DRAFT

Suggested Response: REFERENCE: NOVEMBER 29, 1991

RE: OPPOSING THE LOCK GATES NOW FOUND OH HUDSON HOPE ROAD,
FORT ST. JOHM (LOG #004000-91 - s.22

Dear s.22

Thank you for your letter regarding the locked gates found on the old Hudson Hope Road.

A report from my District Highways Manager in Fort St. John reveals that this is a very contentious issue. He advises that the Ministry of Lands and our Ministry are actively persuing the legal status of this section of road which has locked gates at both ends.

I'm expecting a report in the very near future and will keep you posted on the outcome.

Thank you for bringing this matter to my attention.

Yours truly,

Prepared by:

A.R. Edgar
Acting Highways Manager

ARE/gm

To:
Subject: Minister's Response

Distribution:

None, this item is In Progress

Gwen,

RE: Opposing the Lock Gates Found on Old Hudson Hope Rd., Fort St. John
s.22 - Log Number 004000 91; File Code 280-30)

s.22 I 'm again unable to comment due to some recent correspondence not being located in the file. John has been handling this issue and it is of such signifigance I would like to extend the response date so as John can accurately respond without any omission on detail.

Please advise so I may take the appropriate actions.

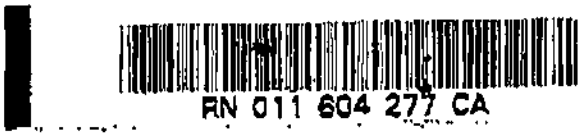
Allan
A/DHM
N.Peace Dist.

NOV. 27/91
GWEN PHONED - SHE WILL GET AN EXTENSION UNTIL YOU CAN REPLY - YOUR REPLY MUST BE DONE FOR MONDAY, DEC. 2/91. NO LATER! OR WE'LL BE ON THE FLOOR.

MINISTRY OF TRANSPORTATION & HIGHWAYS
66
1991
FYI
FILE

s.22

MINISTER OF HIGHWAYS
VICTORIA, B. C.



DEAR SIR:

RE: 119 ROAD (OLD HUDSON HOPE ROAD) FORT ST. JOHN, HIGHWAYS DISTRICT

I AM FORCED TO WRITE THIS LETTER AS MY NUMEROUS PHONE CALLS TO THE LOCAL HIGHWAYS DEPARTMENT HAVE ACHIEVED NO VISIBLE RESULTS. I AM CONCERNED ABOUT LOCKED GATES ON A PORTION OF THE ABOVE MENTIONED ROAD. FOR SOME UNKNOWN REASON THE LOCAL HIGHWAY PERSONAL HAVE ALLOWED AND APPROVED OF LOCKS BEING PLACED ON SEVERAL GATES ON A PUBLIC ROAD THAT HAS BEEN USED BY NUMEROUS PEOPLE FOR GENERATIONS.

I WISH TO POINT OUT THAT THIS ROAD AT ONE POINT IN TIME WAS THE ONLY ROAD CONNECTING COMMUNITIES WEST OF FORT ST. JOHN ALONG THE PEACE RIVER TO FORT ST. JOHN. THIS ROAD WAS BUILT BY TAXPAYERS MONEY AND MAINTAINED WITH TAXPAYER MONEY FOR MANY YEARS. IT IS STILL USED BY THE PUBLIC BECAUSE OF THE SCENIC BEAUTY, HISTORICAL SIGNIFICANCE, AND AS AN ALTERNATE ROUTE TO HUDSON HOPE.

VERY RECENTLY I HAVE LEARNED THAT NOT ONLY ARE THE GATES LOCKED, BUT SOMEONE HAS BARRACKED THE ROAD IN WILDER CREEK WITH A BULLDOZER TO EVEN MORE IMPEND THE PUBLICS RIGHT TO TRAVEL THIS ROAD. I STRONGLY FEEL THAT IN THIS DAY AND AGE THERE ARE ALTERNATIVES TO GATES WITH LOCKS, ON THE MARKET THERE ARE NUMEROUS TYPES OF GATES THAT ALLOW VEHICLES TO FREELY TRAVEL ROADS AS WELL AS KEEP LIVESTOCK AT BAY. AND I WOULD STRONGLY SUGGEST THAT THE LANDOWNER BE FORCED TO INSTALL THIS TYPE OF GATE.

UPON SPEAKING WITH ONE OF THE PEOPLE WHICH ARE ACTIVELY CAMPAIGNING TO CLOSE THIS ROAD I WAS TOLD THAT HE COUNTED 53 CARS ON ONE SUNDAY AFTERNOON TRAVELING THIS ROAD AND HE COMMENTED THAT WHAT RIGHT DO THEY HAVE DOWN THERE. TO THAT I SAY THIS, "THEY HAVE EVERY RIGHT!"

I FIND IT EXTREMELY DISTURBING THAT THE MINISTRY OF HIGHWAYS IN THE AREA WOULD EVEN CONTEMPLATE THE CLOSURE OF SUCH A HISTORICAL ROAD. THIS PRACTICE OF LOCKS ON GATES ON PUBLIC ACCESS ROADS SEEMS TO BECOMING A WIDE SPREAD PRACTICE IN THIS HIGHWAYS DISTRICT.

YOUR QUICK ATTENTION TO THIS MATTER WILL BE APPRECIATED.

YOURS TRULY

s.22

RECEIVED
NOV 20 1991

s.22

October 30,1991.

Ministry Of Transportation And Highways,
10716-100Ave.
Fort.St.John, B.C.
VIJ-IZ3.



Attention Mr. John P. Clark.

Dear Sir:

Further to your letter to me dated October 21, 1991 regarding gates placed on our private road and our private property which you refer to as Road#152A, Old Hudson Hope Road. s.22

s.22

s.22 This road which we have the gate across was built by funding from the land owners and it was built for private use and crosses private property. Therefore the gates will remain locked and the road will be closed to public access.

The Ministry of Highways, nor anyone else,are not to tamper with this gate or endeavor to remove it. Our lawyer in Vancouver advises us that we are within our legal rights to keep this gate locked and to close this road to the public. He has studied the documents and the land titles which we sent him. Being this road was built by land owners and not the government and in view of the fact there is alternate routes for the public to use, we have the right to close this private road to public use. Our stand on the dispute is if the government has a road through this private property, where is this road? How and when did they acquire the right-of-way, how wide is it, and where is the survey plan? To whom did they negotiate for the right-of-way and to whom was money paid? The land title also supports our argument on the above.

When we met with you and Dennis Cullings in your office some time back, you stated that if your department spent money on a private road it would then become a public road under your jurisdiction and ownership. Dennis at that time said that the department sent a grader over this road 2 or 3 times in the past 10 years. We do not agree that this is now apublic road because your grader trespassed on this private property 3 times in the past 10 years.

s.22 have been causing the most disturbance over the road closure s.22

s.22 They are the same ones that were successful in the past to get government graders to grade that hill on private property. They stated to us that s.22 works for the Ministry in a super-visory position and that he supports them in their efforts to have this a public road. We suggest that s.22 had better stay neutral in this regard and govern his actions accordingly, or he may be called before the courts to answer conflict of interest guide lines in view of his position with the Ministry. He could be jeopardizing his position and his job. s.22 and other staff members with the Ministry and Northlands Road Services have in the past used these private properties for hunting, fishing, and picnics. In fact the only people tha

95 TRA-2015-51 16

complained to us about the locked gates are employees with the Highways, Northlands Road Services and employees with the Land's Branch who wish to trespass on these private properties. Road #125 from the west is a favorite hide-a-way for the highways workers to hide away from public scrutiny and to take their long lunch breaks and to catch up on their sleep. We have caught them doing just that on many occasions. It is no wonder you get many complaints about closures of these roads, especially from government workers. It would or could change their way of life style. It amazed me about 3 weeks ago to notice a department grader grading this Road#125 from the west, after the fact that we hauled our grain out already by that time and now the road would be used only for hunters and vandals. Also note that we the only farmers in there and a representative of B.C. Hydro made formal request that you close that road and not spend public money on it.

In closing I again stress the importance that these gates not be tampered with or removed by your Department. There is "No Trespassing" signs there and these signs must be respected. Should you decide not to respect our requests in this matter, and do in fact send a crew down there on private property and destroy and, or remove these gates, we request you notify s.22

s.22

s.22 so we can have the media and other concerned citizens attend this historic event.

We do hope this dispute comes to a satisfactory and peaceful conclusion and that court action will not be necessary on our part.

Yours Truly,

s.22



October 25, 1991

Ministry of Transportation &
Highways
10716 - 100 Avenue
Fort St. John, BC
V1J 1Z3

ATTENTION: John P. Clark
District Highways Manager

Dear Sir:

RE: GATE CLOSURE OF ROADS 152A & 125

As per our discussion on October 24, 1991, I would like you to provide official documentation stating that in fact this is a public road. This is not the first time we have had this same argument. Please find enclosed a copy of a memorandum from the Land Title office in Prince George stating that no road allowances exist on NW 1/4, Sec 27, Twp 83, Range 20, W6M.

As for the Ministry of Highways spending money on this so-called public access, this is totally false. To the best of my knowledge it has been graded twice in the last 10 years. When I first viewed this road in 1965, it was not much more than a horse trail. s.22 hired s.22 to fix the road. He started where the present steel gate is and omitted the switchback at the top of the hill and widened the road to the bottom. In 1982, s.22 s.22 widened the road and mainly the switchback at the lower part of the hill. They also opened up the trail to the west side of Deep Creek as they had rented Hydro land. Without our permission I might add. The road stayed relatively the same with us and s.22 fixing the road to make it passable.

...../2

In the mid-1980s, Czar Resources built a pipeline across the Peace River and used the old road as an access. They did some upgrading and hauled gravel. This is also the same time that a road was put southeast of the bottom buildings to the river as an access to the river crossing. In the years that followed either myself or s.22 maintained the hill section with the Ministry of Highways running the occasional grader to the bottom.

As I told you, my intention with a locked gate was not to keep people out but to control people who use the road. As you know the vandalism and disrespect to the landowner is an ongoing problem. You stated in our conversation that if a sign was erected at the gate to let people know where they could obtain a key that you could live with a locked gate. So, I propose that I could make up a sign that states if the public wants to drive down to the bottom of the hill (staying on the marked road) that they can obtain a key from myself or other landowners. This will be done when and if the Ministry can prove that the road west of the steel gate is in fact a public road allowance. Thank you for your time and consideration in this matter.

Yours truly,

s.22

Enclosures

cc: Crown Lands, Fort St. John
s.22



Province of
British Columbia

Ministry of
Transportation
and Highways

J716 - 100 Avenue
Fort St. John, BC
V1J 1Z3
Phone: 787-3237

October 21, 1991

s.22

Dear Sir:

Re: Gate on Old Hudson Hope Road

I wish to acknowledge your letter of October 10, 1991, regarding the above. The people responsible for the gate have been requested to remove it, and we will take action as necessary if it is not removed.

Thank you for expresssing your concerns with respect to this matter.

Yours truly,

John P. Clark
District Highways Manager

JPC/hb

10716 - 100 Avenue
Fort St. John, BC
V1J 1Z3
Phone: 787-3237

October 21, 1991

REGISTERED MAIL

s.22

Dear Sir:

Re: Gate and Blockage of Roads 152A-125 (Old Hudson Hope Road)

Further to your visit to this office regarding the gates you placed on Road 152A and Road 125, as indicated on accompanying map, and our discussions at that time. We have now confirmed with Lands Branch and as well further verified our records that this is a public road. We have also received numerous complaints about your gates and the fact that at times they are locked.

I therefore have no alternative but to insist that you remove the gates by November 10, 1991, or the Ministry will have to take appropriate action and have the gates removed.

We also have had reports of a blockage placed by yourself at or near Wilder Creek. If this is the case, it is to be removed and the road restored to its original shape and in passable condition.

