Five-Mile, Hermitage, Fell, and Anderson creeks. Maintenance of Svoboda Road is shared between the Ministry of Transportation, local residents and the City of Nelson.

Access to the park is also by boat along the Kootenay Lake shoreline and through a number of access routes/trails in adjacent areas including the Whitewater Ski Resort, Harrop Creek, Proctor Creek and a railway right-of-way along the northern boundary of the park. In all cases, access is across private land or tenured Crown lands.

### Objectives:

To manage public access to the park in a manner appropriate to the conservation management intent.

To restore to a natural condition roads not needed for public access or that fragment important wildlife habitat.

### Strategies:

- Develop a protocol between the Ministry of Forests and Range and Environmental Stewardship Division concerning the management of roads, trails, and trailheads on Crown lands that provide access to the park, including the Lasca Creek Forest Service Road and the Hummingbird Forest Service Road in the Whitewater Ski Resort.
- Continue all other existing access routes/trails to the park provided agreements can be acquired from adjacent landowners or tenure holders.



- Support the continued use of the Lasca Creek Forest Service Road to access the park boundary.
- Establish a second vehicle access via Svoboda Road in concert with local residents, the City of Nelson, Ministry of Transportation and mountain bike users.
- Prohibit all other forms of motorised access, including all-terrain vehicles, snowmobiles and aircraft, into the park except as may be required for management purposes.
- Discourage the development of any further access points into the park other than what has already been proposed.
- Use registration boxes and visitor surveys at access points to monitor users' experiences and social conditions regarding access issues.

## Management Services

West Arm Provincial Park is administered from the Environmental Stewardship Division's Kootenay Region Office, located in Cranbrook, British Columbia and the Area Office located in Nelson. Staff ensures that various management responsibilities are carried out according to the *Park Act*, the *Park, Conservancy and Recreation Area Regulation* and the established policy and procedures of the Ministry of Environment. This includes such priorities as regulating public use to ensure safe and appropriate use of the park; maintaining trails and facilities; managing permits for commercial uses and research within the park; minimising effects from visitor use; conducting environmental rehabilitation and management projects; continuation of First Nation traditional uses; and collecting data on the park's natural and cultural values.

### Objectives:

To carry out management responsibilities according to the *Park Act*, *Park, Conservancy and Recreation Area Regulation* and the guidelines of this management plan.

To develop a close working relationship with other agencies and First Nations.

### Strategies:

- Liaise on a regular basis with groups representing park users and commercial operators to ensure that park management benefits from the greatest possible input.
- Consult with First Nations on the strategies that may affect their traditional use.
- Continue to provide seasonal ranger patrols as funding allows.
- Use volunteers where possible to enhance park management.
- Continue to prepare Park Annual Operating Plans to determine the annual management requirements of the park including the management strategies to be implemented.

# Communications

## Introduction

Providing current information about provincial parks is an important aspect of visitor service. Information about West Arm Provincial Park will serve a number of functions. First, it will assist visitors in planning their visit. Secondly, this information will promote outdoor etiquette, respect for the natural environment and careful appreciation of the wide variety of values found within the park. Thirdly, it will foster an awareness of the cultural and conservation values and features of this area.

## Marketing and Promotion

Promotion of a park can affect the level of use and the type of visitors it attracts. Consequently, promotion strategies must be consistent with the management plan of the park.

The conservation significance and wilderness values of the park must be incorporated in strategies for marketing. There are concerns that promoting backcountry recreation can lead to significant increases in visitors, which in turn can affect park resources and wilderness qualities. As a result, care must be taken in the type of promotion and marketing programs undertaken. An aggressive marketing campaign is not appropriate for this park.

In addition to the Environmental Stewardship Division, tourism and recreational interests and tourism agencies promote parks in general. Co-ordination is needed to ensure that promotional information is consistent, accurate and in keeping with park objectives, and that marketing is consistent with the role of the park and objectives of the management plan.

### Objectives:

To ensure that the promotion and marketing are consistent and appropriate for the park.

To portray the park's role in conserving important habitats and biodiversity.

To provide accurate and appropriate information for low impact backcountry recreation opportunities.

### Strategies:

- Work with commercial operators, tourism associations and the media to portray the park in an appropriate manner and to create expectations fitting of a wilderness park.
- Work with commercial operators to develop a co-ordinated approach in advertising the park.
- Use an informal approach to promoting and advertising the park.
- Create an information strategy that will focus on maintaining low backcountry use levels.

# Pre-trip Planning

Awareness and pre-trip planning information can help to set expectations and influence attitudes and behaviours. Specific information on pre-trip planning can be found at the Environmental Stewardship Division's Regional Office and the Area Office in Nelson. Printed brochures detailing the park resources, facilities, trails, and safety considerations can be found at British Columbia Tourism information centres.

Backcountry visitors, especially to remote and difficult areas, need to be independent, self-sufficient, and self-reliant. They need to be fully aware of the potential hazards for their protection. For example, interaction between park visitors and grizzly bears can result in harm to both the visitor and the bear. Backpackers should be aware of appropriate bear avoidance behaviour and identification of prime grizzly habitat to reduce the chances of encountering a grizzly bear. As backcountry visitation increases, public safety, search and rescue and low impact use will become growing concerns.

Due to the variable climate, rugged nature, and remoteness of this park, visitors are urged to be especially vigilant in their pre-trip preparations. They are encouraged to seek additional information, including weather reports, and to establish departure/return procedures with friends or family in the event of an emergency.

## Objectives:

To provide consistent, current and accurate information to assist visitors in planning their trip to the park.

To enhance the backcountry visitors' awareness of the natural features of the park, wilderness etiquette, cultural setting, and techniques for respecting bear habitat and avoiding bear encounters.

To clearly indicate to visitors and other tourism outlets that the remote nature of this park requires special pre-trip planning considerations.

## Strategies:

- Work with local communities and tourism associations in providing appropriate pre-trip planning information.
- Ensure any brochures on West Arm Provincial Park are current and accurate.
- Maintain the natural character of the park by limiting signage to trailheads, where it is necessary for visitor safety and for the protection of sensitive sites.
- Prepare information for backcountry visitors which describes the natural and cultural features of the park, wilderness recreation etiquette and safety, low impact camping, wildlife viewing techniques, and ways of avoiding bear encounters. The focus will be on pre-trip planning as much as possible.

- Provide on-site signage on ethical standards for the recreational use of community watershed areas and ensure standards are also included in any brochures, trail guides, or publications on the recreational use of park.

## Natural and Cultural Heritage Education

The park represents wilderness that protects significant recreation, cultural and natural values. It plays an important role in sharing information about the natural processes and features and cultural history that is unique to this area. The park also represents several unique themes that could be explored in an education or research program. These include:

Natural Heritage: regional landscapes, role of the park in the SCM Ecosystem, and conservation biology;

Cultural Heritage: cultural heritage significance of specific sites in the park, role in First Nation culture, early explorers, and travellers; and

Wilderness Recreation: opportunities available in the park, outdoor safety, wilderness and conservation ethics and human waste disposal.

### Objectives:

To share information about the natural, recreation and cultural features and values in the park, in order to foster and maintain appreciation and understanding of its significance and the importance of protecting these features and values.

To interpret the cultural heritage for the public's appreciation and education.

### Strategies:

- Ensure that research relating to the role of First Nations in the park involves First Nations peoples and the Archaeology Branch. Research activity will require a Park Use Permit.
- In concert with First Nations, develop and present information on aboriginal cultural heritage features and themes of the park.
- Produce education and information brochures on the themes described above.
- Encourage the use wildlife viewing and nature appreciation as an educational experience within schools and for the general public.

# Plan Implementation

The plan implementation section provides information about the types of strategies that the Environmental Stewardship Division will implement as funding and resources permit.

## High Priority Strategies

- Inventory and assess the extent and condition of remaining mountain caribou habitat in the park, including identifying opportunities for restoration and long term threats to viability.
- Develop updated Mountain Pine Beetle and Spruce Bark Beetle susceptibility mapping.
- Develop predictive ecosystem maps at 1:20,000 scale covering representative ecosystems of the park, including portions of the ecosystem outside of the park boundaries.
- Assess the risk to natural values of cut blocks and associated roads and investigate, if necessary, prescription options and their effectiveness to restore harvested areas.
- Complete a vegetation inventory to locate, identify, and map plant communities, rare species and threatened plant communities in the Special Features Zones, Nature Recreation Zones, and areas that could potentially be impacted by recreation.
- Prepare a combined vegetation and fire management plan for the park including:
  - identifying management strategies for specific issues (e.g. insect infestation, disease, and blow down) in consultation with stakeholders and other agencies; and
  - defining the role of these natural disturbances in the maintenance of natural ecosystem diversity considering fire history, natural fire regimes, effects of suppression, historical use of fire by humans, concerns of other agencies and values (e.g. drinking water) in need of protection.
- Develop a long-term Community Watershed Management Plan in partnership with the City of Nelson, other associated agencies, park users, and stakeholders including:
  - assessing the risk of natural processes to drinking-water values;
  - developing a strategy to mitigate impacts from recreation and harmful natural processes;
  - incorporating the vegetation management strategy; and
  - monitoring water quality periodically in co-operation with the City of Nelson.
- Inventory and assess, in cooperation with mountain bike groups, the impacts of mountain bike trails in the park to determine management requirements to protect from soil erosion and enhance rider experience, including risk assessment of extremely steep trails. Closing and rehabilitating trails or developing alternate routes may be required.
- Consider, where appropriate, developing volunteer trail maintenance agreements with mountain bike groups to ensure that park values are protected and mountain biking opportunities are sustainable.
- Ensure all trappers have acquired a Park Use Permit in accordance with the *Park, Conservancy and Recreation Area Regulation*.
- Encourage, through on-site signage, backcountry skiers to avoid activity or behaviour that may compromise water quality values.

