

STRATHCONA PARK PUBLIC ADVISORY COMMITTEE

DATE: June 17, 2011

LOCATION: Rath Trevor Park, Parksville

SPPAC MEMBERS: Tawney Lem (Chair), Barb Baker, Philip Stone, Dave Campbell, Peggy Carswell, Paul Erickson, Nick Page

BC PARKS: Andy Smith; Ron Quilter

GUEST SPEAKERS/PRESENTERS: NVI Mine – Robert Behrendt, Ivor McWilliams
Friends of Strathcona Park - Bob St. John

PUBLIC: Peter Rothermel, Karl Stevenson, Ken Van de Burgt

RECORDER: John Milne

ABSENT: Erik Holbek, Alison Mewett, Shyla Wiest

1. Opening Remarks Tawney Lem

Tawney welcomed everyone and each person in the room introduced themselves. The agenda was confirmed with no changes.

2. Confirm Previous Minutes (February 25, 2011) All

The last meeting's minutes were accepted as circulated and will be posted to BC Parks' website.

3. Group Discussion and Planning Items

a. **NVI – Presentation, Jim Mitchell Lake Spillway Project**

Robert gave a brief update on the mine situation. 2010 was a good year, and although 2011 started out rough, it is improving. There were no non compliance incidents this year.

Breakwater is being sold to Nyrstar Mines, a large corporation based in Europe. (See the news stories at <http://www.calgaryherald.com/Zinc+producer+Nyrstar+taking+over+Breakwater/4954984/story.html> and <http://www.miningweekly.com/article/nyrstar-agrees-to-buy-canadas-breakwater-2011-06-15> as well as the company website at <http://www.nyrstar.com/nyrstar/en/>) All Breakwater's holdings are being sold. Nystar is a world class company with a good reputation and probably nothing will change environmentally in the Park. Nystar has mines all over the world. They are familiar with mining in BC. July 31st is the closing date for the takeover.

Most Breakwater executives will be replaced, but local mine staff should remain. Nystar has smelters and can use NVI's product. This purchase is a move to own and control more of Nystar's sources of raw material and securing supply of zinc.

NVI is still working on its Closure Plan. The old TDF section of the mine site will be closed and re-vegetated by 2015

- b. **Spillway project update** - Bob reviewed the time line of the project. An engineering design was submitted to the Dam Safety this week. Responses from the Ministry are expected to take one to three months and construction should start by August 10th which is the period of low water (September update – waiting for Dam Safety approval. Environmental impacts are negligible. Project not likely to go ahead until 2012).

Photos were shown of a comparable rubber aqua dam and surrounding features. These details were shown at a previous SPPAC meeting. The existing earthen dam will be adequate for the new levels with the likelihood of a small cement cap (up to one metre) being added to top ensuring freeboard remains adequate.

Ivor gave SPPAC a copy of the Level 2 Detailed Screen Impact Assessment Report which assessed potential effects of the project. Both construction and operation phases of the project are covered as well as environmental and social values with focus on issues of highest concern. Values to be considered were defined by the consultants and government agencies. Values identified in the report are fish and fish habitat, wildlife and wildlife habitat, vegetation, visitor experience, air quality, noise, water flows and lake elevations. A matrix table was used to assess impacts. Interactions are ranked based on duration, magnitude, and extent. Cumulative effects screening matrix assessments include: sensory, contaminant transport, habitat loss and fragmentation, viewshed degradation, and experiential degradation. All interactions evaluated have been ranked as low because the dam is an existing structure which is being modified, the work area is sparsely vegetated, work is being completed on land not water, the site is accessible, the modification operates by raising and lowering a gate, mitigation is achieved by using premixed concrete brought in from Campbell River, and lake levels will be low during construction.

Robert summarized this project as having negligible impact overall. The Executive Summary appears at the end of the report.

Nick asked why approvals are required if this work is covered by current PUP (Park Use Permit)? The answer is that all changes must receive BC Parks approval. While not automatically required, NVI suggested the Level 2 Assessment be done to ensure all concerns are identified and addressed, they recognized the sensitivity associated with working in the park

Concerns about lowering the lake levels, i.e. what happens if there is a flood event during the project? Weather forecasts are consistently monitored so there should be some warning about potential events allowing operations to react accordingly. Big rain events are not likely during the period when this project is under way.

What about a seismic event and a dam failure? NVI thinks it should be fine and Dam Safety Branch has to approve structures.

What about water temperature and flows? There should be little change. NVI must manage water under the level allowed by the PUP and Water Licence.

