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| FOREST PRACTICES BOARD            |   |
| OCT 04 '05                        |   |
| RECEIVED by:                      |   |
| Original: <u>BEN</u>              |   |
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| ACTION:<br><u>BEN</u>             | COPIES:<br><u>BRUCE</u><br><u>FRED</u><br><u>RICK</u> |
| <input type="checkbox"/> NIA Int: | <input type="checkbox"/> FYI Int:                     |

File: 23060-11/040587

September 28, 2005

Dr. Bruce Fraser, Chair  
Forest Practices Board  
P.O. Box 9905, Stn Prov Gov't  
Victoria, British Columbia  
V8W 9R1

Dear Dr. Fraser:

**RE: Unauthorized Construction of a Cabin and Trail on Sinclair Mountain**

Please accept this letter as the Skeena Stikine Forest District's response to the Forest Practices Board's recommendations in its report, *Complaint Investigation 040587, Unauthorized Construction of a Cabin and Trail on Sinclair Mountain, July 2005*.



**Recommendation #1**

*The Skeena Stikine Forest District and the Ministry of Agriculture and Lands decide the use of the Sinclair Mountain cabin by October 1, 2005, and either issue a tenure or remove the cabin consistent with the guidance provided by the Bulkley Valley Land and Resource Management Plan and the recreational access management plan.*

I have made the decision to approve and grant consent for the use of the cabin. The Smithers Snowmobile Association wishes to re-establish its interests in the cabin in accordance with the Recreation Access Management Plan (RAMP). I will be granting consent to the club in the near future.

**Recommendation #2**

*The unauthorized trail to the cabin is addressed by the Skeena Stikine Forest District by:*

- following the recommendations and analysis of the inter-agency working group reviewing alpine use;
- prohibiting ATV use in areas designated as summer non-motorized use in the Bulkley Valley Recreational Access Management Plan through use of section 58 of the "Forest and Range Practices Act";
- Undertaking a field review of the environmental impact and condition of the trail leading to the cabin;
- If the existing cabin is to remain, attach conditions to its use that would require the permit holder to improve or stabilize the existing trail; or

Page 1 of 3

Ministry of  
Forests and Range

Skeena Stikine District

Location:  
3333 Tallow Road, Smithers

Mailing Address:  
Bag 6000  
Smithers, BC V0J 2N0

Tel: 250-847-6300  
Fax: 250-847-6353

Dr. Fraser

~~7. deactivate~~ deactivate the existing trail; and if a trail is required, relocate it to a suitable location.

The district has met with the Community Resources Board and other local agency representatives, and as a result, has developed an action plan to improve public awareness of voluntary access restrictions in the Sinclair Mountain area. We have already completed some of the action items and are in the process with other agencies in completing the rest, including;

- More RAMP trail signage.
- Integrated Land Management Bureau preparing a communication plan on motorized/non-motorized areas in the Bulkley Valley.
- Monitoring RAMP compliance.
- Integrated Land Management Bureau updating RAMP to include post 1997 agreements and to clarify some sections of the RAMP
- Coalition for Licensing and Registration of Off – road Vehicles in British Columbia exploring licencing options for ATV's for identification purposes.

I believe that improving public awareness will facilitate voluntary compliance with access restrictions outlined in the RAMP without the need for heavy-handed action by issuing section 58 prohibition orders, which can be both costly and confrontational to enforce. A field review of the environmental impact and condition of the trail leading to the cabin was completed in early August 2005. As a result of this review, trail deactivation measures have been developed and are currently being implemented.

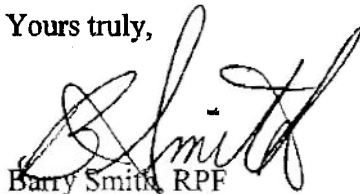
Upon completion of the deactivation measures and authorisation of winter-only motorised use, the existing trail will be suitable for limited use and there will be no need for trail relocation.