# Task or Project Strategies

- Work with trappers to discontinue the trapping of red- and blue-listed species in the park (e.g. wolverine).
- Identify and individually assess trespass structures and implement options that best address the risks.
- Pursue acquisition of private lands as they become available for purchase including the railway right-of-ways adjacent to the park and L. 6892, L. 8469, L. 2542, L. 8216 and L. 4682.
- Pursue conservation covenants with landowners in the interim until the properties can be purchased.
- Apply for funding to implement the recommended prescription option for Kutetl Creek.
- Inventory and monitor the presence of invasive plants along access corridors and use areas.
- Conduct research into the impacts of recreation on drinking water to assist in water management of West Arm Park and other jurisdictions.
- Gather baseline data on fish values in the park.
- Co-ordinate wildlife management with the management of species that travel between the park and the adjacent Midge Creek Wildlife Management Area.
- Develop a co-ordinated, long-term approach to wildlife management with other government agencies, including the Ministry of Forests and Range, and First Nations, with emphasis on the following key elements:
  - habitat improvement, nuisance wildlife, and transplantation;
  - access, connectivity and range management; and
  - co-ordinating wildlife management objectives.
- Investigate opportunities to establish grizzly bear benchmarks<sup>10</sup> for scientific study and management.
- In concert with the Ktunaxa Nation Council, undertake an inventory and assessment of the pre-contact cultural and archaeological features of the park, including DjQg 5.
- Work with the Ktunaxa Nation Council and the Archaeology Branch in managing the archaeological and heritage resources in the park.
- Develop marine campsites and day use areas along Kootenay Lake.
- Mark ridge walking routes using cairns and markers.
- Discontinue mountain bike trails in the park that also require trespassing on private land, unless formal agreements for use can be acquired from the landowner.
- Limit mountain biking use in the park to the general area encompassing existing trails.
- Obtain updated wildlife data in order to manage for healthy populations and appropriate hunting levels.
- Adjust harvest levels according to fluctuations in wildlife populations, including natural predators.
- Work with hunting groups to discontinue the hunting of red- and blue-listed species in the park.
- Review proposed changes with First Nations and recreational hunters.
- Develop a protocol between the Ministry of Forests and Range and Environmental Stewardship Division (ESD) concerning the management of roads, trails, and trailheads on Crown lands that provide access to the park, including the Lasca Creek Forest Service Road and the Hummingbird Forest Service Road in the Whitewater Ski Resort.

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<sup>10</sup> Areas used as research reference points to measure modifications to the environment

- Establish a second vehicle access via Svoboda Road in concert with local residents, the City of Nelson, Ministry of Transportation and mountain bike users.
- Create an information strategy that will focus on maintaining low backcountry use levels.
- Prepare information for backcountry visitors which describes the natural and cultural features of the park, wilderness recreation etiquette and safety, low impact camping, wildlife viewing techniques, and ways of avoiding bear encounters. The focus will be on pre-trip planning as much as possible.
- Provide on-site signage on ethical standards for the recreational use of community watershed areas and ensure standards are also included in any brochures, trail guides, or publications on the recreational use of park.
- In concert with First Nations develop and present information on aboriginal cultural heritage features and themes of the park.
- Produce education and information brochures on the themes described above.
- Develop an ecosystem management strategy that incorporates principles of ecological integrity, including the major ecosystem components of vegetation, fish and wildlife and natural processes like fire, insects, and diseases.

## Ongoing or Monitoring Strategies

- In the interim, until the fire management strategy is prepared, MOFR and ESD will jointly undertake an initial assessment of all wildfires. A fire may be allowed to run its natural course provided that it meets biodiversity objectives, water management objectives, and that visitors, adjacent commercial forests and park facilities are not in danger. The intent is to allow natural fires that occur under normal environmental (non-extreme) conditions to run their natural course. Use of heavy excavating machinery will not be permitted to fight fires in the park.
- Work co-operatively with other government agencies and land managers to ensure mountain caribou and grizzly bear habitats external to the park are maintained, including connectivity throughout the region's protected areas, SRMZs and wildlife management areas.
- Work co-operatively with other government agencies, community groups and the public to address key resource issues that affect the ecological integrity of West Arm Park (e.g. road developments and deactivation, harvesting plans).
- Remove non-native plants as required using the most effective low impact method available.
- Monitor and provide input into planning and forest development, mineral exploration projects, and commercial recreation proposals.
- Co-ordinate the development of communication and educational resources with other agencies and private groups to enhance the overall effectiveness of activities that support ecosystem integrity.
- Provide input through provincial review systems for proposed major developments that may impact the park's ecosystem values.
- Work with MOFR to retain old growth (age class 8+) stands where possible in support of wildlife connectivity, riparian and wetlands flora and fauna and other values adjacent to the park in support of the KBLUP-IS Conservation Objectives and Strategies.
- Canvas tenure holders annually to determine their interest in selling their trapping rights.
- Monitor harvest volumes of trappers and encourage conservative targets.
- Include assessment of the impact on ecosystem health of harvesting fur bearing animals when considering the ecosystem requirements for species at risk
- Minimise any other impacts on fur bearing animals that may arise.

- Retain wildlife trees except where there is a hazard to visitors or facilities, whereupon a Wildlife/Danger Tree Assessment will be conducted to determine the highest value and remedial action.
- Encourage research into the impacts of recreation on drinking water to assist in water management of West Arm Provincial Park and other areas.
- Prohibit further water impoundment, diversions or new domestic use projects in accordance with the *Park Act*.
- Manage natural fish stocks in collaboration with First Nations and anglers including considering catch and release for all species in Lasca Creek or a fishing closure.
- Monitor human use of fish resources through recreation surveys and information from other agencies. If any changes are required, they will be implemented by managing access to the area and fishing regulations.
- Provide information on fishing regulations and fish conservation measures to park visitors.
- Encourage the assistance of volunteers (e.g. bird watching clubs, anglers, etc) to collect wildlife data with Environmental Stewardship Division Observation Cards.
- Manage bear/human conflict in accordance with the Environmental Stewardship Division Bear-People Conflict Prevention Plan
- Protect 'in situ' important features, sacred sites, and archaeological sites. These sites and features will not be identified on any public park maps in order to protect them from being discovered and damaged.
- Adopt the BC Archaeological Assessment Guidelines whenever development has the potential to disturb archaeological sites in the park.
- Locate and design all park facilities in harmony with the visual setting and in accordance with park zoning objectives.
- Provide advice to the Ministry of Forests and Range and forest licensees through planning and development processes to minimise the impact of forest activity on park values.
- Encourage local colleges, universities, other agencies, and corporate sponsors to establish funding to undertake appropriate and timely research opportunities such as inventory and monitoring.
- Limit specimen collecting to what is essential for accomplishing needed research objectives that support park management.
- Ensure that any material that is collected for scientific research will remain the property of the Province of British Columbia, regardless of where it is stored.
- Maintain routes and trails, as prescribed by zoning.
- Close, relocate or improve trails as required if bear and visitor safety problems arise.
- Assess conditions and monitor backcountry visitor numbers and destinations to protect natural values in accordance with the Backcountry Recreation Impact Monitoring (BRIM) Policies.
- Educate visitors about minimum impact camping at all sites in the park to avoid site degradation and minimise human-bear conflicts.
- Encourage the use of portable camp stoves instead of open campfires to reduce the potential of forest fires.
- Monitor the impact of climbing use through the Backcountry Recreation Impact Monitoring (BRIM) process including the impact on any rare plant habitat that may be found on low elevation cliffs.
- In concert with the local climbing community, develop and distribute information on rock climbing ethics and safety.
- Continue to allow for motorised boat access to the park.



- Prohibit all other forms of mechanised recreation including all-terrain vehicles, motor cycles, snowmobiles and aircraft except as may be required for management purposes.
- Assess, monitor and regulate hunting in co-operation with First Nations, hunters, and special interest groups to ensure healthy wildlife populations and habitats are maintained.
- Limit new commercial recreation services to low impact proposals that do not require infrastructure to be located in the park in accordance with the KBLUP-IS.
- Encourage any proposed ecotourism infrastructure to be located in nearby communities.
- Conduct an impact assessment process for new recreation services with specific concerns for the impact on species at risk. Quotas may be set for commercial operators and a limit set on public visitation when environmental and/or social carrying capacities are close to being met.
- Continue to allow backcountry skiing in the park, but measure and monitor levels of use.
- Prohibit construction of huts or other facilities to maintain the natural experience.
- Continue all other existing access routes/trails to the park provided agreements can be acquired from adjacent landowners or tenure holders.
- Support the use of the Lasca Creek Forest Service Road to access the park boundary.
- Prohibit all other forms of motorised access including all-terrain vehicle; snowmobile and aircraft into the park except as may be required for management purposes.
- Discourage the development of any further access points into the park other than what has already been proposed.
- Liaise on a regular basis with groups representing park users and commercial operators to ensure that park management benefits from the greatest possible input.
- Consult with First Nations on the strategies that may affect their traditional use.
- Continue to provide seasonal ranger patrols as funding allows.
- Use volunteers where possible to enhance park management.
- Continue to prepare Park Annual Operating Plans to determine the annual management requirements of the park, including the management strategies to be implemented.
- Work with commercial operators, tourism associations and the media to portray the park in an appropriate manner and create expectations fitting of a wilderness park.
- Work with commercial operators to develop a co-ordinated approach in advertising the park.
- Use an informal approach to promoting and advertising the park.
- Work with local communities and tourism associations in providing appropriate pre-trip planning information.
- Ensure any brochures on West Arm Provincial Park are current and accurate.
- Maintain the natural character of the park by limiting signage to trailheads, where it is necessary for visitor safety and for the protection of sensitive sites.
- Ensure that research relating to the role of First Nations in the park involves First Nations peoples and the Archaeology Branch. Research will require a Park Use Permit.
- Use registration boxes and visitor surveys at access points to monitor users' experiences and social conditions regarding access issues.

# Appendices

Appendix A:  
Kootenay-Boundary Land-Use Plan Implementation Strategy  
Chapter 4 Protected Areas

## 4.1 Introduction

One of the purposes of regional and sub-regional land use planning processes, including the Kootenay/Boundary Regional Land Use Plan, has been to implement the provincial government's protected area strategy (PAS). The PAS has two goals:

**Goal 1 - Ecosystem Representation:** To protect viable examples of the natural diversity of the province, representative of the major terrestrial, marine, and freshwater ecosystems, the characteristic habitats, hydrology and landforms, and the characteristic backcountry recreational and cultural heritage values of each ecosection.

**Goal 2 - Special Features Protection:** To protect the special natural, cultural heritage and recreational features of the province, including rare and endangered species and critical habitats, outstanding or unique botanical, zoological, geological, and paleontological features, outstanding or fragile cultural heritage features, and outstanding outdoor recreational features.

The Kootenay/Boundary Regional Land Use planning process dealt primarily with the PAS Goal 1. Further work is required to complete the Goal 2 process.

As a result of the Kootenay/Boundary Regional Land Use planning process, the provincial government, in July 1995, established sixteen new protected areas. Through designation under the provincial Park Act, all new protected areas have become class A provincial parks. Consequently, the terms 'provincial parks' and 'protected areas' are used interchangeably in the KBLUP Implementation Strategy.

The establishment of the new protected areas plays a key role in the realisation of the Plan's environmental conservation objectives, particularly through contribution towards general biodiversity maintenance and the protection of key habitat areas for maintenance of species health. The parks also contribute significantly to regional recreational and cultural heritage objectives, as well as to long-term economic objectives.

The following section identifies general management objectives and strategies for the new protected areas in the region. A description of each new park and an indication of further planning priorities is included in Table 4.1.

