

Thompson Rivers Natural Resource District Off-Road Vehicle Recreation Strategy – Recommendation Paper



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1.0 Introduction

Motorized recreation use in the Thompson Rivers Natural Resource District (TRNRD) has increased in the past few years, and so has the impact to Crown land values and the conflicts between user groups. Motorized recreation for this report is defined as the use of off road vehicles on Crown land for recreational purposes including hunting. Off-road vehicles (ORV) are defined in the Off-Road Vehicle Act as all-terrain vehicles (aka “quads”), off-road motorcycles (i.e. dirt bikes), side-by-sides (e.g. “Rhinos” and “Razors”) and snowmobiles (though out of scope for this report). A strategic planning process was initiated in early 2014 to ensure that the cumulative effects of ORV activities (in particular ORV use and dispersed camping) on sensitive values are managed. The intent was that a strategic approach to ORV activities would result in conflicts being reduced, public safety increased while environmental values are maintained. The plan will consider opportunities to enhance, integrate and balance ORV activities with the need to protect Crown land values.

The recommendation paper was prepared by the Thompson Rivers Natural Resource District Off-Road Vehicle Recreation Strategy Steering Committee which consisted of; Amy Tipler (Planning, MFLNR), Noelle Kekula (Recreation, Sites and Trails BC, MFLNR), Sheryl Wurtz (Range, MFLNR), John Hanemaayer (Silviculture, MFLNR), Corinne Bexson (Geospatial Services, MFLNR), Shauna Jones (Ecosystems, MFLNR), Amanda Weber-Roy (BC Parks), Carrie Dan (T’kemplups) and Mike Anderson (Skeetchestn).

The specific objective is to outline implementation steps to address motorized recreation management issues and to make recommendations to the statutory decision makers supporting the protection of sensitive resource values on Crown land while maintaining opportunities for respectful ORV use. This paper focusses on ORV recreational activities; there is recognition that there are other activities on Crown land that also contribute to impacts to environmental values but those will not be dealt with in this paper.

Many values will continue to be at risk and potentially impacted without some measure of recreation and other land use management being established in the TRNRD. Management efforts need to focus on protecting Crown land values while providing for the increasing demand for safe recreational opportunities.

The development of an overall ORV strategic plan for the TRNRD will not only reduce conflicts and protect the environment, but will also allow the district to be more proactive in managing land use and provide stakeholders and First Nations with a better understanding of the management objectives for Crown lands. With growing demands on a shrinking land base, the privilege of using Crown land needs to be clearly identified, respected and managed in a manner that prevents cumulative environmental degradation and maintains public safety.

Project Scope

The TRNRD is dedicated to the management and conservation of resource values for more than 2,769,417 hectares of Crown land. 1,057,000 ha of which are Crown range and 69,286 ha of Crown land within grazing leases. Sensitive ecosystems such as grasslands, wetlands, and open forest are impacted by unregulated ORV activity with the creation of unauthorized trails in the TRNRD. Today, grasslands cover less than one percent of British Columbia’s land area and are one of Canada’s most endangered ecosystems. Although grasslands cover a very small portion of British Columbia’s land area, they provide habitat for many of the province’s rare and endangered species.

For a map of the TRNRD, see Appendix One. The project scope includes only the Crown lands within the TRNRD.

This project aims to protect sensitive resource values while managing public motorized recreation access and ensuring authorized off-road vehicle trails in the TRNRD are designed, developed and maintained to be sustainable. The recommendations provided are limited to Crown land recreation activities, primarily off-road vehicle use and specifically for wheeled off-road vehicles (motorbikes, all-terrain vehicles, and side by sides), though there are some anomalies. Snowmobiles are out of scope for these recommendations.

Prior to investigating the ORV issues within the TRNRD, the assumption was that the majority of the damage occurring was a result of all-terrain vehicles (ATV) and off-road motorbikes, however it has become apparent that a lot of the damage to the environment is also being caused by 4x4 vehicles. Furthermore, through consultation it has become evident that the majority of ORV damage is due to a minority of irresponsible and uneducated ORV and 4x4 users.

Report Structure

The report is structured as follows:

- Section two outlines background of the situation;
- Section three outlines project methodology;
- Section four discusses current situation and issues;
- Section five is the criteria and evaluation of proposed solutions/options; and
- Section six provides recommendations/approaches to mitigate the most significant ORV conflicts that the Thompson Rivers Natural Resource District has been experiencing.

A list of abbreviations and acronyms is provided in Appendix Two.

2.0 Background

Voluntary registration for off-road vehicles began on November 17, 2014. Prior to the voluntary registration there was no form of registration in place for ORV users. On June 1, 2015 it will be mandatory to register off-road vehicles for use on Crown land. The Off-road Vehicle Act was passed on March 24, 2014, which supports the Province's Off-road Vehicle Management Framework. The framework will help British Columbians get out and enjoy the beauty of the province's backcountry and ensure off-road vehicles are driven in a safe and environmentally responsible manner.

The TRNRD has a history of unrestricted ORV use and this use is ongoing. This has led to a variety of undesirable impacts, which in the absence of strategic direction are likely to continue and increase as popularity in ORVs continues to grow. Since the Off-Road Vehicle Act is very new and traditionally BC has had no ORV legislation, BC has attracted many residents and non-residents for unregulated ORV use. Numerous complaints related to unauthorized ORV activities are received annually, many of which are significant, especially in the vicinity of population centres and in low elevation areas with less snow accumulation. Many of the lower elevation grasslands within the TRNRD have Crown land range leases on them which are coinciding

with ORV use. Impacts include damage to sensitive plant communities, wetlands and riparian areas, soil compaction and erosion, and the spread of invasive plant species. Dispersed camping and campfire issues have also been noted in some of the more popular areas. RCMP and the Conservation Officer Service (COS) have been called on numerous occasions to manage firearm and burning offences. Other common issues include unauthorized ORV trail networks, garbage dumping/littering, disregard of grazing leases and private lands, drug dealing, etc. Furthermore local residents and users have expressed concern to government staff about their own safety as well as the environmental damage they see escalating. These types of behaviours are well entrenched in several popular unregulated ORV areas within the TRNRD and public safety is often a concern.

Degradation of grasslands and wetlands from unregulated motorized recreation will continue to impact the health and function of these sensitive habitats. Wildlife habitat, and the quality and quantity of water for wildlife and livestock will continue to diminish. People often recreate in grasslands, without realizing that the fragile, easily disturbed crust of lichens, mosses, soils, and plants are easily damaged by motorized vehicles. A single track can become an erosion site, become weed infested, and invite further traffic. Most of the losses and adverse effects are to valley-bottom ecosystems, which are the most valuable to biodiversity, the most fragile to disturbances, and the slowest to recover. The scars of these activities can remain for decades.

Grassland areas are considered sensitive because of the type of plant communities present, and the important habitat they provide:

- A. Wildlife habitat. Wildlife species can be disturbed in many ways by the activities of off-road vehicles. Habitat for ground-nesting birds, waterfowl, reptiles and amphibians can be lost, while many other species can be disturbed or displaced by the noise and activity.
- B. Water. Healthy wetlands and riparian areas associated with grassland communities provide important habitat for many wildlife species. These sensitive habitats can be negatively impacted by the activities of off-road vehicles.
- C. Recreation. Grassland communities are important for viewing opportunities and other quiet recreation which can be damaged by the activities of off-road vehicles.

Effort has been made to monitor and educate ORV users in specific areas within the TRNRD. Specifically, there has been conflict with ORV use for the last decade in the Noble Lake and Barnhartvale areas of the TRNRD. The efforts taken to alleviate the conflict have included; patrols to educate ORV users, and engineering and signage efforts to keep ORV users out of sensitive grassland areas. Outreach to the ORV users has included disseminating information regarding potential damage to sensitive habitats and the associated penalties under Section 46 of the Forest and Range Practices Act (FRPA). In addition, over the last few years there has been a concerted effort made by the lease holders to educate recreational ORV users about grazing leases and the need to have permission from the range leaseholder to use the lease areas (see Appendix Three for the Lease holder information pamphlet). Specifically, that anyone who enters a grazing lease area without permission from the leaseholder is committing an offense under Section 4 of the Trespass Act, and if they enter an enclosed lease area, section 65 of the Land Act authorizes a leaseholder to take legal action against those individuals. Enclosed land is land that is legally fenced or where signs are posted to indicate that no trespassing is allowed. Unfortunately, educational efforts have had limited success. Section 46 of FRPA is not often used due to the challenging nature of proving 'environmental damage' within grassland communities. It is difficult to prove that the person caught in the act has caused the environmental damage. Another challenge is the limited

amount of natural resource sector compliance and enforcement staff. Additionally, the current lack of identification (license plates) on ORVs makes identification of individuals challenging.

There are a number of existing authorized ORV opportunities with the TRNRD, including; Duffy/Greenstone ORV Trail Network (which connects to the Duffy Lake Recreation Site), the Batchelor Motorized Recreation Area, and the extensive opportunities for responsible ORV use on old non-status roads throughout the district.

The development of an overall ORV strategic plan for the TRNRD is timely because of the recent alpine motor vehicle restriction under the Wildlife Act to curb the negligent destruction of fragile alpine habitat and displacement of wildlife from important summer range. This alpine prohibition restricts ORV use to existing trail networks, effective year round, in those portions of the Province of British Columbia that are above 1700m elevation and within Region 3 and 8.

3.0 Methodology

The methodology for determining the following recommendations was a combination of reviewing approaches and tools from other jurisdictions (including our own learnings from the Tunkwa – Duffy ORV pilot project) and consultation with residents, visitors and stakeholders. The Steering Committee was responsible for considering all input and drafting the recommendation report for the statutory decision makers.

The project steering committee membership included:

- Amy Tipler (Planning) – chair
- Noelle Kekula (Recreation, Sites and Trails)
- Sheryl Wurtz (Range)
- Shauna Jones (Ecosystems)
- John Hanemaayer (Stewardship)
- Corinne Bexson (Geospatial services)
- Amanda Weber-Roy (BC Parks)
- Mike Anderson (Skeetchestn)
- Carrie Dan (Tk'emlups)

As part of the planning process there was a need to gather information from the users of Crown land in the TRNRD (both ORV users and non-ORV users) to understand the following:

- Public's perceptions of ORV use;
- Where public would like to see ORV use;
- Where public would not like to see ORV use;
- The demographics of the ORV users;
- The needs of the ORV users in terms of ORV opportunities (what facilities would they like to see); and
- Whether the public is aware of how to get information regarding sensitive areas/ecosystems and legislated trails and/or closures.