Yours truly,

John P. Clark
District Highways Manager

JPC/hb
cc: Crown Lands, Fort St. John

s.22

Province of British Columbia

MEMORANDUM

s.22

FROM: Land Title Office
330 Victoria St.
Prince George, B.C.

SUBJECT: N½ sec 27 twp 83 Range 20 W6M

DATE: October 16/81

☒ For Your Information ☐ Please O.K. and Return ☐ Please Discuss With Me ☐ Per Your Request ☐ For Your Signature
☐ Please Process ☐ Return With More Details ☐ Investigate and Report ☐ Please Answer ☐ For Your File

Please be advised our records do not show any road allowances within the above noted property

E. Raven per D Jardine

Fold Here for Window Envelope

Fold Here for Window Envelope

s.22

MINISTER OF HIGHWAYS
VICTORIA, B. C.

DEAR SIR:

RE: 119 ROAD (OLD HUDSON HOPE ROAD) FORT ST. JOHN, HIGHWAYS DISTRICT

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YOUR QUICK ATTENTION TO THIS MATTER WILL BE APPRECIATED.

YOURS TRULY

s.22



cc Highways, Fort St. John

s.22

October 10, 1991.

Province of British Columbia
10716 100th Avenue
Fort St. John, B. C.
V1J 1Z3

Attention: J. P. Clark, District Highways Manager

Dear Sir:

RE: OLD HUDSON'S HOPE ROAD

An attempt to drive down the above road was frustrated due to what appears to be an illegal locked gate across the road, I believe at the border between Lots 34 and 35. To the best of my knowledge, this is an established part of the Provincial road network and should thus be open for public use.

As it happened; I,at the gate,met a couple connected with the owners of the property/fence who announced they were tired of the public using the road facility and were rather pleased with the solution they found. They furthermore informed me that in addition to the gate blocking the road, the roadbed itself had been obliterated at some point beyond the gate.

If I am correct in my assumption that this is; in fact, an illegal act, I would appreciate your advice as to how this matter can be corrected as it should and the perpetrators made to account for their actions.

At this point, I am not sure if it falls under your jurisdiction or if it is a police matter. Your information in this regard will be appreciated in order that I can follow up to whichever level of authority it will take to rectify this.

At the same time, you can perhaps also let me know to which width public ownership of the road extends.

I feel very strongly that any landowner should have the right to protect his property; however, I feel just as strongly that any transgressions as above described must not be tolerated as it infringes on the freedoms and rights of the general public.

Your attention to this will be appreciated.

Yours truly,

s.22

MINISTRY OF TRANSPORTATION & HIGHWAYS
15 1991

10716 - 100 Avenue
Fort St. John, BC
V1J 1Z3
Phone: 787-3237

October 21, 1991

REGISTERED MAIL

s.22

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Yours truly,

John P. Clark
District Highways Manager

JPC/hb
cc: Crown Lands, Fort St. John
s.22

October 25, 1991

Ministry of Transportation &
Highways
10716 - 100 Avenue
Fort St. John, BC
V1J 1Z3

ATTENTION: John P. Clark
District Highways Manager

Dear Sir:

RE: GATE CLOSURE OF ROADS 152A & 125

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...../2

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Yours truly,

s.22

Enclosures

cc: Crown Lands, Fort St. John
s.22

MINISTRY OF TRANSPORTATION & HIGHWAYS
OCT 3 C 1991
FORT ST. JOHN

MESSAGE

Date July 8 Time 2:01

To John

WHILE YOU WERE OUT

Mike

From BC Lands

TELEPHONE 787-3411

Telephoned		Please call	✓
Called to see you		Will call again	
Wants to see you		Returned your call	

MESSAGE Meeting at Lands tomorrow at 11:00

Operator

46-501 pink
46-502 yellow

URGENT ☐

Hilroy

EDITION 4 **94 A/3**

(NOTE: RD 119 DIST. PLANS 44-119-04)

14 15 16 17 18 R 20 05'19 20 21 22 623000m. E. 121°00'

56°15'

Tp 84

35

34

33

32

31

6234000m. N.

ROAD 125

1650

2100

2450

1900

2550

2530

BC

119

152

ROAD

CROOKS

2150

HOPE

ROAD

OLD

2000

1400

1600

1500

PEACE

RIVER

2050

1550

1650

787-3379

s.22

December 28, 1992

Mr. Steven Henderson
Property Agent
Central North/East Region
Ministry of Transportation and Highways
#213 - 1011, 4th Avenue
Prince George, BC
V2L 3H9

VIA Facsimile: 565-6065

RE: YOUR REGISTERED LETTER DATED DECEMBER 15, 1992.
PS68738 AND PS 68740 NORTH PEACE - OLD HOPE ROAD #119

Mr. Henderson:

Considering the problems there have been in the past 12 years, I cannot, at this time, give representatives of Waberski Darrow and the Ministry carte blanche access to my property without knowing more about what you are planning, where you intend to go and why.

I would suggest a meeting of those involved (myself, my family, my tenants, B.C. Hydro and the Ministry of Forests) with your Ministry property agent and with Mr. John Clark, District Highway Manager, North Peace before this project proceeds any further.

I trust you will see the logic in such a procedure.

s.22

s.22

cc Mr. John Clark, District Highways Manager, North Peace
Waberski Darrow - Land Surveyors

Province of
British Columbia

Ministry of
Transportation
and Highways

K _.onal Properties
Central/North East Region
#213 - 1011 Fourth Avenue
Prince George, B. C. V2L 3H9

Telephone: 565 - 6472
Facsimile: 565 - 6065

R7146, R7147, R7148
North Peace

December 17, 1992

s.22

Dear s.22

RE: OLD HOPE ROAD NO. 119

Please be advised that the Ministry of Transportation and Highways will be proceeding with a right-of-way acquisition project which may affect your property. This project will entail the preparation of District Highway Plans, which will be used in determining the areas to be acquired for the Old Hope Road No. 119. Once these plans have been prepared, the extent of involvement, if any, of your property in this project will be determined.

The Ministry has contracted the services of Waberski Darrow, a legal surveyor from the Fort St. John area. Employees of the firm will be entering onto property in the area to conduct the surveys and any activities necessary to prepare the plans the Ministry requires.

Waberski Darrow will be instructed to make reasonable attempts to contact and advise affected owners prior to their entry upon their property. It is estimated that the earliest date of survey will be January 4, 1993.

Section 6 of the Highway Act (Chapter 167) consolidated February 29, 1988 (photocopy attached) permits the Minister, his agents and workers access to lands to facilitate plan preparation. We are requesting your assistance by allowing the representatives of Waberski Darrow and the Ministry access to your property, if required. This request is made as a courtesy; we reserve our right to enter the subject lands for limited purposes in accordance with all applicable Acts and Regulations.

.../2

As part of the acquisition of right-of-way, legal survey plans will be prepared by Waberski Darrow. These reference plans for dedication of road will be registered in the Prince George Land Title Office when agreements with the land owners have been reached.

Thank you for your cooperation. If you have any questions or concerns, please contact the undersigned.

Yours truly,

for Steven Henderson
Property Agent
Central/North East Region

SH/ra

cc: Mr. John Clark, District Highways Manager, North Peace District
Ms. Elaine Engstrom, Land Survey Coordinator Assistant
Mr. Chris Windt, B. C. Hydro, Vancouver

Province of
British Columbia

Ministry of
Transportation
and Highways

Regional Properties
#213-1011 4th Avenue
Prince George, BC
V2L 3H9

Telephone: 565-6472
Facsimile: 565-6065

LOOMIS COURIER

R7146, R7147, R7148,
PS68738, PS68740, PS68735,
PS68741, PS68739, PS68736,
PS68734,
S42228/92
North Peace

December 16, 1992

Waberski and Darrow
"B" 9908 102nd Avenue
Fort St John, B.C.
V1J 2E1

Dear Sirs:

RE: **PROPOSED PROJECT S42228/92**
LEGAL SURVEY FOR FIVE REFERENCE PLANS THROUGH:
ITEM 1: S. E. 1/4 AND S. W. 1/4, SECTION 27, TOWNSHIP 83;
ITEM 2: N. W. 1/4 AND N. E. 1/4, SEC. 27, TOWNSHIP 83;
ITEM 3: S. W. 1/4 AND N. E. 1/4, SECTION 35, TOWNSHIP 84;
ITEM 4: E. 1/2 OF N. E. 1/4, SECTION 34; N. W. 1/4, SECTION 35
BOTH TOWNSHIP 83;
ITEM 5: S.E. 1/4, SECTION 34, TOWNSHIP 83;
ALL RANGE 20, W6M, PEACE RIVER DIVISION
OLD HOPE ROAD 4.6 +/- KM (25 METRE WIDTH)

The Ministry of Transportation and Highways requests a cost estimate for survey and preparation of reference plans of road dedication, pursuant to Section 107 of the Land Title Act.

The areas to be surveyed are the boundaries of highway right-of-way enclosing portions of Old Hope Road through above-noted legal descriptions. The proposed boundaries of highway right-of-way are shown inlined in red on District Plan 422-119-10 attached. However, please keep in mind that this plan may have been prepared prior to the construction of the actual road. We therefore require the survey to enclose the works (includes all ditches, cuts and fills through alienated land, and the same through crown land, plus 3 metres). As you may be aware the legal plan will then supersede the District Plan. Please contact Lawrence Olson at our District Office **before commencing any work.** Land owners should be contacted before entering property.

.../2

Also enclosed are copies of recent title searches.

In preparing your estimate, please consider the following:

1. The estimate is to reflect the assumption of fair weather conditions for the field work. The field work is not to be carried out during severe winter conditions.

2. The works are to be inclusive of: title search, plan search, survey calculations, monumentation and completion of plans.

3. The Survey and Reference Plans shall be in accordance with Part 7 of the Land Title Act, and with the Surveyor General's "Instructions Regarding the Legal Survey of Rights of Way for Highway".

   These plans may address dedications for roads through (a) titled lands or (b) both titled and untitled lands, but not untitled land only.

   The returns consisting of the original mylar, two paper prints are to be submitted to the Land Survey Coordinator, 213 1011 Fourth Avenue, Prince George, B.C. V2L 3H9.

3a. Existing Unsurveyed Roads that are within the plan area, such as: (a) Section 4 roads; (b) Crown deletions or (c) prior gazettes shall be shown on the face of the plan with the areas noted.

   For Reference Plans indicate as follows for each parcel:

   Existing Road within plan _____ ha.
   New Road acquired _____ ha.
   Total Road by plan _____ ha.

   ((a), (b) or (c) - if more than one show the area for each. If (c) show the gazette date.)

   Show the existing roads with light broken lines. Use the District's control plan interpretation of them unless a significant error is found in their work. (Report same to the Land Surveyor Coordinator).

3b. Area Calculations:

   Unconstructed Road - B.C.L.S. areas must not be greater than those indicated on the control plan. If the offsets given calculate to greater, report same to this office.

   Alienated Lands - Constructed Road - B.C.L.S. boundaries are to enclose works (includes ditches, cuts and fills). Report to this office if areas are greater than 5% over those indicated on the control plan.

.../3

Crown Lands - Constructed Road - B.C.L.S. boundaries are to enclose the works plus 3M.

3c. Signature blocks for owners and charge holders, as necessary - shall be drafted onto the plan. The Land Survey Coordinator will attend to the signing and deposit at the appropriate Land Title Office.

3d. Upon Contract assignment, individual plan returns must be received by January 31, 1993. Failure in this regard will be noted and may effect future requests for surveys by the Ministry. Survey should not be commenced before the first week of January, 1993.

4. It is the Surveyor's responsibility to ascertain if the survey is in an integrated survey area and the estimate is to reflect the price of the requirements therein.