## 4.2 General Management Objectives and Strategies for New Parks in the Kootenay/Boundary Region

PROTECTED AREA OBJECTIVES	MANAGEMENT STRATEGIES

<p><b>Park Planning</b></p> <p>1. To develop comprehensive park master plans, over time, for each new protected area in order to ensure the maintenance of the conservation, recreation and cultural heritage values within the new protected areas.</p>	<p>1.1 Park master plans will be developed for each new protected area in accordance with the availability of budget resources and the general park planning priorities identified in the overview of new protected areas within Appendices 1-7.</p> <p>1.2 Park master plans will be developed with the benefit of extensive public and inter-agency participation. Among other things, the plans will define park-specific management objectives, acceptable levels of use, accepted uses, zoning, and other strategies that will minimise conflicts, help ensure the integrity of important park values.</p> <p>1.3 Park master planning processes will consider existing uses and management objectives and strategies (as identified in this regional plan and in operational level plans) for lands that are adjacent to the protected areas.</p> <p>1.5 Provincial park master planning processes will include consultation with tourism industry representatives in order to examine potential commercial opportunities within provincial parkland, subject to the prime goal to protect the conservation, recreation and cultural heritage values within the parks. Commercial opportunities will be assessed with a view towards limiting / locating the development of physical commercial infrastructure (e.g., roads, lodgings, staging areas, etc.) on the periphery of park boundaries in order to minimise park impacts.</p> <p>1.6 Pending the development of comprehensive park master plans for each new protected area, the management guidance that is provided in BC Parks’ “<i>Management Direction Statements</i>” will be used to direct park management and operations.</p> <p>1.7 Upon completion of Goal 2, management direction statements will be prepared for those new protected areas.</p> <p>1.8 Resource issues adjacent to park boundaries will be identified and the responsible government agencies will work together to address them.</p>
<p><b>Pre-Existing Tenures and In-Holdings</b></p>	
<p>2. To recognise the legal rights of pre-existing tenure holders and landowners within newly established parks in the region, and to deal fairly with those interests.</p>	<p>2.1 Pre-existing mineral and timber tenures and other tenures / encumbrances associated with commodity extraction (e.g., gravel reserves) will be discontinued within new protected areas. The terms of discontinuance will be negotiated with owners of pre-existing tenure interests, in accordance with provincial policy respecting resource rights compensation. Tenure discontinuance negotiations will also consider ongoing silviculture obligations (e.g., free-to-grow requirements), and rehabilitation of harvested areas and roads in key locations.</p> <p>2.2 Pre-existing tenures within new protected areas for utility rights-of-way, communication sites, grazing, commercial backcountry recreation, commercial heli-skiing or hiking, guide-outfitting, trapping, water works and use, etc., will be permitted</p>

	<p>to continue, in accordance with the existing management conditions attached to those tenures. In the future, the management conditions attached to those tenures may be amended to comply with the requirements of park master plans that are developed for individual protected areas.</p> <p>2.3 Existing grazing authorisations issued under the Range Act within new (1995) protected areas will continue to be managed according to the Range Act are fully transferable. Where pre-existing tenures other than Range Act tenures lapse or are voluntarily surrendered by a tenure holder, the province is under no obligation to re-issue the tenure rights to a new party. Whether or not tenure rights are to be re-issued should be resolved through the protected areas management planning process.</p> <p>2.4 Existing owners of private land in-holdings within new parks will continue to exercise their property rights, and existing opportunities for access to those properties will be addressed.</p>
<b>Natural Occurrences</b>	
3. To protect key park values and adjacent private property, as appropriate, from natural occurrences in protected areas.	<p>3.1 Where appropriate, natural occurrences in new parks, such as fires, insects, forest diseases, will be managed as in other provincial parks, through consultation and joint action by BC Parks, BC Environment and the Ministry of Forests and Range at the District level.</p> <p>3.2 Fire management plans will be developed for areas within new parks that are proximate to residential settlement, and where traditional land management includes burning for winter range enhancement.</p>
<b>Park Management</b>	
4. To maintain ecosystem representation and ensure protection of key representative features.	<p>4.1 Park management emphasis will be placed on maintaining the ecosystems and features for which these areas were established.</p> <p>4.2 Parks will be managed to compliment biodiversity objectives across landscape units, where appropriate.</p> <p>4.3 Where existing grazing tenures occur, alpine and subalpine grassland meadows will be maintained in conjunction with MOF through application of high elevation grassland guidelines.</p> <p>4.4 Sound park management relies on good resource information. BC Parks, BC Environment and the Ministry of Forests and Range will work together to collect resource inventory for the new parks.</p> <p>4.5 The natural diversity of previously harvested sites and affected habitats will be restored through negotiation of silvicultural obligations.</p> <p>4.6 Previously open forests and grasslands have become in grown as a result of fire suppression. Where appropriate, vegetation management will be undertaken primarily using fire to restore natural grasslands.</p>
5. To ensure protection of key	5.1 BC Parks will work with other agencies to ensure

<p>species and their habitats.</p>	<p>connectivity of wildlife habitat between the park and surrounding area.</p> <p>5.2 Opportunities to establish grizzly bear benchmarks for scientific study and management will be investigated.</p> <p>5.3 Rare, endangered and at risk species and their habitats will be protected.</p> <p>5.4 Ungulate habitat and cover and site-specific features will be considered in management processes.</p>
<p>6. To maintain backcountry recreation opportunities.</p>	<p>6.1 While BC Parks will continue to manage parks to provide a wide range of recreational experiences, protected areas will provide the primary opportunities for primitive and wilderness recreation. Where appropriate, existing access and trails within protected areas may be closed or decommissioned to support primitive recreational experiences. Similarly, recreational access to some areas may be limited to maintain the quality of recreational experience.</p> <p>6.2 Levels of recreational use and associated impacts will be monitored and management applied where necessary to maintain the wilderness qualities, where appropriate.</p> <p>6.3 BC Parks will work with MOF to promote good visual design of logging and appropriate access management in areas adjacent to parks.</p>
<p>7. To plan and manage parks in a manner which reflects the cultural heritage.</p>	<p>7.1 Local First Nations will be consulted to establish traditional use in the area.</p> <p>7.2 Options to work in co-operation with First Nations in the management of area will be identified in the treaty process.</p> <p>7.3 Post Contact history will be considered in the management strategies.</p>

Table 4.1

**New Protected Areas (Class A Provincial Parks)  
Established as a Result of the Kootenay/Boundary Regional Land Use Plan**

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Park Name	Approx. Area (ha)	Priority for Development of Park Master Plan
<i>East Kootenay</i>		
Akamina - Kishinena	10,921	Moderate
Bugaboo	13,646	High
Upper Cummins	6,1081	Low
East Purcells	36,938	Moderate
Elk Lakes	17,245	High
Gilnockie	2,822	Low
Height of the Rockies	53,964	High
<i>subtotal</i>	<i>141,717</i>	
<i>West Kootenay</i>		
Gladstone	39,361	High
Goat Range	78,936	High
Granby	40,845	High
Kianuko	11,677	Moderate
Lockhart Creek	3,751	Moderate
West Arm	25,254	High
Syringa	4,191	Low
Kokanee Glacier Extension	6,203	Moderate
West Purcells	32,662	Low
<i>subtotal</i>	<i>242,880</i>	
<b><i>Total Area</i></b>	<b><i>383,182</i></b>	

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Note: the Findlay corridor within the East Purcells is protected under the *Environment and Land Use Act*.

## Appendix B: BC Parks System Goals

### Conservation

Within the conservation mandate, BC Parks has two goals:

**Goal 1** Protection of Representative Landscapes - To conserve British Columbia's natural diversity by protecting viable, representative examples of our different landscapes.

**Goal 2** Protection of Special Features - To protect British Columbia's key natural and cultural features, including outstanding examples of our wildlife, old-growth forests, waterfalls, and cultural artefacts.

### Recreation

Within the recreation mandate, BC Parks has four goals:

**Goal 1** Tourism Travel Routes - To provide park attractions and services which enhance tourism, travel routes.

**Goal 2** Outdoor Recreation Holiday Destinations - To provide park attractions, which serve as or improve, key destinations for outdoor recreation holidays.

**Goal 3** Backcountry - To provide outstanding backcountry recreation opportunities throughout the province. Some sites may feature adventure tourism, while in other areas the wilderness would remain untouched.

**Goal 4** Local Recreation - To ensure access to local outdoor recreation opportunities for all residents of this province.



## Appendix C: List of Species at Risk in West Arm Park and in the Surrounding Area.

Species	Scientific Name	Status & Location
1. Avocet, American	<i>Recurvirostra Americana</i>	B, 1
2. Badger	<i>Taxidea taxus</i>	B, 1, 2, 3
3. Bat, Townsend Big-eared	<i>Corynorhinus townsendii</i>	B, P, 1, 2
4. Bear, Grizzly	<i>Ursus Arctos</i>	B, P, 1, 2, 3, 4
5. Bittern, American	<i>Botaurus lentiginosus</i>	B, 1, 2
6. Boa, Rubber	<i>Charina bottae</i>	B, P, 1, 2
7. Bobolink	<i>Dolichonyx oryzivorus</i>	B, 1, 2
8. Caribou, Woodland	<i>Rangifer tarandus</i>	B, O, 5, 2, 3, 4
9. Chipmunk, Red-Tailed	<i>Tamias ruficaudus simulans</i>	R, P, 1, 2, 3
10. Crane, Sandhill	<i>Grus Canadensis</i>	B, 1, 2
11. Dace, Umatilla	<i>Rhinichthys Umatilla</i>	R
12. Eagle, Bald	<i>Haliaeetus leucocephalus</i>	Y, O, 1, 2, 3
13. Falcon, Prairie	<i>Falco mexicanus</i>	R, 1, 2
14. Fisher	<i>Martes pannanti</i>	B, 1, 2, 3
15. Frog, Northern Leopard	<i>Rana pipiens</i>	R, 1, 2
16. Gopher, Northern Pocket	<i>Thomomys talpoides segregatus</i>	R, 1, 2, 3
17. Goshawk, Northern	<i>Accipiter gentiles</i>	Y, P
18. Grebe, Western	<i>Aechmophorus occidentalis</i>	R, O, 1, 2
19. Heron, Great Blue	<i>Ardea herodias</i>	B, O, 1, 2
20. Owl, Short-eared	<i>Asio flammeus</i>	B, 1, 2
21. Owl, Western Screech	<i>Otus kennicottii macfarlanei</i>	R, 1
22. Redhead	<i>Aythya Americana</i>	Y
23. Salamander, Coeur d'Alene	<i>Plethodon idahoensis</i>	R, O, 1
24. Sculpin, Mottled	<i>Cottus bairdi</i>	B
25. Sheep, Rocky Mountain Bighorn	<i>Ovis canadensis Canadensis</i>	B, 1, 3, 4
26. Sturgeon, White	<i>Acipenser transmontanus</i>	R, 5
27. Swan, Tundra	<i>Cygnus columbianus</i>	Y
28. Tern, Forster's	<i>Sterna forsteri</i>	R, 1
29. Trout, Bull	<i>Salvelinus confluentus</i>	B, 5, 6, 7
30. Turtle, Painted	<i>Chrysemys picta</i>	B, 1, 2
31. Wolverine	<i>Gulo Gulo luscus</i>	B, 1, 2, 3, 4
32. Woodpecker, Lewis'	<i>Melanerpes lewis</i>	B, 1, 2
33. Woodpecker, White-headed	<i>Picoides albolarvatus</i>	R, 1