An online survey (<https://www.surveymonkey.net/results/SM-SRHRX9N7/>) was launched August 1, 2014 and closed September 8, 2014. There were 547 responses to this online survey. There is recognition that there

were some shortcomings of this survey; the survey may not have been distributed as broadly as possible and certain groups may have been missed; survey users were allowed to skip survey questions leading to some questions having limited responses and the time period that the survey was available was relatively short. The intent of the survey was to focus on ORV activities, and was not specifically aimed at 4x4s though by the comments received there may have been some misunderstanding of the definition of an off-road vehicle. This survey was the first online survey used for public engagement by the Ministry of Forests, Lands and Natural Resource Operations in the TRNRD. Though it may not have completely represented all the wants and needs of ORV and non-ORV users in the district, it is believed that the online survey provided a better sample size than the sample size available from a typical open house.

From the survey results it was determined by the steering committee that there were areas being used for ORV activities that did not have legally established trail networks, including; Noble Lake area, Barnhartvale/Scuitto area, Lafarge area and Inks lake/Chuwhels area. An initial contract was launched in the fall of 2014 to inventory trail networks within the Noble Lake area, the Barnhartvale/Scuitto area, and the Lafarge area to determine the ecological sustainability of those trails. This field work helped to determine trail locations and to assess whether trails were sustainable, whether the trail required work to get it to a sustainable form, or whether the trail should be closed. In concert with the field inventory work, land statusing work began to investigate what other land designations and overlapping Crown tenures existed with those unauthorized trail networks.

Since the results of the survey indicated that generally the public was unaware of where to access applicable information regarding ORV use, motorized closures and other educational information the steering committee developed a district webpage that included all these pertinent links.

An Advisory Committee was formed in December 2014 to ensure that there was meaningful input from all the stakeholder groups. Membership included:

- Kamloops Stockmen's Association – Lucille Dempsey
- ATV BC – Terry Wardrop
- BCORMA – Ken McClelland
- GKMA – Kent Antoniak
- GKAA – Roz Kennedy
- Grassland Conservation Council – Agnes Jackson (note: only attended the first meeting)
- Kamloops Outdoor Club – John Morris
- Kamloops Thompson Trails Alliance – Ken Lipinski (alternate: Al Michel)
- North Thompson Fish and Game Club – Mel Schmidt
- Kamloops and District Fish and Game Association – Phil Strange (alternate: Ron Telford)
- Backcountry Horsemen – Connie Falk (alternate: Mary Huntington)

The purpose of the Advisory Committee is, on an as need basis, to provide feedback and recommendations to the Steering Committee for consideration. The Advisory Committee is not a decision-making body. The Advisory Committee reviewed the various options for ORV opportunities and closures and provided feedback on those. All input from the Advisory Committee was considered when drafting the recommendation paper.

The Advisory Committee is aware that there will need to be a phased approach to implementation of closures and legal establishment of trails. We learned from the Tunkwa Duffy ORV pilot project that it is easier to

enforce a motorized closure if the legally established ORV trail system is already established (provide an area to send the ORV users to).

Issues list and background research

Review of existing plans and policies (specifically the learnings from the Tunkwa Duffy ORV pilot project, Lac du Bois-Dewdrop Local Resource Use Plan (1995), Kamloops Land and Resource Management Plan (1996)) and interviews with government staff (including brainstorming of issues)) was completed to determine the extent of issues and potential solutions in the TRNRD. There was also input from the range lease holders and the Advisory Committee as listed above. This information was used to develop the recommendations.

Issues Identified:

- Environmental Damage (due to ORVs, due to 4x4s, and due to dispersed camping and parties);
- Vandalism to property (vehicles left parked in certain areas, damage to fences, etc);
- Long term ORV use (particularly those that can leave from their backdoor) – behavior changes needed;
- Disturbance to wildlife and damage to wildlife habitat;
- Crown land grazing impacts;
- Public health/safety concerns;
- Wildfire risk;
- Increased Invasive plant species;
- Dispersed camping; and
- Large events and gatherings (parties).

This strategy was launched after many of the same steering committee members implemented an approach in the Tunkwa Duffy area of the TRNRD. During that process approaches and tools from other jurisdictions were reviewed to determine how similar issues were addressed or improved to inform the Tunkwa Duffy ORV pilot project. The intent with that process was always to apply the learnings in other areas of the TRNRD, which is what the current strategy is doing. Specifically the approaches looked at for the Tunkwa Duffy ORV pilot project included:

- Bear Creek
- Vedder Mountain
- Chilliwack River Valley
- Sea to Sky Access Management Plan
- Trail Planning, Design and Development Guidelines (Minnesota Department of Natural Resources Trails and Waterways)

For the TRNRD ORV Recreation Strategy the following approaches were also reviewed:

- North Dakota Parks & Recreation Department Off-Highway Vehicle Program (2012-2016 Strategic Plan & Research Study
- Stave West Recreation Master Plan for Mission's Interpretive Forest
- Kooecanusa Area Situational Analysis and Recommendations for Crown Land Recreation

- Muskwa Kechika Management Area Recreation Management Plan

For each of the above case studies the following were considered:

- The issues and impacts that were being addressed and how those were resolved or mitigated;
- Location and geographic scope of the issues;
- Stakeholder consultation process; and
- Success and challenges related to the planning process and to implementation (including enforcement).

For the detailed case study review see Appendix Four.

Stakeholder Consultation Process

The consultation process for this strategy occurred between January 22, 2014 and March 31, 2015.

Engagement approaches included face-to-face meetings, online survey, emails and telephone calls. The questions asked were around what people believed the issues to be, what some of the potential solutions could be, and what else Government needs to consider.

Letters were sent to a number of potential partners that were considered as groups that may have an interest and that may want to support funding to the planning process. Of the five partnership request letters sent only one response was received and the City of Kamloops has shown an interest in being involved with specific projects associated to the TRNRD ORV Recreation Strategy.

First Nations Consultation

The recommendation report was directed by the TRNRD ORV Recreation Strategy Steering Committee, which included representatives from Tk'emlups Indian Band and Skeetchestn Indian Band.

A presentation on the project was provided to the Natural Resource Technical Council for the Reconciliation Framework Agreement (RFA) for the Secwepemc Nation in fall of 2014.

Prior to implementation of any of the recommendations from this report there will be full consultation with First Nations.

Mapping

The initial discussions with the Steering Committee included consideration of what mapping layers could be used to determine areas that should have no ORV use and what areas may be less impacted by ORV use and therefore could be considered for authorized ORV trail networks. The mapping layers considered show stoppers (meaning that those layers represented areas that potentially should have no ORV use) and the mapping layers that also needed to be considered (meaning those layers would need to be looked at more closely as to whether ORV use could occur or not) included:

- a. Showstopper mapping layers
 - i. Parks (Provincial parks, ecological reserves, protected areas, conservancy areas)

- ii. Indian Reserves
- iii. Private Land
- iv. Sensitive Grasslands
- v. Grazing Leases
- vi. Crown Leases
- vii. Points of diversion (Water)
- viii. Utility corridors (cannot legally establish trail on these)
- b. Other mapping layers that need to be considered
 - i. Land Use Plans
 - 1. Kamloops LRMP
 - 2. Special Resource Management Zones (RMZ) (Rec & tourism)
 - 3. Lillooet LRMP
 - ii. Forest and Range Practices Act – Legal and proposed
 - 1. Wildlife Habitat Areas – approved/proposed
 - 2. Ungulate Winter Range Government Action Regulation orders
 - 3. Mountain Caribou Government Action Regulation orders
 - 4. Section 58 closures
 - 5. Recreation sites and trail layer
 - iii. Community Watersheds
 - iv. Fisheries Sensitive Watersheds
 - v. Wetlands
 - vi. Conservation Data Centre (CDC)
 - vii. Wildlife Species Inventory (SPI)
 - viii. Species at Risk – regional data
 - ix. Conservation lands

The Steering Committee also considered with the mapping exercise that there may need to be corridor routes through some sensitive areas to move ORV users to the areas where legally established ORV trail networks could be established.

The mapping results proved to be more complex than the Steering Committee had initially anticipated so in order to gather additional information we developed the online survey.

4.0 Current Situation and Issues

Situational Analysis

The recreational issues in the TRNRD are depicted in the situational analysis below. This is based on results of the background research, the online survey, input from the range lease holders and input from the Advisory Committee. For each issue type, the analysis includes:

- **Scope of Issue:** What are the specific issues? How are the issues distributed spatially and temporally? What resources values are being affected?

- **Current Management situation:** How is issue currently being managed: who is involved with managing the issue; and what legislation and regulations apply?
- **Gaps and Challenges:** Why is the current management not working? What challenges are expected to continue?

The scope of the situational analysis is meant to be general in nature.

The following recreational issues have been included in the analysis (in no particular order of importance):

1. Environmental Damage;
2. Disturbance to wildlife and damage to wildlife habitat;
3. Crown land grazing;
4. Public health/safety;
5. Wildfire risk;
6. Invasive Species;
7. Dispersed camping; and
8. Large events and gatherings (parties).

There are several management gaps and challenges that are more general in nature and are not necessarily associated to a specific recreational issue. These include:

- Many recreational users were unaware of how to report natural resource violations;
- There are challenging evidentiary burdens associated with many offences such as environmental damage, littering and abandoned camp fires;
- Ability of ORV users to abscond from authorities;
- The relatively large area, the large number of recreational users and the limited government staff resources to monitor and enforce recreational activities leads to many recreational issues not being dealt with;
- Many recreation users were unaware of where to search on government websites for information regarding ORV use areas, closures, legislation requirements etc.; and
- Entrenched behavioral use of unauthorized trails.

