

Provincial Trails Advisory Body for British Columbia (PTAB)

Meeting - Tuesday September 22, 2016 – 8 AM to 4 PM

Radisson Vancouver Airport, Richmond

MINUTES

Members present

John Hawkings (co-chair)
Jeremy McCall (co-chair)
Tennessee Trent
Daniel Scott
Brian Farquhar
David Oliver
Kirby Villeneuve

Affiliation

Director, Recreation Sites & Trails BC (RSTBC)
Executive Director, Outdoor Recreation Council
Provincial Trails Manager, RSTBC
RSTBC
BC Recreation & Parks Association (BCRPA)
BC Wildlife Federation (BCWF)
BC Parks

Appointed by the Outdoor Recreation Council (ORC)

Andrew Drouin
Nick Heath
Bob Holland
Orville Smith

Central Okanagan Trail Alliance
BC Marine Trail Network Association
Quad Riders ATV Association of BC
Horse Council of BC

Unable to attend

Scott Benton
Allan Callander
Tyler Kraushar

Wilderness Tourism Association (WTA)
Ministry of Transportation & Infrastructure (MOTI)
BC Snowmobile Federation

Welcome: The meeting was called to order at 8.23 AM. Some out-of-town members were held up by heavy traffic. Regrets were received from Tyler Kraushar and Allan Callander. Scott Benton, the new representative from the WTA, did not attend. John welcomed members and introduced Daniel Scott, who was hired by RSTBC in May. Daniel attended the University of Guelph for Landscape Architecture as well as Capilano University. He has taught at Capilano University (6 years) and Fleming College in Ontario (4 years). He spent five years as the trail specialist for the International Mountain Biking Association (IMBA) and he has worked with a trail design and build company in Whistler. He acknowledged that he has limited experience with motorized trails but he considers that similar principles apply to all trails.

1. Approval of agenda

The Agenda was approved with the addition of First Nations. John advised that he would need to leave at midday so it was agreed that topics of particular concern to him would be addressed during the morning. The numbering of these minutes reflects the order in which topics were addressed.

2. Review of minutes of May 10 conference call meeting

a. Approval

Motion: Moved & seconded (OS/DO) That the minutes of the May 10 meeting be approved. **Carried.**

Note: Draft minutes are posted after each meeting. Follow the PTAB link on the home page of the Outdoor Recreation Council's website at www.orcbc.ca.

b. Action Items: Documents referred to in the May 10 minutes were distributed as required and have also been posted on the PTAB pages. The possible development of a proposal for a provincial trails conference is outstanding. Jeremy said the

document published by the Environmental Law Centre entitled “*Enhancing Public Access to Privately Owned Wild Lands*” has been amended to include reference to agreements entered into between the Village of Cumberland and adjacent forest companies.

Action item: Jeremy to distribute the updated version of the above document.

- c. Business arising from the minutes: Motorized bicycles: Item 5 in the May 10 minutes concerned the distinction between motorized and non-motorized bicycles, and this was not included in the current agenda. All agreed that different forms of motorized bicycles are here to stay, and that there has been a noticeable increase in so-called e-bikes. Jeremy advised that ORC’s members had considered a resolution on whether motorized bicycles should be permitted in BC’s Provincial Parks at its AGM in June. There was no consensus so the question was tabled. Daniel advised that some mountain bikers are using e-bikes with a motor less than 350 watts and speeds less than 35 KPH while others are much more powerful and faster. The Bureau of Land Management (BLM) in the United States classifies any bike with a motor as motorized and does not allow them on BLM lands. To qualify in Europe motorized bikes must have pedals. Daniel also said that motorized bikes put more pressure on trail systems. It was agreed that they are valuable for less physically capable riders to go places where they could not otherwise. See also Item 5 in minutes of May 10 meeting. John said RSTBC should continue to be involved in this issue. Kirby and Andrew agreed to work with Daniel on it and the PTAB will be kept informed.

Action item: Daniel Scott, Kirby Villeneuve and Andrew Drouin to research motorized bike usage and develop initial recommendations.