R=red-listed  
B=blue-listed  
Y=yellow-listed  
P=probable  
O=observed\*

1=ICHdw  
2=ICHmw2  
3=ESSFwc4  
4=AT

5=Kootenay Lake  
6=Lasca Creek  
7=Kutetl Creek

## Appendix D

<b>Protected Areas Management Planning Zone Descriptions</b>			
	<b>Intensive Recreation</b>	<b>Nature Recreation</b>	<b>Special Feature</b>
<b>Objective</b>	To provide for a variety of readily accessible, facility-oriented outdoor recreation opportunities.	To protect scenic values and to provide for backcountry recreation opportunities in a largely undisturbed natural environment.	To protect and present significant natural or cultural resources, features or processes because of their special character, fragility and heritage values.
<b>Use Level</b>	Relatively high density and long duration types of use.	Relatively low use but higher levels in association with nodes of activity or access.	Generally low.
<b>Means of Access</b>	All-weather public roads or other types of access where use levels are high (see "Impacts" below).	Motorised (powerboats, snowmobiles, all terrain vehicles), non-motorised (foot, horse, canoe, bicycles). Aircraft and motorboat access to drop-off and pickup points will be permitted.	Various; may require special access permit.
<b>Location</b>	Contiguous with all-weather roads and covering immediate areas, modified landscapes or other high-use areas.	Removed from all-weather roads but easily accessible on a day-use basis. Accessible by mechanised means such as boat or plane.	Determined by location of special resources; may be surrounded by or next to any of the other zones.
<b>Size of Zone</b>	Small - usually less than 2,000 ha.	Can range from small to large.	Small - usually less than 2000 hectares.
<b>Boundary Definition</b>	Includes areas of high facility development in concentrated areas.	Boundaries should consider limits of activity/facility areas relative to ecosystem characteristics and features.	Area defined by biophysical characteristics or the nature and extent of cultural resources (adequate to afford protection).
<b>Recreation Opportunities</b>	Vehicle camping, picnicking, beach activities, power-boating, canoeing, kayaking, strolling, bicycling, historic and nature appreciation, fishing, snowplay, downhill and cross-country skiing, snowshoeing, specialised activities.	Walk-in/boat-in camping, power-boating, hunting, canoeing, kayaking, backpacking, bicycling, historic and nature appreciation, fishing, cross-country skiing, snowmobiling, river rafting, horseback riding, heli-skiing, heli-hiking, and specialised activities.	Sightseeing, historic and nature appreciation. May be subject to temporary closures or permanently restricted access.
<b>Facilities</b>	May be intensely developed for user convenience. Campgrounds, landscaped picnic/play areas, trail accommodation or interpretative buildings, boat launches, administrative buildings, service compounds, gravel pits, disposal sites, wood lots; parking lots, etc.	Moderately developed for user convenience. Trails, walk-in/boat-in campsites, shelters, accommodation buildings may be permitted; facilities for motorised access - e.g., docks, landing strips, fuel storage, etc.	Interpretative facilities only - resources are to be protected.
<b>Impacts on Natural Environment</b>	Includes natural resource features and phenomena in a primarily natural state but where human presence may be readily visible both through the existence of recreation facilities and of people using the zone. Includes areas of high facility development with significant impact on concentrated areas.	Area where human presence on the land is not normally visible, facility development limited to relatively small areas. Facilities are visually compatible with natural setting.	None - resources to be maintained unimpaired.
<b>Management Guidelines</b>	Oriented toward maintaining a high quality recreation experience. Intensive management of resource and/or control of visitor activities. Operational facilities designed for efficient operation while remaining unobtrusive to the park visitor.	Oriented to maintaining a natural environment and a high quality recreation experience. Visitor access may be restricted to preserve the recreation experience or to limit impacts. Separation of less compatible recreational activities and transportation modes. Designation of transportation may be necessary to avoid potential conflicts (e.g. horse trails, cycle paths, hiking trails).	High level of management protection with ongoing monitoring. Oriented to maintaining resources and, where appropriate, a high quality recreational and interpretative experience. Active or passive management depending on size, location, and nature of the resource. Visitor access may be restricted to preserve the

			recreation experience and to limit impacts.
<b>Examples of Zoning</b>	Campground in Rath Trevor Beach Park; Gibson Pass ski area in E.C. Manning Park.	Core area in Cathedral Park; North beach in Naikoon Park.	Botanical Beach tide pools within Juan de Fuca Park; Sunshine Meadows in Mount Assiniboine Park.

<b>Protected Areas Management Planning Zone Descriptions</b>		
	<b>Wilderness Recreation</b>	<b>Wilderness Conservation</b>
<b>Objective</b>	To protect a remote, undisturbed natural landscape and to provide backcountry recreation opportunities dependent on a pristine environment where air access may be permitted to designated sites	To protect a remote, undisturbed natural landscape and to provide unassisted backcountry recreation opportunities dependent on a pristine environment where no motorised activities will be allowed.
<b>Use Level</b>	Very low use to provide solitary experiences and a wilderness atmosphere. Use may be controlled to protect the environment.	Very low use to provide solitary experiences and a wilderness atmosphere. Use may be controlled to protect the environment.
<b>Means of Access</b>	Non-mechanised & non-motorised - except may permit low frequency air access to designated sites; foot, canoe (horses may be permitted).	Non-mechanised & non-motorised (no air access); foot, canoe (horses may be permitted).
<b>Location</b>	Remote - not easily visited on a day-use basis.	Remote - not easily visited on a day-use basis.
<b>Size of Zone</b>	Large - greater than 5,000 hectares.	Large - greater than 5,000 hectares.
<b>Boundary Definition</b>	Defined by ecosystem limits and geographic features. Boundaries will encompass areas of visitor interest for specific activities supported by air access.	Defined by ecosystem limits and geographic features.
<b>Recreation Opportunities</b>	Backpacking, canoeing, kayaking, river rafting, nature and historic appreciation, hunting, fishing, cross-country skiing, snowshoeing, horseback riding, specialised activities (e.g., caving, climbing).	Backpacking, canoeing, kayaking, river rafting, nature and historic appreciation, fishing, cross-country skiing, snowshoeing, horseback riding, specialised activities (e.g., caving, climbing).
<b>Facilities</b>	Minimal facility development for user convenience and safety, and protection of the environment e.g. trails, primitive campsites, etc. Some basic facilities at access points, e.g., dock, primitive shelter, etc.	None.
<b>Impacts on Natural Environment</b>	Natural area generally free of evidence of modern human beings. Evidence of human presence is confined to specific facility sites. Facilities are visually compatible with natural setting.	Natural area generally free of evidence of modern human beings.
<b>Management Guidelines</b>	Oriented to protecting a pristine environment. Management actions are minimal and not evident. Managed to ensure low visitor use levels. Visitor access may be restricted to protect the natural environment and visitor experience.	Oriented to protecting a pristine environment. Management actions are minimal and not evident. Managed to ensure low visitor use levels. Visitor access may be restricted to protect the natural environment and visitor experience.
<b>Examples of Zoning</b>	Quanchus Mountains Wilderness in Tweedsmuir Park; Wilderness Zone in Spatsizi Park.	Upper Murray River watershed within Monkman Park; Garibaldi Park Nature Conservancy Area.

## Appendix E:

# Summary of Public Comments: West Arm Provincial Park Draft Management Plan

### **Introduction:**

A series of public open houses were held in West Kootenay communities including Nelson, Castlegar, Nakusp, New Denver, Kaslo and Meadow Creek at the end of November 2000 to review the Draft Plan for West Arm Provincial Park. Around 150 people attended the open houses and about 70 written submissions were received. The submissions varied from simple hand written notes to small reports. This summary is intended to provide an indication of what people said about the draft plan, provide a response from the Environmental Stewardship Division on those ideas and to indicate how the various parts of the draft plan will be revised or retained.

The number in brackets after each of the recorded comments indicates the number of identical or similar comments received. Some of the questions or comments may be answered in other sections. In addition, some questions or comments were unclear and have not been addressed. The numerous editorial statements are also not included but the changes were made to the plan.

Most noted concerns for West Arm: (representing 70 people in total)

In addition to supporting the preservation of the park, vegetation management, wildlife management, cultural values, and access management are the main issues. Seventy percent voiced support for the preservation of the park; most likely all those who responded are, however, in support of preserving West Arm in one way or another. Roughly 40% also said they believe in preserving wilderness values.

- 52 people or 74% of the respondents said there should be no logging in parks for insect outbreaks or for any other reason.
- 48% oppose any hunting of blue-listed species.
- 42% urge the government to buy out all trapping licenses.
- 53% recommend that the Ministry of Environment consult with and involve the Sinixt aboriginal people in the management of the park.
- 71% support the ban on ground-based motorized recreation vehicles.
- 58% stated that they want air access prohibited in West Arm.

### **Issue: Roles of Park / Vision Statement**

#### **Public Comments:**

- Support the preservation of West Arm Provincial Park. (49)
- The preservation of wilderness values is a requirement. (28)
- All must be done to ensure permanent protection of the park's ecosystem and wilderness values – especially protection from human overuse and misuse. (1)
- Park should be managed to conserve the historic and prehistoric cultural values of the West Arm of Kootenay Lake and provide the general public with a unique opportunity to link the social, economic and cultural experiences available in the surrounding communities with an accessible, primitive, wilderness experience. (1)

- Park should be developed and opened up for all people to enjoy and participate in the use of its resources. (1)
- Key issues in management and planning should be conservation, outdoor recreation and tourism. But in order to implement such issues, wildlife, vegetation, fish, water and cultural issues will play a key role in the overall picture. (1)

#### Commentary:

The majority of people support the preservation of wilderness in West Arm Park as the main focus of the role and vision for management. This is consistent with the *Park Act* and the management direction from the West Kootenay-Boundary Land-Use Plan. The West Kootenay-Boundary Land-Use Plan placed an emphasis on conservation rather than recreation. However, this does not preclude appropriate recreational uses.

#### Plan Recommendation:

The word preservation will be added to the vision to align with public comments and the terminology in the *Park Act*.

### **Issue: Zoning**

#### Public Comments:

- There should be a Wilderness Conservation Zone in West Arm (6)
- Practically all the park should be designated wilderness conservation zone (1)

#### Commentary:

Given the significant values and size of the park, as well as the wilderness emphasis in the vision and role, it would be expected that park zoning with the highest level of wilderness conservation (Wilderness Conservation Zone) would be used for a significant area of the park. The limiting factors to using this tool are the consumptive uses in the park such as hunting and trapping. The Kootenay-Boundary Land-Use Plan directed that trapping be allowed to continue.