### **Recommendation #3**

*Erect a sign at both the trail head and at the cabin stating that summer motorized use is restricted in accordance with the recreation access management plan. The sign should be erected by August 15, 2005.*

In early August 2005, signs were erected at both the trail head and the cabin advising users that summer motorized access is restricted in accordance with the recreational access management plan

Yours truly,



Barry Smith RPF

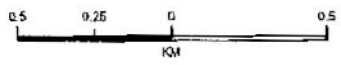
Attachment(s): Map Sinclair cabin trail

Ministry of Forests and Range

# Sinclair Cabin Trail

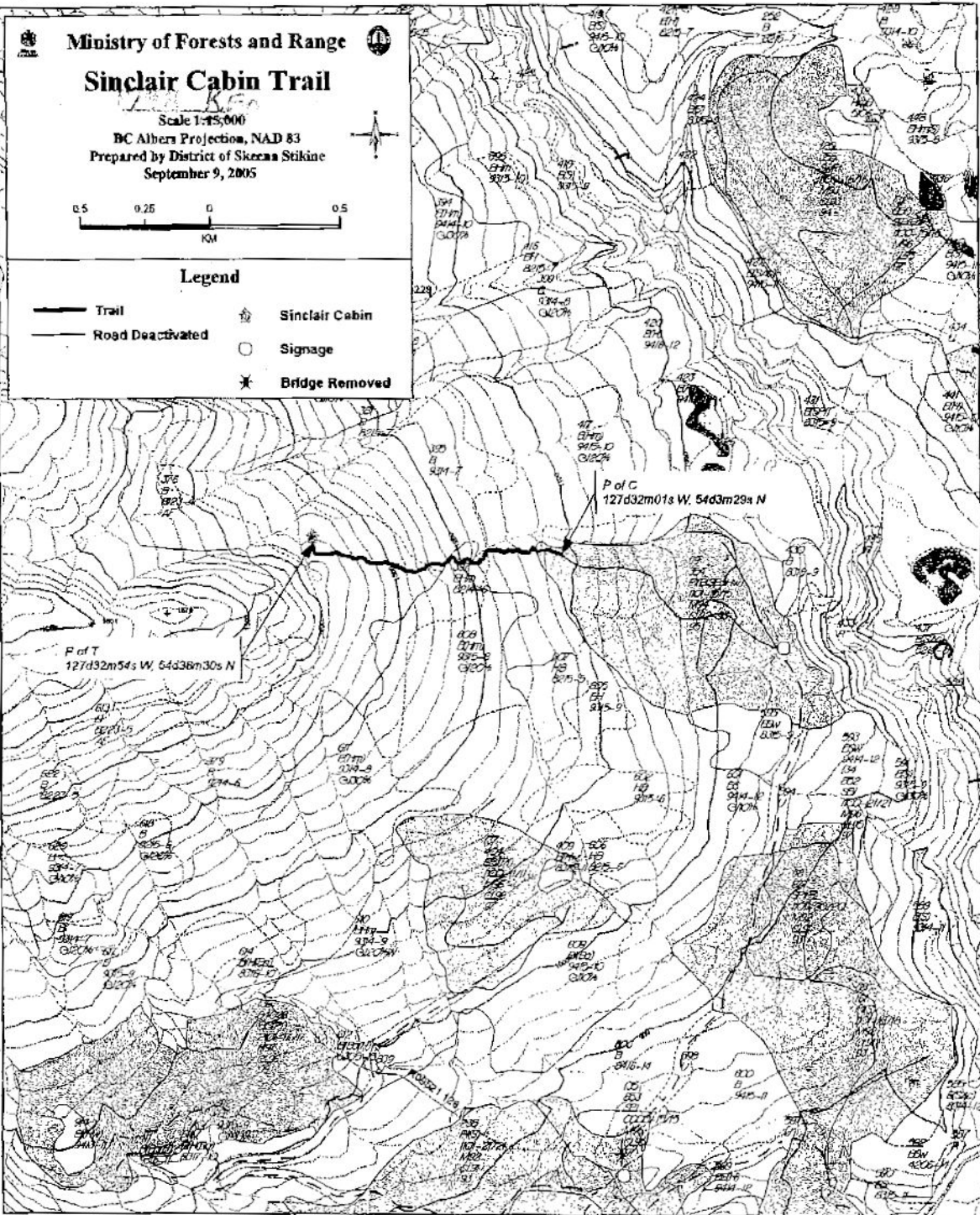
Scale 1:45,000

BC Albers Projection, NAD 83  
Prepared by District of Skeena Stikine  
September 9, 2005