3. Terms of Reference (A)

- a. Goals deliverables, governance and process: The agenda called for these elements to be reviewed at this meeting. Few members had prepared for this so it was agreed that they should be reviewed for the next meeting.

Action item: All PTAB members to review the PTAB’s Terms of Reference prior to the next meeting.

- b. Remove references to individuals’ names: As now published on the PTAB pages of the ORC website, the Terms of Reference include the names of the individuals appointed to and serving on the PTAB. It was agreed that this is inappropriate for this type of document.

Motion: Moved & seconded (RH/TT). That the names of persons serving on the PTAB be removed from the Terms of Reference and that they be listed on each agenda in future so that a roll call can be conducted. **Carried.**

4. Terms of Reference (B)

- a. Review roles and responsibilities of co-chairs: John said he will no longer be able to attend all meetings because of his responsibilities as Director of RSTBC but he will participate whenever he can. Tennessee now becomes the RSTBC co-chair. Jeremy’s continues as the ORC c-chair. He will continue to assist with setting the agenda and maintaining the PTAB’s records on and off the website. From now on Daniel will be the PTAB’s Executive Director.
- b. Other membership changes including ORC appointments: A question was raised about the length of the appointments of PTAB members made by the ORC Board on January 12, 2015. They are as follows:

Three years: Andrew Drouin, Tyler Kraushar and Orville Smith
Two years: Bob Holland and Nick Heath

It was agreed that members were only just beginning to understand how the PTAB can address its mandate and becoming familiar with the relevant issues. There was no support for changing members at this time unless it is necessary for other reasons. It should be left to the ORC Board to decide when changes should be made.

5. Brainstorming – How to increase the profile and functionality of the PTAB

Function and role: John repeated a question he had raised at previous meetings, i.e. whether the PTAB's role is just advisory or whether it should be "doing things". He doubted the ability of the volunteers on an advisory body to undertake jobs. He said the PTSAB should find a balance between advising and executing. The PTAB has a unique opportunity to make recommendations for the bulk of Crown land in the Province. John referred to emerging issues such as alpine trails and the relationship between RSTBC and BC Parks and he is skeptical of the PTAB's ability to deal with too many issues. Bob suggested that when BC Government agencies develop proposals, such as a policy for non-status roads, they could have them reviewed by the PTAB, which could then make recommendations to the BC Government. Brian also questioned the PTAB's ability to undertake the long list of actions in the Trails Strategy.

Feedback and profile: Orville said that Horse Council wants more feedback from the PTAB and questioned whether it is getting its message out. Jeremy said that the PTAB is virtually invisible to outdoor groups and recommended that it have its own website and perhaps use Facebook.. Orville strongly supported the latter. Jeremy said that ORC would be prepared to sponsor a special PTAB website in lieu of relying on part of the ORC website as at present. Bob agreed with having a separate website. He said clubs use Facebook but he questioned its use by the PTAB because it has to be dynamic and managed. Who would be responsible? Brian said if the PTAB is to advise it needs to get input from trail groups or clubs and from the public.

Evidence of progress: John said the PTAB needs a milestone to mark some achievement and suggested that the trail standards project could meet that requirement. He suggested it could be completed in about 18 months based on the information already available from different agencies. Tennessee referred to a US Forest Service report on trends by trail users. Nick described outdoor recreation as being "under resourced" and said evidence is necessary if better funding is to be obtained.

Motion: Moved & seconded (TT/DO) That the development of a dedicated PTAB website sponsored by ORC be investigated. **Carried**

6. Trails Strategy Action 13 – Consolidate existing trails standards, guidelines and best practices

Daniel described this as his "dream project". He has worked with many standards. He will incorporate elements from the following sources: Chapter 10 of BC Forest Recreation Manual, IMBA's *Trail Solutions* guide, Whistler standards, US Forest Service guide, National Forest Commission and the Minnesota Department of Natural Resources Guide. He said the latter is "one of the best in the world". Daniel will tailor his recommendations to the BC landscape. He will first develop a table of contents then he will circulate a check sheet to PTAB members to solicit ideas.