Andy noted there are fish values in the lower Thelwood River. Will this project allow the migration of fish upstream and then strand them when water levels drop? The consultant will address this issue before beginning the project.

Andy will send updates to SPPAC over the summer during the project.(September update – no work has taken place. Dam Safety is still reviewing engineering plans).

There is no further information available about other power production issues previously discussed.

NVI's goal is to get to 100% hydro power with no diesel generation. Achieving this goal could potentially save a million litres of diesel a year.

It was advised that cumulative impacts are considered in some processes, but are difficult to assess. Long term impacts of various projects adding up over time could trigger some concerns.

Photos of Jim Mitchell Lake were circulated.

c. **Clayoquot Wilderness Lodge (CWR) Permit Status**

Ron

CWR's PUP is at the draft stage, and was sent to CWR. John Caton was away for a while which delayed a response. Jim DeHart on behalf of CWR met with BC Parks to suggest some changes which are now being negotiated. Security amounts are part of this, and may vary depending on the stage of the project. This is a three phase project – engineering, construction and operation. There will be a financial security in place to pay for unforeseen problems. Government's Legal Services Branch is currently reviewing the agreement. This will then go back to CWR (Update – sent 2nd draft to CWR in September). At the point of agreement the PUP will be sent to SPPAC for an opportunity to provide suggestions prior to giving to Regional Manager. This may take some time.

CWR conduct their engineering once the permit is approved. Some members of the public thought they were doing engineering now, but most likely CWR is awaiting the final signed permit before proceeding. The project could be completed within one season once it is started. CWR could possibly use horses to move supplies. BC Parks must approve all work.

Barb asked about an agreement guaranteeing public access. Ron said this will be negotiated with CWR, but not as part of the permit. BC Parks' legal staff are looking at various options if CWR is willing to do something outside the permit. Don Cadden has been in discussion with CWR concerning this issue. Both processes could be done simultaneously, but would have to remain separate. Questions were asked about what happens if CWR's management changes, or a new trail through First Nations land is built?

Nick asked why can't access be part of the PUP? The PUP is a legal document covering activities within the park only. Legal staff are looking into options outside the permit process, i.e. statutory right of way which could be referred to in the PUP or an MOU (Memorandum of Understanding).

SPPAC can comment by email if the permit is ready for review before the next SPPAC meeting.

d. **Letter to Don Cadden** - clarification to Jan. 17 letter

Tawney

In December 2010, SPPAC wrote to Don recommending he not approve the PUP. Don replied on Jan 17th 2011 with his answers to SPPAC's concerns. He also indicated he was disappointed in SPPAC supporting the FO SP (Friends of Strathcona Park) alternative route/trail option prior to any assessments being undertaken and when it was not clear if a second trail was warranted or feasible.

There was a concern about Don misunderstanding the point of the letter, and further wording was being worked on. Some thought will be given as to whether a further response is required and if so, what should it be?

David felt Tawney's letter was good as is. Nick agreed with its wording, and asked is it worth pursuing given the lag in time? There is some disappointment felt with the response. The committee's consensus was not to pursue it further.

e. **Advertising of Park Use Permits**

Peggy

An ad regarding park use permits appeared in various newspapers and they were thought to be too vague. The ad said a PUP was being considered, but there was no information about the application and no way of responding. Park staff agreed this is a significant issue and new policy is being developed. The Government's Public Affairs Bureau (PAB) came up with the wording of this ad. There is a requirement in the Park Act (Sec 20) that commercial recreation PUPs be advertised. West Coast Region of BC Parks only recently started advertising the intent to issue permits. BC Parks staff realize the current process provides little information. If changes do take place to the act on this particular section, it is possible that future PUP announcements may appear on BC Parks' website. It was suggested an ad in the paper could refer to details being available on the BC Parks' website. Ron will forward this suggestion to the working group. The goal should be informing the public, not minimally meeting the requirement of the act. Some other ministries have proponents pay for their own ads. BC Parks has not been doing this yet. A suggestion was made to match other ministry's procedures. An RSS feed could be used to update people who are interested in receiving them. Press releases are a free way to get information out. The cost to BC Parks to adjudicate PUPs is significant and inefficient. Perhaps proponents should bear the cost of adjudication as with other Ministries. It was asked why BC Parks should have to issue PUPs for minor uses as it's a waste of resources? Minor applications could be made by email or on line. BC Parks do have to consider liability issues. There can be standards for PUPs put on line. This is a complicated issue and takes a lot of BC Parks resources. Sorting this out could take a couple of years.