### Legend

- Trail
- Road Deactivated
- Sinclair Cabin
- Signage
- Bridge Removed





File: 97250-20/040587

November 1, 2005

Attn: Jim Easterday  
1914 Lubbers Road  
Smithers, BC V0J 2N6

Attn: Ian Smythe, Section Head  
Integrated Land Management Bureau  
Ministry of Agriculture and Lands  
PO Bag 5000  
Smithers, BC V0J 2N0

Attn: Carl Dunn  
Smithers Snowmobile Club  
Box 2755  
Smithers, BC V0J 2V0

Attn: Dean Daly, Chair  
Bulkley Valley Community Resource Board  
6180 Raceway Road  
Smithers, BC V0J 2N1

Attn: Tim Groot  
Smithers Snowmobile Club  
Box 5156  
Smithers, BC V0J 2N0

Attn: Barry Smith, District Manager  
Ministry of Forests and Range  
Bag 6000  
Smithers, BC V0J 2N0

Dear Participants:

Complaint 040587 / Sinclair Mountain Cabin- Response to Recommendations

The Board would like to thank the Skeena Stikine Forest District for its letter of September 28, 2005, responding to the Board's recommendations in its 2005 investigation of complaint 040587/Sinclair Mountain Cabin. The Board is very pleased with the district manager's approach and responses to the recommendations and accepts the responses as appropriate.

The following is the Board's consideration of the response and its conclusions.

#### **Recommendation #1**

The Skeena Stikine Forest District and Ministry of Agriculture and Lands decide the use of the Sinclair Mountain cabin by October 1, 2005, and either issue a tenure or remove the cabin consistent with the guidance provided by the Bulkley Valley Land and Resource Management Plan and the recreational access management plan;

The Board accepts the response given that the district manager intends to approve and grant consent for use of the cabin to the Smithers Snowmobile Association.

## Recommendation #2

The unauthorized trail to the cabin is addressed by Skeena Stikine Forest District by:

- following the recommendations and analysis of the inter-agency working group reviewing alpine use;
- prohibiting ATV use in areas designated as summer non-motorized use in the Bulkley Valley Recreational Access Management Plan through use of section 58 of the *Forest and Range Practices Act*;
- undertaking a field review of the environmental impact and condition of the trail leading to the cabin;
- if the existing cabin is to remain, attaching conditions to its use that would require the permit holder to improve or stabilize the existing trail; or
- deactivate the existing trail; and if a trail is required, relocate it to a suitable location.

The district manager stated that the Ministry of Forests and Range had met with the Community Resources Board and local agency representatives and together they developed an action plan to improve public awareness of the access restrictions.

Furthermore, the Skeena Stikine Forest District conducted a field review of the existing trail in August and deactivation measures were underway. With the existing trail deactivated to prevent summer use, the winter use of the trail would be permitted and authorized.

Lastly, the district manager rejected the need to pursue section 58 orders under the *Forest and Range Practices Act* to restrict recreational use of the Sinclair mountain area. The district manager is encouraging voluntary compliance with the access restrictions utilizing the support of local recreation groups.

The Board supports the ministry's approach in building public support to enhance understanding of the access restrictions. The Board accepts that the ministry is not currently pursuing section 58 orders to formally prohibit summer ATV use, but may do so in the future if the ministry encounters escalating damage to alpine areas or increased conflict amongst recreation users. This approach meets the intent of the Board's recommendation and the Board accepts the response to Recommendation #2.

November 1, 2005

**Recommendation #3**

The Skeena Stikine Forest District erect a sign at both the trail head and at the cabin stating that summer motorized vehicle use is restricted in accordance with the recreational access management plan. The sign should be erected by August 15, 2005.

The Skeena Stikine Forest District has put up signs at both the trail head and cabin. The board's recommendation has been followed.

In conclusion, the Board accepts the Skeena-Stikine Forest District response to all three recommendations and commends the district for its efforts on these issues. Consequently, the Board now considers this file to be closed.

Yours sincerely,



Bruce Fraser, PhD  
Chair