5. Supply a breakdown of the rates and proposed hours of each classification of labour, equipment, materials, and the proposed number of monuments, all totalled to arrive at your estimated cost. Please complete attached Addendum to Schedule "B" - Payment (Fees and Expenses).

   A similar breakdown is to accompany final invoice and a copy of the time sheet and material receipts may accompany final invoice if requested by the Land Survey Coordinator.

6. Note the Ministry reserves the right to request an estimate from a second B.C.L.S. if, in the Land Survey Coordinator's opinion, the initial one is unreasonable.

7. Please note the project number on all correspondence.

8. Please give this request your early attention, our Fax number for reply is 565-6065.

Yours truly,

Elaine Engstrom

Elaine Engstrom
Land Survey Coordinator Assistant



EE/nwh

Enclosures

cc District Highways Manager
North Peace

Province of
British Columbia

Ministry of
Transportation
and Highways

Regional Properties
#213 - 1011, 4th. Avenue
Prince George, B.C.
V2L 3H9

Telephone: 565-6472
Facsimile: 565-6065

REGISTERED MAIL

PS 68734
North Peace

December 15, 1992



s.22

RE: **OLD HOPE ROAD #119**

Dear s.22

Please be advised that the Ministry of Transportation and Highways will be proceeding with a right-of-way acquisition project, which may involve your property. This project will entail the preparation of District Highway Plans, which will be used in determining the areas to be acquired for the Old Hope Road #119.

Once these plans have been prepared, the extent of involvement (if any) of your property in this project, will be determined.

The plans will also be used to calculate compensation for the acquisition, as per the Expropriation Act (1987), a copy of which is attached. A Ministry property agent will be assigned to this project, who will contact you in person in the new year. This person will discuss the project plans and any drawings with you, conduct appraisals, and calculate compensation for the areas to be purchased.

The Ministry has contracted the services of Waberski Darrow, a legal surveyor from the Fort St. John area. Employees of the firm will be entering onto your property to conduct the surveys and any activities necessary to prepare the plans the Ministry requires.

Waberski Darrow will be instructed to make reasonable attempts to contact and advise you prior to their entry upon your property. It is estimated that the earliest date of survey will be January 4, 1993.

.../2

Printed on Recycled Paper

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As part of the acquisition of right-of-way, legal survey plans will be prepared by Waberski Darrow. These reference plans for dedication of road will be registered in the Prince George Land Title Office, when agreements with the land owners, have been reached.

Thank you for your cooperation. If you have any questions or concerns please contact the undersigned.

Yours truly,

Steven Henderson
Property Agent
Central North/East Region

Enclosures

cc. Mr. John Clark, District Highways Manager, North Peace
Ms. Elaine Engstrom, Land Survey Coordinator Assistant

Province of
British Columbia

Ministry of
Transportation
and Highways

Regional Properties
#213 - 1011, 4th. Avenue
Prince George, B.C.
V2L 3H9

Telephone: 565-6472
Facsimile: 565-6065

REGISTERED MAIL

PS 68735 and PS 68741
North Peace

December 15, 1992

Nordland Enterprises Ltd.
c/o P. O. Box 6414
Fort St John, B.C.
V1J 4H8

ATTENTION: **VOLKER KROECHER**

RE: **OLD HOPE ROAD #119**

Dear Mr. Kroecher:

Please be advised that the Ministry of Transportation and Highways will be proceeding with a right-of-way acquisition project, which may involve your property. This project will entail the preparation of District Highway Plans, which will be used in determining the areas to be acquired for the Old Hope Road #119.

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Thank you for your cooperation. If you have any questions or concerns please contact the undersigned.

Yours truly,

Steven Henderson
Property Agent
Central North/East Region

Enclosures

cc. Mr. John Clark, District Highways Manager, North Peace
Ms. Elaine Engstrom, Land Survey Coordinator Assistant

Province of
British Columbia

Ministry of
Transportation
and Highways

Regional Properties
#213 - 1011, 4th. Avenue
Prince George, B.C.
V2L 3H9

Telephone: 565-6472
Facsimile: 565-6065

REGISTERED MAIL

PS 68735 and PS 68741
North Peace

December 15, 1992

Nordland Enterprises Ltd.
#903 2055 Pendrell Street
Vancouver, B.C.
V6G 1T9

ATTENTION: **ANNE MARIE KROECHER**

RE: **OLD HOPE ROAD #119**

Dear Ms. Kroecher:

Please be advised that the Ministry of Transportation and Highways will be proceeding with a right-of-way acquisition project, which may involve your property. This project will entail the preparation of District Highway Plans, which will be used in determining the areas to be acquired for the Old Hope Road #119.

Once these plans have been prepared, the extent of involvement (if any) of your property in this project, will be determined.

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Thank you for your cooperation. If you have any questions or concerns please contact the undersigned.

Yours truly,

Steven Henderson
Property Agent
Central North/East Region

Enclosures

cc. Mr. John Clark, District Highways Manager, North Peace
Ms. Elaine Engstrom, Land Survey Coordinator Assistant

Province of
British Columbia

Ministry of
Transportation
and Highways

Regional Properties
#213 - 1011, 4th. Avenue
Prince George, B.C.
V2L 3H9

Telephone: 565-6472
Facsimile: 565-6065

REGISTERED MAIL

PS 68735 and PS 68741
North Peace

December 15, 1992

Nordland Enterprises Ltd.
c/o 3524 Dowsley Court
North Vancouver, B.C.
V7N 1X4

ATTENTION: **REIMER KROECHER**

RE: **OLD HOPE ROAD #119**

Dear Mr. Kroecher:

Please be advised that the Ministry of Transportation and Highways will be proceeding with a right-of-way acquisition project, which may involve your property. This project will entail the preparation of District Highway Plans, which will be used in determining the areas to be acquired for the Old Hope Road #119.

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Printed on Recycled Paper

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Yours truly,

Steven Henderson
Property Agent
Central North/East Region

Enclosures

cc. Mr. John Clark, District Highways Manager, North Peace
Ms. Elaine Engstrom, Land Survey Coordinator Assistant

Province of
British Columbia

Ministry of
Transportation
and Highways

Regional operties
#213 - 1011, 4th. Avenue
Prince George, B.C.
V2L 3H9

Telephone: 565-6472
Facsimile: 565-6065

REGISTERED MAIL

PS 68735 and PS 68741
North Peace

December 15, 1992

Nordland Enterprises Ltd.
c/o P. O. Box 6414
Fort St John, B.C.
V1J 4H8

ATTENTION: **MORFYDD KROECHER**

RE: **OLD HOPE ROAD #119**

Dear Mr. Kroecher:

Please be advised that the Ministry of Transportation and Highways will be proceeding with a right-of-way acquisition project, which may involve your property. This project will entail the preparation of District Highway Plans, which will be used in determining the areas to be acquired for the Old Hope Road #119.

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Thank you for your cooperation. If you have any questions or concerns please contact the undersigned.

Yours truly,

Steven Henderson
Property Agent
Central North/East Region

Enclosures

cc. Mr. John Clark, District Highways Manager, North Peace
Ms. Elaine Engstrom, Land Survey Coordinator Assistant

Province of
British Columbia

Ministry of
Transportation
and Highways

Regional Properties
#213 - 1011, 4th. Avenue
Prince George, B.C.
V2L 3H9

Telephone: 565-6472
Facsimile: 565-6065

REGISTERED MAIL

PS 68736 and PS 68739
North Peace

December 15, 1992

s.22

RE: **OLD HOPE ROAD #119**

Dear s.22

Please be advised that the Ministry of Transportation and Highways will be proceeding with a right-of-way acquisition project, which may involve your property. This project will entail the preparation of District Highway Plans, which will be used in determining the areas to be acquired for the Old Hope Road #119.

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Yours truly,

Steven Henderson
Property Agent
Central North/East Region

Enclosures

cc. Mr. John Clark, District Highways Manager, North Peace
Ms. Elaine Engstrom, Land Survey Coordinator Assistant

Province of
British Columbia

Ministry of
Transportation
and Highways

Regional Properties
#213 - 1011, 4th. Avenue
Prince George, B.C.
V2L 3H9

Telephone: 565-6472
Facsimile: 565-6065

REGISTERED MAIL

PS 68738 and PS 68740
North Peace

December 15, 1992

s.22

RE: **OLD HOPE ROAD #119**

Dear Sir/Madam:

Please be advised that the Ministry of Transportation and Highways will be proceeding with a right-of-way acquisition project, which may involve your property. This project will entail the preparation of District Highway Plans, which will be used in determining the areas to be acquired for the Old Hope Road #119.

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Yours truly,

Steven Henderson
Property Agent
Central North/East Region

Enclosures

cc. Mr. John Clark, District Highways Manager, North Peace
Ms. Elaine Engstrom, Land Survey Coordinator Assistant

Province of
British Columbia

Ministry of
Transportation
and Highways

Regional Properties
#213 - 1011, 4th. Avenue
Prince George, B.C.
V2L 3H9

Telephone: 565-6472
Facsimile: 565-6065

R7146, R 7147, R 7148
North Peace

December 15, 1992

Ministry of Environment, Lands and Parks
Peace Region
220 9900 100th Avenue
Fort St John, B. C.
V1J 5S7



ATTENTION: **EGON WEGER**
REGIONAL DIRECTOR

RE: **OLD HOPE ROAD #119**

Dear Mr. Weger:

Please be advised that the Ministry of Transportation and Highways will be proceeding with a right-of-way acquisition project, which may involve your property. This project will entail the preparation of District Highway Plans, which will be used in determining the areas to be acquired for the Old Hope Road #119.

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Yours truly,

Michelle Darrock

for: Steven Henderson
Property Agent
Central North/East Region

Enclosures

cc. Mr. John Clark, District Highways Manager, North Peace
Ms. Elaine Engstrom, Land Survey Coordinator Assistant

#300, 10003 - 110 Ave.
Fort St. John, BC
V1J 6M7
Phone: 787-3237

20-A

December 9, 1992

Delivered by Hand

B. C. Hydro
Ranch Management Service
Vancouver, BC

Attention: Mr. Chris Windt

Dear Sir:

RE: ACCESS VS. CONSOLIDATION OF PROPERTIES
BEAR FLATS AREA - FORT ST. JOHN

With reference to our conversations the past while, the Ministry of Transportation and Highways are prepared to look at a proposal that allows B. C. Hydro to consolidate their properties in the area Sections 32, 33, 34, Township 83, Range 28, W6M. The Ministry when legalizing the right-of-way for the #125 American Road would only consider the proportion of road to the West to include access to B. C. Hydro's newly consolidated parcel and any crown land or other lands which would require access under the terms of the Land Title Act. The balance of the original American Road through Hydro lands to and across Wilder Creek would not be defined as road right-of-way.

Mr. Egon Weger, Regional Manager for the Ministry of Crown Lands is also in agreement to pursuing this proposal.

I trust the above will clarify our position once the Ministry has funding to proceed with the survey of the American Road. I would suggest that B. C. Hydro contact the writer once they are in a position to proceed.

Yours truly,

John P. Clark
District Highways Manager

JPC/pq

cc: Mr. Egon Weger, Crown Lands, Fort St. John
Steve Henderson, Property Agent, Central/North East Region

:y of Transportation and Highways

FACSIMILE RECORD

December 15, 1992

File No. 22-20-119

Elaine Engstrom

Regional Property Clerk

Central/North East REgion

FROM: **North Peace District**

#300 - 10003 - 110 Avenue

Fort St. John, BC

V1J 6M7

L.L. Olson, District Technician

No. PHONE No.

FAX No. **787-3279** PHONE No. **787-3237**

NAL PAGES TO BE:
ILED ☐ MAILED ☐ COURIERED ☐ OTHER (SPECIFY)

JECT: OLD HOPE ROAD NO. 119

As requested, attached is a copy of the November 10, 1992 letter outlining the survey recommended for the above.