Action item: Daniel to distribute a trail standards check sheet to PTAB members.

Tennessee said a project charter will be developed. The project will be budgeted for one tenth of an FTE's time with a budget of \$20,000. The overall timeline will be 18 months. A feedback loop will be created. Difficulty levels will be included. Risk avoidance is a priority. Orville asked if trails for the disabled will be included. John said the priorities will be classification and standards and that BC must have its own standards. Signage is a separate issue. Brian said it could serve as a toolkit for local governments.

7. Recreation Sites & Trails BC – Budget and funding allocations

John provided a table showing his department's operating budget with a description of each line item and outlined the requirements for the capital budget.

The RSTBC budgets are shown in Appendix A.

8. Rail trail update

Tennessee gave a PowerPoint presentation with maps and photos illustrating the current state of the Kettle Valley, Columbia & Western and Slocan Valley rail trails and some of the associated infrastructure.

History – established as part of the TransCanada Trail with a non-motorized vision prior to the popularization of ATVs and motos. However, motorized use patterns have since developed on sections and are one of the source of conflict now facing this trail type.

RSTBC revised their approach to managing rail trail uses in 2014 which address public safety, environmental risk, destination tourism development and acknowledges motorized use where it already exists and manages impacts of motorized alongside non-motorized use.

Current Developments:

1. Okanagan Valley – key point of the development of high quality rail trail experiences in partnership w/ the Regional District of Okanagan-Similkameen throughout Naramata, Summerland and other areas.
2. Boundary – new capital project developing ~17 km of non-motorized trail between Grand Forks & Christina Lakes which will start in 2016 and move forward into 2017. New potential partners / trail stewards looking to maintain section from Greenwood to Eholt.
3. Business Interests - RSTBC continues to encourage local tourism companies to provide numbers to RSTBC to help show the economic benefits of the rail trails. Businesses out of the Boundary and Okanagan are seeing a resurgence in numbers.
4. Thomson Okanagan Tourism Association (TOTA) – recently completed the “Activating Our Potential – Thompson Okanagan Region Rail Trails Tourism Strategy 2016-22” report which outlines a goal of developing a 150km cycling route with amenities catering to tourists including wineries, craft beers, First Nations heritage / cultural experiences, camping and other accommodations and more. <http://www.totabc.org/corporateSite/>

See Appendix B for statistics & map.

9. First Nations

Members discussed the need to engage First Nations with the PTAB. John reminded everyone that FN's are not stakeholders but work with government on a Government to Government basis. . He suggested that the Aboriginal Tourism Association might have an interest in being involved with PTAB.

John suggested that that the PTAB invite Patrick Lucas to a future meeting to advise the PTAB on ways to engage with First Nations. Patrick is a Vancouver based community planner, writer, film maker and trail enthusiast who has worked with the Aboriginal Youth Mountain Bike Program. He has often acted as a consultant for First Nations and he is extremely knowledgeable. Another suggestion was Phil McIntyre Paul, of the Shuswap Trail Alliance, who has worked extensively with First Nations in the Shuswap area. Tom Eustache from the Simpcw Nation Trail Crew was also suggested as a guest speaker.

Action item: Invite Patrick Lucas to the next face-to-face PTAB meeting to discuss possible ways to engage with First Nations.

10. Other Trails Strategy Action sub-committees

Strategy Action 10 – Reducing liability risk: Tennessee reported that he had presented the Frequently Asked Questions memo re the Occupiers Liability Act to the Federation of Mountain Clubs at its AGM on June 10 (Note: Memo is posted on the PTAB pages on the ORC website) Jeremy recommended that the Skopnik case be reviewed by anyone wanting to understand the intricacies of how the Act works in practice. Reference: *Skopnik v. BC Rail Ltd.* 2008 BC Court of Appeal 331.

Strategy Action 12 - Catalogue of funding sources: Andrew had previously compiled a list and invited members to review it and add other funders to it if possible.