Through the mapping, the online survey, the lease holder meetings, the advisory committee meetings, and the field inventory it became clear that there were some key hot spot areas that were experiencing the greatest conflict including; Noble Lake area, Barnhartvale/Scuitto, Lafarge area and to a minor extent the existing off-road use area in Batchelor area. Below is a summary table of the issues in specific hot spot areas of the TRNRD (for a map of the Issue area/hot spot areas see Appendix Five). For further detail see the full recreational issues text that follows.

Area	Current Use/Management	Applicable legislation	Timing of use	Management Gaps/Challenges
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	issues			
Lower Noble Lake Area – below 6.5km on Noble Lake rd.	<ul style="list-style-type: none"> Grassland damage 4x4 use Garbage dumping (household and yard waste) Toxic and industrial waste dumping ORV use (ATV and motorbike) Shooting Some dispersed camping Pallet burning Mud bogging Picnic fires 	<ul style="list-style-type: none"> Sec 4 Trespass Act Sec 65 Land Act Wildlife Act Motor Vehicle Act Firearm Act City of Kamloops By-law 23-39 (for the area within city limits) 	early spring to late Fall (anytime the area is not snow covered)	<ul style="list-style-type: none"> relatively easy access from the road and through the grasslands 4x4 users often coming in middle of the night Limited natural resource enforcement staff Historical patterns of unauthorized use Lack of awareness (and sometimes respect) among recreational users regarding the existence and appropriate use of Crown land grazing leases
Upper Noble Lake area - above 6.5km on Noble lake rd.	<ul style="list-style-type: none"> ORV use (ATV and motorbike) 	<ul style="list-style-type: none"> Sec 46 FRPA 	May/June to Oct/Nov (as higher elevation)	<ul style="list-style-type: none"> There is overlap with a woodlot, however the woodlot licensee is supportive of a ORV trail network
Barnhartvale /Scuitto	<ul style="list-style-type: none"> Grassland damage 4x4 use Garbage dumping (household and yard waste) ORV use (ATV and motorbike) Shooting Some dispersed camping Pallet burning Mud bogging Picnic fires 	<ul style="list-style-type: none"> sec 4 Trespass Act sec 65 Land Act Wildlife Act Motor Vehicle Act Firearm Act 	Typically early spring to late Fall (anytime the area is not snow covered) – however in January 2015 there was also snowmobile use in the area	<ul style="list-style-type: none"> relatively easy access from the road and through the grasslands 4x4 users often coming in middle of the night Limited natural resource enforcement staff Historical patterns of unauthorized use Bush parties Lack of awareness (and sometimes respect) among recreational users regarding the existence and appropriate use of Crown land grazing leases
Lafarge	<ul style="list-style-type: none"> ORV use (primarily motorbike) Some 4x4 use Garbage dumping 	<ul style="list-style-type: none"> Sec 46 FRPA 	early spring to late Fall (anytime the area is not snow covered)	

	(household and yard waste)			
Batchelor Motorized Recreation Area (and the surrounding area)	<ul style="list-style-type: none"> Grassland damage 4x4 use Garbage dumping (household and yard waste) ORV use (ATV and motorbike) Shooting Pallet burning 	<ul style="list-style-type: none"> City of Kamloops By-law 23-39 Sec 46 FRPA 	early spring to late Fall (anytime the area is not snow covered)	<ul style="list-style-type: none"> Bush parties (primarily at the 2km staging area on Lac du Bois rd.) Adjacent to and some existing use on private property Utility corridor right of ways

Several trends were identified during the consultation process:

- The use of social media is being used extensively for recreational activities (e.g., success of ORV clubs spreading information about online surveys, closure areas and best management practices, 4x4 club planning unauthorized mud-bogging for late night events, sharing of GPS trails that are authorized and unauthorized); and
- Many local residents are choosing to recreate in other areas, citing the behavior including garbage and safety concerns for the hotspot areas like Noble, Barnhartvale and Batchelor.

4.1 Environmental Damage

Scope of Issue

Grasslands make up less than 1% of the provincial land base, and the TRNRD has 17% of these provincial grasslands. A significant proportion of the rare and endangered species in the TRNRD depend on these grassland ecosystems for food, shelter, and breeding sites.

Substantial damage to sensitive grasslands can occur during the spring season when soils are moist and more vulnerable to harm (such as soil compaction, erosion, etc.). Unfortunately the early spring season seems to be a time when enthusiastic recreationalists congregate in the few areas that are snow free for ORV activities.

Current Management Situation

Section 46 of the *Forests and Range Practices Act* (FRPA) is the principal legislation directing recreational activities that lead to damage to the environment on Crown land. Section 46 prohibits activities that result in environmental damage. Notice to the public regarding section 46 is primarily done by signage at main access points (where applicable) or through on-the-ground communication and education by government staff (including the Conservation Officer Service (COS) and Natural Resource Officers (NROs)).

Enforcement of Section 46 of FRPA is done by COS and NROs. A person causing environmental damage on Crown Forest or Range land may be subject to penalties of up to \$100,000

Gaps and Challenges

- Since TRNRD has many large areas of open grassland and open forest (biogeoclimatic zones of Bunchgrass, Ponderosa Pine and Interior Douglas Fir) there is relatively easy access for ORV use to these areas. Ease of access is a major contributor to the environmental damage and conflict that is occurring in the district.
- Enforcement of violations of Section 46 of FRPA is very challenging as:
 - proving 'environmental damage' within grassland communities is difficult;
 - it is challenging to catch offenders in the act;
 - limited resources of natural resource enforcement staff; and
 - lack of ORV identification (license plates) make identification of individuals difficult.
- Fines for forestry-related offenses on visitors from out of province are not tied to driver's license renewal in their home province and therefore fines don't always get paid;
- ORV use seems to have been based on the attitude that everything is open to ORV use unless it is closed. Many people of BC have a misinformed perspective that it is their right to recreate on Crown land, as land managers it is our role to educate recreational users that the use of Crown land is a privilege. Recreational users are also known to remove closure signs.

4.2 Disturbance to Wildlife and damage to Wildlife Habitat

Scope of Issue

The TRNRD contains valuable grassland habitat for many species at risk. Wildlife, both game and non-game species thrive in these grassland communities and use grasslands almost exclusively or at least for part of their life cycle.

ORV recreational activities on Crown land, can negatively impact the quantity and quality of important wildlife habitat.

Current Management Situation

Wildlife habitat is managed and protected under the Forest and Range Practices Act and Wildlife Act respectively. The authority to establish Wildlife Habitat Areas and Ungulate Ranges and associated general wildlife measures or objectives is enabled through sections 9 and 10 of the *Government Actions Regulation (GAR)*. Orders made under GAR are a key component of implementing management and protection for environmental values. Section 7 of the Wildlife Act contains legislation to protect against individuals who damage land set aside for wildlife (alter, destroy or damage wildlife habitat).

Gaps and Challenges

- There is no strategic ORV management plan for the TRNRD. As a result of this communication concerning ORV use including appropriate locations for ORV use, and areas where motorized use is prohibited or discouraged, are not well known by recreationalists.
- Some recreational users are unclear about what activities will cause impacts to wildlife and wildlife habitat
- Enforcement of violations of Section 46 of FRPA is very challenging as:
 - proving 'environmental damage' within grassland communities is difficult;
 - it is challenging to catch offenders in the act;

- limited resources of natural resource enforcement staff; and
- lack of ORV identification (license plates) make identification of individuals difficult.
- Fines for forestry-related offenses on visitors from out of province are not tied to driver's license renewal in their home province and therefore fines don't always get paid;
- ORV use seems to have been based on the attitude that everything is open to ORV use unless it is closed. Many people of BC have a misinformed perspective that it is their right to recreate on Crown land, as land managers it is our role to educate recreational users that the use of Crown land is a privilege. Recreational users are also known to remove closure signs.

4.3 Crown land Grazing

Scope of Issue

TRNRD contains high quality grazing, particularly in the grasslands. The areas in the TRNRD that currently have the greatest ORV conflicts are the grasslands which apart from endangered species that rely on the grasslands also have high quality grazing values. The majority of the current conflict areas fall within active range license and lease areas.

Grazing lease values and uses:

- Grazing leases support forage production for both livestock and wildlife;
- Habitat for rare or endangered grassland species and dry forest species can frequently be found within grazing lease areas;
- Grazing lease areas often fall within Agricultural Land Reserve boundaries and may be situated amongst other parcels of private land;
- Leaseholders rely on grasslands and other forage resources for their livelihood. Grazing lease areas form an integral component of many ranching operations;
- As part of livestock management, animals are typically rotated through a series of pastures during the year to help maintain forage productivity over time; and
- Leaseholders are responsible for range improvements and weed control.

Basically grazing leases are one step down from fee simple land, while grazing tenures are specifically for the utilization of the forage only.

Recreational activities on Crown land, specifically recreational off-road vehicle use can negatively impact Crown land grazing tenures and lease holders. Agricultural operations and Crown land grazing have experienced the following impacts from recreational use:

- Degradation of grasslands by ORVs;
- Increase in number of single track trails that can lead to cattle ducking off onto 'new' trails when being moved from one pasture to another;
- Degradation of the cattle trail by off-road motorbikes which may lead to ditching which in turn can impact the willingness of cattle to travel that route;
- Introduction of invasive plants to the grasslands;
- Cattle fences being left open and livestock escaping;
- Cattle fences being cut or broken for access and livestock escaping;

- Harassment of livestock by ORV users (particularly in calving season) – chasing, loud noise, etc;
- Congregating ORVs and dispersed camping at waterways and displacing livestock, therefore the livestock being unable to access water (see section 4.7); and
- Illegal garbage dumping.

Current Management Situation

Crown land grazing is managed through grazing tenures and leases issued under the Range Act and the Land Act respectively.

Efforts are being made by the lease holders to educate recreational ORV users about grazing leases and the need to have specific permission from the range leaseholder to use the lease areas. Anyone who enters a grazing lease area without permission from the leaseholder is committing an offense under Section 4 of the Trespass Act, and if they enter enclosed lease area section 65 of the Land Act authorizes a leaseholder to take legal action against those people. Enclosed land is land that is legally fenced or where signs are posted to indicate that no trespassing is allowed. This educational effort is primarily being done through signage and personal interactions between lease holders and recreational users.

COS and RCMP are responsible for enforcing the Trespass Act on Crown land grazing leases.