The length of the survey, scaled from the available mapping is as follows:

1. 2.134 meter widening for 0.8 km. — not included — Ref. LRO. B1681 - confirmed with Steve by phone. Today. (see attachment)
2. 25.0 meter wide r/w - 4.6 km.

PAGES: 2 (including this sheet)

L.L. Olson

Operators Signature

Ministry of Transportation & Highways
Rm #213, 1011 - 4th Avenue
Prince George, BC
V2L 3H9

November 10, 1992
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7

22-20-119

Attention: Rebecca Austin
Regional Property Clerk

RE: OLD HOPE ROAD

In response to your memorandum of October 30, 1992, the scope of a legal survey should be to establish continuity of the right-of-way. Therefore I recommend starting from the end of the gazetted right-of-way as shown on District Plan 44-119-09 (copy attached). To establish a 2.134 meter widening along the east boundary of the South East quarter of Section 2, Township 84, Range 20, W6M.

Then to establish a 25.0 meter right-of-way over the existing 3.0 meter wide road (trail) to the South and West through the following for access to the Peace River as shown in red:

1. Section 35, Twp. 83, Rg. 20, W6M
2. Section 34, Twp. 83, Rg. 20, W6M
3. Section 27, Twp. 83, Rg. 20, W6M

An enlarged sketch of map 94A/3 is provided which shows the existing location of the Old Hope Road No. 119 highlighted in red and the approximate location of the old road (trail) highlighted in yellow.

The District Survey Plan number for the above would be 22-119-10.

L. L. Olson
District Technician

LLO/pq
Attachment

MESSAGE

to. Denis/Ole

date. 92/12/14 time. 10:30

from M.

of. Elaine - Properties

565 - 4134

☑ telephoned	returned your call ☐
☐ wants to see you	called to see you ☐
☑ please call	will call again ☐

message.

Old Hudson Hope Road

- widths

- length - 3.3 miles

received by Dale

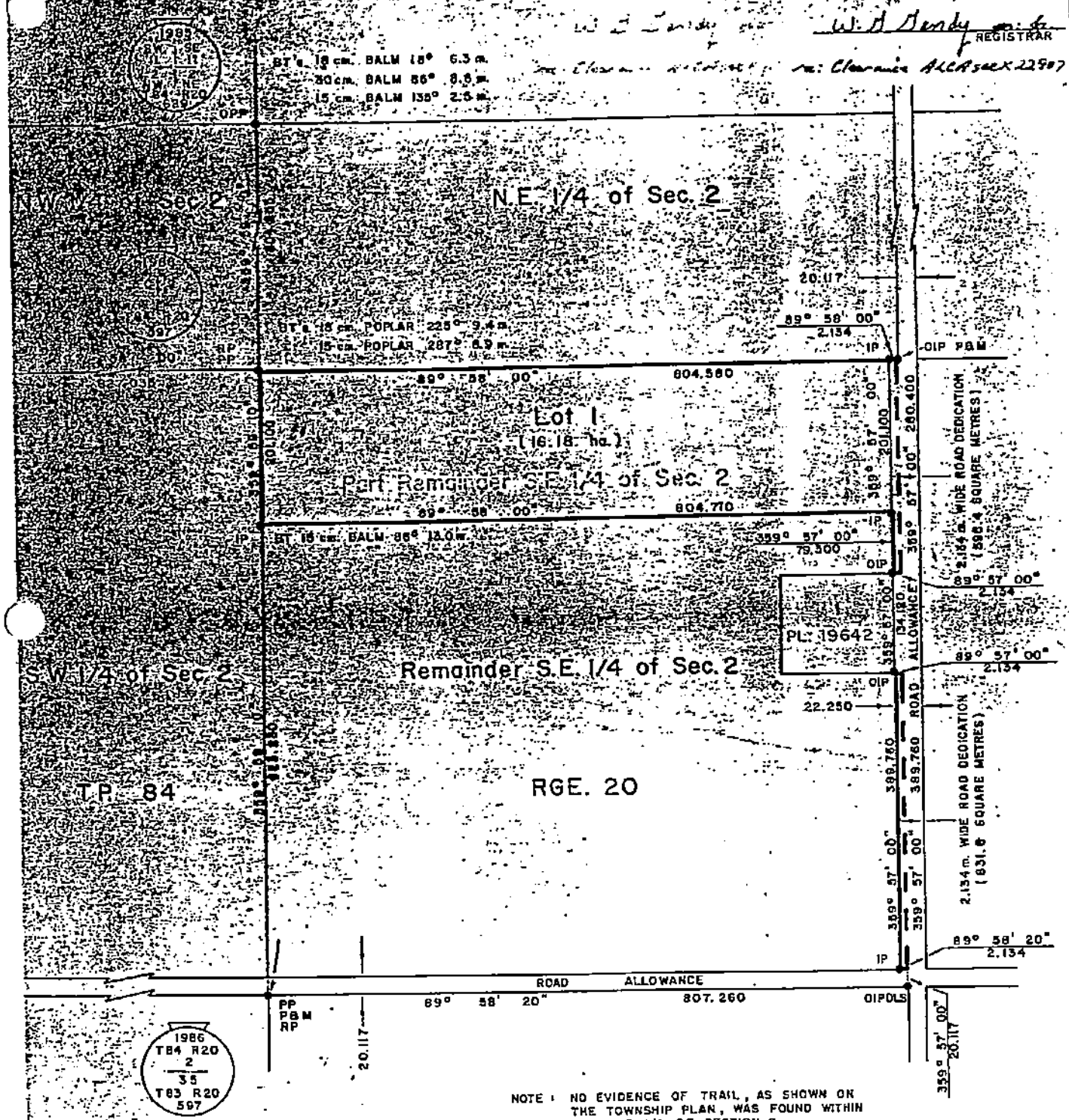
Hilroy

pink 46-501
yel. 46-502

PLAN 31681

DEPOSITED IN THE LAND TITLE OFFICE
AT PRINCE GEORGE, B.C.,
THIS 31 DAY OF July, 1986

W. H. Bendy
REGISTRAR



NOTE : NO EVIDENCE OF TRAIL, AS SHOWN ON THE TOWNSHIP PLAN, WAS FOUND WITHIN THE S.E. 1/4 OF SECTION 2.

OWNERS:
LTD. (INCORPORATION NUMBER 109802)

V. Kroecher
PRESIDENT

SURVEYOR:
D. TRILL & ASSOCIATES
9108 96A AVENUE
FORT ST. JOHN, B.C.

#300, 10003 - 110 Ave.
Fort St. John, BC
V1J 6M7
Phone: 787-3237

20-A

December 9, 1992

Delivered by Hand

B. C. Hydro
Ranch Management Service
Vancouver, BC

Attention: Mr. Chris Windt

Dear Sir:

RE: ACCESS VS. CONSOLIDATION OF PROPERTIES
BEAR FLATS AREA - FORT ST. JOHN

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I trust the above will clarify our position once the Ministry has funding to proceed with the survey of the American Road. I would suggest that B. C. Hydro contact the writer once they are in a position to proceed.

Yours truly,

John P. Clark
District Highways Manager

JPC/pq

cc: Mr. Egon Weger, Crown Lands, Fort St. John
Steve Henderson, Property Agent, Central/North East Region

#300, 10003 - 110 Ave.
Fort St. John, BC
V1J 6M7
Phone: 787-3237

20-A

November 16, 1992

s.22

Dear Sir:

RE: ACCESS - ROAD 119

Thank you for your letter dated November 9th, 1992. The Ministry is currently taking steps to resolve the access problems on Road #119 and will continue until a settlement is reached.

Thank you for taking the time to express your concerns.

Yours truly,

John P. Clark
District Highways Manager

JPC/pq

November 9, 1992



s.22

Ministry of Transportation & Highways
#300 10003-110th Ave.
Fort St. John, B.C. V1J 6M7

ATTENTION MR. JOHN CLARKE

This letter is in regard to Road 119 and crown access. I would like to see Road 119 properly maintained and kept open for public use. Use of Road 119 for the purpose of access to water which is in the Peace River is importan s.22
There is also crown land which would be useful to hunt and camp on. For these reasons which I made clear in our telephone conversation, it is of utmost importance that you resolve this matter.

Please keep me informed of further development in this matter.

Sincerely,

s.22

s.22

#300, 10003 - 110 Ave.
Fort St. John, BC
V1J 6M7
Phone: 787-3237

20-A

November 16, 1992

s.22

Dear Sir:

RE: ACCESS - ROAD 119

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Yours truly,

John P. Clark
District Highways Manager

JPC/pq

November 9, 1992



s.22

Ministry of Transportation & Highways
#300 10003-110th Ave.
Fort St. John, B.C. V1J 6M7

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Fort St. John, BC
V1J 6M7
Phone: 787-3237

20-A

November 16, 1992

s.22

Dear Sir:

RE: ACCESS - ROAD 119

Thank you for your letter dated November 9th, 1992. The Ministry is currently taking steps to resolve the access problems on Road #119 and will continue until a settlement is reached.

Thank you for taking the time to express your concerns.

Yours truly,

John P. Clark
District Highways Manager

JPC/pq

Ministry of Transportation & Highways
Rm #213, 1011 - 4th Avenue
Prince George, BC
V2L 3H9

November 10, 1992
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7

22-20-119

Attention: Rebecca Austin
Regional Property Clerk

RE: OLD HOPE ROAD

In response to your memorandum of October 30, 1992, the scope of a legal survey should be to establish continuity of the right-of-way. Therefore I recommend starting from the end of the gazetted right-of-way as shown on District Plan 44-119-09 (copy attached). To establish a 2.134 meter widening along the east boundary of the South East quarter of Section 2, Township 84, Range 20, W6M.

Then to establish a 25.0 meter right-of-way over the existing 3.0 meter wide road (trail) to the South and West through the following for access to the Peace River as shown in red:

1. Section 35, Twp. 83, Rg. 20, W6M
2. Section 34, Twp. 83, Rg. 20, W6M
3. Section 27, Twp. 83, Rg. 20, W6M

An enlarged sketch of map 94A/3 is provided which shows the existing location of the Old Hope Road No. 119 highlighted in red and the approximate location of the old road (trail) highlighted in yellow.

The District Survey Plan number for the above would be 22-119-10.

