



MEETING NOTES

**Meeting with Scott Benton, Executive Director, BC Parks
10AM - 12.30 PM, Friday September 24, 2010
S.P.E.C., 2150 Maple Street, Vancouver**

Subject: Issues surrounding volunteers in BC Parks

Participants:

Scott Benton, Executive Director of BC Parks (BCP)
Aaron Miller, Section head, BC Parks, Lower Mainland Region
Jeremy McCall, Executive Director, ORC, facilitator.
Don Reid, Trails BC & Director of ORC
Alex Wallace & Pat Harrison, Federation of Mountain Clubs (FMCBC)
Elaine Golds, Burke Mountain Naturalists (BMN)
Mike Castle & Katharine Steig, Friends of Cypress Provincial Park (FCPP)
Dan McDonald & Brian Harder, Back Country Horsemen of BC (BCHBC)
Ruth Donald, Horse Council of BC (HCBC)
Larri Woodrow, Trails BC (TBC)
Karl Stevenson & Bob St. John, Friends of Strathcona Provincial Park (FSPP)

Meeting and agenda

Although scheduled to begin earlier, the meeting with Scott Benton did not begin until about 10.15, which gave sufficient time before the meeting for the NGO representatives to discuss some of the issues and decide who would best speak to each. The agenda was prepared based on input from ORC's members and other NGOs and it was provided to Scott three weeks before the meeting. The meeting notes are based on the original agenda items.

Scott Benton's opening statement

BC Parks former volunteer policy is set out in a large binder to give guidance to BC Parks managers (a copy was passed around). It was last updated in 1997 and in fact the volunteer policy was effectively done away with in 2002. He said there was provision for various different kinds of agreements. Some of these agreements continue and he cited the case of the volunteer Wardens who belong to the Friends of Ecological Reserves and who perform minor work in the ERs. One important feature was the fact that WorkSafe BC regards volunteers as employees and the same standards applied to both. He referred to the use of Park Use Permits for volunteer groups, similar to those used for agreements with commercial operators, especially where the use of equipment is involved. An example was Friends of the South Slope in Kelowna, an ORC member. Scott mentioned that BC Parks considered agreements which would provide coverage for loss of wages in the event a volunteer was injured.

Relationship between BC Parks personnel and local groups

1. In many cases there is a lack of full understanding by BC Parks personnel of the role of volunteers.

Dan McDonald (FSPP) said volunteers are being dealt with like commercial operators and their participation does not appear to be valued by BCP. He said there was a big change in the last year.

Scott responded that there have been reductions and changes in staff but also a lack of training is part of the problem.

2. In some cases there is a lack of responsiveness of BC Parks personnel to initiatives of local groups wishing to contribute as volunteers.

Elaine Golds (BMN) said her club played a big part in getting Burke Mountain P.P. designated. They have been maintaining trails ever since, never with an agreement, while keeping BCP staff informed. Latterly they don't get responses to their e-mails when they try to contact BCP staff so she wondered if BC P staff preferred not to know what was being done so as to avoid responsibility.

Scott responded that the lack of response was more likely due to BCP staff being too busy.

3. There is a need to establish and publish protocols for communication between active volunteer groups and BC Parks personnel.

Katharine Steig (FCPP) said communication with local BCP staff had become more difficult since there is no longer a receptionist in the BCP Seymour office and the degree of success of volunteer efforts is dependent on the quality of communication. She said BCP should recognize that they must have the will and staff to support volunteers. Networks need to be created between BCP and "Friends of" NGOs.

Scott responded that volunteer management is not high on the BCP priority list. Staffing levels are political issue and the BCP budget will be reduced again in the next fiscal year.

Bob St. John (FOSPP) suggested that one 'go-to" person, perhaps a "volunteer ombudsman", is needed. Scott responded that California has a volunteer management organization which would make a good model but there are no funds available for anything like that. Scott acknowledged that the province is not taking advantage of Volunteer resources.

4. We understand there may be a stated requirement (allegedly by the BC Government Risk Management Office) that a BC Parks Ranger must be present during any volunteer work to ensure that no fraudulent claims for compensation in the event of injury. Such a requirement would effectively eliminate many possibilities for volunteer work and the suggested rationale does not stand up to scrutiny given the presence of other volunteers as witnesses.

Alex Wallace (FMCBC) referred to the FMCBC's Adopt-a-Trail program which was started by Charles Clapham in 1985. He asked if a park ranger has to be present when work is being done without power-tools and whether a waiver has

to be signed when undertaking bridge work, for example. He said that latterly he had the impression that all volunteers could do is pick up litter.

Scott responded that he was not aware of the directive about park rangers and fraudulent claims and in his opinion the requirement would be excessive. He said that some BCP staff may not be sufficiently familiar with the guidelines for work by volunteers and he and Aaron would look into it. In response to Larri Woodrow's reference to rules for volunteer work on the Ministry of Forests website Scott said that there is a different level of liability for work on Crown land outside provincial parks, partly because the choice of the worksite is made by the volunteer and it is not governed by the Park Act.

5. There is a need to establish and publish clear guidelines for volunteer involvement and procedures to be in effect across the Province along with templates for standardized agreements with BC Parks, similar to existing Group or Individual Volunteer Agreements.