Gaps and Challenges

- Grazing tenure holders' rights are non-exclusive so there is a lack of control over the ORV users having access to the Crown land. There is additional strain on the grazing tenure holders to monitor and repair fences, clean up garbage and recover any escaped cattle due to ORV use;
- Many recreational users do not know or understand the difference between a grazing tenure and a grazing lease, and that with the latter they are required to get permission from the lease holder before entering that area;
- Since TRNRD has many large areas of open grassland and open forest there is relatively easy access for ORV use to these areas. Ease of access is a major contributor to the environmental damage and conflict that is occurring in the district; and
- Enforcement of violations of Section 46 of FRPA is very challenging as:
 - proving 'environmental damage' within grassland communities is difficult;
 - it is challenging to catch offenders in the act;
 - limited resources of natural resource enforcement staff; and
 - lack of ORV identification (license plates) make identification of individuals difficult.

4.4 Public Health/Safety

Scope of Issue

There are a few key areas within the TRNRD that have a reputation as a place to party and recreate; Lower Noble Lake grasslands, Barnhartvale/Scuitto area, West Inks lake area and the current staging area at the Batchelor Off Highway Vehicle area. Often these areas are frequented by visitors that have low regard for their own and other's health and safety. Issues include:

- Abandoned campfires, and garbage left behind after burning (particularly nails left behind after burning pallets) (see section 4.5);
- Improper disposal of garbage and human waste;

- Hazardous and Illegal firearm use;
- Combative and aggressive behavior;
- Trespassing; and
- Vandalism (to vehicles left parked in these areas).

Current Management Situation

RCMP has had some targeted enforcement (road blocks for grad parties and road blocks for long weekends when mudbogging or partying is expected).

Gaps and Challenges

- Since TRNRD has many large areas of open grassland and open forest there is relatively easy access for ORV use to these areas. Ease of access is a major contributor to the environmental damage and conflict that is occurring in the district;
- Often the public health/safety concerns associated to partying and recreating are happening outside of core work hours and on the weekends when there may be less natural resource enforcement staff available; and
- Some of these areas have a long unsanctioned history of being used for unsafe practices so it is hard to change the mentality of users who feel 'there has always been partying here'.

4.5 Wildfire Risk

Scope of Issue

Easy and uncontrolled access within the TRNRD contributes to the dispersed camping and unregulated large gatherings which usually have an increased wildfire risk associated with them. Increased wildfire risk is associated to:

- Unauthorized campfires, often not compliant with wildfire ban or with the Wildfire Regulation requirements, attributable to either recreationalist lack of knowledge or respect;
- Unattended campfires;
- Garbage left behind after burning (particularly nails left behind after burning pallets); and
- Public safety concerns associated with evacuating dispersed campers in the event of a wildfire.

Current Management Situation

The Wildfire Regulation section 20 outlines circumstances in which a person may light, fuel or use a campfire within 1 km of forest land or grass land as follows:

- Person is not prohibited from doing so under another enactment;
- to do so is safe and is likely to continue to be safe;
- the person establishes a fuel break around the burn area;
- while the fire is burning, the person ensures that
 - the fuel break is maintained, and
 - the fire is watched and patrolled by a person to prevent the escape of fire and the person is equipped with at least
 - one firefighting hand tool, or
 - 8 litres of water in one or more containers;
- before leaving the area, the person ensures that the fire is extinguished; and

- A campfire can only be 50cm by 50 cm wide.

Off-road vehicles are also subject to Wildfire Regulation and must be equipped with a safe and effective device for arresting sparks that is an integral part of the exhaust system and in good repair.

Often in the TRNRD fire bans are initiated in during the hot dry times of the year. The Wildfire Act permits officials to establish fire bans when they consider it desirable or necessary to limit the risk of a fire or to address a public safety concern for a specified area. NROs are responsible for compliance and enforcement of the Wildfire Act and Regulation.

There are portions of the TRNRD that fall within the City of Kamloops limits, within these area the municipal bylaws (specifically fire prevention by-law no 10-37) regarding open fires also are applicable. These would be enforced by bylaw officers.

Gaps and Challenges

- Some recreational users are unaware of campfire requirements under the Wildfire regulation; and
- Fire ban communication and enforcement can be challenging (including other wildfire regulations) due to the high volume and dispersion of ORV users and Crown land campers.

4.6 Invasive Species

Scope of Issue

The TRNRD contains many sensitive ecosystems and important grasslands. The spread of terrestrial invasive species has increased as recreational use has amplified. Invasive species such as noxious weeds threaten sensitive ecosystems and grasslands as they are non-native plant species that are difficult to control because of the lack of their natural predators and diseases. Furthermore these species often out compete the native species for water and nutrients leading to an increase in the noxious weed and a decrease (and often eradication) of the native species.

Information from BC Ministry of Agriculture and Lands webpage “Knapweed – Its cost to British Columbia”:

‘Knapweed is highly competitive and capable of invading grassland sites to the exclusion of native vegetation. Domestic animals and wildlife, such as elk, rely on these range grasses and herbs for up to 80 percent of their diet. Knapweed encroachment can destroy the forage base and would result in a significant decline in deer and elk numbers. Over 40,000 hectares of BC are knapweed infested, reducing forage potential by up to 90 percent.’

Current Management Situation

Recreational activities on Crown land are guided by the following legislation (to the control the spread of invasive species):

- Weed Control Act: section 2 establishes a duty, on the part of the occupiers of land and property, to control invasive species;

- Weed Control Regulation defines specific plants as invasive species within all regions of the Province (Schedule A – Part 1) and in specific regions of the Province (Schedule A – Part II);
- Weed Control Regulation: section 6 prohibits the movement of recreational vehicles on a highway that has any invasive species on it; and
- On range leases the leaseholders are responsible for weed control.

Enforcement of invasive species is done by Inspectors. The inspectors can be government staff such as range officers, natural resource officers or a weed control officer appointed by council under section 10 of the Weed Control Act. Also the City of Kamloops has bylaw officers who may enforce By-law 26-2 within city limits for control of invasive species. The Thompson-Nicola Regional District has partnered with the Southern Interior Weed Management Committee to provide invasive plant management options for private land within the electoral areas of the regional district.

Gaps and Challenges

- Identification of invasive species can be difficult in the field, therefore legislation and regulation related to control of invasive species can be difficult; and
- Recreation users are unaware of how their activities contribute to the spread of invasive species.

4.7 Dispersed camping

Scope of Issue

Crown land camping can lead to degradation of high use areas. Fortunately the dispersed camping pressures are currently limited to a few locations within the TRNRD; Scuitto Lake, west Inks lake (west of the Coquihalla) and to a small degree the lower Noble Lake area.

Negative impacts associated to Crown land camping includes:

- Tree and shrub cutting for campsite clearing and firewood;
- Litter and garbage, which can also include health concerns related to the improper dumping of garbage and human sewage;
- Harm to sensitive grasslands and ecosystems (see section 4.1);
- Potential impacts to First Nations cultural resources and archeological sites;
- Disturbance to cattle grazing (see section 4.3);
- Increase in fire hazard (from unattended camp fires) and public safety concerns associated with evacuating dispersed campers in the event of a wildfire (see section 4.50); and
- Building of unauthorized trails.

Current Management Situation

Temporary occupation of Crown land for recreation purposes are defined in the Permissions Policy, which states that “Any person may camp on Crown land for up to 14 consecutive calendar days. For the purposes of calculating 14 consecutive days, a period of consecutive days is cumulative unless the person and their vehicle and equipment, as the case may be, are not present on the site for a period of at least 72 consecutive hours” (section 6.2.3.2). These regulations apply to Recreation sites and are consistent with the Forest Recreation Regulation.

NROs regulate and enforce long-term occupancy and dispersed camping through provisions under:

- Section 60 of the Land Act which prohibits the occupation or possession of Crown land without lawful authority, including the construction of a building, structure, enclosure or other works; and
- Section 54 and 57 of the Forests and Range Practices Act which prohibits the construction or occupation of buildings, trails or other structure on Crown land. Note section 58 allows for the prohibition or restriction of recreational activities in order to protect Crown resources and manage recreation.

Gaps and Challenges

- Since TRNRD has many large areas of open grassland and open forest there is relatively easy access for ORV use to these areas. Ease of access is a major contributor to the environmental damage and conflict that is occurring in the district;
- Littering under the Environmental Management Act is difficult to enforce as offenders must be caught in the act or charges will generally not hold up in court because of evidentiary burden; and
- The process for reporting concerns or complaints about Crown land occupancy or other related impacts is not known by many recreational users.

4.8 Large Events and Gatherings (parties)

Scope of Issue

At a number of the sites within the TRNRD (such as the Barnhartvale/Scuitto area, lower Noble Lake area and the current staging at the Batchelor Motorized Recreation staging area) large events and gatherings on Crown land have created a range of impacts, which include:

- Impacts to sensitive ecosystems (including grasslands) and aesthetic impacts;
- Garbage and human waste;
- Public safety issues associated with drinking and drug use, including drinking and driving, drug overdose, sexual assaults, etc.;
- Potential impacts to First Nations cultural resources and archeological sites;
- Noise disturbances;
- Increased fire risks related to unauthorized campfires;
- Mud-bogging in the sensitive riparian areas; and
- Illegal shooting, creating safety concerns for nearby residents and other land users.

Current Management Situation

The current large events/gatherings are not organized by a commercial group but rather through social media and word of mouth.

When concerned citizens or government staff becomes aware of upcoming large event plans (such as grad parties) or events in progress then the appropriate agencies are contacted. Often this will include the RCMP and COS.

Gaps and Challenges

- Many large events and gatherings occur at random locations and unpredictable times, making enforcement difficult;

- Since TRNRD has many large areas of open grassland and open forest there is relatively easy access for recreational use to these areas. Ease of access is a major contributor to the environmental damage and conflict that is occurring in the district; and
- Breaking the pattern of behavior.