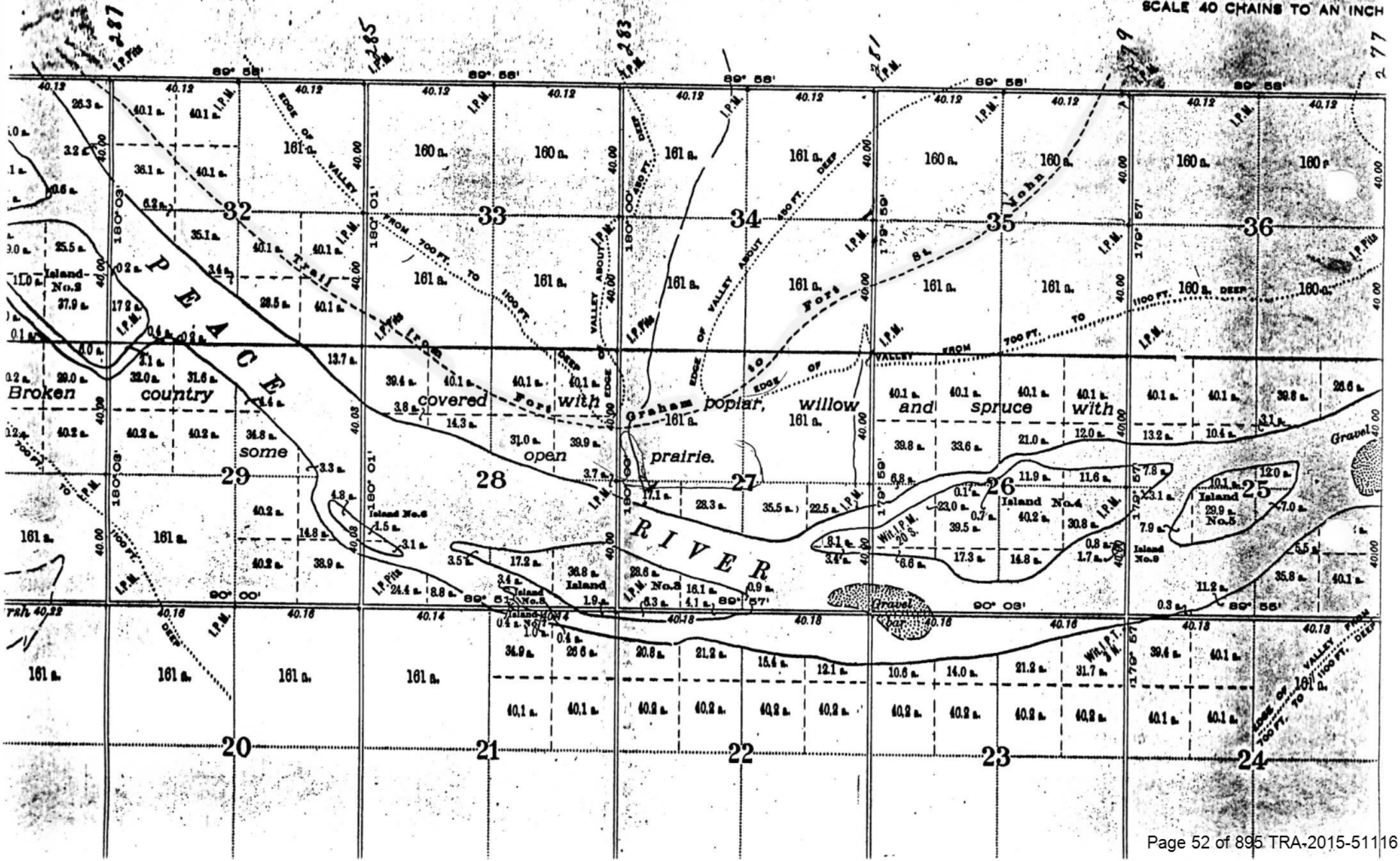
L. L. Olson
District Technician

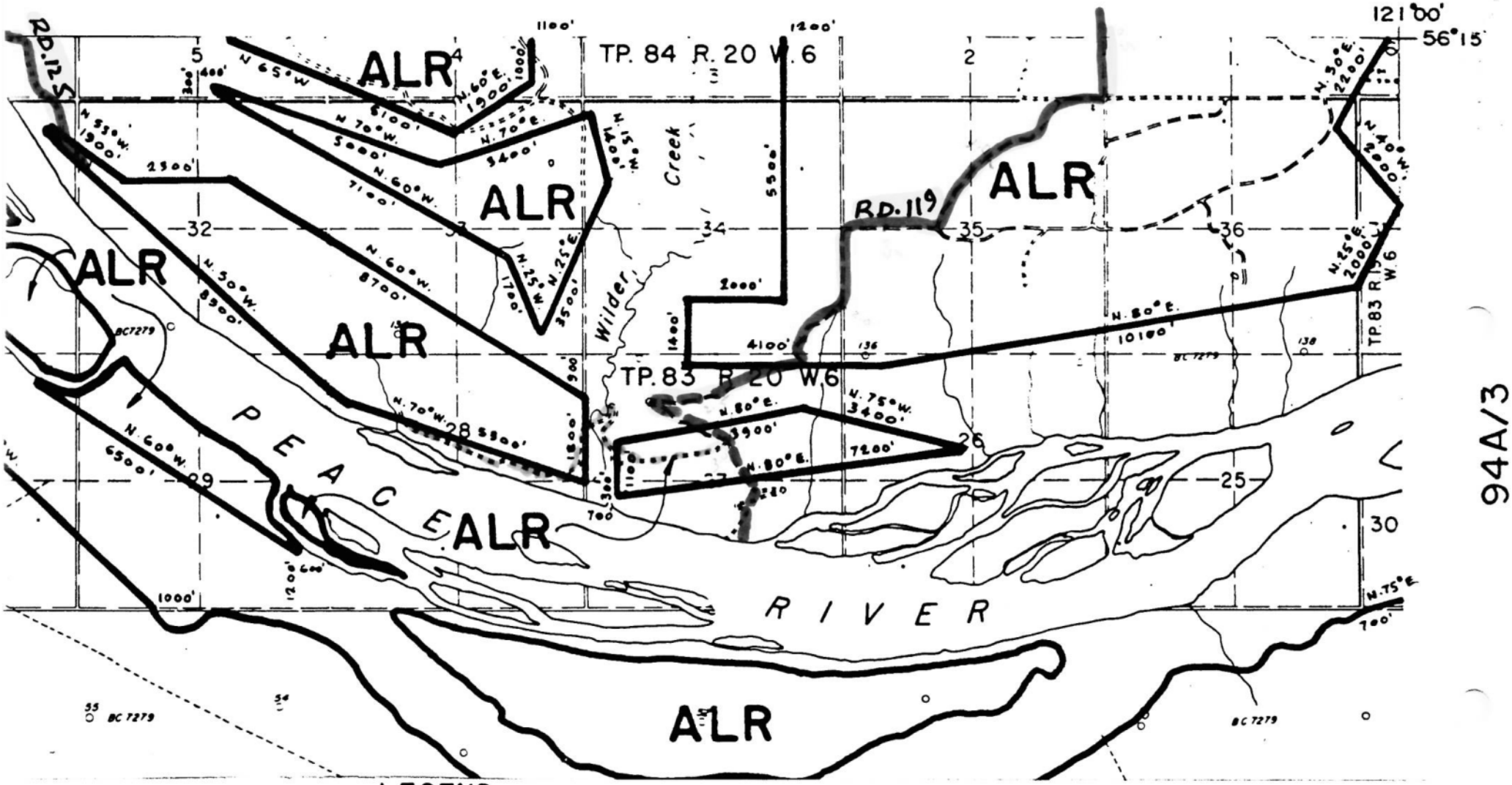
LLO/pq
Attachment

BRITISH COLUMBIA

f Township 83, Range 20, West of the Sixth Meridian

SCALE 40 CHAINS TO AN INCH





LEGEND

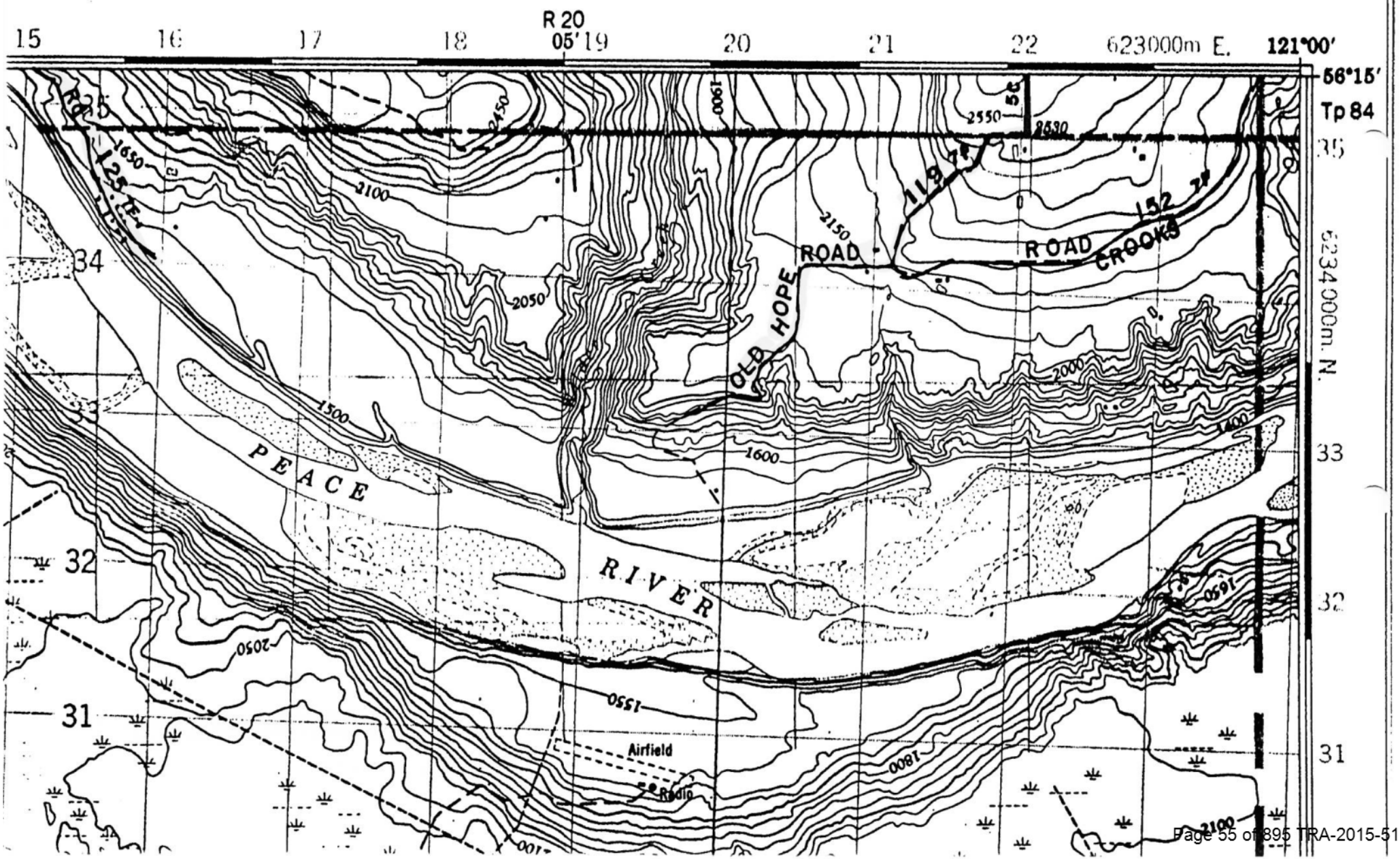
- Boundary of Agricultural Land Reserve (ALR)
- Boundary of Regional District
- Boundary of Land Registration District

Map No. 94A/3

I hereby CERTIFY that this is one of the base sheets of the Agricultural Land Reserve Plan for the PEACE RIVER-LIARD Regional District, designated by Resolution of the Provincial Land Commission, pursuant to s.8 of the Land Commission Act, S.B.C., c.46, on the 21st day of June, 1974.

G. Gary Runka
General Manager


BEATTON PARK
CHARLIE LAKE PARK
Tp 84
R 21
W 6
Bear Flat
Charlie Lake
9 Mile Road
Saddal
FORT ST JOHN
Tp 83
Grand Haven
RIVER
Boudreau L
2621
Septimus


15
16
17
18
R 20
05'19
20
21
22
623000m E.
121°00'
56°15'
Tp 84
35
34
33
32
31
5234000m N.
R 19
1650
125
2450
2100
1900
2550
2530
119
152
2150
ROAD
CROOKS
OLD HOPE
2050
2000
1500
1600
1400
PEACE
RIVER
1650
2050
1550
Airfield
Radio
1800
2100

Province of British Columbia

Ministry of Transportation and Highways

MEMORANDUM

John Clark
North Peace District
Fort St. John, B. C.

October 30, 1992
Regional Properties
Central/North East Region
#213, 1011 - 4th Avenue
Prince George, B.C.
V2L 3H9

Telephone: 565-6472
Facsimile: 565-6065

S42228/92
North Peace

Re: **Old Hope Road**

For the purpose of acquisition and legal survey of Old Hope Road shown on the attached aerial photo and key map, we require a sketch which shows the entire right-of-way to be surveyed including width of road, legal descriptions, road name and number, and a district plan number.