Action item: Jeremy to recirculate Andrew Drouin's list of funding sources for information and comment.

Strategy Action 14 – Education programs to foster responsible trail use: Brian suggested that this be addressed after trails standards have been established.

Strategy Action 15 – Compliance & enforcement: As for Action 14.

Strategy Action 16 – Integration of recreation with resource roads: Tennessee is working with Lyle Knight and the future Natural Resource Roads Act. One issue will be appropriate supervision of unlicensed riders and kids without driver's licences.

Strategy action 19 – Comprehensive survey of trail users: Various ideas were suggested such as surveys at parking lots (by Andrew). Tennessee said trail counters could be used to obtain user numbers before upgrading trails. He also referred to the trail user and mapping data available on the trailforks.com/Pink Bike website. Kirby suggested an on-line survey which could also be used to profile the Trails Strategy.

Note: Jeremy to check the Report of Proceedings from the 2016 Share the Trails workshop.

Strategy Action 7 – Reduce red tape: Tennessee said that applications under Section 57 of FRPA have to be made through FrontCounter BC and although RSTBC has tried to make these more accessible not much progress has been made. He acknowledged that RSTBC could do a better job of explaining applications. Note: Bob's November 2015 memo on reducing red tape is appended to these minutes and will be posted on the PTAB web pages.

11. Round table - New or emerging issues which the PTAB should be aware of or comment on

- Bridges on Forest Service Roads: Jeremy questioned the demolition of a Forest Service Road bridge over the McGregor River. A director of ORC, resident in Prince George, suggested that this bridge be retained for recreational traffic such as snowmobiles and quads when the FSR is de-activated. David is familiar with the bridge in question and said the supporting cables will become unsafe in time. They would only be replaced if Canfor needs to go back into the area which is unlikely as the remaining timber affected by mountain pine beetle is no longer worth recovering. Tennessee said in a recent situation near McBride, the local Chamber of Commerce played a part in the decision. Bob referred to the retention of access at Sproatt Mountain with the cooperation of Stella Jones, the licensee. Tennessee said that engineering issues will always be a priority for MFLNRO. Until the Natural Resource Roads Act takes effect, in situations where the community wants access to high value recreation sites, it will be important for them to be discussed by the District Rec Officer, the Forest Service's District Engineering Officer and local trail groups so that recreation is considered.

Motion: Moved & seconded (BF/DO) In the event that a forest service road is to be deactivated, and until the Natural Resource Roads Act comes into effect, the PTAB is to ensure that the recreation requirements of local communities and trail user groups are taken into consideration by the Ministry of Forests, Lands & Natural Resource Operations and make appropriate recommendations using the style used by the Forest Practices Board. **Carried.**

- Forest Practices Board (FPB): Tim Ryan, Chair of the FPB, has informed ORC and the PTAB that the FPB's study of recreation in the forests planned for 2016 has been deferred until 2017 due to other commitments. Tennessee advised that the FPB has conducted 10 investigations into recreation in the forests, including one about the Sunshine Coast Trail. It was suggested that Mr Ryan be invited to the next face-to-face meeting of the PTAB.

Action item: Invite Tim Ryan to address the PTAB at its next face-to-face meeting.

- Various issues: Daniel raised the e-bike issue again at the end of the meeting (see also Item 2(c) above). Bob said that damage to the environment can be caused by non-motorized recreation as well as by motorized. Helicopter access was also mentioned. Tennessee pointed out that helicopters are operated by tenured operators and their use is subject to approved management plans. Andrew said he has decided to compile a list of clubs. Tennessee referred to the list of partnerships entered into by RSTBC. Daniel referred to lists of preferred contractors and Tennessee referred to trail planning consultants. Public use cabins were referred to. There are some on the Sunshine Coast Trail and Orville reported that there are four on Tabor Mountain maintained by the local ski club for summer and winter use.
- Rural Dividend Fund: Tennessee reported that the first intake of applications had been allocated in September. The criteria for trail projects have been clarified. The requirement for an audit of applicants may be removed. The second intake will be in October. Communities must have less than 30,000 residents to qualify.