#### Plan Recommendation:

The zoning plan remains the same but appropriate and inappropriate activities; facilities and management strategies are specifically defined for each zone to provide a more comprehensive understanding of the management implications. The zoning for the park has recreational use distributed mostly at the periphery of the park, including the lakefront and ridge boundary leaving the central core areas as low use primitive wilderness.

### **Issue: Vegetation Management**

#### Public Comments:

- There should be no logging in parks for insect outbreaks or any other reason. (52)
- Manage for natural successional change. (2)
- Determine carrying capacity, set Limits of Acceptable Change, and monitor impact on flora/fauna for recreational management. (4)
- Allow “let burn” fire management except near private and municipal land. (1)
- Fire Management Plan to be created after Vegetation Inventory completed. (1)

- All vegetation should be documented visually (posters, brochures, and video). Such information could be placed at Visitors' Centre at Kokanee Creek or circulated through the schools in the area or through special documentaries via TV. (1)
- Preserve old growth forests in the area; be prepared for fire control, impact monitoring, and carrying capacity of people when access is developed for public use. (1)
- The public should be consulted when proposing a vegetation management plan in addition to stakeholders and other agencies. (1)
- Since succession is recognized as a critical ecological component providing old growth attributes, why isn't the mountain pine beetle (MPB) recognized as a vital agent in forest succession? Without MPB, the lodgepole pine would not properly make room for later successional species such as spruce.

#### Commentary:

Natural ecosystem processes such as fire, disease, or insect infestation are recognized by the Environmental Stewardship Division as natural occurrences shaping vegetation. It is important to not interfere with these processes by using unnatural manipulation such as commercial logging. Given the high cost of public consultation and the minimal management intervention applied to wilderness areas such as West Arm, it is likely that consultation on specific management issues such as vegetation management would be with affected adjacent landowners and stakeholders.

#### Plan Recommendation:

Preparing a vegetation inventory, a vegetation management plan, a fire management plan and restoring impacted natural areas are the main vegetation management initiatives. Some re-writing will be done to better reflect the above comments.

### **Issue: Fish Management**

#### Public Comment:

- Enhance potential spawning opportunities at 5 Mile and Lasca creeks. (2)
- Enhance spawning and productivity at Lasca Creek by installing a fish ladder in culvert under CPR tracks. (1)
- Preserve all fish habitat areas. All active streams should be monitored and restored for fish habitat, particularly spawning channels in the watershed. (1)
- Should be managed and monitored year round. (1)
- Potential economic benefits. (1)
- Fishing for rare and endangered species should be cancelled

#### Commentary:

Many of these comments are proposals that are outside the park boundaries. Nearly all the creek mouths in the park including Lasca Creek and Five Mile Creek are outside the park boundaries. The other comments support the draft plan's objectives for managing fish.

#### Plan Recommendation:

The major creek deltas outside the park along Kootenay Lake should be acquired to capture their important natural and recreational values. This recommendation is in the Land Management section of the management plan.

## Issues: Wildlife Management (Hunting/Trapping)

### Public Comments:

- Strongly oppose hunting of red- and blue-listed species. (34)
- Limit hunting to one km from all access points, private properties and recreational corridors. (1)
- End all grizzly bear hunting in the park. (4)
- Examine potential for wildlife viewing opportunities after completing a wildlife inventory study. (1)
- Examine and monitor trapping licenses and guide outfitting licenses with the discretion to not renew licenses. (1)
- Urge the government to buy out the trapping licenses. (30)
- Document all wildlife within and outside the park. Use of the various media can be utilized for the documentation. (1)
- Hunting and management of tenured trapping should continue as long as the species is not at risk. Such activities contribute to a healthy population. (1)
- Limited hunting and trapping can be used as a means of creating revenue but at the same time contribute to the preservation of species. (1)
- Consult with hunters who can assist with the gathering of data on wildlife. (1)
- Need protection of both core habitat areas and the travel corridors and water reserves given by intact watersheds. (1)
- To protect species-at-risk in the West Kootenays we need protection of *both* core habitat areas offered in parklands, and the travel corridors and water resources given by *intact* watersheds. (1)
- Hunting and fishing should be part of the user group outside and inside the park. (2)
- Would prefer to see no hunting and very limited fishing, if any. (4)
- Either remove hunting opportunities altogether or restrict hunting to a minimum of 1 km from any recreational use area. (1)
- Restrict hunting to 1 km from any trail or camping area. (1)
- The present fishing and hunting regulations seem to be effective. Respect and access must be given to this sustenance activity. (1)
- No fishing, especially blue-listed species (1)
- No hunting at all in parks. (14)
- No trapping at all in parks. (8)

### Commentary:

A number of people would like hunting and trapping in the park to be stopped. Although very little trapping occurs in the park, it will be permitted to continue as a tenured activity as directed by the KBLUP-IS.

With respect to hunting and the management of wildlife, this involves the Fish and Wildlife Section (FWS) and considerations beyond the limited concerns of the park. While hunting is an approved activity for provincial parks in British Columbia, there is a significant desire by the local community for the reconsideration of the hunting and fishing of species at risk in West Arm Park. Comments on discontinuing the hunting of red- and blue-listed species as well as the purchase of traplines supports the draft plan proposal.

While the issues of hunting grizzly bears is being addressed by the government on a provincial basis many of these other comments such as inventory and monitoring of wildlife and people also support the plan recommendations.

Comments with respect to travel corridors and hunting regulations for the most part are the prime responsibilities of other agencies, but some sections of the draft plan do propose to work with FWS Section and stakeholders to regulate hunting activities to achieve the objectives of the park.

#### **Plan Recommendation:**

With the exception of addressing wildlife viewing in the Outdoor Recreation Opportunities Management section of the plan, the plan recommendations remain unchanged.

### **Issues: Water Management**

#### **Public Comments:**

- Maintain potable water sources. (4)
- Develop Water Management Plan with appropriate agencies. (1)
- Restrict access and development up to the Five Mile Creek Drainage. (1)
- If public access is necessary, activities should be strictly monitored and regulated at all times. (1)
- Plan fails to specify how the outbreak of mountain pine beetle could influence Nelson's water supply or what treatments might be considered. (1)
- The Environmental Stewardship Division should consult professionals in entomology and hydrology (independent of the Ministry of Forests and Range) (1)
- Protecting watersheds is a good idea but is there enough expert advice being sought? (1)
- Should be minimum flow defined and maintained in streams below domestic water intakes (1)
- Before any conclusions are drawn as to the threats to water from insect outbreaks, the Environmental Stewardship Division should consult professionals in entomology and hydrology who are totally independent from the Ministry of Forests and Range and Environment. (1)
- In the Slocan Valley, people fiercely reject salvage logging in their watersheds because they know the importance of leaving dead wood on the ground to regulate water. (1)
- A small park, West Arm Park, is one of the only parks created in B.C. that protects a municipal watershed. Yet, even it is threatened by scare tactics from logging interests. (1)

#### **Commentary:**

Although we appreciate all comments on the draft plan, these comments on water management are particularly helpful as the Environmental Stewardship Division has little experience and expertise in the management of community water supplies. These comments have shown us that there are a number of questions we are not able to answer and the draft plan strategy for managing water needs some significant improvements.

#### **Plan Recommendation:**

The revised plan will add a recommendation to develop a Community Watershed Management Plan in partnership with the City of Nelson and associated agencies with the help of experts in community watershed management. The plan will address the long-term management, including many of the issues raised in these public comments. The challenge will be addressing fire, insect and disease impacts in the watersheds within the context of park objectives that seek to minimize the interference with natural processes.



Specific provisions to protect watershed values from recreational uses will be added to the Outdoor Recreational Opportunities Management section

## **Issues: Cultural Values Conservation**

### **Public Comments:**

- The Environmental Stewardship Division should consult with and involve Sinixt aboriginal people in the management of the park. (37)
- The Sinixt aboriginal peoples should be involved in park planning. (2)
- Restore proper recognition to the Sinixt people. (3)
- Explore and catalogue Sinixt and early mining/logging cultural sites. (2)
- Create information/education package on pre and post-contact use of the area. (1)
- Acknowledge and elicit info from Sinixt Nation for research; acknowledge Sinixt as rightful original occupants of this area. (2)
- Preserving and restoring archaeological sites may create more interest in the park. (1)

### **Commentary:**

From these and other comments at open houses and meetings, many people have recognized the significant role and interests of the Sinixt people in West Arm Park. We have received comments on the draft plan from the Sinixt during workshops and the plan review; however, it is not possible for the Environmental Stewardship Division to recognize or consult with the Sinixt as a First Nation. While we respect the recognition of the Sinixt by the open house participants, it is beyond the Environmental Stewardship Division's authority to determine the legal status of any group by recognizing them as suggested. The Sinixt will be recognized as a contributing stakeholder group.

Other comments support the draft plans objectives and strategies for natural and cultural heritage education, information and research.

### **Plan Recommendation:**

The draft plan will recognize the Sinixt people as a contributing stakeholder group and will retain unchanged the objectives and strategies of this section.

## **Issues: Access Management/Motorized Recreation**

### **Public Comments:**

- Support the ban on ground-based motorized recreation. (50)
- Prohibit air access in West Arm Provincial Park. (31)
- Would like to see some access roads into the parks. (2)
- Allow motorized access to lakeshore sites and trailheads only. (2)
- Park construction/maintenance would be carried out with non-motorized access and tools and equipment to maintain "primitive wilderness" feel (much like the Bob Marshall Wilderness in Montana). (1)
- Visitor use and recreational activities would be set with "primitive wilderness" experiences being the focus. (1)
- Restrict air access over the park. (3)

- Access must be given to the park for all people who want to use it, otherwise why create a park. (1)
- Roads need not be deactivated, rather converted to trails to witness the diversity of vegetation. (1)
- Access points could be by helicopter (e.g. Mount Robson Park), or by designated trails to see the park at a certain vantage point or by chairlift. (1)
- Unauthorized entry into the park from Harrop on the Lasca Creek road by ATV's, motorbikes and snowmobiles (which bypasses the gate at the park entrance) needs to be curtailed. (1)
- Should allow some but not all motorized access, no ATV's, motor bikes or snowmobiles. (1)
- Want improved access from Kootenay Lake to enhance recreation opportunities. (1)
- Private lands and the Burlington Northern Railway right-of-way should be incorporated into the park so the park could benefit from recreational access or wildlife corridors/habitat. (1)
- As a club, we feel that there should be access to the park by mechanized vehicles, for there are areas through private land acquisition whereas hunters, anglers, hikers, and mechanized vehicles are prohibited. The public should have at least limited or controlled mechanized access to the park. (1)

#### Svoboda: (1)

- Close (through signing) vehicle access through the Svoboda Community Property. Restrict recreational vehicles from the road altogether until it can be upgraded to a safe standard.
- Educate biking and hiking recreationalists (with signs) about the danger of traveling on the narrow blind cornered road which is frequented by the residents of the Community Property.
- Until Svoboda Road is upgraded and widened, create a new trail head at the old gravel pit at the bottom of the road and brush out "Long Svoboda" trail over the 5 mile water easement to allow hikers and bikers to access the Park in a safe way. Close this trailhead to dogs to protect domestic and municipal water quality.