It is not necessary for the district staff to perform a survey, but only to provide us with an approximate sketch which includes the above mentioned information.

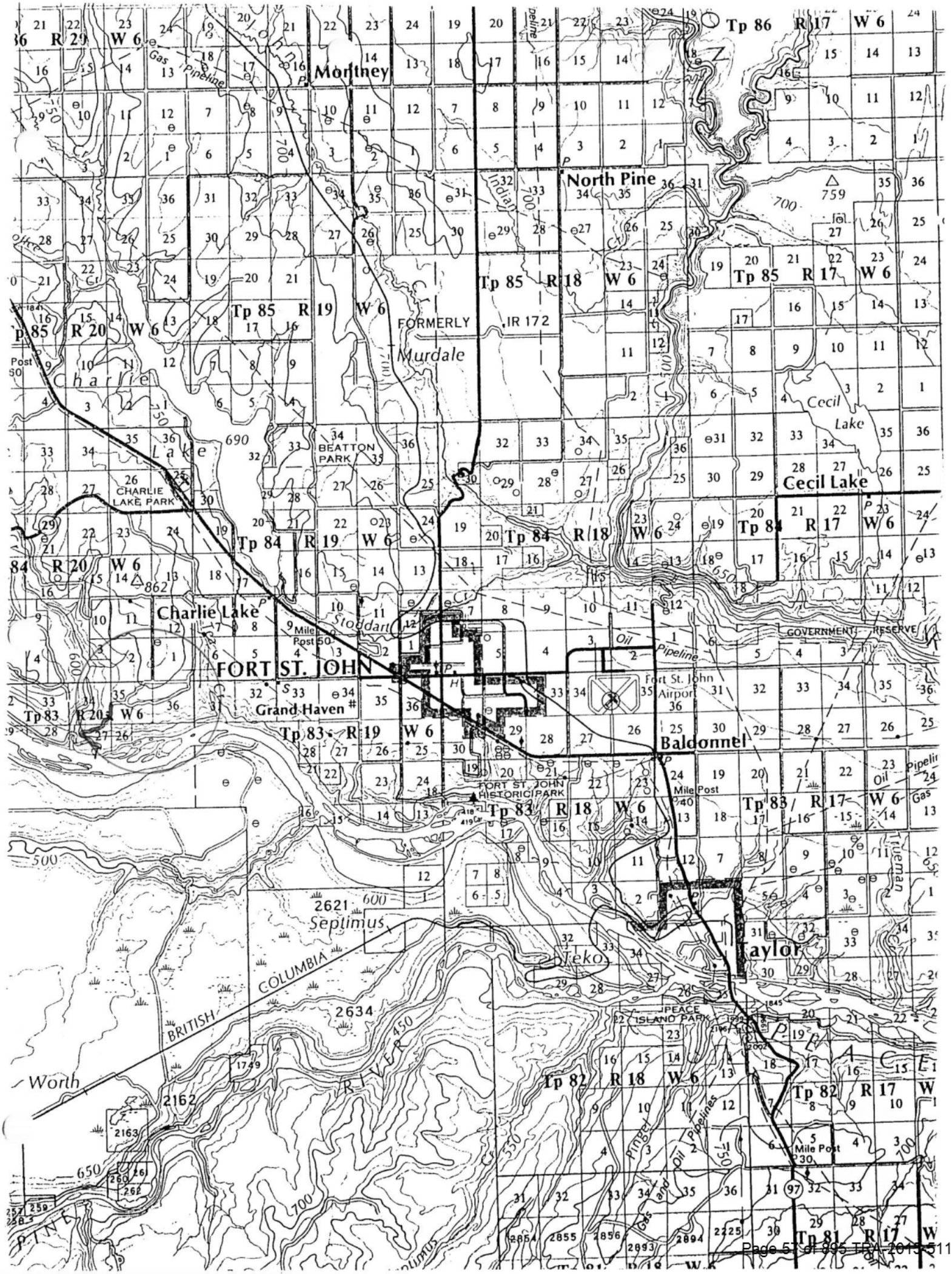
Thank you for your cooperation.

R. Austin

Rebecca Austin
Regional Property Clerk

RA/
Enclosures

Ole.
Please provide the information so I can send it off.
Joh.


Tp 86 R 17 W 6
Mortney
North Pine
Tp 85 R 18 W 6
Tp 85 R 17 W 6
Tp 85 R 19 W 6
Tp 85 R 20 W 6
FORMERLY
IR 172
Murdale
Charlie
Lake
Cecil
Lake
BEATTON
PARK
CHARLIE
LAKE PARK
Cecil Lake
Tp 84 R 19 W 6
Tp 84 R 18 W 6
Tp 84 R 17 W 6
Tp 84 R 20 W 6
Charlie Lake
Stoddart
FORT ST. JOHN
GOVERNMENT RESERVE
Fort St. John
Airport
Grand Haven
Tp 83 R 20 W 6
Tp 83 R 19 W 6
Baldonnel
FORT ST. JOHN
HISTORIC PARK
Tp 83 R 18 W 6
Tp 83 R 17 W 6
Septimus
Teko
Taylor
BRITISH COLUMBIA
RIVER
PEACE
ISLAND PARK
Worth
Tp 82 R 18 W 6
Tp 82 R 17 W
Tp 81 R 17 W
Mile Post
Oil Pipeline
Gas Pipeline
PINE

SW¼ A 34
SE¼ H34
NE¼ P 27

November 9, 1992



s.22

Ministry of Transportation & Highways
#300 10003-110th Ave.
Fort St. John, B.C. V1J 6M7

ATTENTION MR. JOHN CLARKE

This letter is in regard to Road 119 and crown access. I would like to see Road 119 properly maintained and kept open for public use. Use of Road 119 for the purpose of access to water which is in the Peace River is important s.22
There is also crown land which would be useful to hunt and camp on. For these reasons which I made clear in our telephone conversation, it is of utmost importance that you resolve this matter.

Please keep me informed of further development in this matter.

Sincerely,

s.22

s.22

s.22

s.22

Dear Madam:

I am writing this letter regarding agricultural property that we lease from B.C. Hydro. s.22

s.22

s.22 I have enclosed a map for your reference. We have been plagued by vandals and hunters who open up the gates to the fields and drive 4X4 trucks and motorbikes through the grain fields doing willful damage, the gates are left open so livestock can get in.

The damage last year from livestock getting into these fields and from these people driving through our seeded crops amounted to more than s.22

This year we put a lock on the gate about a ½ mile west of the fields. s.22

s.22 keep their gates locked so there is no public entry possible to the Hydro property from that direction. s.22 s.22 and have gave us and Chris Windt from Hydro are good keys so we can get to the Hydro farm through their farm if we so desire. This arrangement has worked very well this year and the damage to crops has been kept to a minimum.

The Ministry of Highways have put up "No Through Road" signs near Highway 29 where the road takes off to the Hydro property from the west. They have also put up this same sign on the east end near the s.22 property. This has also helped to keep the traffic to a minimum.

Many hunters and undesireable people are saying that this is a through road and at one time was the Old Hudson Hope Road. This is not true. s.22

s.22

s.22 and at no time since then was this road used as the Hudson Hope Road. The road to Hudson Hope in 1932 and ever since then has been near or where it is today. Numerous pack horse trails and old wagon trails criss crossed the country gaining access to homesteads. Many of the homesteaders have long disappeared along with the trails leading to thier homesteeds. These old trails were not gazetted.

In 1942, Tompkins Contracting operated a coal mine near Hudson Hope. They were selling and hauling coal to the U.S. Army during the building of the Alaska Highway. The Tompkins at that time built and constructed this road east of Cache Creek off Highway 29 through to near Charlie Lake through what is now the Hydro and s.22 properties. Their intent was to avoid the steep hills of Cache Creek, Deep Creek, and Tea Creek which existed on the Hudson Hope Public Highway. Also, they wanted the Ministry of Highways to take over this road after they constructed it. The Department of Highways refused to take it over. There were other obstacles as some land owners and farmers refused access through their properties. As there wasn't any roads gazetted in that area and because the Ministry of Highways refusal to take this over as a public road, the whole project was abandoned. Much of the old roads and trails disappeared over the years.

} origi

A land owner who owned the Hydro property back in the 1950's, hired a cat and reconstructed part of the old Tompkins road for his own use east through the s.22 property. He also built complete new sections of road.

Prior to Hydro buying the farm which used to be referred to as the Peace Valley, was owned by an American religious commune. This commune finally persuaded the Ministry of Highways to send a grader in from the west off Highway 29 to their building site and to do minimal repairs to that road. This road was then referred to as the American Road.

✓ American Road

s.22 had access to their farm from the east through Charlie Lake. There was no connecting road between s.22 and the Hydro property. A few years ago, s.22 leased this Hydro farm. Then, without permission from the s.22 , entered the s.22 property with a D8 cat and repaired and reconstructed an adjoining road through the s.22 property across Deep Creek to the Hydro farm. There was considerable disagreement between the s.22 and the s.22 over this trespass. The s.22 finally allowed the s.22 to use this road only for thier own use, with the understanding that the s.22 would keep the gates closed.

The s.22 continually left the gates open and livestock getting into the fields was a constant problem. s.22 admitted to leaving the gates open and to cutting the wire on the fences. Consequently, there was a law suit between the s.22 and the s.22 There was also another one between the s.22 and s.22 who s.22 that s.22 As I mentioned before, the s.22 s admitted to cutting the fences on the Hydro property and on the s.22 property. (Pictures enclosed.) The s.22 and have no reason to be down there. They are still causing trouble by cutting fences and locks as recently as this past September of 1992 which they admitted and were caught doing.

The s.22 have been writing letters to various Government Departments as well as to Hydro, protesting the closure of this road. They have also got some of their friends to write letters camoflaging the fact that the s.22 are behind all of this.

s.22

s.22

s.22 has been using his power and position to support his s.22 in their action against s.22 and us. Also. the s.22 have a friend s.22 s.22 who uses his position and authority against us. B.C. Hydro is caught in the middle and have co-operated to the point of offering to install cattle guards in place of gates entering into the fields. This would eliminate the gates being left open and livestock entry at these points should be solved. This would not solve our biggest problem being the s.22 the general public and hunters entering and driving through our crops doing willful damage and of course, vandalism.

Our position is that the fields are leased to us for agricultural use. We pay a monthly cash rent, 12 months of the year, plus we pay all the land taxes. We should be able to lock the gates to the fields, barring public entry.

s.22

s.22 Vandals could cause

s.22

s.22

s.22

We would like to keep the gates locked to the fields only. We don't have any objection to the general public gaining access to Hydro's property outside the fenced fields or to Crown lands which are accessable without driving through the fields.

I hope that you will study the facts that I have outlined and also discuss this with Chris Windt, Ranch Management Services for B.C. Hydro. Chris is familiar with these problems and could help a great deal I'm sure.

Sincerely,

s.22

NOTE: This being a letter sent to Jean Leahy - B.C. Hydro giving some history of road problems - Jean responded with acceptance in a late letter to s.22

Ministry of Transportation and Highways

TELEX/FACSIMILE RECORD

Date: Oct 23/92
File No:

TO:
Mr Bob Penney
BC Hydro
9th Floor Properties Div
333 Dunsmuir St
Van V6B 5R3

FROM:
MINISTRY OF TRANSPORTATION & HWYS
300, 10003 - 110 AVENUE
FORT ST. JOHN, B.C.
V1J 6M7

FAX No. PHONE: FAX No. 787-3279 PHONE No. 787-3237

RE: Old Hope Rd & American Rd - 1-t S t. Town

Attached is a copy of the composite. If you have trouble reading it just phone me at 787-3237

Regards
Lah Clark
Dist Hwy Mgr

PAGES: 2 (including this sheet)

Operator's Signature


RD 250
FOSTER
BEATTON / HORTNEY
RD 250N
SMITH
BEATTON
PARK
TOBY'S
RD246
Bear Flat
HUDSON HOPE RD
RD 125
FORT
St
Grand Haven
Tp 83
R 21
W 6
PEACE RIVER
Peace River
2621
Septimus
2222
COLUMBIA
BRITISH
2634
Worth
2162
600

10716 - 100 Avenue
Fort St. John, BC
V1J 1Z3
Phone: 787-3237

October 21, 1991

s.22

Dear Sir:

Re: Gate on Old Hudson Hope Road

I wish to acknowledge your letter of October 10, 1991, regarding the above. The people responsible for the gate have been requested to remove it, and we will take action as necessary if it is not removed.

