

# Friends of Strathcona Park

## Newsletter - Spring 2012

Box 3404, Courtenay, B.C. V9N 5N5

[www.friendsofstrathcona.org](http://www.friendsofstrathcona.org)

### **The Park Use Permit and Why Are We Are Going to Court**

We believe that the government holds parkland as a public trust. Strathcona Park is held as a class "A" park for the use and enjoyment of the public. Some members of the public, of course, use horses and in the Master Plan processes in 1993 and 2000 their concerns were addressed so that designated old logging roads on the edges of the park could be used by them. The horse-riding public of Vancouver Island cannot use the CWR horse trails and camp areas in the Bedwell Valley. The permit is not for public use but for private gain. Sometimes private gain and public use coincide but in that case general access to an area would be of paramount consideration.

We believe that the BC government, by setting aside Strathcona Park for the use and enjoyment of the public, is obligated to continue to treat the lands of Strathcona Park as imbued with a trust in the favour of the public. The government must, we believe, consider the interests of the public as paramount in any decisions it makes about the park.

In this case the interests of the public were not considered.

In some cases – like guiding hikers -a private use does not interfere with the public trust character of the land – but private horse use and a mostly private horse-camp, does interfere with the wilderness values of Strathcona Park. Trails become rutted and widened, waterways are interfered with and

no matter how careful the horse users are, foreign species will likely be introduced. And perhaps most significantly, the presence of horses will reduce the enjoyment of the public as hikers in the Bedwell Valley portion of Strathcona Park.

Perhaps the discussion should have been centered on finding good reasons to conduct commercial horse tours in the Park and how that fits in with the public trust responsibility of government. It was not and, as a result, we feel there are procedural and substantive legal deficiencies in the issuance of the permit.

Of course the case is not black and white. A lot of deference is given to the Minister in this type of court case. Judges are reluctant to replace a minister of the Crown's decision with their own decision, unless the minister was not acting within his jurisdiction under the legislation. But FOSP believes that we must stand up for the protection of our parks for the use of the public, and for the protection of the wilderness for the enjoyment of future generations. And we must challenge government decisions that run contrary to these principles.

Remember going to court costs money. We have already paid our lawyer several thousand dollars. We have received financial support from West Coast Environmental Law, and are applying for more. In our last newsletter we appealed for donations and some of our members were very generous.

Once again we appeal for anyone who has not already donated to help us out. Any amount

large or small is much appreciated. We believe we have a reasonable chance of success with our challenge. We believe it is important to do this as government has not been operating in the public interest here. We believe if we win this, it will discourage government from putting all Provincial Parks in jeopardy in the future. Please help.

### **BC Parks Volunteer Strategy Workshop - North Island - Feb 28, 2012**

Pam Munroe, Karl Stevenson, Carol Hunter, and Bob St. John representing both the Comox District Mountaineering Club and the Friends of Strathcona Park attended this meeting held at the Oyster Bay Resort south of Campbell River. In attendance were 28 individuals from a wide range of volunteer organizations who in one way or another volunteered in BC parks. BC Parks was well represented with North Island park managers as well as staff from Victoria.

In 2002 BC Parks dismantled their volunteer program in an effort to save money due to Campbell Government cutbacks. Since then BC Parks budget has been trimmed on an annual basis, to the point where much infrastructure is now in disrepair and popular programs curtailed. After much lobbying from outdoor interests, both commercial and not-for-profits, BC Parks is now examining how to re-engage the volunteer community. A series of 10 workshops were held across the province to solicit ideas to incorporate into a new volunteer strategy. The goal is to have a new volunteer program up and running by summer 2012.

The workshop was split into three concurrent 'World Cafe' type sessions: 'Challenges & Stumbling Blocks', 'Successes & Possibilities',

and 'Tools & Resources'. For 20 minutes about 9 volunteers in each session would discuss personal experiences they had with volunteering in the BC park system. A facilitator summarized the discussion on paper for all to see. Everyone got a chance to participate in all three sessions. Needless to say, the Challenges & Stumbling Blocks session was the most passionate. During all this the Park Managers listened quietly. It was a little frustrating to say everything you wanted to in such a short time, with many others trying to do the same. Nevertheless, most present shared many of the same opinions on what was lacking, what was needed, and how to implement a new volunteer program.

A compilation from all workshops will be made available to participants this spring for feedback. BC Parks hopes to start implementation of the new strategy this summer.

Time will tell if this process bears any fruit. BC Parks will lose a valuable resource if it fails.

### **Mount Washington Resort Local Area Plan**

In the 1990's The Friends were involved in the creation of Mount Washington's Local Area Plan. At that time Kel Kelly was the Area Director for Area C which included the mountain, so he was intimately involved the creation of the original document.

Recently FOSP was contacted by a Regional District Planner and invited to give input to a consultant hired to review the LAP. Mandy Vaughn, Ken vanDeBurgt and John Milne worked on a presentation which Mandy and

Ken delivered.