Brian Harder (BCHBC) said there had been changes to the Park Use Permit approach during the past year and the documents are no longer simple agreements but have become much more formal and legalistic. Also the required documents do not match the descriptions given at meetings with BCP staff.

Scott responded that there may be one type of document at one end of the scale and more complex agreements for other situations.

Dan McDonald (BCHBC) asked why volunteers should ever have to sign a waiver. All present agreed that it would be quite wrong if volunteers were required to sign waivers to assist BCP and Scott acknowledged that such a waiver probably wouldn't stand up in court.

Scott said he had committed to George Ralph (BCHBC and former BCP employee) in a recent meeting that he would meet with the BCP managers of the Cascades region to review their actions with respect to liability issues..

6. Possibly acknowledge "Trail Watcher" groups with published Guidelines

Not addressed separately.

Liability issues (moved up in agenda as it was related to the above issues)

1. There is a vital need to clarify the responsibility for third party liability and coverage of injuries, if applicable.

Mike Castle (FCPP) requested clarification of BCP's position re providing liability protection for volunteers and the directors and officers of volunteer organizations.

Scott stated that the volunteers should be covered if the organization signs an agreement with BCP He reiterated that he did not think a park ranger would have to be present unless the nature of the work required it. He suggested that the directors would be covered in the same way as volunteers and he referred to the Provincial coverage of the Search and Rescue groups.

2. If the BC Government is prepared to insure volunteers for the above, the rules for being covered should be made very clear and published.

All are agreed on that point!

3. Implications of the Occupiers Liability Act, if applicable.

Scott Benton stated that the Province is responsible under the provisions of the Occupiers Liability Act for what happens on Crown land or in the Parks, similar to a private property owner.

Work planning and types of work

1. The assumption by BC Parks that volunteer groups should plan and organize like PFOs, e.g. filing one year plans, is impractical

Brian Harder (BCHBC) reiterated that BCP's expectations of volunteer groups are unrealistic because the latter don't necessarily have management expertise nor should they be expected to take the time necessary to plan.

Aaron Miller responded that this would only apply to long term stewardship agreements. Scott indicated that he had a copy of a draft agreement for the Back Country Horsemen in the Skagit Valley. Karl Stevenson (FSPP) said he thought BCP should assist volunteers, not stand in their way. One organization in the Courtenay area is building trails without BCP's involvement and the volunteer-built trail is better than the BCP trails because it is not so wide and is less subject to erosion.

2. Training, guidelines and re-publication of the BC Parks Volunteer Manual.

Dan McDonald and Brian Harder (BCHBC) suggested that BCP provide personnel for one day a year to volunteer groups to provide training and education as to BCP's requirements. Ruth Donald (HCBC) said the guidelines on the MTCA website, updated in 2007, would be a useful precedent to use.

Scott agreed that this would be a cost effective idea.

3. Disruptions are caused by changes in BC Parks decisions or approvals after volunteers have been organized for a specific work plan.

This question was not adequately addressed because the discussion changed to a different topic.

4. Rules are required for the training for and use of power tools e.g. chain saws, vehicles. However, we understand that most volunteer groups do not want to use power tools and apparently they are not used by volunteers in US National Parks.

Larri Woodrow (TBC) said that TBC volunteers are using power tools in such areas as the Chilliwack River Valley. He suggested that BCP make it easier for volunteers to use power tools. He added that commercial operators in Northern BC are not doing an adequate job of maintaining trails and some guide outfitters discourage the public from using trails in their areas..

Scott said that chain saws are viewed as very high risk tools and proper training is required for their use.

5. Lists should be published or reference made in guidelines or the proposed volunteer manual as to what constitute appropriate tasks for volunteers.

Scott responded that the sky is the limit with respect to appropriate tasks for volunteers, so long as appropriate agreements are in place.

6. Practical trail standards should be published by BC Parks.

Karl Stevenson reiterated that volunteer-built trails often stand up better than the BCP-built trails.

Some other issues

1. Once protocols, guidelines, etc. settled, they should be put on the BC Parks website, with the caveat that local agreements will be required.

Ruth Donald (HCBC) questioned the recent addition to the BCP website under Partnerships - <http://www.env.gov.bc.ca/bcparks/partnership/> - inviting groups to come forward with proposals for management and stewardship agreements.

Jeremy McCall enquired if this was intended for commercial arrangements.

Scott responded that it was intended to include all types of arrangement.

2. Consider reactivation of the Adopt-A-Trail program inside and outside BC Parks. This could be a task for ORC for which ORC could get some funding.

Jeremy McCall, on behalf of the FMCBC members who had already left, emphasized that this program is sponsored by the FMCBC and ORC does not intend to take it over. However the program needs revitalization if volunteer work groups can be re-activated.

3. Consider adoption of Metro Vancouver Parks or US National Parks volunteer participation models as a templates.

Larri Woodrow (TBC) recommended that the Metro Vancouver volunteer model be considered as an example to follow.

4. Distinguish between NGOs and groups which want to volunteer for physical trail work in BC Parks and those that are mainly involved in advocacy

Not discussed as not really on topic.

Concluding comment by Scott Benton

Scott concluded by acknowledging that the decision to discontinue the volunteer support program in 2002 had been a mistake and that BCP needs to fix the situation.

On behalf of those present Jeremy McCall thanked Scott and Aaron for giving their time generously to discuss these issues and the meeting was adjourned.

jm

Oct. 6/10