5.0 Criteria and Evaluation

During the planning process we were presented with many ideas about recreational ORV use. For the purposes of this paper we have some that are actionable and some that will require more time. There is a group of proposed solutions that were geographic in nature and were considered in terms of criteria to provide the statutory decision makers with the full scope of information regarding the potential solutions. However also during the consultation process a number of ideas associated to reducing the current conflicts were brought to the table. Among those ideas were:

- the idea of a recreational ORV license where users would have to pass an online test similar to the boating license process;
- Mixed use staging areas (meaning there is adequate room for horse trailers and ORV trailers to safely unload);
- Communication between recreational user groups (and collaboratively working together);
- Education (with privilege comes responsibility)
 - Outreach to young people (McQueen lake curriculum, school outreach)
 - Training similar to CORE program
 - Educational material to be distributed to recreational shops, in recreational magazine, and online (blogs, social media, etc.);
- Ensuring the existing educational programs (such as BCORMA and ATVBC) continue and are shared more broadly;
- Increasing ORV club memberships (promoting the insurance discounts etc.); and
- Educating recreationalist about potential cattle grazing activities in recreation sites any time of the year.

Of the above ideas a number of these are actionable and will be included in the recommendation section.

The criteria by which proposed solutions were evaluated included:

- Public Safety
- Environmental impacts
- Costs of implementation and maintaining
- Sustainability of trails
- Club that is willing to enter a management agreement
- Season of use
- Quality of ORV riding (seat time)
- Ease of enforcement

Proposed solutions considered:

- Concept of Lafarge ORV use area (east side of road only)
- Concept of improvement and trail plan for existing Batchelor Motorized Recreation area
- Concept of Noble ORV trail network (in trees above lease areas)
- Concept of Section 58 motorized closure for lower Noble area
- Concept of Scuitto Lake recreation site
- Concept of Chuwhels Mountain ORV trail network
- Concept of section 58 for Miller Pond area (the non-exclusive crown land area between range lease areas in Scuitto)
- Concept of section 58 for Barnhartvale/Scuitto area
- Concept of Inks ORV trail network

The intent was to determine where ORV use could occur and where possible, only use existing trails. We wanted to select trails that required minimal improvements to make them sustainable and to minimize the building of any new ORV trails. Where feasible, rehabilitation of unauthorized trails may also be considered particularly if the unauthorized trail may lead to further environmental damage (through erosion etc.).

For the concept areas for ORV use sustainable trail management agreements would be pursued with local interest groups. The intent would be to have the responsibility of stewardship for an area residing with local clubs and the agreements with the clubs being managed by Recreation Sites and Trail Branch.

The evaluation of the proposed solutions/options with respect to the criteria:

5.1 Concept of Lafarge ORV use area

It is believed that an ORV area in the Lafarge area (only on the East side of the road) would not substantially increase any public safety concerns and by creating an improved staging area the public safety concerns would be decreased. The environmental impacts are also expected to be minimized provided appropriate trail upgrades are implemented. The estimate for implementation cost of this area is approximately \$10,000. The cost would include trail enhancement, water control, signage, trail re-routing and building a staging area. The trails are expected to be sustainable but only after there has been actions taken to mitigate the erosion, ruts and blow down that are occurring on some of the trails. Some trail closure and deactivation may be necessary. The Greater Kamloops Motorcycle Association (GKMA) is interested in entering into a management agreement with RSTBC for the Lafarge area, and as such that club would take the lead on environmental stewardship of that area. Due to elevation and aspect of the Lafarge location (and the relatively small trees) the site dries out relatively early in the season and would be available as one of the first available ORV trail networks (likely March/April) in the TRNRD and use could continue there until snowfall (November/December). The Lafarge area is relatively small so it doesn't offer extensive ORV riding opportunities, but the area could provide for early season training and for development of skills by new riders such as children. The majority of the trails are of beginner and intermediate ranking and primarily for motorbikes and not ATVs. The Lafarge area is bounded by the Lafarge road on the West, by the steep silt banks on the North and by fencing on the south and east boundaries all leading to a fairly easy enforcement because relatively easy for NROs to determine if users are in the area or not. There needs to be a focus on reducing garbage dumping in this area. One strategy may include working with the TNRD to help clean up the area by providing dumpsters and education on illegal dumping.

5.2 Concept of improvement and trail plan for existing Batchelor Motorized Recreation Area

The Batchelor Motorized Recreation Area was established in 1995 through the Lac du Bois - Dewdrop Local Resource Use Plan (LRUP) process for the purpose of extensive motorized recreational opportunities. The area is 450 hectares. By doing improvements to the staging area and developing a trail plan for the area it is believed public safety would greatly increase. Currently without a trail plan users on different types of off-road vehicles may be travelling in opposite directions on the same trail (often where there are blind spots like the crests of hills or tight turns) leading to the potential for head on collisions. Also the staging area has become a public safety concern with the large gathering that often happens there. These gatherings often having drinking and drug use associated with them, and there is opportunity for drinking and driving and intoxication. It is believed by improving this area that the party crowd will be dissuading from using the area and therefore lower the public safety concerns associated with the party behaviour. Since the use at Batchelor is pre-existing and the area is designated for motorized recreation, by creating an actual trail plan the environmental impacts within the area are expected to be lowered. There will be substantial cost associated to improvement of the staging area and trail planning as due to the risk of wooden materials being knocked down and used for firewood, all materials use would need to be concrete for the engineering and signage. Furthermore the engineering costs would not be insignificant as there will need to be extensive ditching and grading work done. It is expected that the costs can be offset through partnerships (including potentially the City of Kamloops, and Kinder Morgan). There are opportunities for a partnership with a club for a management agreement currently being investigated. Due to the aspect and elevation of Batchelor the riding season would begin fairly early in the season (likely April) and could continue through until snowfall, however because of aspect it is unlikely the area would be used much during July and August due to the heat and dust. The feedback received is that currently the quality of ORV seat time is not very impressive, but we believe that with a process to plan trails that included all the user groups a great improvement to the fun factor could be achieved. The area is already established, so enforcement staff are fairly well versed on the boundaries of the area for enforcement.

5.3 Concept of upper Noble ORV trail network

It is expected that public safety due to an ORV trail network may only slightly increase. The increase would be due to potentially having increased traffic and ORVs on the Noble Lake forest service road and that may increase the likelihood of logging truck/recreational user interactions. The environmental impacts are expected to be minimal as there are existing trails and the trails are in the trees as opposed to the sensitive grasslands, and many of the trails are on old ski trails and old logging roads. Through a field inventory there have been a few areas within the Noble lake area that have been identified for trail reclamation work (steep hill climbs, etc.). As part of legally establishing a trail network all trail improvements and trail deactivation would have to be completed first by the club that was entering into the management agreement. The cost for implementing (and maintaining) are expected to be relatively low; there will be cost associated to signs (and that will be ongoing) as well there will need to be some minor engineering work to create a staging area and do some ditching work to dissuade use down onto the lower grasslands and back into the protected area. One challenge for this area is that currently there is not a club willing to enter into a management agreement for the area, without a club a legally established trail network will not be entertained. The season of use for the upper Noble area would be slightly later and is expected to begin May and then continue through until October. The riding in the upper Noble area is expected to be high quality; there are forested routes to vistas, many circle routes that are of considerable length (approximately 80 km of trail were assessed in the field inventory). If implementation of this option is pursued any trail planning will be done in conjugation with the user group (club) and lease holders it is expected that voluntary compliance will be high.

5.4 Concept of FRPA Section 58 motorized closure for lower Noble area

The level of ORV use, large group gatherings, 4x4ing and unregulated camping has led to unacceptable impacts to the Crown leases in the lower Noble area. Educational efforts and enforcement of section 46 of FRPA have had limited success. It is believed that a motorized closure is necessary on the lower grassland areas. Public safety should increase with a motorized closure as the behaviour associated with the bush parties (which are only accessible through motorized means), the garbage dumping, the off-roading and the shooting will be lessened. Likewise the environmental impacts of the above behaviours will be diminished and environmental reclamation work of the heavily scarred areas could begin. The cost associated to a motorized closure would be mostly associated to signage needs, advertising needs, and increased enforcement budget for at least the initial year. A section 58 motorized closure means that NROs are able to also do enforcement over the lease area, as without the section 58 only COs or RCMP can enforce the Trespass Act. The boundary of the exact section 58 would need to be refined, but it is expected that to improve the ability of enforcement staff, hard boundaries of either roads or fence lines would be selected.

5.5 Concept of Scuitto Lake Recreation Site

During our discussions with range lease holders the idea was brought forward to have a managed non-motorized recreation site at Scuitto Lake. Cattle use at the site must remain; there are needs for cattle watering, as well as maintaining the corridor for cattle to move through the area. There is historical use of dispersed camping at Scuitto Lake on the grazing lease. There have been conflicts between motorized and non-motorized users as well as public safety concerns associated to partying such as intoxication etc. It is expected that if a recreation site was established the public safety concerns should decrease as conflicts between motorized and non-motorized users will be eliminated as the camp host can inform motorized users that motorized use is not permitted. Also by having a camp host the party-crowd can be informed that rowdy behaviour and intoxication will not be tolerated. The environmental impacts are expected to be minimal as there are pre-existing outhouses and the expectation is that should a recreation site go forward it would be of a rustic nature and very minimal site disturbance would be necessary. If this area were to become a recreation site then monitoring and maintenance of the area would occur which would contribute to the sustainability of the site. The season of use is expected to be when the area is snow free (likely April to November). Scuitto Lake is a high value fishing lake. Currently there is investigation of opportunity for a management agreement for the area with the Kamloops Fish and Game club. The area being considered is delineated by steep terrain, a cattle guard and the lake so it is expected that enforcement of the recreational use within the area should be relatively easy.

5.6 Concept of Chuwhels Mountain ORV trail network

There is a historic ORV use in the Chuwhels Mountain area. During the consultation process it was raised that due to the historic use and seemingly lack of grazing leases perhaps this area should be considered for an ORV trail network. Development of an ORV trail network in the Chuwhels Mountain area is not expected to make considerable difference to public safety. Currently there is ORV trail use in the area, but due to the location and the higher level of ability needed for these trails; if use increased it is not anticipated to cause any public safety concerns. There is access from the Duffy Greenstone network and there could improvement to the existing staging area. The environmental impacts of developing an ORV network in this area are also not expected to be high. The existing trail network would require some minor work to bring some of the trails to a sustainable level. Due to the nature of the soil in this area, erosion is not considered a high risk. There would be moderate cost to implementing this area as staging area, and signage would be required. The Greater Kamloops

Motorcycle Association (GKMA) has shown an interest in entering a management agreement for the area. The Chuwhels Mountain area would offer riding from late spring (May) through summer to fall (October). The elevation ranges between 1000m and 2000m and offers good summer riding opportunities. The feedback received is that quality of riding in the area is very good and offers more expert type trails (however it is unclear what opportunities exist for ATVs versus motorbikes).