For more information go to: <http://www2.gov.bc.ca/gov/content/employment-business/economic-development/developing-your-community/community-partners/rural-advisory-council/rural-dividend>

12. Next meeting and adjournment

Meetings will be held quarterly. The next meeting will likely be a conference call in January followed by a face-to-face meeting in April. The meeting was adjourned at approximately 3.30 PM.

Draft 3
Oct. 31/16
jm / ds / jh

Appendix A

Recreation Sites & Trails BC Budgets

Presented by John Hawkings, Director of Recreation Sites & Trails BC (RSTBC)

RSTBC operates with three budgets: Operating, Land Base Investment Funds and Capital. These budgets are within the budgetary envelope of the Ministry of Forests, Lands & Natural Resource Operations (MFLNRO).

RSTBC Operating Budget 2016 – 2017. Total \$6,998,557	
Staffing (42 persons)	\$3,205,257
Travel	\$75,000
Professional Contracts	\$115,000
Information Systems	\$40,000
Office expenses, fees, permit books, brochures, staff support, training, statutory ads	\$135,000
RCMP Patrols	\$30,000
Capital Amortization	\$623,000
Cost Sharing Agreements	\$75,000
Partnership Insurance	\$70,000
Subtotal	\$4,368,257
Trails Program Budget, including rail trails (\$130,000), trail planning, provincial trails	\$332,000
District Operations – 4 Regions/18 Districts (Average District budget \$161,572, not including Haida Gwaii & Bella Coola)	\$2,298,300
Total Operating Budget	\$6,998,557
Funding to Districts/Regions	
District Operations (from Operating Budget above)	\$2,298,300
Land Base Investment Funds	\$650,000
Total Funding to Districts/Regions	\$2,948,300

Table - John Hawkings, RSTBC

Comments

1. The largest districts are Chilliwack and the Okanagan.
2. Approximately 80% of District expenditures in 2007 were allocated to sites and 10% to trails. In 2016 the mix has changed to 55% trails and 45% sites.
3. There are about 1,500 sites. Some are managed under contract and the rest are maintained by users.

...../Appendix A (continued) RSTBC Capital Budget

Appendix A (continued)
Recreation Sites & Trails BC Budgets
Capital Budget

RSTBC has an annual capital allocation of approximately \$1.43 million. Capital infrastructure improvements fall under the Land Improvement category. Capital Improvement Projects must not cost less than \$50,000 and they are amortized over 30 years. The amortization costs are treated as an operating expense in MFLNRO's base budget. They are administered by the Province's Capital Secretariat.