#### Lasca Creek Road: (1)

- Reopen to trail head if soil study supports stability and erosion concerns.
- Link a "Primitive" trail and campsite system to access Mill Lake, Lasca Creek, 5 mile (Svoboda), Selous, Hummingbird Pass and White Water Ski Hill access points.
- Remove garbage and wrecks, scattered along park section of road. Close General Electric Trail and remove appliances. Short Svoboda and 13 Steps to Doom Trails should be signed for dismount to stop riders from spilling onto road and into oncoming traffic.
- The Lasca Road/Trail is an excellent place to see black bears feeding on the seeded clover. If kokanee were returned to Lasca Creek above the railroad, this would be an excellent viewing area.

#### Commentary:

While views on access vary greatly, the majority of comments on no motorized land or air access support the draft plan recommendation. Wilderness qualities in provincial parks are defined by zoning. Motorized ground access is allowable to boundaries of wilderness areas but generally not through the park. Zoning for wilderness areas also restricts air access to specific points for drop-off only on a limited basis. These air and land access limitations of zoning provide some balance between the need to have access and the need for wilderness to have qualities of remoteness and solitude. Notwithstanding the guidance from zoning, decisions on access cannot be made without considering existing access points and nodes as well.

Most of the public comments support the draft plans proposal to prohibit air access, but opinions on ground access reflect the wide spectrum of individual's needs and perceptions. Restricting easy access to the centre of the park is critical to wilderness protection, while access along the outside edges of the park is less critical. For the most part, the draft plan accommodates the currently used access points. Mountain bike access is addressed under the mountain bike section.

### **Plan Recommendation:**

The draft plan access strategy that has three vehicle access points to the park boundary (Lasca Creek, lower Svoboda Road, and Hummingbird Forest Service Road) is retained but, as indicated in the draft plan, is subject to approval by adjacent land users, owners, and administering agencies where applicable. Air access and motorized access through the park are prohibited. Motorized boat access will be permitted to designated sites along Kootenay Lake. The zoning plan has been augmented with an appropriate/inappropriate activities matrix including the restrictions on motorized recreation and air access.

## **Issues: Hiking/Backpacking**

### **Public Comments:**

- Biological and social carrying capacities will set location and type of non-motorized recreational opportunities. (1)
- All activities, both public and management, will be monitored for impact on environment and "feel" of this primitive wilderness. (1)
- Minimal development for recreational opportunities (i.e. primitive trails, camping areas, and lean-to shelters). (1)
- Trail system should offer single and multi day "primitive wilderness" hiking and backpacking experiences. Destination recreation will be replaced with forest travel mixed with ridge walkabouts. (1)
- Ridge walking routes do not need to be marked except in locations where the route is doubtful. (1)
- Commercial recreation hiking/backpacking should be pursued. Research and feasibility study should be considered for these activities. (1)

### **Commentary:**

These comments reflect the cautious potential and range of ideas for the park to provide some outstanding hiking and backpacking opportunities. Currently, there is low use of the park for hiking and backpacking. Potential opportunities exist for ridge walking over time.

### **Plan Recommendation:**

The general strategies in the draft plan remain and will be supplemented with specific trail and campsite recommendations. Provisions to protect water quality from recreational impacts will also be added.

## **Issue: Backcountry Skiing:**

### **Public Comment:**

- Increase safety/risk information for backcountry alpine skiers at White Water Lodge, Five-Mile Ridge (Evening Ridge) and Hummingbird Pass. (2)

- Monitor damage, i.e. litter, and damage to trees at Five-Mile Basin. Can increase use at Hummingbird Pass. (1)
- Create the opportunity for mid-elevation cross-country skiing. Explore trail potential to link Hummingbird Pass to Selous Creek to Svoboda Road and the derailed Burlington Northern Rail to Trail system ultimately linking to the Apex Ski Area. (1)
- Support Whitewater Ski Resort on their planned expansion of backcountry skiing. Whitewater Ski Resort could be given jurisdiction and direction on access issues to the park. (1)
- No cats for cat skiing. (1)

#### Commentary:

Dispersed backcountry skiing is an acceptable use and requires little specific management. General references in the draft plan to the management of all recreational uses (e.g. pre-trip planning information) also applies to backcountry skiing. These comments, however, identify a need to define a management strategy for backcountry skiing.

Groomed cross-country ski trails were recently developed in the adjacent Whitewater Ski Resort. To expand those opportunities into the park and community watershed compromises the management direction from the KBLUP for conservation and protection of watershed values, as well as conflicts with the proposed zoning. As backcountry skiing is an acceptable activity for the Wilderness Recreation Zone, the guided backcountry skiing proposed by Whitewater Ski Resort is under review. Cat skiing is addressed by the prohibition of motorized recreation.

#### Plan Recommendation:

The revised plan will add a section on backcountry skiing and note the acceptability of this activity in the park and make specific reference to the application of wilderness etiquette, protection of water quality and safe use practices information.

### **Issue: Rock Climbing:**

#### Public Comment:

- Establish a trail to the climbing areas to avoid erosion and traffic concerns. (1)
- Rock climbing should be part of the park's recreational activity. Designate an area for rock climbing with appropriate amenities. (1)

#### Commentary:

Rock climbing is recognized in the draft plan with a specific objective to provide a variety of low impact opportunities.

#### Plan Recommendation:

Remain basically the same with the addition of identifying an access to the climbing areas.

## **Issues: Commercial Recreation:**

### **Public Comments:**

- There should be no commercial use of the parks (except for existing tenures) and especially, there should be no use of motorized transportation, aircraft such as helicopters being particularly intrusive (except vehicles on access roads). (1)
- If compatible with biological and social carrying capacities and if in alignment with non-motorized, primitive wilderness experience – commercial recreational opportunities should be allowed. (1)
- Elicit commercial operators who would ensure a primitive wilderness experience (four seasons) with a focus on low impact recreation and nature appreciation and education. (1)
- Commercial recreation could be an asset to the park and surrounding area. Open the park to commercial recreation as long as there are guidelines and criteria to follow. (1)

### **Commentary:**

Views on commercial recreation vary significantly from none to limited use. The common thread among these comments is that commercial recreation needs to be non-intrusive, biologically and socially compatible, and low impact. These suggestions and those for managing use through guidelines and careful selection of operators, supports the Environmental Stewardship Division's standard operating procedures. Motorized uses were previously addressed.

For commercial tourism to be viable in a wilderness park in the long-term, it needs to be ecologically sustainable and socially compatible. It is the intent of the management plan to permit some forms of commercial recreation that are appropriate, but with safeguards in place to minimize impacts and identify acceptable/unacceptable types and levels of use.

### **Plan Recommendation:**

As previously noted, the zoning plan has been augmented with an appropriate activities matrix. Safeguards for monitoring, research, impact assessment and determining limits of acceptable change are retained in the draft plan.

## **Issue: Wildlife Viewing/Nature Appreciation**

### **Public Comments:**

- As part of a non-destination oriented experience, in a primitive wilderness, wildlife viewing and nature appreciation opportunities should be given a high priority.
- Limit numbers of visitors to sensitive areas. (1)
- Create education/information packages for self-guided experiences. (1)
- Use wildlife viewing and nature appreciation as an educational experience. These could be incorporated in the science programs within the schools and also developed for the general public. (2)

### **Commentary:**

Unlike other parks such as Kokanee Glacier and Valhalla where wildlife and viewing opportunities are more abundant, in West Arm Park these opportunities are less obvious. Comments on the importance of nature appreciation and precautions needed to prevent disturbing wildlife support the draft plan's strategy for natural and cultural heritage education. Given the close proximity of the

park to Nelson, there are opportunities for school programs, although Kokanee Glacier and Kokanee Creek parks will likely continue to be the main provincial parks for school programs.

#### Plan Recommendation:

Will add the potential opportunities for schools to use the park for nature appreciation and wildlife viewing.

### **Issue: Mountain Biking**

#### Public Comments:

- I think there should be some enforcement and standards applied to mountain bike trails built in the West Arm Park. I have witnessed illegal trail construction in the park and have never seen a ranger. Must have a greater enforcement presence. Either enforce the rules or say there are no rules. (1)
- I am commenting on the use of West Arm Provincial Park for mountain biking. Nelson is unique in that there is a huge number of mountain bikers compared to other areas of BC, and at the same time, the areas accessible to mountain bikers are relatively small. I feel that West Arm Provincial Park should have an area set aside for bike use and that this area should be actively maintained by a concerted effort between the local parks workers, local trail riders, and club members. (1)
- As an active mountain biker I support the draft management plan policies as they relate to mountain biking. (1)
- As a member of the Nelson Cycling Club, I would welcome the opportunity to work with Parks in trail management, maintenance, and access issues. (1)
- Mountain bike trails in the park are used regularly. Nelson Cycling Club would like to work with the Environmental Stewardship Division, own membership, mountain biking community and landowners. The Club would want to be involved in planning and implementation of proper access, trail maintenance, and new trails. Also, the society wishes to act as a facilitator and provide labour for the Environmental Stewardship Division approved trail maintenance and trail building outings. (1)
- Assessment of mountain bike activity and any resulting environmental degradation from these activities should be made yearly and changes made if required. (1)

#### Commentary:

These comments support the draft plan strategy of developing a structured, more formalized management strategy for what traditionally has been an unmanaged recreational opportunity. The draft plan proposes to work with mountain bike clubs and individuals to refine and implement this strategy including defining the trail system, rehabilitating damaged areas, trail maintenance and signage.

#### Plan Recommendation:

Draft plan remains the same, except improved emphasis on providing public information and education on safety, trail etiquette, and environmental protection.

## Other Issues

### Public Comments:

- Mountain biking, boating, camping, picnicking, swimming benefit the area economically. All of these activities need to be regulated as to when, where and why. (1)
- Need buffer zone (to buffer the effects of logging and mechanized recreation) around park to include wildlife corridors (3)
- Logging, commercial recreation, ski development can go ahead as long as they follow the existing guidelines, these activities are important to the economy of the area. (1)
- The park should be for all people not only special interest groups. (1)
- How are we going to pay for development and use of these parks? (2)
- We should approach the federal government for financial assistance (1)

### Commentary:

Some of these comments reflect the need to develop a management plan for the park to regulate activities, protect values, and ensure a diversity of available opportunities, while other comments on finances are issues for other processes beyond the management plan.