The Friends recommendations boiled down to trying to minimize the impact of a very large resort on the adjacent Park. Issues such as water quality, light and noise pollution and other impacts are important. It was noted that some of the constraints to development in the original LAP were not adhered to, and this was addressed as well.

The draft plan will be released soon and further action may be required.

### **SPPAC Report**

The last Strathcona Park Public Advisory Committee meeting was held on March 9<sup>th</sup>2012. A new member, Hardolph Wasteney, was welcomed to the Committee. He is a geologist who worked for a number of years at the Myra Falls mine site in the Park. He was chosen to replace Paul Erickson who was the previous mining expert on SPPAC.

This meeting was not contentious as many have been over the last few years. SPPAC is very upset at having its advice ignored and has been discussing how to improve its effectiveness. A large part of the meeting was devoted to this topic.

FOSP has been very impressed with how well SPPAC handled the CWR affair. It is very sad when the Minister ignores the advice of his advisory committee, one that was set up as a way to avoid conflict with the public which is exactly what has happened over this issue.

The annual meeting between SPPAC and Nyrstar, the new owners of the Myra Falls operation in the Park, took place on February 24<sup>th</sup>. An issue developing at the mine site is where to store tailings and where to get clean fill to cover them. Another is the increase in the mine's bond from \$12 million to \$71 million, an increase related to the increased cost of reclamation.

The Closure Plan for the Mine is being revised once again. SPPAC will be involved in this with how this happens yet to be determined. The Strathcona Westmin Master Plan calls for the mine site to be reclaimed, all facilities to be removed, the site to be put back as close as possible to natural and then to be added to Strathcona

Park and become a class A park once more. About 25% of the mine area is to be reclaimed over the next few years.

In reality on closure there will be a need for some structures, some hydro power and a long term presence of both infrastructure and staff to treat the waste water from the mine site.

This summer will see the raising of water levels in Jim Mitchell Lake in order to increase power production and save using diesel generators for power.

The Mine's Park Use Permits are expiring this May and are being renegotiated.

FOSP should monitor what is planned for closure to make sure what was promised years ago comes to pass.

Other topics discussed were the Volunteer Workshop and Mount Washington LAP both of which is reported on elsewhere in this newsletter, monitoring snowmobiles in the Park (Parks are conducting some patrols), and some capital projects dependent on new funding ( bridge repair and trail work, new signage at the Paradise Meadows trailhead) and the removal of the Heber Diversion penstock is going ahead this summer.

### **AGM**

We have set the date for this year's AGM for June 9<sup>th</sup>. We are not holding it in Strathcona Park as before because it became much more expensive with BC Parks new booking system. We want to save our money for the higher priority of legal action.

Our new location will be at Jennifer Pass's and Jack Welsh's place 3164 Hellicar Road in the Comox Valley. The meeting will be from 2 – 4 p.m. followed by a potluck barbeque and music around the fire. One of the highlights of past AGM's was the social time after the meeting, and we want this to continue. FOSP will provide some salmon and you are asked to bring potluck extras to complement this.

Jennifer and Jack have acreage so camping is available for any who want to stay overnight.

To get to the AGM from the south head through Courtenay on Highway 19A. When you pass Canadian Tire keep going straight ahead along Headquarters Road instead of turning right towards Campbell River. Follow Headquarters Road for about 10 km and watch for Hellicar Road on your left just past Tsolum River Road. Jennifer and Jack's the second from the end of the road on the right, directly across from the milk can. There is limited parking, so you should park along the road.

To get to the AGM from the north follow Highway 19A to Merville. Turn right at the Merville Store and follow Merville Road for a few km to Headquarters Road. Hellicar Road is about 3 km along Headquarters Rd where you turn right and find the AGM as before.

We hope to see you there. If you plan to come please let us know by filling out the appropriate information on the membership form at the end of the newsletter.

### Communication

We'd like to remind our members that we have both a website and a facebook page. The website address is [friendsofstrathcona.org](http://friendsofstrathcona.org) and the facebook page can be located by searching for the Friends of Strathcona or through a link on our website.

You are welcome to donate to the FOSSP through a paypal link on the website. Paypal takes a small percentage of your donation, but you get a tax receipt for the entire amount you've contributed.

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### FOSP Membership Form Thank you for renewing.

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ Postal Code \_\_\_\_\_

Phone \_\_\_\_\_ alternate phone (cell) \_\_\_\_\_

e-mail \_\_\_\_\_

Membership (suggested \$10 per year) \_\_\_\_\_

Donation (tax receipts for anything over \$25. \_\_\_\_\_

Number of People coming to AGM in the Comox Valley (June 9 - 2 p.m.) \_\_\_\_\_

Comments \_\_\_\_\_

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send to: Friends of Strathcona Park, P.O. Box 3404, Courtenay, B.C. V9N 5N5