



File: 97250-20/ 080827

February 27, 2009

Re: Closing File 080827 / Trophy Mountain Pine

In 2007, the Board investigated and reported on a complaint regarding a conflict between a person's recreational trail tenure and an adjacent woodlot tenure. The same complainant (the licensee) contacted the Board again on April 23, 2008.

In February and March 2008 the licensee had emailed the Ministry of Forests and Range (MFR) requesting information on the status of the woodlot and management plan. He received a response in March that someone would get back to him. When he had received no response from the ministry by April, he contacted the Board. He asked that the Board assist him in getting information and addressing a concern with danger trees along his trails.

The Board's role in this complaint has primarily been to facilitate better communication between the licensee and MFR. MFR acknowledged a breakdown in communication due to staff being away. A key issue for the licensee is standing dead pine trees near the trails. He is concerned about the hazard to his staff and clients. Two options being considered to resolve this situation are to either establish new trails or remove the hazard.

The Board inspected a portion of the trails in September 2008 and confirmed the presence of numerous dead pine trees. Most of the trees are located outside of the three metre right-of-way over which the licensee has tenure. As a result, he does not have authority to remove the hazardous trees.

It is my understanding that discussions are now underway between MFR, the Integrated Land Management Bureau, the licensee and the woodlot operator to address the trail issues. As the MFR and ILMB have the jurisdiction over the management of the woodlot and the administration of the trail tenure, there is no further need for the Board to be involved. The Board encourages the parties to continue moving forward to a reasonable resolution for all.

I hope that the Board's involvement has been helpful and thank you for your cooperation in the investigation of this file.

Yours sincerely,

Bruce Fraser, PhD
Chair

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March 5, 2009

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