Thank you for expresssing your concerns with respect to this matter.

Yours truly,

John P. Clark
District Highways Manager

JPC/hb

Michelle Garvock
Regional Property Agent
Central North East Region

October 13, 1992
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7

21-57

RE: ESTABLISHING R/W - OLD HUDSON HOPE ROAD #119

In accordance with our meeting in Fort St. John on September 30, 1992, I would recommend that we proceed with establishing the right of way for the Old Hudson Hope Road to the Peace River rather than test our rights under Section 4 of the Highway Act., Should this require expropriation I am prepared to proceed as the road involved (plan attached) provides legal and physical access to several parcels and to navigable waters. There has also been public pressure to have the gate removed off this route so that the public may use the road.

Please proceed as early as possible with this project.

John P. Clark
District Highways Manager

JPC/pq
Attachment

cc: Steve Henderson, Property Agent

Approved: _____
Wayne Carr, Regional Director

Province of
British Columbia

MINISTRY OF
ENVIRONMENT,
LANDS AND PARKS

BC Lands

PEACE REGION

220, 9900 — 100th Avenue
Fort St. John
British Columbia
V1J 5S7
Telephone: (604) 787-3411
Fax: (604) 787-3219

MINISTRY OF TRANSPORTATION & HIGHWAYS
OCT -9 1992
FORT ST. JOHN

October 8, 1992

File: 12695-007-P002

Ministry of Transportation
and Highways
#300, 10003 - 110th Avenue
Fort St. John, BC
V1J 6M7

Attention: John Clark, District Manager

Dear Mr. Clark:

Re: Access needs south of the North 1/2 of Section 27, Township 83, Range 20, W6M, s.22

As the owner of vast tracts of land that would be accessed to the south of the North 1/2 of Section 27 we have the responsibility to ensure public access to these lands beyond.

In this instance not only would the publics interests be served but industrial interests (Czar Resources pipeline) as well as grazing interests would be met.

We would request that public access be provided along the existing road to the southerly boundary of the North 1/2 of Section 27, Township 83, Range 20, W6M. If we can be of assistance please contact this office.

Yours truly,

Egon Weger

Egon Weger
Regional Director

/hp

pc: Steve Henderson, Property Agent, Ministry of Transportation and Highways, Prince George, BC

cc file
Dennis

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British Columbia Archives 2015-51116

s.22

October 10, 1991.

Province of British Columbia
10716 100th Avenue
Fort St. John, B. C.
V1J 1Z3

Attention: J. P. Clark, District Highways Manager

Dear Sir:

RE: OLD HUDSON'S HOPE ROAD

An attempt to drive down the above road was frustrated due to what appears to be an illegal locked gate across the road, I believe at the border between Lots 34 and 35. To the best of my knowledge, this is an established part of the Provincial road network and should thus be open for public use.

As it happened; I,at the gate,met a couple connected with the owners of the property/fence who announced they were tired of the public using the road facility and were rather pleased with the solution they found. They furthermore informed me that in addition to the gate blocking the road, the roadbed itself had been obliterated at some point beyond the gate.

If I am correct in my assumption that this is; in fact, an illegal act, I would appreciate your advice as to how this matter can be corrected as it should and the perpetrators made to account for their actions.

At this point, I am not sure if it falls under your jurisdiction or if it is a police matter. Your information in this regard will be appreciated in order that I can follow up to whichever level of authority it will take to rectify this.

At the same time, you can perhaps also let me know to which width public ownership of the road extends.

I feel very strongly that any landowner should have the right to protect his property; however, I feel just as strongly that any transgressions as above described must not be tolerated as it infringes on the freedoms and rights of the general public.

Your attention to this will be appreciated.

Yours truly,

s.22

MINISTRY OF TRANSPORTATION & HIGHWAYS
15 1991
PRINCE JOHN

Michelle Garvock
Regional Property Agent
Central North East Region

October 13, 1992
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7

21-57

RE: ESTABLISHING R/W - OLD HUDSON HOPE ROAD #119

In accordance with our meeting in Fort St. John on September 30, 1992, I would recommend that we proceed with establishing the right of way for the Old Hudson Hope Road to the Peace River rather than test our rights under Section 4 of the Highway Act., Should this require expropriation I am prepared to proceed as the road involved (plan attached) provides legal and physical access to several parcels and to navigable waters. There has also been public pressure to have the gate removed off this route so that the public may use the road.

Please proceed as early as possible with this project.

John P. Clark
District Highways Manager

JPC/pq
Attachment

cc: Steve Henderson, Property Agent

Approved: _____
Wayne Carr, Regional Director

Province of
British Columbia

MINISTRY OF
ENVIRONMENT,
LANDS AND PARKS

BC Lands

PEACE REGION

220, 9900 — 100th Avenue
Fort St. John
British Columbia
V1J 5S7
Telephone: (604) 787-3411
Fax: (604) 787-3219

MINISTRY OF TRANSPORTATION & HIGHWAYS
OCT -9 1992
FORT ST. JOHN

October 8, 1992

File: 12695-007-P002

Ministry of Transportation
and Highways
#300, 10003 - 110th Avenue
Fort St. John, BC
V1J 6M7

Attention: John Clark, District Manager

Dear Mr. Clark:

Re: Access needs south of the North 1/2 of Section 27, Township 83, Range 20, W6M, (Meek/Peck)

As the owner of vast tracts of land that would be accessed to the south of the North 1/2 of Section 27 we have the responsibility to ensure public access to these lands beyond.

In this instance not only would the publics interests be served but industrial interests (Czar Resources pipeline) as well as grazing interests would be met.

We would request that public access be provided along the existing road to the southerly boundary of the North 1/2 of Section 27, Township 83, Range 20, W6M. If we can be of assistance please contact this office.

Yours truly,

Egon Weger

Egon Weger
Regional Director

/hp

pc: Steve Henderson, Property Agent, Ministry of Transportation and Highways, Prince George, BC

cc file

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Province of
British Columbia

MINISTRY OF
ENVIRONMENT,
LANDS AND PARKS

BC Lands
PEACE REGION

220, 9900 — 100th Avenue
Fort St. John
British Columbia
V1J 5S7
Telephone: (604) 787-3411
Fax: (604) 787-3219

October 1, 1992

File: 12695-003-P002

MINISTRY OF TRANSPORTATION & HIGHWAYS
OCT - 5 1992
FORT ST. JOHN

Patrick Ringwood, Deputy Surveyor General
Surveyor General Branch
3400 Davidson Avenue
Victoria, BC
V8V 1X4

Dear Pat:

We are receiving numerous complaints from the public regarding the construction of a locked gate across a road by adjacent landholders. This road, known by many local residents as the 'old Hudson's Hope road', has been used by the public for many years without obstruction.

I would greatly appreciate your assistance in determining the legal status and interpretation of all Crown Grant provisions regarding 'public access' pertaining to all legal descriptions identified on the attached list. Our office has acquired some of the Crown Grants but would like confirmation of the document's access provisions. These documents are also attached for your information.

I have also provided you with a copy of the township plan showing the road in question. As the original survey was completed in 1915, the actual location of the road is not accurate on the plan. We only have an accurate plottage of this road through the Southeast 1/4 of Section 34 and North 1/2 of Section 27, both in Township 83, Range 20, W6M. (See attached copy of air photo #90002-114.)

Pat, the unresolved status of this road is creating contention in the community. A local resident has already been assaulted by an adjacent landholder after disputing the authorization of the locked gate across the road. Civil charges are ensuing and the Crown may be implicated in the legal suit.

Again, your direct attention in determining the legal status of this road through the above mentioned legal descriptions is most appreciated. If you require any further information please contact Mike Knapik, Land Officer, or myself.

Yours truly,

Egon Weger
Regional Director

/ch
Enc.
pc: Ministry of Transportation and Highways, Fort St. John, BC
Attention: John Clark

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British Columbia
Handle with care

Province of
British Columbia

MINISTRY OF
ENVIRONMENT,
LANDS AND PARKS

BC Lands

PEACE REGION

220, 9900 — 100th Avenue
Fort St. John
British Columbia
V1J 5S7
Telephone: (604) 787-3411
Fax: (604) 787-3219

October 1, 1992

File: 12695-003-P002



Patrick Ringwood, Deputy Surveyor General
Surveyor General Branch
3400 Davidson Avenue
Victoria, BC
V8V 1X4

Dear Pat:

We are receiving numerous complaints from the public regarding the construction of a locked gate across a road by adjacent landholders. This road, known by many local residents as the 'old Hudson's Hope road', has been used by the public for many years without obstruction.

I would greatly appreciate your assistance in determining the legal status and interpretation of all Crown Grant provisions regarding 'public access' pertaining to all legal descriptions identified on the attached list. Our office has acquired some of the Crown Grants but would like confirmation of the document's access provisions. These documents are also attached for your information.

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Again, your direct attention in determining the legal status of this road through the above mentioned legal descriptions is most appreciated. If you require any further information please contact Mike Knapik, Land Officer, or myself.

Yours truly,

Egon Weger
Regional Director

/ch
Enc.
pc: Ministry of Transportation and Highways, Fort St. John, BC
Attention: John Clark

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British Columbia
Handle with care

Cst SMITH contacted the MINISTRY OF Lands who stated that although there was some confusion as to wether s.22 was allowed to lock a gate accessing an old road on his property it is now clear that at this time the public can not legally access this road.

Cst P.D. SMITH: 41820
P.D. Smith

NOTE: The above is a hand written statement by Constable Smith from the RCMP out of Ft St John Sept 7th 1992

DEFENCE COUNSEL

Sept 92 - Old Hope Rd.

Complaint:

s.22 - phoned - concerned with lock on gate - he was recently locked in - white ... down Old Hope Rd.

Complaint -

s.22 - wants access to river for boaters, etc. Rod & Gun club supports opening road.

Province of
British Columbia

MINISTRY OF
ENVIRONMENT,
LANDS AND PARKS

BC Lands
PEACE REGION

220, 9900 — 100th Avenue
Fort St. John
British Columbia
V1J 5S7
Telephone: (604) 787-3411
Fax: (604) 787-3219

July 17, 1992

File: 1265-03-P001



Ministry of Transportation and Highways
10003 - 110th Avenue
Fort St. John, BC
V1J 4L6

Attention: John Clark

Re: Old Hudson's Hope Road

The purpose of this letter is to outline the discussion and conclusions of our meeting of July 9, 1992, regarding the Old Hudson's Hope Road.

In attendance were: s.22 , Chris Windt, John Clark, s.22 and myself. During that meeting it was confirmed that the Ministry of Transportation and Highways had, although seldom and not recently, maintained the road to the north fence line of the Southeast 1/4 of Section 27, Township 83, Range 20, W6M. This part of the road is therefore classed as a Section 4 road under the Highways Act.

Notwithstanding the Section 4 status, a provision in the Crown grant of the Southeast 1/4 of Section 34, Township 83, Range 20, W6M provides for the Minister to reserve lands "necessary for right of way purposes, not exceeding in width of sixty-six feet".