The GKMA is currently in a management agreement for the Duffy-Greenstone trail network and the Duffy recreation site. Since the club is also willing to enter into a management agreement for the Lafarge area, the concept of a Chuwhels Mountain ORV trail network should be actioned in the mid-term so that the club is able to build capacity to deal with the current and potential stewardship obligations of Duffy/Greenstone and Lafarge, respectively.

5.7 Concept of FRPA section 58 for Miller Pond area

There is an area in the northern portion of the Barnhartvale/Scuitto area that does not have range lease over it but does have grazing tenure over it; this area is where the Miller Pond is located. There is access to this area off of the Campbell Lake Road, and there has been some ORV activity in the past, though it has not seen recent ORV activity. There is potential that if the range lease holders have success with the educational campaign, to inform recreationalist that permission is required to use leases, then ORV use could increase in the polygon surrounding Miller Pond. If there is a substantial increase in ORV use, the sensitive grasslands and ecosystems may be in jeopardy of being damaged. This area should be monitored and if ORV use significantly increases a FRPA section 58 closure could be considered.

5.8 Concept of FRPA section 58 for Barnhartvale/Scuitto area

Through discussions with range lease holders we understand that the recreational pressure has slightly decreased in the last couple of years, however there continues to be ongoing challenges with motorized recreation in the Barnhartvale/Scuitto area. The recommendation at the current time is that there continues to be monitoring of the ORV use and increased educational efforts through signage. The cost of implementing a FRPA section 58 closure would be exceptional high due to the large area, the resourcing needed to patrol such a large area, the engineering needs in terms of fencing, ditching etc. The ability to enforce a closure would be very difficult due to the high number of roads that are open to public. Furthermore, we understand that there is upcoming logging activity which potentially will only create more roads and open the area up further for motorized use. There is a need to review the observed recreational use on an annual basis with the range lease holders and appropriate government staff to determine what further efforts may be required.

5.9 Concept of Inks ORV trail network

There has been a long history of unauthorized use in the Inks area (for this discussion we are referring to the area that is all west of the Coquihalla highway). The use has included dispersed camping, partying, 4x4 use and ORV use. The belief is that if an ORV trail network could be developed there and managed it would alleviate the current public safety concerns. Particularly as by having the ORV recreationalist involved with management they could also be the eyes and ears on the ground to help with reporting issues. There would need to be work done to determine which trails would be included in the trail network as well as what trail improvements would be required to get them to a sustainable form. Since the field work has not been done to determine trail sustainability it is unknown at this time what the cost would be for trail implementation or maintenance. It is expected that season of use would be April to November. There have been anecdotal reports that the quality of ORV riding is good in the area, but that would need to be confirmed through trail inventory.

6.0 Recommendations

The recommendations below depict the perspective of the steering committee as concluded through the background research (including case studies), First Nations involvement, and stakeholder engagement. Should recommendations be implemented the appropriate agency/department will work with affected stakeholders as applicable and full First Nations consultation will occur.

Recommendations to mitigate the most significant ORV conflicts, currently known, that the TRNRD has been experiencing have been grouped into short-term (within the next year, 2015), medium-term (within 2-5 years, 2016-2020), long-term (greater than 5 years, 2020 and beyond).

Short-term recommendations:

1. Development of Educational/Outreach plan – It is absolutely critical to have an educational and outreach plan in place for the public regarding motorized recreation. It is more effective to change behavior through education about potential damages associated to motorized recreation, so that there can be voluntary compliance. Ticketing for violations when users don't understand the long term impacts of their actions may be ineffective. Without education the other tools recommended will not be effective. Ultimately behavior needs to change and the best route to do this is through education. The education and outreach needs to include information for motorized recreation dealerships, realtors who may be trying to advertise properties as having ATV opportunities (where motorized use may not be appropriate), homeowners, public who may partake in garbage dumping and other unauthorized uses on Crown land, and educating motorized recreation users about best management practices).
2. Posting of the Recommendation Paper to the web for public comment – there is recognition that not all public were represented on the Advisory Committee and as such there needs to be an opportunity for their input on the recommendations. The recommendation is that the paper is posted on the District website with an information note posted in the local paper advertising the posting to allow for a comment period.
3. Easter Weekend patrol – due to the unseasonably mild weather the ORV trails are free from snow earlier than normal. An early season patrol of NROs, COS, and RCMP to monitor activities is recommended.
4. Development of an Enforcement plan – there needs to be coordinated enforcement efforts between NROs, COS, RCMP and City of Kamloops Bylaw Officers (for areas within the city limits) regarding violations such as garbage dumping, environmental damage, abandoned campfires, hazardous discharging of firearms and criminal offences like drinking and driving.
5. Concept of Lafarge ORV use area (east side of road only) – There are benefits to establishing a ORV use area at Lafarge. Primarily the hope is to alleviate some of the ORV pressure that is currently happening on the range leases at Barnhartvale/Scuitto. There are existing unauthorized ORV trails and a staging area at the Lafarge area, so there is a pattern of use there which should increase compliance. There is a club interested in entering into a management agreement with the Crown to take the lead stewardship

role. The area also offers early season riding (which seems to be a need in the TRNRD) and the trails are relatively easy so it could be a good training area for families interested in ORV activities. The risks associated to promoting a legally established trail network in the Lafarge area include; inadvertently increase ORV use on the west side of Lafarge Road (mitigations could include working with Ministry of Transportation and Infrastructure, signage, ditching, fencing), the total area for the trail network is relatively small with approximately 21 km of existing trail, the area is primarily single track (for motorbikes) and the area is cattle spring range for the range tenure holder (the range tenure has been inactive for some time and it is being investigated what will happen with this tenure). Prior to any implementation there needs to be a determination whether there is a conflict with range tenure holder.

6. Concept of improvement and trail plan for existing Batchelor Motorized Recreation Area – The Batchelor Motorized Recreation Area is an area designated for motorized recreation use from the Lac du Bois LRUP process in 1995. The benefits of doing improvements and a trail plan for Batchelor Motorized Recreation Area are that there is an existing piece of Crown land designated for motorized recreation use that could be greater utilized. It is believed that ORV use is not as great as it could be at Batchelor due to safety concerns associated to nails puncturing tires, not having designated one way routes therefore relatively high likelihood of encountering high speed ORV riders coming in opposite direction often where limited visibility (like the crest of a hill), and concerns about vandalism to vehicles left in the staging area. The safety concerns could be mitigated by engaging the different users (4x4s, ATVs, Motorbikes) to develop trail plan and designate trails for particular use (4x4, ATV, motorbike) as well as designate one way routes so decreasing likelihood of head on collisions and finally by doing some engineering / hard landscaping to the staging area it is believed that the safety concerns can be greatly decreased. Since part of the area falls within Kamloops City limits, there is an opportunity for partnership on staging improvements and trail planning. Further communication with the 4x4ing community needs to occur to get a clear understanding of their needs. The risks associated to increasing ORV use at Batchelor include potentially increasing ORV use along the Long Lake road which goes through the Lac du Bois Protected Area, which may inadvertently lead to increased ORV trespass in the protected area. A mitigation measure could be to increase signage and community outreach. Another risk is that there is private property adjacent to and overlapping the current non-authorized staging area. There were suggestions during the consultation process to expand the area of the existing Batchelor Motorized Recreation Area to make enforcement easier (as a hard boundary versus the height of land may be easier to identify for NROs) as well as to manage the existing ORV use that is occurring on the east side of the motorized recreation area east to the houses on Westside road. The concerns raised regarding the expansion are that there should be better utilization of the existing area before expanding, that there are species at risk habitat on the piece of Crown land west of the motorized recreation area as well as expanding the area could potentially impact the range tenure holders for the pastures to the west of the motorized recreation area. At this point in time the recommendation is to pursue improvements to the current area and review annually to see if an expansion could be considered.
7. Concept of Upper Noble Lake ORV trail network – For the TRNRD ORV Recreation strategy to be successful it will be necessary to create a substantially sized authorized ORV network. From the input received and the initial reviews it seems the Noble Lake area above the range leases is the best option

(see map in Appendix Four). Further work will need to be done to determine the best location for the staging area, the initial ideas are at 6.75 km on south side of road on west side fence. The benefits expected are to reduce the ORV pressure on the lower grasslands and lease areas, to move staging area further away from Westsyde Road which may reduce partying pressure in the area, to link to other high quality ORV trails in the timber. The risks expected are that the backyard ORV users may be unwilling to trailer to a new staging area as opposed to riding from their backdoors, that there will be a loss of early season riding, that increased ORV use on the Noble Forest Service Road may lead to safety issues, that depending on the location of the staging area ORV riders may still try ride to the lower grasslands/lease areas or back into the protected area, and that by pushing users further into the backcountry there may be increased risk of fire and non-recreational risks like garbage dumping.