Capital Improvement Project (CIP) Funding

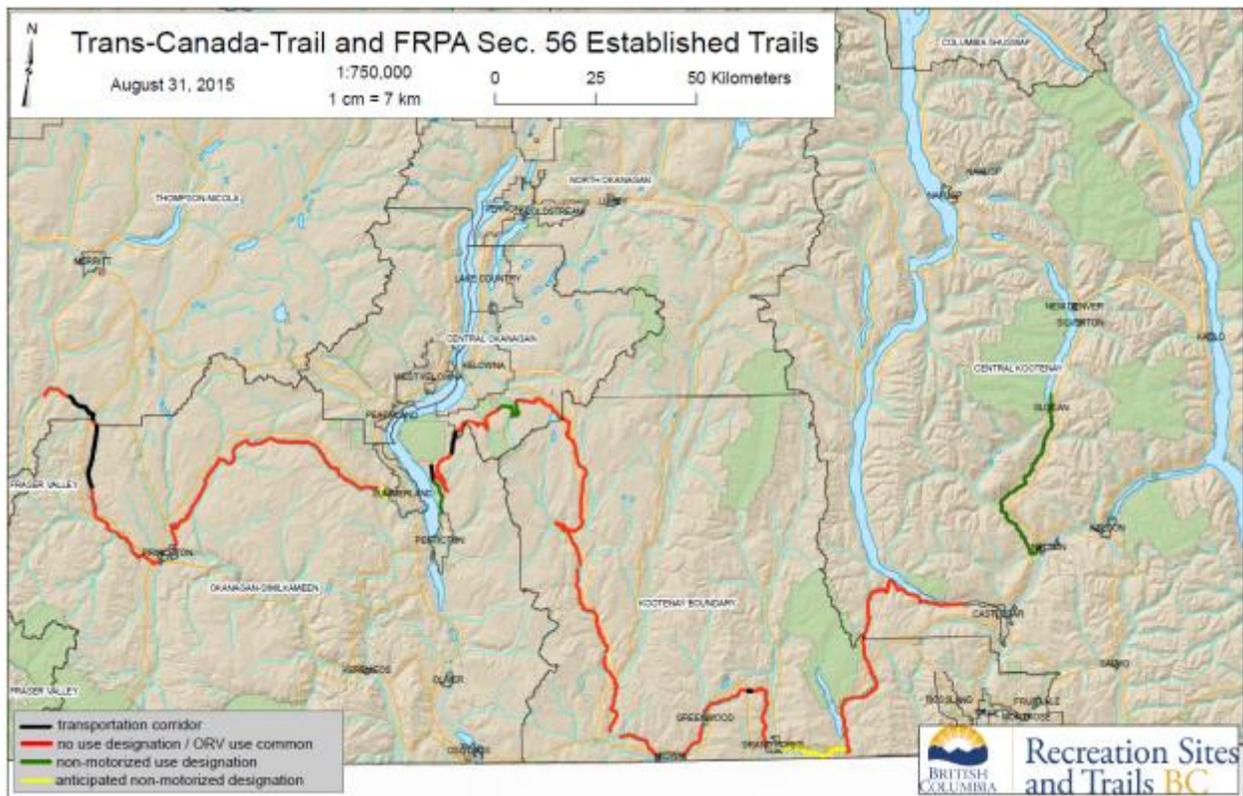
- A. General criteria for evaluating projects proposed as program priorities include the following mandatory requirements:
1. Project value must be greater than \$50,000;
 2. The cost of the capital improvement must be for the betterment of the recreation site or trail, i.e. it is a material cost incurred to enhance the service potential, useful life or capacity of the site or trail.
- B. Maintenance and expenditures for repairs on a project that do not prolong the site's economic life or improve its efficiency are not betterments and should be funded with operational dollars. Examples:
- Repairs to restore assets damaged by fire, flood or similar events, to condition prior to the event.
 - General or incremental site and trail maintenance
 - Expenditures necessary to realize the benefits originally projected.
- C. In addition to the above mandatory criteria, projects proposed for CIP funding will be evaluated according to the following preferred criteria:
3. Project has high significance to the community or prominent recreation activity in the area;
 4. Is not presently impacted by treaty;
 5. Extends the life of the property;
 6. Ensures the long term sustainability of a site or trail partnership agreement;
 7. Significantly lowers the associated operating costs (i.e. efficiency);
 8. Replaces deteriorating infrastructure;
 9. Increases occupancy at high use sites;
 10. Improves the quality of the site or trail;
 11. Provides for leveraging of other funding sources.

Source - John Hawkins, RSTBC

...../Appendix B – BC Rail Trails

Appendix B
BC RAIL TRAIL STATISTICS
 Source: Recreation Sites & Trails BC

Rail Trail Section	Bridges *	Retaining Walls	Major culverts	culverts	tunnels	kilometers
SVRT	4	11	4	89	0	50
CWRT	10	37	26	266	7	162
KVR (Midway - Myra)	9	3	12	69	0	137
KVR (Myra-Naramata)	7	2	7	21	2	67
KVR (Summerland - Princeton)	5	1	10	75	1	91
KVR (Princeton - Brodie)	20	1	5	41	2	86
Total	55	55	64	561	12	593



Appendix C
TRAILS STRATEGY FOR BRITISH COLUMBIA
Action 7 - Reducing Red Tape

by Robert Holland

Reducing Red Tape has at least two different tracks:

1. Clarifying the application process, what is needed, where the supporting documentation and forms can be found and samples of completed documents.
2. Resolving legislative inconsistencies

Overview

Many of the Non Profit organizations are not equipped to meet the objectives that are placed with FRPA Sec 56 / 57 applications. There is an expectation that Non Profits have the same level of expertise and access to systems that would mirror that of a major organization. The process needs to be simplified or clarified to meet the capability of the non profits.