### Public Comment:

- How long will it take to implement these plans? (1)

### Commentary:

Most management plans are effective for a 10-year period but can last much longer depending on the continued relevancy of the strategies and the extent of implementation

### Public Comment:

- The Kutetle/Midge Creek logging road was not mentioned in the Plan. What is the status of the Darkwoods private forest reserve? Will they be accessing the boundary from the south? Why wasn't it mentioned in the Draft Plan?

### Commentary:

West Arm Provincial Park is legally protected from commercial logging as well as industrial roads through the park to access timber (i.e. Darkwoods private land). We understand that the Darkwoods issue was resolved by an alternative solution.

### Public Comments:

- December 30<sup>th</sup> is not a fair cut-off deadline for feedback on such sensitive issues. (2)
- Why is there no e-mail address given to send in comments? (1)

### Commentary:

We regret that the timing of the deadline for written comments made it difficult for some people to review the draft plan during the busy month of December and we will endeavour to avoid this scenario in future processes. We will also include Internet addresses on distributed materials. Although several e-mail comments were submitted through the BC Parks website and the address was available at the open houses, it would have been more convenient if the address was also provided on distributed materials.

**Public Comment:**

- The Rock Glacier on the southwest side of Mt. Lasca was not identified as a Special Feature – and should be.

**Commentary:**

We will confirm the location and significance of the rock glacier near Mount Lasca.

**Public Comments:**

- Unsure of legal/liability jurisdiction of any recreational use through private community property up Svoboda (e.g. Long Svoboda and Short Svoboda Mountain Bike Trails). (1)
- At what point do the hiking trails up Fell and Anderson Creeks enter the park? (1)

**Commentary:**

We do not have the answers to these questions but will look into them.



**DUPLICATE**

TREATY NEGOTIATIONS OFFICE

FEB 14 2005

CORPORATE SERVICES

**Memorandum of Understanding (MOU) to Establish an  
Effective Government-to-Government Working  
Relationship for the Management of Provincial Parks**

**BETWEEN:**

**The Ktunaxa Nation**, represented by the Ktunaxa/Kinbasket Tribal  
Council ("K/KTC")

**AND:**

**Her Majesty the Queen in right of the Province of British  
Columbia**, represented by the Minister of Water, Land and Air  
Protection ("British Columbia")

(each a "Party" and collectively the "Parties")

**Whereas** section 35(1) of the *Constitution Act, 1982*, recognizes and affirms the existing aboriginal and treaty rights of the aboriginal peoples of Canada.

**Whereas** the Ktunaxa Nation is engaged in tripartite treaty negotiations with British Columbia and Canada under the British Columbia Treaty Commission process and the parties in those negotiations believe that piloting a cooperative management process prior to concluding a treaty may help them to expedite the treaty negotiation process.

**Whereas** for the purposes of treaty negotiations in British Columbia, the K/KTC has identified as the Ktunaxa Nation's traditional territory the geographic area within British Columbia identified in its Statement of Intent received by the British Columbia Treaty Commission and shown schematically in Appendix A (herein the "Traditional Territory").

**Whereas** the Provincial Parks listed in Appendix B are located wholly or partially within the Traditional Territory.

**Whereas** the Parties wish to describe how they will work together on matters pertaining to the planning, management and use of the Provincial Parks that are located within the Traditional Territory.

**Whereas** the Parties intend to work cooperatively on the development of Park Planning Documents and the implementation of strategies to achieve the management objectives for the Provincial Parks.

**Therefore the mutual understandings of the Parties are as follows:**

### **Definitions**

1. In this MOU:

**"Aboriginal Rights"** means aboriginal rights, including aboriginal title, pursuant to section 35(1) of the *Constitution Act, 1982*;

**"Ktunaxa Nation"** means the Ktunaxa people (formerly referred to as Kootenay), including any member Bands of the K/KTC;

**"Minister"** means the Minister of Her Majesty the Queen in Right of British Columbia having the responsibility, from time to time, for the exercise of powers in respect of the matter in question and includes a person appointed to serve, in the department over which the Minister presides, in a capacity appropriate to the exercise of those powers;

**"Park Planning Documents"** means any of the following documents prepared by BC Parks:

- a) purpose statements,
- b) management direction statements,
- c) management plans, and
- d) 5-year plans;

**"Provincial Parks"** means the parks, protected areas and ecological reserves listed in Appendix B.

### **Purpose**

2. This MOU describes how British Columbia and the Ktunaxa Nation will cooperate in carrying out management activities for the Provincial Parks that are located within the Traditional Territory and that are identified as priorities by the Parties each year.

## Scope

3. This MOU applies to the Provincial Parks listed in Appendix B, and to any areas within the Traditional Territory that may be proposed to be added to or deleted from the Provincial Parks.

## Objectives

4. The objective of this MOU is to establish an effective working relationship, based on mutual respect and understanding, that will enable the Parties to cooperatively:
  - 4.1. improve their respective processes for sharing information;
  - 4.2. discuss any plans to add areas to or delete areas from the Provincial Parks;
  - 4.3. review, amend and implement Park Planning Documents for the Provincial Parks in accordance with the management principles in sections 5, 6, and 7 below;
  - 4.4. plan and manage the Provincial Parks, in accordance with the Park Planning Documents, in a manner that:
    - 4.4.1. protects ecological attributes, natural resources, as well as cultural, recreational and historical values, including the written and oral history and cultural traditions of the Ktunaxa Nation;
    - 4.4.2. acknowledges the Ktunaxa Nation's use of the land and resources for food, social and ceremonial purposes in accordance with its asserted Aboriginal Rights;
    - 4.4.3. respects the authority of the Ktunaxa Nation on matters regarding the interpretation of Ktunaxa place names, cultural practices and history;
    - 4.4.4. integrates information provided by the Parties;
    - 4.4.5. provides opportunities for compatible recreation and tourism, and other compatible economic uses in accordance with the management principles set out in sections 5, 6, and 7 below; and
    - 4.4.6. provides for the continuation of existing permits.
  - 4.5. explore and develop economic and capacity building opportunities for the Ktunaxa Nation.

### **Management Principles**

5. While recognizing any existing Aboriginal Rights and respecting the culture, traditions and history of the Ktunaxa Nation, the Parties agree to manage the Provincial Parks in accordance with this MOU, relevant Park Planning Documents and all statutory, constitutional and common law.
6. The Parties agree that the harvesting of resources by the Ktunaxa Nation from within the Provincial Parks will be for food, social and ceremonial use purposes only, unless other purposes have been approved in accordance with this MOU, the Park Planning Documents and all statutory, constitutional and common law, including any Orders in Council, in effect from time to time.
7. The Parties agree that any harvesting of resources in Provincial Parks by the Ktunaxa Nation in accordance with section 6 will be subject to measures necessary for conservation, public health or public safety.

### **Park Planning**

8. The Parties agree that the primary purpose of park planning is to provide recommendations regarding appropriate strategies to protect, conserve and manage the Provincial Parks, while recognizing any existing Aboriginal Rights and respecting the culture, traditions and history of the Ktunaxa Nation.
9. Park Planning Documents may address, but will not be limited to, the following elements:
  - 9.1. a park description;
  - 9.2. a data or information inventory;
  - 9.3. a management vision;
  - 9.4. management strategies; and
  - 9.5. a Ktunaxa Nation food, social and ceremonial harvesting sub-plan.

### **Ktunaxa-British Columbia Provincial Parks Management Committee**

10. Within sixty (60) days of signing this MOU the Parties will take steps to establish the Ktunaxa-British Columbia Provincial Parks Management Committee (the "Committee").
11. The Parties will each appoint two representatives to the Committee.

12. The Committee may establish rules and procedures for its internal operations.
13. The Committee may:
  - 13.1. invite other governments and other government agencies to participate in the cooperative processes established under this MOU; and
  - 13.2. for the purpose of obtaining a variety of perspectives and access to diverse sources of information, invite non-governmental stakeholders to participate in the Committee in an advisory capacity.
14. The Committee will be responsible for attempting to resolve issues that arise regarding the funding of the operations of the Committee.
15. Each Party will be responsible for their own costs to participate.
16. The Committee will work cooperatively to acquire funds for projects.
17. A primary function of the Committee will be to provide mechanisms to facilitate the Ktunaxa Nation's participation in:
  - 17.1. the planning for and management of the Provincial Parks;
  - 17.2. identification and development of potential economic opportunities associated with the management of these parks; and
  - 17.3. decisions regarding adding areas to or deleting areas from Provincial Parks.
18. The Committee's tasks will include, but will not be limited to:
  - 18.1. ranking the Provincial Parks in the order of priority for Ktunaxa Nation participation in park planning and management activities, prior to the start of each new fiscal year;
  - 18.2. developing the consultation and review processes that the Parties agree are appropriate to implement prior to undertaking different types of activities (relevant activities may include creation of new parks, preparation, review, implementation and amendment of Park Planning Documents, reviewing new land use occupancy permit applications, reviewing research proposals and results);
  - 18.3. identifying priorities for conducting any inventories of cultural values in the Provincial Parks; and
  - 18.4. addressing matters related to the conduct of cultural activities by the Ktunaxa Nation within the Provincial Parks.
19. Either Party may submit to the Committee for consideration any topic that is within the Committee's general mandate. The

Committee will provide a written summary of its considerations and/or recommendations to both Parties.

20. When the Committee forwards a recommendation to one of the Parties, the Party receiving the recommendation will provide in writing within thirty (30) days an explanation of any action the Party intends to take in response to the recommendation.

### **Nature of this MOU**

21. This MOU describes:

- 21.1. the framework for a cooperative working relationship between the Parties, and
- 21.2. processes which form a component of consultation and accommodation,

but the MOU itself may not wholly satisfy the Crown's legal obligation to consult regarding any potential infringements of Aboriginal Rights and to seek workable accommodations as appropriate.

22. This MOU is not intended to:

- 22.1. be a legally binding contract;
- 22.2. be a treaty or a land claims agreement within the meaning of sections 25 and 35 of the Constitution Act, 1982;
- 22.3. create, amend, define, affirm, recognize, abrogate or derogate from, any Aboriginal Rights;
- 22.4. be interpreted or implemented in a manner that fetters the discretion of statutory decision-makers;
- 22.5. limit the positions either Party may take in any legal or administrative proceedings; or
- 22.6. constitute any admission of fact or liability.

23. For additional clarity, the Ktunaxa Nation asserts that its agreement to enter into this MOU does not mean that it accepts British Columbia's assertion of jurisdiction or authority respecting the management of Provincial Parks.

### **Dispute Resolution**

24. When a dispute arises between the Parties during the term of this MOU regarding the interpretation or implementation of this MOU, the Committee may employ voluntary dispute resolution measures

that may include mediation conducted in good faith and in an informal and non-adversarial manner.

25. With the written agreement of both Parties, other dispute resolution procedures may be used to assist Committee members to achieve consensus.

### **Amendment**

26. The Parties will review this MOU and its effectiveness from time to time at the request of either Party but not more frequently than annually.
27. Any amendments to this MOU will require the written consent of both Parties and will take effect upon signing.