<p>ACTION: Nick will write a letter on behalf of SPPAC to Don Cadden suggesting this situation be remedied. The letter will list points about the ads, and state that the proponent should pay the costs if the application is a commercial one, and that this would not necessarily apply to a non profit group's application.</p>
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f. **SPPAC Membership Recruitment Update** Andy/Tawney

Two new members have been appointed, but they couldn't make this meeting. This brings the number of SPPAC members to ten. Shyla Wiest is a student rep from the Vancouver Island University Resource Management Program and she will be on SPPAC for two years. Alison Mewett lives in Cumberland, is a registered landscape architect, worked as a park planner for the Comox Strathcona Regional District for ten years, then worked for the Village of Cumberland. She has a lot of experience relevant to SPPAC.

This is Paul's last year, so the next meeting may be his last.

g. **Centennial Event Plans – BC Parks Day, etc** Andy/Ron

West Coast Region has a seven and a half page spreadsheet of BC Parks 100 events and activities taking place this year. MEC sponsored ten projects provincially each to the tune of \$2,000, of which West Coast Region received three grants - Miracle Beach Learn To Camp/BC Camps, Cape Scott BC Hikes, and Family Fun Day for Every-Body at Paradise Meadows on August 21.
<http://www.env.gov.bc.ca/bcparks/events/100Adventure/>

BC Parks Day for Strathcona Park includes a theatre performance on the beach at Buttle Lake on July 16th and a BC Parks employees' campout at Driftwood Bay campground. SWI (Strathcona Wilderness Institute) is leading a celebration at the Visitors Center on July 16th which will include a theatre group. Of the \$20,000 Park Enhancement funds available for park events and projects, some went to SWI and some to conservation projects.

All of the events are listed on the BC Parks website calendar at:
<http://www.env.gov.bc.ca/bcparks/events/calendar/#eventList>

Community Legacy Funds were also available for park projects. The deadline for applications was June 16th. This program was launched a month ago with programs to be implemented this summer. Interested groups were to approach BC Parks with ideas, but few knew about it. This provincial program was announced a while ago at the same time as the announcement that pay parking was being cancelled in BC Parks.

100 benches in 100 years – There are new designs for benches which are to be sponsored by members of the public.
<http://www.env.gov.bc.ca/bcparks/partnership/100BenchChallenge/>

The latest Beautiful BC Magazine is about BC Parks Centennial.

h. **SCE (Strathcona Centennial Expedition) Report**

Response from Minister of Environment, Terry Lake

Tawney

The Centennial Expedition Report elicited a reply from the Minister recognizing the expedition, and appreciating its success. There was no recognition of the recommendations of the report from the Minister. The recommendations were about properly funding parks and managing in the public interest. This letter came from both the Centennial Expedition and SPPAC.

A discussion ensued about how general or specific the recommendations were, or should be.

There should be a future discussion about how to increase SPPAC's influence and how to advocate for the park.

A suggestion for any remaining Legacy Funds from the expedition is to provide SWI with some funds. DVD's are for sale and proceeds go towards the fund. There is about \$2,000 left in the fund now. The committee will meet to determine what will happen to the funds. DVD's are being sold for \$25 to the public and \$20 to expedition members. They will be available for sale at various BC Parks Day celebrations. 300 were burned in total.

There will be some books about the expedition published, but no details yet. It was suggested that some of the Legacy Funds be used to finance the publication. Philip will get a price for a limited run of books.

i. **Volunteer Agreements** - ORC (Outdoor Recreation Council) discussion with Scott Benton, general facilitation of agreements, SPPAC notification of agreements

Volunteer agreements throughout the province differ from each other in requirements. It was suggested volunteer agreements in Strathcona Park be encouraged.

Andy said each volunteer agreement is unique. Questions to be answered about a project are:

- i. Is the project supported?
- ii. What are the details?
- iii. What are the safety issues to be signed off?

Each volunteer has to sign off on the agreement to be covered by insurance. Wording varies from one agreement to the other. There is a Stewardship Agreement Template that BC Parks uses.

Ron said volunteering in parks is huge and includes SPPAC time as well, since SPPAC members are volunteers. There are not as many volunteers on the ground in parks as there were in the past. BC Parks staff are not available now to supervise volunteer groups to the degree groups were supported in the 90's. There is little funding to support volunteer work or providing materials and helicopter time which are generally required. Safety is the top priority. The safety requirements for each project must meet WorkSafe BC guidelines. There are not as many volunteers coming forward as before. The value of volunteer hours in the park is worth the investment of public resources.

Some projects are on BC Parks' wish list and have priority; others are initiated by other groups and are not on BC Parks' list.

It was suggested, a list of projects such as those for Habitat for Humanity may encourage people to take on projects. Each project takes an enormous amount of staff time.