8. Concept of FRPA Section 58 motorized closure for lower Noble area - The level of ORV use, large group gatherings, 4x4ing and unregulated camping has led to unacceptable impacts to the Crown leases in the lower Noble area. Educational efforts and enforcement of section 46 of FRPA have had limited success. It is believed that a motorized closure is necessary on the lower grassland areas. As part of proceeding with a section 58 there will need to be development of a communication strategy (specifically for the section 58), a compliance and enforcement plan, an engineering plan and a monitoring plan to see the effectiveness at recovering the grassland values. Currently the grazing lease areas are subject to the Trespass Act for unauthorized users, and the Section 46 of FRPA for environmental damage, however section 46 is not being used due to the difficulty in proving (as mentioned previously). A major benefit of the section 58 motorized closure is that NROs would be able to also do enforcement over the lease area, as without the section 58 only COs or RCMP can enforce the Trespass Act. Some risks are that there will be increased budget associated to enforcement and signage will be necessary and ongoing. Another risk with this particular closure is that ORV use could be pushed towards O'Connor creek, this will need to be monitored closely.
9. Promotion of Logan Lake Area OHV Trail Plan – Very recently a local club, the Greater Kamloops ATV club has agreed to enter into a management agreement for portions of the Face Lake/Paska Lake area trail network should the funding become available. This network is expected to relieve some of the ORV pressure in the immediate Kamloops area as ORV use could be dispersed to that trail network. See appendix Six for map of Logan Lake Area OHV Trail plan.
10. Review of roads in Barnhartvale/Scuitto area – Through the process of reviewing existing ORV trails and the existing Crown tenures on the land base it was discovered that there are a high number of roads excluded from the range leases in the Barnhartvale/Scuitto area. Excluded roads are roads that are open to the public through a range lease. There are multiple leases in the area and there seems to be potential issues with the roads including:
 - roads that have been excluded in one lease may not be excluded in the adjacent lease;
 - excluded roads that don't appear to be leading anywhere and just hang;
 - forest service roads that aren't excluded, but that should be;
 - high number of non-status roads that it is unclear whether they should be excluded from the lease or not; and
 - Enforcement of Trespass Act is very tricky with such a high number of roads excluded.

The recommendation is that a process be initiated to review the roads and determine which roads need to be excluded and keep the minimal amount of roads excluded in those leases. By having a small number of through routes it will make enforcement easier by the lease holders and decrease the signage requirements.

11. Continuation of the Advisory committee– by keeping this group active it serves multiple purposes; it creates a place where the recreational groups can communicate regularly and work together collaboratively, it also can provide information back to government regarding what is working well and what is not working well in the district from a recreational perspective, and it provides information about where upcoming recreational issues may be beginning in the district. It is recommended that this group meet on a biannual basis or as needed.
12. Concept of Scuitto Lake Recreation Site– There has been historic unauthorized dispersed camping at Scuitto Lake on the grazing lease which has led to conflict between motorized and non-motorized users as well as to some environmental impacts. Benefits expected from development of a managed non-motorized recreation site are; creation of a quiet fishing experience for a high quality fishing lake, elimination of conflicts between the motorized users and the non-motorized users, improved environmental impact as by having a managed recreation site behavior associated to intoxication and inappropriate behavior will be managed, elimination of ORV use from the Scuitto Lake dispersed camping area onto the surrounding grazing leases. Risks associated to development of a recreation site are the displacement of the ORV users and where those users could then be encouraged to go.

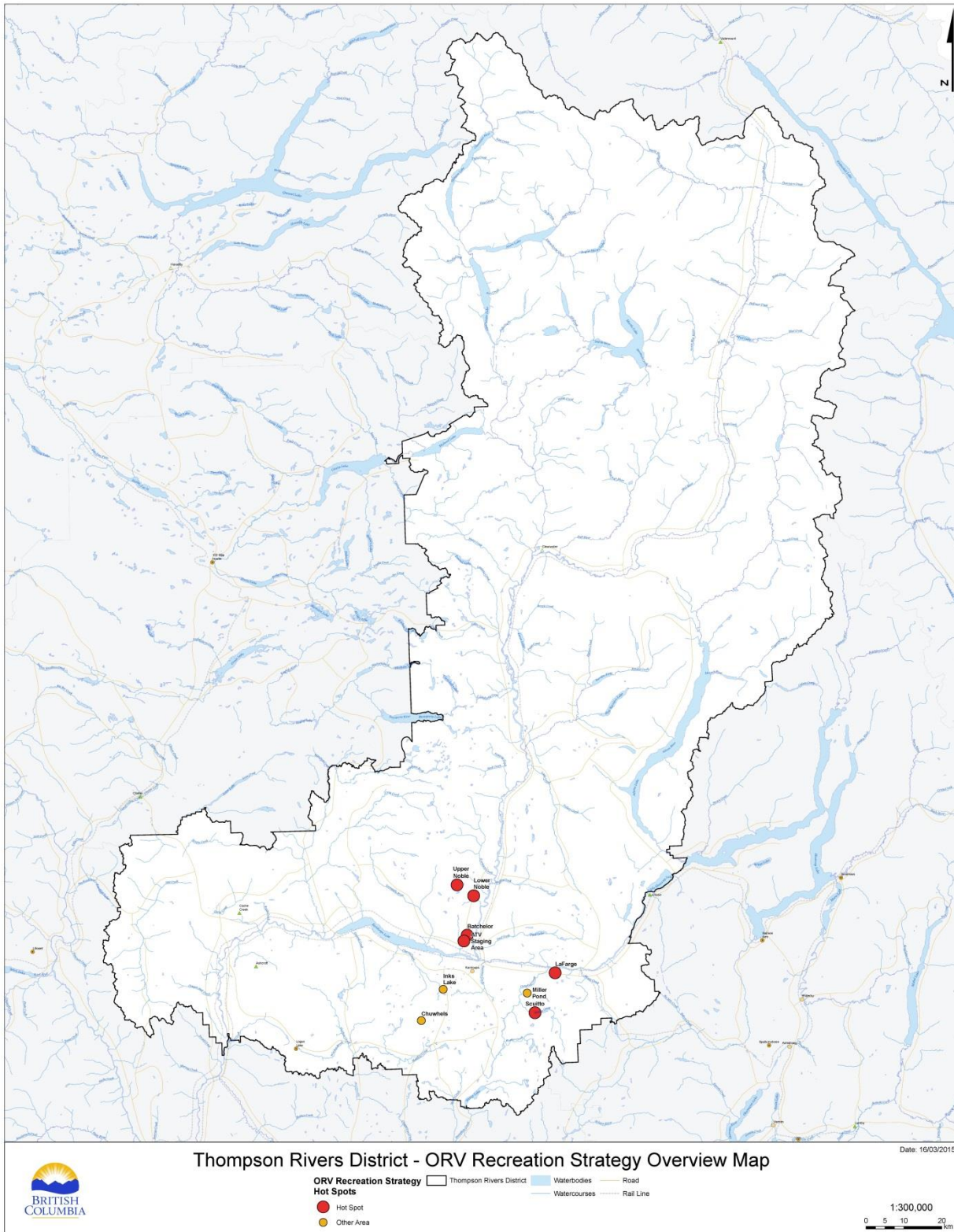
Mid-term recommendations:

13. Concept of Chuwhels Mountain ORV trail network – Since there is an established pattern of ORV use in the Chuwhels Mountain area, there are not conflicts with grazing leases, and there is expected to have minimal environmental impact from establishing an ORV trail network in the area, this is a concept that should be considered in the future. The club that is interested in pursuing a management agreement for the area is GKMA, and as discussed in the Criteria and Evaluation section of the report above, to ensure success this concept should be pursued in the mid-term so that the club has time to build capacity to deal with multiple management agreements and stewardship obligations for multiple areas.
14. Concept of FRPA section 58 for Miller Pond area - If there is a substantial increase in ORV use, the sensitive grasslands and ecosystems may be in jeopardy of being damaged. This area should be monitored and if ORV use significantly increases a FRPA section 58 closure could be considered.
15. Concept of FRPA section 58 for Barnhartvale/Scuitto area - The recommendation is to review the observed recreational use on an annual basis with the range lease holders and appropriate government staff to determine what further efforts may be required.
16. Monitoring of O’Connor Creek – The recommendation is to monitor O’Connor Creek area closely (semi-annually) with the range lease holders and the appropriate government staff to determine if recreational use is starting to move to this area, and if so what further efforts may be required.

17. Concept of Inks ORV trail network (west side of Coquihalla only)– The recommendation is to do further trail inventory work to determine trail sustainability and investigate what could potentially be included in an ORV trail network.

If any of the above recommendations are approved then project initiation documents should be completed for each recommendation to ensure clarity of roles, responsibilities, timelines and dependencies.

Appendix One: Thompson Rivers Natural Resource District Map



Appendix Three: Grazing Lease/ORV Fact Sheet



GRAZING LEASE VALUES AND USES

- » Grazing leases support forage production for both livestock and wildlife.
- » Habitat for rare or endangered grassland species and dry forest species can frequently be found within grazing lease areas.
- » Grazing lease areas often fall within Agricultural Land Reserve boundaries and may be situated amongst other parcels of private land.
- » Leaseholders rely on grasslands and other forage resources for their livelihood. Grazing lease areas form an integral component of many ranching operations.
- » As part of livestock management, animals are typically rotated through a series of pastures during the year to help maintain forage productivity over time.
- » Leaseholders are responsible for range improvements and weed control.

PUBLIC ACCESS

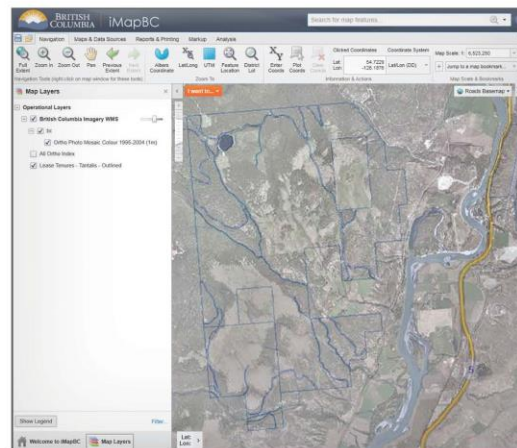
Permission to access leased areas may be granted by a leaseholder if:

- » Access is by foot from an established road or trail;
- » Livestock are not present;
- » Crops have been harvested;
- » No campfires or burning will occur;
- » Camping does not take place;
- » Gates and fencing are left in the same condition as they were found; and
- » Vehicle, motorcycle, all-terrain vehicle or bicycle access is limited to established roads identified in lease agreement (and only when the surface of the land is dry or frozen).

ACCESS FOR OFF-ROAD VEHICLES

- » Anyone who enters a grazing lease area without permission from the leaseholder is committing an offence under Section 4 of the *Trespass Act*.
- » Section 65 of the *Land Act* authorizes a leaseholder to take legal action against people who enter enclosed lease areas or undertake activities in those areas without the permission of the leaseholder.
- » Enclosed land is land that is legally fenced or where signs are posted to indicate that no trespassing is allowed.