### **Notice**

28. Where in this MOU any notice or other communication is required to be given by either Party, it will be made in writing and will be effectively given by any of the following methods:
  - 28.1. delivery to the address of the Party set out below, on the date of delivery;
  - 28.2. pre-paid registered mail to the address of the Party, mentioned in this MOU, on the date the registered mail is delivered;
  - 28.3. facsimile, to the facsimile number of the Party, mentioned in this MOU, on the date the facsimile is sent; or
  - 28.4. electronic methods of communication, once these are developed and implemented with the agreement of the Parties.

K/KTC 7468 Mission Road Cranbrook, BC V1C 7E5  Fax: (250) 489-2438 Attn: Manager, Lands and Resources	Water, Land and Air Protection 205 Industrial Road G Cranbrook, BC V1C 7G5  Fax: (250) 489-8506 Attn: Regional Manager, Environmental Stewardship, Kootenay Region
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**Termination**

29. Either Party may terminate this MOU by giving the other Party thirty (30) days advance written notice of the intent to terminate the MOU and the reasons for terminating the MOU.

Signed on the 8<sup>th</sup> day of February, 2005.

On behalf of the Ktunaxa Nation

On behalf of Her Majesty the Queen  
in Right of the Province of British  
Columbia



Kathryn Teneese  
Administrator, Ktunaxa/Kinbasket  
Tribal Council

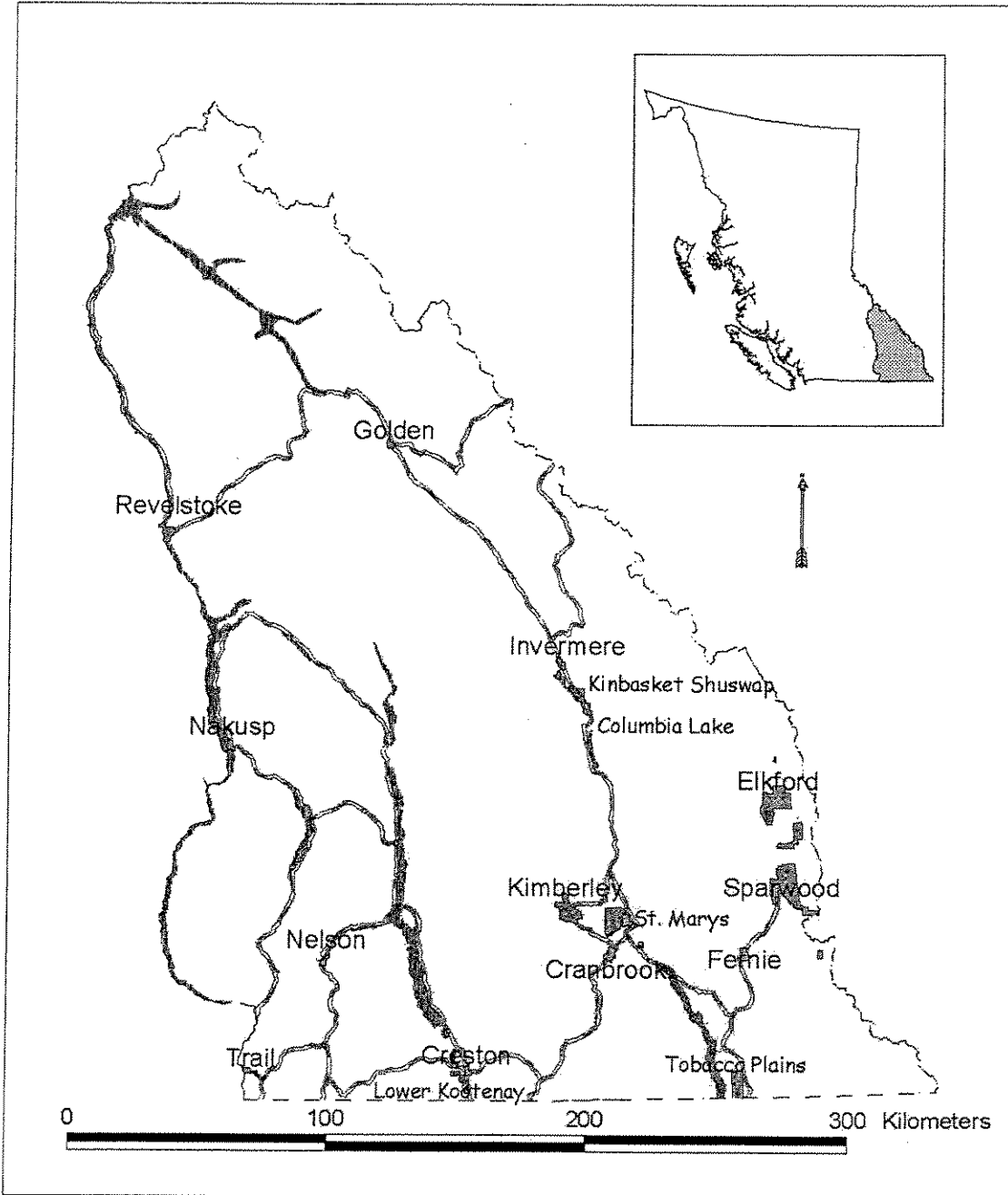


Honourable Bill Barisoff  
Minister of Water, Land and Air  
Protection



# APPENDIX A

## Traditional Territory of the Ktunaxa Nation



## APPENDIX B

### Provincial Parks within the Traditional Territory

PARK NAME	PARK LOCATION	TOTAL AREA (HA)
Akamina-Kishinena	B.C./Alta./Montana Borders	10921.00
<b>Arrow Lakes - A Multi Site</b>	Multi Site	
Arrow Lakes – Burton	Burton	18.00
Arrow Lakes – Eagle	Edgewood	38.00
Arrow Lakes – Fauquier	Fauquier	16.00
Arrow Lakes – Shelter Bay	At Shelter Bay	21.00
<b>Beaver Creek - A Multi-Class</b>	<i>Multi Designation Pa</i>	
a) Beaver Creek PA	13 Km E Of Trail	4.00
b) Beaver Creek Park	13 Km E Of Trail	67.00
Blanket Creek	25km S Of Revelstoke	318.00
Bugabo	40km W Of Brisco	13646.60
Burges And James Gadsden	11km N Of Golden	401.00
Canal Flats	3km N Of Canal Flats	6.00
Champion Lakes	18km Nw Of Fruitvale	1426.00
Cody Caves	13km Nw Of Ainsworth	63.00
Columbia Lake ER	E Side Of Columbia Lake	32.00
Columbia Lake	S Of Fairmont Hotsprings	260.00
Crowsnest	51km E Of Fernie	46.00
<b>Cummins - A Multi-Class</b>	<i>Head Of The Cummins River</i>	
a) Cummins Lakes Park	Head Of Cummins River	21812.00
b) Cummins River PA		260.00
Drewry Point	32km S Of Balfour By Boat	26.00
Dry Gulch	8km S Of Radium Junction	29.00
Elk Lakes	137km N Of Fernie	17245.00
Elk Valley	18km N Of Fernie	81.00
Elko	32km S Of Fernie At Elko	22.00
Erie Creek	5km W Of Salmo	15.00
Evans Lake ER	Head Of Evans Lake	185.00
Gilnockie Creek	Vicinity Of Moyie & Elko Lakes	2842.20
Gilnockie Creek ER	East Kootenay District	58.00
Goat Range	Nw Of Kootenay Lake	78947.00
Goosegrass Creek ER	West Side Of Kinbasket Lake	2185.00

## APPENDIX B cont'd

### Provincial Parks within the Traditional Territory

Grohman Narrows	5km W Of Nelson	10.00
Height Of The Rockies	Adjacent To Banff Nat. Park	54208.20
Inonoaklin	Edgewood	12.00
James Chabot	N End Windermere Lake	14.00
Jimsmith Lake	2km S Of Cranbrook	13.70
Kianuko	40 Km N Of Creston	11637.90
Kikomun Creek	64km E Of Cranbrook	682.00
King George VI	10km S Of Rossland	162.00
Kokanee Creek	19km E Of Nelson	260.00
Kokanee Glacier	34km Ne Of Nelson	32035.40
<b>Kootenay Lake - A Multi Site</b>	<b>Multi Site</b>	
a) Kootenay Lake - Campbell Bay	Across Lake From Kaslo	25.00
b) Kootenay Lake - Coffee Creek	N Of Balfour	52.00
c) Kootenay Lake - Davis Creek	8km S Of Lardeau	5.00
d) Kootenay Lake - Lost Ledge	8km S Of Lardeau	38.00
e) Kootenay Lake - Midge Creek	16km N Of Sand Lake	223.00
Lew Creek ER	Sw Side Of Trout Lake	815.00
Lockhart Beach	19km S Of Crawford Bay	3.00
Lockhart Creek	E Of Nelson	3750.60
Marl Creek	24km N Of Golden	167.00
Martha Creek	20 Km N Of Revelstoke	71.00
Mcdonald Creek	10km Of Nakusp	468.00
Morrissey	16km Se Of Fernie	5.00
Mount Assiniboine	48km Sw Of Banff	39050.00
Mount Fernie	3km W Of Fernie	259.00
Moyie Lake	19km S Of Cranbrook	90.50
Nancy Greene	35km E Of Rossland	203.00
Norbury Lake	13km E Of Cranbrook	97.00
Pilot Bay	8km E Of Balfour By Boat	347.00
Premier Lake	40km Ne Of Kimberley	662.00
Purcell Wild Cons Corridor	E Side Of Purcell Wc Park	1990.00
Purcell Wild. Con. PA (East)	E Of Kootenay Lake	106290.60
Purcell Wild. Con. PA (West)	Ne End Of Kootenay Lake	91825.00
Ram Creek ER	20 Km Se Of Canal Flats	121.00
Rosebery	6km Se Of Rosebery	32.00
Ryan	10km N Of Yahk	58.00
St. Mary's Alpine	42km Nw Of	9146.00

## APPENDIX B cont'd

### Provincial Parks within the Traditional Territory

	Kimberley	
Stagleap	34km W Of Creston	1133.00
Summit Lake	18km Se Of Nakusp	6.00
Syringa	19km W Of Castlegar	4416.90
Thunder Hill	69km N Of Kimberley	44.00
Top Of The World	64km E Of Kimberley	8790.00
Valhalla	W Shore Of Slocan Lake	49893.00
Wardner	Wardner	4.00
Wasa Lake	21km N Of Fort Steele	144.00
West Arm	Sw Of Nelson	25318.60
Whiteswan Lake	10km E Of Canal Flats	1994.00
Windermere Lake	16km S Of Invermere	220.00
Yahk	Yahk	9.00

Notes: PA= Protected Area (Established under Environment and Land Use Act)

ER= Ecological Reserve (Established under Ecological Reserves Act)