There was another suggestion for using interns. Institutions with programs in resource management could supply people to work on a project. This person could be used as a volunteer coordinator, or a project supervisor. This gives the intern job experience to help with their career.

The requirement of having a staff person on site depends on the scope of project and who is doing the project. Some groups have earned the trust of BC Parks staff through following standards and safety practices.

A potential glitch is that the priorities of BC Parks staff are not always the same as those of the volunteer groups. While a group may be quite passionate and ready to pursue a project, BC Park staff may not have the time to discuss plans, prepare documents, pre-assess sites, monitor work and follow-up with post project work reporting and assessment.

There may be a need for a designated person in each region, province wide, rather than putting additional work load on a local staff person. Local staff are maxed out, and can't take on more responsibilities. How much supervision would an intern need? This is the concern. Perhaps the university could provide supervision to make this work?

This could be tested out with Strathcona, then if successful, go Provincial.

There is a Forest Recreation Program which provides liability insurance more extensive than that provided by BC Parks; it covers the executive of the volunteer organization. This should be extended to cover those not part of the volunteer agreement. This is being worked on through the ORC .

The Regional Manager is the sign off for all volunteer agreements.

ACTION - This is to be referred to the next meeting. The desire is to find a framework to encourage volunteers working in the park.
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4. **Friends of Strathcona Park Presentation**

Bob St. John

The FOSP are calling their project the Centennial Oinimitis Trail.

- a) Clarification of 2010 Work - Bob showed a map of the Bedwell Valley with trails and routes highlighted. He explained the rationale for a trail on the south side of the valley. This route was recommended by the Tom Ward Report done in 1998 and avoids rougher country on the north side of the valley. It crosses smaller creeks and is believed to be safer and more scenic (BC Parks has not assessed route).
- b) Proposed 2011 Work - phase three of FOSP volunteer work– FOSP’s proposal is to re-establish existing trail by clipping/brushing from Ashwood Creek to You Creek and up to Bedwell Lake. This work would be done to the same standard as last year’s volunteer work. The plan is to re-establish the trail to Bedwell Lake opening the alpine to ocean route again.

Wilderness is rare and valuable. The Ursus Valley is pristine and would be a better choice for a commercial horse operation. The FOSP feel the Ahousaht would be better off using the Ursus to produce income through the wilderness of the Ursus valley.

Bob said FOSP’s work last year followed the spirit of the agreement, however they admit they went too far because of the success of the work crew. They had accomplished in one day what they had planned to do in three, so they made the decision to carry on, believing their intent was a multi-year project anyway (BC Parks did not view this as a multi year project), and discussion of this prior project led to a compromise in the wording: “FOSP believe this to be a multi-year project”. While only authorized for up to 15 volunteers in order to meet WCB and BC Parks Safety regulations, they also admit they exceed this number by four people.

Andy was asked to summarize the project inception, approval process and concerns. The FOSP had identified this project as one of two “Take Back the Park” projects aimed to first, re-open closed areas, and second, to make a political statement and generate media attention. FOSP advised that these projects would proceed with or without BC Parks support. In favour of trying to get the Crest Mountain trail open for the hiking season, BC Parks supported the FOSP proposal to clip a temporary alternate route to access the Crest Mountain Trail while a new bridge was being constructed. A Volunteer Agreement was signed and the project was successful. Based on the success of this project, and to avoid any potential conflict in the Bedwell area, BC Parks agreed to allow FOSP to seek out a short detour around the condemned “Living Bridge” which if successful, would allow approval of volunteer work along the existing trail. FOSP could not find a short detour around the bridge and proposed a new alternate route. FOSP were advised that BC Parks did not support a second trail while the existing trail, previously supported by FOSP and BC Parks, was being proposed for an upgrade through the CWR proposal.

Impacts from a second trail could not be justified, and if considered would need to be assessed for environmental impacts, route, safety and also go through a First Nations consultation process. However as a compromise and to avoid any conflict, another Volunteer Agreement was prepared allowing FOSP to clip a temporary route to an agreed terminus of “Two Ribbon Creek” with the conditions that FOSP advise volunteers prior to work, that this was considered a temporary route and any work done, may be irrelevant if the existing trail upgrade is approved. Work was to be limited to clipping only and removal of any tripping hazards – no mechanical tools allowed. The FOSP were encouraged in writing to focus efforts on the existing trail, both inside and outside the park, to maximize benefits of the volunteers’ time. Going further would be a waste of time. BC Parks supported the project through loan of equipment. The Regional Manager was advised and consulted about agreement prior to the project. It has not been a practice in the past to advise SPPAC or provide them an opportunity to review Volunteer Agreements and while there is no reason not to in the future if time permits, this agreement was developed and implemented on short notice and during a busy time when expedition plans were being finalized.