In today's linked world, the first source of information is now the internet, or other social media platforms.

"Most people will rely on the internet to obtain information. Unfortunately, the information provided on government websites about resource roads is often inconsistent, easily misconstrued, out of date or simply wrong. Given that many people get their information directly from government website, it behooves government to ensure that what little information is provided is at least clear, consistent and correct" FPB/SR/49 - 7

Application Process

What information is available to an individual or group to prepare an application and where can it be found

• **BACKGROUND SUPPORTING DOCUMENTS**

- References to Forest and Range Practices Act (FRPA) Section 56 and 57. FRPA document available at http://www.bclaws.ca/civix/document/id/complete/statreg/02069_01
- Forest Recreation Regulation. This regulation is available at www.bclaws.ca/civix/document/id/complete/statreg/16_2004
- Document titled: "**Outdoor Recreation and the Forests & Range Practices Act.**" Available at www.sitesandtrailsbc.ca/documents/outdoor-rec-and-frpa-2005-03-17.doc does a thorough job of explaining the act, regulations and their impact on recreation. A good resource.
- Document titled "**The Forest & Range Practices Act, Section 57 and the Application Process Information Package**". Filed under "Information Package Trails registration.pdf". Status of public access to this document not known.
- Document filed under "S57-Application_Form.docx" and titled "**PROPOSAL FORM FOR TRAILS AND RECREATION FACILITIES**" is a simplified Section 57 Application form. The link to this document is https://www.for.gov.bc.ca/ftp/dck/.../S57-Application%20_form.doc This form also contains an 8 page information package that helps to explain the process

- Provincial Trail Strategy – a link to the Provincial Trail Strategy is available at www.sitesandtrailsbc.ca/about/provincial-trail-strategy.aspx
- Chapter 10: Recreation Trail Management. A link to this document can be found at www.sitesandtrailsbc.ca/about/site-and-trail-maintenance.aspx. Access is restricted to the document folder within the sites and trails web site and therefore not available to most users.
- Document Titled “**Application Information and Guidelines for Proposal Form for Trails and Recreation Facilities**”. Filed under “S57-Appliction-Info-Guides.PDF” or possibly “Application Information and Guidelines_Revised-Feb-2012.docx”. Status of public access to this document not known.
- Document titled “**Proposal Form for Trails and Recreation Facilities**”. Filed under “Trails and Recreation Facilities Proposal Form-Jan-2012.docx”. Status of public access to this document not known.

• **APPLICATION PROCESS**

- **Part 4 of Forest Recreation Regulation establishes trail application process**
 - (1) For the purposes of section 57 (1) of the Act, a person who is required to obtain the authorization of the minister before constructing, rehabilitating or maintaining a trail or recreation facility on Crown land must deliver a proposal regarding the matter to the minister.
 - (2) A proposal must contain
 - (a) the name and address of the person making the proposal,
 - (b) the description of the proposal, including the purpose, location and date of the proposed work, and
 - (c) the action requested of the minister.
 - (3) A person submitting a proposal must satisfy the minister that the proposal will not cause one or more of the following:
 - (a) significant risk to public safety;
 - (b) unacceptable damage to the environment;
 - (c) unacceptable conflicts with other resource values or users.
 - (4) The minister must notify the person named in the proposal of the minister's determination to grant, or to refuse to grant, the authorization that is the subject matter of the proposal.

Recommendation

Have the RSTBC official responsible for the RSTBC website maintenance review how to make the documents available to the general public within Government policy guidelines.

November 5, 2015