- » The operator of a motor vehicle on a Forest Service Road requires at least \$200,000 third-party liability insurance.
- » Details about many Crown leases or areas where public access is not allowed can be viewed online using the iMAP BC website at:
www.data.gov.bc.ca/dbc/geographic/view_and_analyze/imapbc/index.page
(Launch Application (Public) > I want to... > Add DataBC layers > Land Ownership and Status > Crown Leases)



ENVIRONMENTAL PROTECTION

- » Grasslands and wetlands are easily damaged by vehicle use. Therefore, vehicles must stay on established road surfaces at all times.
- » A person must not engage in any activity on Crown land that results in damage to the environment (apart from a few exceptions outlined in Section 46 of the *Forest and Range Practices Act*). Penalties for environmental damage are outlined in Section 46 of the *Forest and Range Practices Act*:
www.bclaws.ca/Recon/document/ID/freeside/00_02069_01#section46

FOR MORE INFORMATION

For more information about grazing leases in B.C., contact your local natural resource district office or range agrologist:
www.for.gov.bc.ca/hra/contacts.htm

Appendix Four: Case Studies

The following case studies reviewed were:

1. North Dakota Parks & Recreation Department Off-Highway Vehicle Program (2012-2016 Strategic Plan & Research Study)
2. Stave West Recreation Master Plan for Mission's Interpretive Forest
3. Koochanusa Area Situational Analysis and Recommendations for Crown Land Recreation
4. Muskwa Kechika Management Area Recreation Management Plan

For each of the above case studies the following were considered:

- The issues and impacts that were being addressed and how those were resolved or mitigated;
- Location and geographic scope of the issues;
- Stakeholder consultation process
- Success and challenges related to the planning process and to implementation (including enforcement)

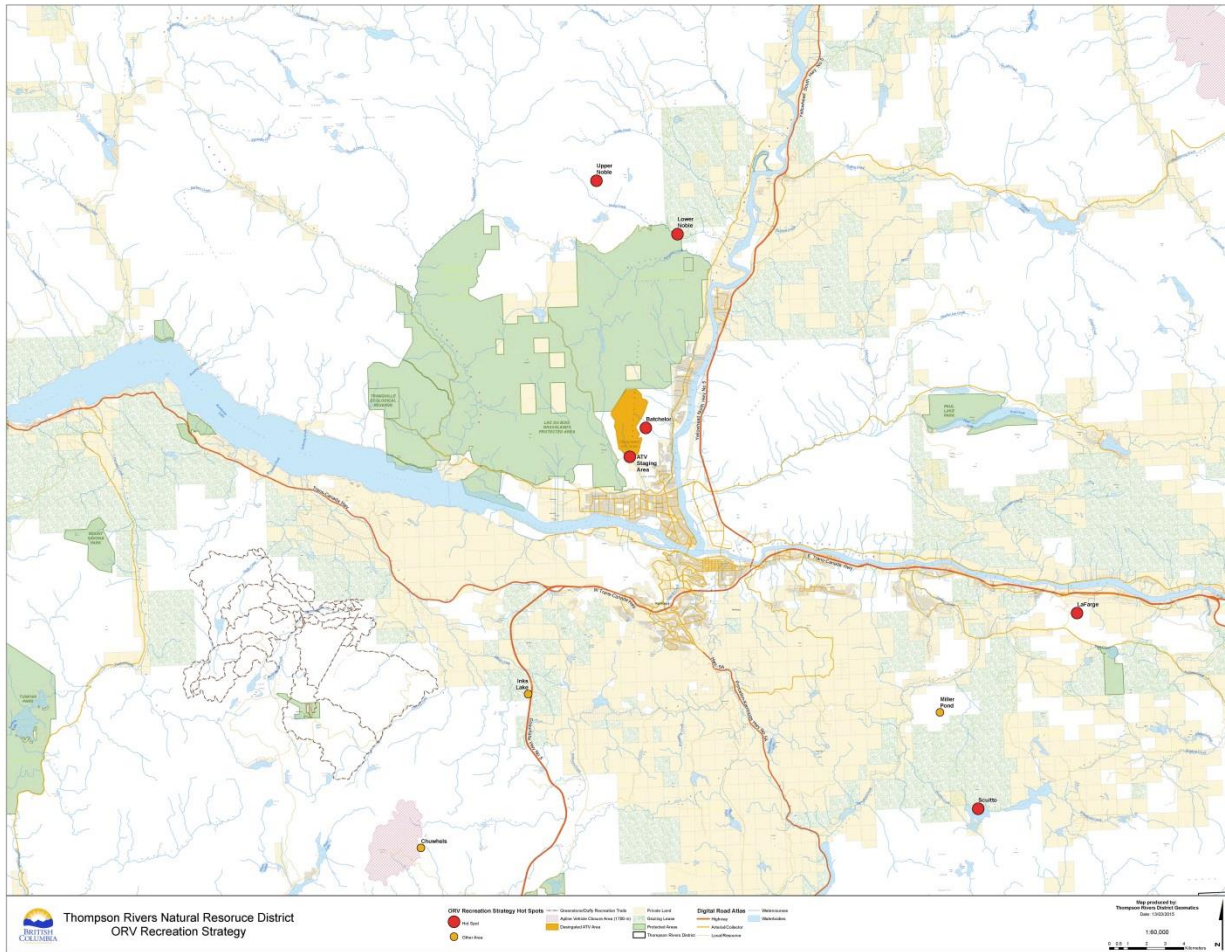
Key lessons learned from the Tunkwa – Duffy ORV pilot project and the above case studies:

- Prior to any motorized closure there must be ORV trail networks developed to encourage use to those networks;
- Need meaningful engagement of recreational groups in the planning process to ensure success of the plan;
- Ongoing funding needed for signage, enforcement and education necessary for successful projects;
- Online communication is extensively being used by recreationalists, and need to ensure that links for applicable government regulations, laws, and best management practices are easy to find for users; and
- Need strong recreational clubs for management agreements of trail networks to ensure local stewardship.

Project	Issues/Impacts	Location/Geographic Scope	Stakeholder Consultation Process	Successes/Challenges
<p>North Dakota Parks & Recreation Department Off-Highway Vehicle Program (2012-2016 Strategic Plan & Research Study)</p>	<ul style="list-style-type: none"> • OHV purchases had risen dramatically and need for OHV program needed to grow to meet the needs of those OHV riders. • Needed to assess whether current efforts/programs were aligned with North Dakota Parks & Recreation Department and the needs of the riding public 	<p>North Dakota – entire state</p>	<ul style="list-style-type: none"> • Research study to determine OHV riding trends specifically in 4 areas: <ul style="list-style-type: none"> ○ Development of use areas ○ Training/Safety education ○ Law& enforcement issues ○ Communicating info • Written surveys, and phone interviews with stakeholders • Planning group included North Dakota Parks and Recreation Department, Consultant and the following agencies; <ul style="list-style-type: none"> ○ North Dakota Game & Fish Department ○ North Dakota Forest Service ○ North Dakota Off-Road Vehicle Assoc. ○ Grand Forks Police Department ○ US Army Corps of Engineers 	<ul style="list-style-type: none"> • Survey questions seemed good and seemed that similar issues to what we experience here; communication challenges with ORV users, ORV users club membership low • Different legislative model than BC (as registration is not mandatory until June 2015 in BC)
<p>Stave West Recreation Master Plan for Mission's Interpretive Forest</p>	<ul style="list-style-type: none"> • Creation of master plan to guide recreational growth at this ecotourism destination 	<p>Mission's Interpretive Forest (aprox. 5000 ha)</p>	<ul style="list-style-type: none"> • Recreation Master Plan - Online and paper survey to determine what recreationalists were participating in, why, what group they belonged to, how often visited Stave West, Where they lived and what suggestions they may have for the area. Also open houses 	<ul style="list-style-type: none"> • Relatively small area • Long time period for completion of Recreation Master Plan
<p>Koocanusa Area Situational Analysis and Recommendations for Crown Land Recreation</p>	<ul style="list-style-type: none"> • Tourism and Recreation issues impacting Crown Land. 	<ul style="list-style-type: none"> • Koocanusa area in southeastern BC (roughly 80,000 hectares) 	<ul style="list-style-type: none"> • MLA Bennett and Minister Thomson initiated the Koocanusa Recreation Steering Committee (KRSC) to help address a range of issues related to tourism and recreation activities on Crown land in the Koocanusa area (2014) • KRSC, BC Government, Ktunaxa National Council, Tobacco Plains Indian Band, Regional District of East Kootenay and Columbia Basin Trust commissioned a report • Consultation with First Nations, government, residents/property owners, visitors, local area businesses, non- 	<ul style="list-style-type: none"> • Organization of the recommendation report very logical and applicable to the types of information gained through TRNRD ORV Recreation Strategy • Situational analysis to examine issues seemed to work well • Some of the recommendations seemed weak – lack of detail or how the recommendation would be implemented.

			<p>governmental and community organizations through face-to-face meetings, telephone interviews, visitor intercept interviews and surveys – asking about issues, impacts and management tools/approaches.</p> <ul style="list-style-type: none"> • Review of approaches and tools from other jurisdictions to look at how similar issues were dealt with 	
Muskwa Kechika Management Area Recreation Management Plan	<ul style="list-style-type: none"> • A requirement of the <i>Muskwa-Kechika Management Area Act</i> which came about due to result of Fort Nelson and Fort St. John LRMPs • 	<ul style="list-style-type: none"> • 6.3 million hectares in Northwestern BC 	<ul style="list-style-type: none"> • Working group formed by government including; Ministry of Forests, Ministry of Environment, Lands and Parks, Ministry of Small Business, Tourism and Culture, First Nations and the Muskwa-Kechika Advisory Board • Open houses and interviews with First Nations, government agencies and stakeholders. 	<ul style="list-style-type: none"> • Long time period 1998-2000 (note Mackenzie addition portion of the plan took longer) • Not clear that the recreational issues/pressures were as great as here in the southern interior • Looking more broadly at recreation including commercial recreation which not included in TRNRD ORV Recreation Strategy

Appendix Five: Issues Map



Pictures of some examples of damage in hot spot areas:



Appendix Six: Logan Lake Area OHV Trail Plan