Why didn’t FOSP come to SPPAC last year?

Nick said SPPAC could have headed off some problems. The NVI process is much more transparent.

FOSP should go to BC Parks before SPPAC. Any volunteer group should not have to come to SPPAC before BC Parks.

We should look to the future, not the past. What’s next?

BC Parks volunteer program exists but with limited capacity. A public meeting at the Zocalo Café in Courtenay initiated this trail proposal, and time did not allow for bringing it to SPPAC. There has been some tension between BC Parks and FOSP regarding this trail and implementation of the stewardship agreement. Both parties are willing to move forward to try and work in a positive relationship.

BC Parks met recently with Kel Kelly of FOSP and had a positive meeting. FOSP agreed they would not work on the part of the trail between Sam Craig Creek and Ashwood Creek in 2011, and only focus efforts on the existing upper section of the trail leading up to Bedwell Lake. BC Parks is entertaining the FOSP proposal to work on the legitimate trail proposal. There is another meeting between Kel, Ron and Andy next week.

FOSP feels there are legal grounds to squash the CWR permit as soon as the PUP is signed. Previous political pressure brought the Bedwell Valley back into the park in the 1990's after it had been deleted.

ACTION – Andy and Ron to meet with FOSP next week to see if an agreement for work on legitimate park trails can be worked out for this summer

5. **SPPAC Summer Trip** - general inquiry of interest – by email

6. **Park Updates**

Andy circulated a printout of the latest news for the park. It is summarized below.

- a) Two seasonal staff have been hired until October 1st, Gemma Riggs and Geoff Popowich.
- b) Trail conditions are being monitored and posted on BC Parks' webpage. The public is invited to contribute information on line.
- c) NVI's PUP expires in May 2012 so work is proceeding on a replacement. Referrals have gone to First Nations and they are negotiating with NVI.
- d) Capital Projects – This summer \$70,000 will be spent on upgrading and repairing trails in the Forbidden Plateau Area, \$30,000 is being spent on new highway signs in the Strathcona Highway area, and \$75,000 is being spent on wells and pump upgrades in the Buttle Lake area.
- e) Vancouver Island University in cooperation with BC Parks has created interpretive signage at the Paradise Meadows trailhead.
- f) Della Falls Trail – A new cable car crossing was completed last fall, the upper campground is now open after hazards were removed. A new pit toilet is still required. The Ark Resort no longer provides boat access to the trail. Hikers have to make their own arrangements.

- g) Fun Day August 21 – BC Parks will host an event at Paradise Meadows trail.
- h) BC Parks Day Events July 16 – events at both Buttle Lake Campground and Paradise Meadows.
- i) Heber Diversion Penstock Decommissioning – This is still on hold waiting for approvals.
- j) Vancouver Island Marmot Re-introduction – Don Doyle sent an update. The heavy winter snow has delayed the marmot's emergence. There are some hopeful signs with several signs of successful survivals. Last year there were 18 litters raised in the captive breeding program.
- k) Backcountry PFO – Windy Park Operations' 10 year permit is up this year. They will be bidding on a new contract when it is posted for all to compete for.

7. **Public Question Period**

Peter Rothermel – The Bedwell trail is the only one from alpine to ocean, and it deserves to be supported.

Ken Van de Burgt– Ken spoke about the government procurement policy for any project over \$100,000. He asked, if he has a disagreement with BC Parks over this, who does he go to in order to appeal? How is procurement decided? Ken been in contact with the Ministry of Finance and they are going to answer. Staff stated procurement occurs when BC Parks is spending money. The response from Ken is that there is a public benefit (CWR trail upgrades), and assets are being allocated so it should be considered as procurement. Ron said if an RFP (Request for Proposal) for this project was put out, it would be for zero dollars. Who would bid? The ownership of the trail and bridges would become BC Parks property.

Ron doesn't know who Ken should go to for any further discussion as he has heard from both the Ministry of Finance and Ministry of Environment already

Karl Stevenson said he understood in order to get permission for a project a group should go to BC Parks. He was a bit confused as to whether the proposed 2011 Volunteer work needed to be discussed at SPPAC. Bob and Karl attended a Scott Benton meeting in the past, and all the clubs doing volunteer work, think they are being treated like lepers. Scott was going to try to fix the situation, but was transferred to another Ministry so nothing happened.

Next Meeting: 1) Regular – September 30