The fact that the road exists does not, however, oblige the Ministry of Transportation and Highways or any other person to maintain the surface for vehicle traffic. At the meeting we, therefore, agreed that the locked gate will be either removed or freely open to the public by July 22, 1992. The portion of the road outlined on the map will not be maintained. A road will be constructed under Ministry of Transportation and Highways permit south of the existing gate and a private access road which may be gated and locked will be constructed through the Northeast 1/4 of Section 27, Township 83, Range 20, W6M.

...2

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Should land served by the old road require access in the future the Section 4 road would be used.

At this time our records show that the entire south half of Section 27 is vacant Crown land with the exception of a pipeline right of way. An active grazing permit has also been issued by the Ministry of Forests on Section 27.

Further study of the lands to the west will be done to clarify the status of road access for all participants.

Although there are many other issues surrounding this road that we do not have a mandate to resolve, I appreciate the ready effort by all involved to achieve a workable resolution to the immediate problem of the locked gate.

Yours truly,

Dave R. Landry

Dave R. Landry
Senior Land Officer

DRL/jq

#300, 10003 - 110 Ave.
Fort St. John, BC
V1J 6M7
Phone: 787-3237

July 9, 1992

s.22

Dear s.22

RE: GATE ON OLD HUDSON HOPE ROAD

I wish to acknowledge your letter of June 22, 1992 concerning the above. In conjunction with the Ministry of Lands we have progressed somewhat with the situation. The gate should be removed by the end of July, 1992 or the Crown will be removing same.

Yours truly,

John P. Clark
District Highways Manager

JPC/pq

Dave Landry

s.22

June 22, 1992.



Ministry of Transportation
and Highways
10716 100th Avenue
Fort St. John, B. C.
V1J 1Z3

Attention: John P. Clark,
District Highways Manager

Dear Mr. Clark:

RE: GATE ON OLD HUDSON'S HOPE ROAD

With reference to our letter of October 10, 1991, and your response of October 21, 1991, I wish again to bring to your attention that the matter has not been solved.

Obviously, the owners of the property do not respect your authority and I think it is time that they be dealt with both with regard to the gate and the destruction of part of the provincial road system.

I will follow your progress in the matter with keen interest.

Yours truly,

s.22

Province of
British Columbia

OFFICE OF THE
MINISTER

Ministry of
Transportation
and Highways
MINISTER RESPONSIBLE FOR ~~BC FERRIES,~~
BC RAIL ~~AND BC TRANSIT~~

Parliament Buildings
Victoria
British Columbia
V8V 1X4

Reference: 4000/91

December 13, 1991

s.22

Dear s.22

Thank you for your recent letter expressing your concerns regarding locked gates on the old Hudson Hope Road.

I, too, was concerned upon learning about the situation to which you describe. Ministry staff have arranged to meet with personnel from the Ministry of Environment, Lands and Parks to determine the status of the road in question and the legalities involved with the removal of the gate.

I urge you to keep in touch with Mr. John Clark, the District Highways Manager, for further developments. Mr. Clark can be reached at 787-3237 or at 10716 - 100 Avenue, Fort St. John, British Columbia, V1J 1Z3.

Thank you for bringing your concerns to my attention.

Yours sincerely,

Art Charbonneau
Minister

Copy to: Honourable John Cashore
Minister of Environment, Lands and Parks

Recycled Paper

→ copy in Old Hudson Hope Rd file
→ ~~& 1 in general file~~

Reference: 3038/93

August 17, 1993



s.22

Dear s.22

Thank you for your letter of July 17, 1993, concerning Road 119 and the current controversy regarding public access.

I have asked Ministry staff to provide me with further details about your concern. I have also asked for a review of public interests represented to me earlier by local elected officials. Once I have received this information, I will be able to respond fully to your letter. You may expect to hear from me again soon.

Thank you for taking the time to write.

Yours sincerely,

AUG 12 1993

ORIGINAL SIGNED BY MINISTER

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/clc/4630c/Min.Log –5011– !

s.22

RECEIVED
JUL 29 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION
& HIGHWAYS
T+H
JUL 26 1993
5011
DRAFT REPLY ☒ FYI ☐ FILE ☐

Minister of Transportation and Highways
Victoira B. C.

Dear Mr. Charbonneau,

I find the locked gates on roads 119 and 125 unacceptable. In your letter to Ben Knutson dated June 29, 1993 you state that "the majority do not wish to see the gate removed," I would really be interested in knowing how you arrived at such a conclusion. Was an advertised public meeting held? You are making a very broad statement. Can you verify it?

I have on file a letter dated Dec. 13. 1991 signed by YOU which tells s.22 of which s.22 to keep in touch with Mr. John Clark regarding this matter. I have enclosed this letter just in case your office has no record of it. We have followed your advice, but like a good politician your word does not seem to be very trust worthy, because in our last conversation with Mr. Clark the matter was being resolved. Why do you have local offices to deal with these types of matters if you have no intention of respecting their judgements? Is this not a waste of taxpayers money?

I had phoned both Mr. Henderson and Mr. Clark to voice my disgust about why a private invitation meeting, February 16, was allowed to take place with uninvited guests. They told me that they felt the same and the meeting should not have continued. These phone calls took place Feb. 17. None of the objectives of that meeting were met. Another example of wasted taxpayers money, your staff from the various ministries were not there out of the goodness of their hearts. They were being PAID. As well, taxpayers money was used to pay for the room.

I wish to point out that s.22 (which farms over 12 sections of land in the North Peace much which is in the area in question) farmed the Peace Valley Ranch for 7 years and s.22 I made sure that a road was always in place even through cultivated fields. It was to our benefit to work these roads when we were seeding, but immediately following our seeding the roads were once again reestablished. We had absolutely NO problem with vandalism or property damage in that time. At that time we used the forementioned roads for access to the Peace Valley Ranch, owned by B. C. Hydro. When this land once again comes up for public tender s.22 s.22 s.22 spent countless thousands of dollars for maintenance of the roads in question for our use and all those who chose to drive this scenic historic road. At no time did we tell anyone they could not travel the road because we had fixed it s.22 We fixed ditches, we removed dirt and rock slides because we required an excellent road surface. We even hired graters at s.22 because highways did not have the time to fix the road when we most needed it. If you wish to verify this fact you can contact B. C. Hydro Property Division Site C.

Carr #30
Dist

Czar Resources must have interest in this public road because a 10 inch natural gas pipeline crosses the valley with a valve station which must be serviced. If the road remains locked are the government prepared to spent money on township deletions so they have access. Another example of irresponsible government waste, especially when the survey of the existing road is already completed by the ministry. These road have been in existence for over 50 years and much taxpayers money has already been spent. You can confirm this fact through your local ministry.

It came to my attention that the greatest expense of the legalization of the tenor on this road is the fencing. Since when is the government responsible for fencing. s.22 MUST build my OWN fences at my own expense when I wish to keep people out or livestock in. I do not demand taxpayers money to build my fences and I feel no one else should receive taxpayers money for fencing.

I think it is time you as minister took some time a LISTENED to your regional offices, which have facts not innuendoes.

I would like to see a responsible and just conclusion to this matter. Everyone has a RIGHT to travel a public road.

Your truly

s.22

DRAFT

Suggested Response: REFERENCE: NOVEMBER 29, 1991

RE: OPPOSING THE LOCK GATES NOW FOUND OH HUDSON HOPE ROAD,
FORT ST. JOHM (LOG #004000-91 s.22

Dear s.22

Thank you for your letter regarding the locked gates found on the old Hudson Hope Road.

A report from my District Highways Manager in Fort St. John reveals that this is a very contentious issue. He advises that the Ministry of Lands and our Ministry are actively persuing the legal status of this section of road which has locked gates at both ends.

I'm expecting a report in the very near future and will keep you posted on the outcome.

Thank you for bringing this matter to my attention.

Yours truly,

Prepared by:

A.R. Edgar
Acting Highways Manager

ARE/gm

To:
Subject: Minister's Response

Distribution:

None, this item is In Progress

Gwen,

RE: Opposing the Lock Gates Found on Old Hudson Hope Rd., Fort St. John
s.22 Log Number 004000 91; File Code 280-30)

Unfortunately, I don't want to keep passing the buck but I 'm again unable to comment due to some recent correspondence not being located in the file. John has been handling this issue and it is of such signifigance I would like to extend the response date so as John can accurately respond without any omission on detail.

Please advise so I may take the appropriate actions.

Allan
A/DHM
N.Peace Dist.

NOV. 27/91
GWEN PHONED - SHE WILL GET AN EXTENSION UNTIL YOU CAN REPLY - YOUR REPLY MUST BE DONE FOR MONDAY, DEC. 2/91. NO LATER! OR WE'LL BE ON THE FLOOR.

Ministry of Transportation and Highways
Correspondence Tracking System

November 20, 1991
4:22 PM

REFERRAL SLIP

CORRESPONDENT
Prefix:
First Name:
Middle Name: s.22
Surname:
Title:
Organization: s.22
Address: s.22
s.22
City:
Province:
Postal Code: s.22 Zipcode:
Country:
Electoral District: Peace River North
Issue:
Subject: Opposing the lock gates now found on Old Hudon Hope Rd, Fort St. John.

Log Number: 004000 91
File Code: 280-30
Entered By: CBA

Date of Letter: / /
Date Received: 91/11/20
Date Completed: / /
Status: OP
Category: REG

Attitude:

REFERRED TO
Office Id: REGION 4 Office Description: Regional Director, Central North East
Date Referred: 91/11/20
Surname: JENSEN
Remarks: Prepare response for Minister's signature.

FAX MESSAGE
TO Joe Jensen
COMPANY Region 4
YOUR FAX NO. —
OUR FAX NO. 387-6771
NO. OF PAGES 2
DATE November 21/91
RE: KB

John:
Please prepare a draft response by November 27/91
Thanks.
Gerry

TATION & HIGHWAYS
1991
NA ☐ FYI ☐
FILE ☐

s.22

MINISTER OF HIGHWAYS
VICTORIA, B. C.



DEAR SIR:

RE: 119 ROAD (OLD HUDSON HOPE ROAD) FORT ST. JOHN, HIGHWAYS DISTRICT

I AM FORCED TO WRITE THIS LETTER AS MY NUMEROUS PHONE CALLS TO THE LOCAL HIGHWAYS DEPARTMENT HAVE ACHIEVED NO VISIBLE RESULTS. I AM CONCERNED ABOUT LOCKED GATES ON A PORTION OF THE ABOVE MENTIONED ROAD. FOR SOME UNKNOWN REASON THE LOCAL HIGHWAY PERSONAL HAVE ALLOWED AND APPROVED OF LOCKS BEING PLACED ON SEVERAL GATES ON A PUBLIC ROAD THAT HAS BEEN USED BY NUMEROUS PEOPLE FOR GENERATIONS.

I WISH TO POINT OUT THAT THIS ROAD AT ONE POINT IN TIME WAS THE ONLY ROAD CONNECTING COMMUNITIES WEST OF FORT ST. JOHN ALONG THE PEACE RIVER TO FORT ST. JOHN. THIS ROAD WAS BUILT BY TAXPAYERS MONEY AND MAINTAINED WITH TAXPAYER MONEY FOR MANY YEARS. IT IS STILL USED BY THE PUBLIC BECAUSE OF THE SCENIC BEAUTY, HISTORICAL SIGNIFICANCE, AND AS AN ALTERNATE ROUTE TO HUDSON HOPE.

VERY RECENTLY I HAVE LEARNED THAT NOT ONLY ARE THE GATES LOCKED, BUT SOMEONE HAS BARRACKED THE ROAD IN WILDER CREEK WITH A BULLDOZER TO EVEN MORE IMPEND THE PUBLICS RIGHT TO TRAVEL THIS ROAD. I STRONGLY FEEL THAT IN THIS DAY AND AGE THERE ARE ALTERNATIVES TO GATES WITH LOCKS, ON THE MARKET THERE ARE NUMEROUS TYPES OF GATES THAT ALLOW VEHICLES TO FREELY TRAVEL ROADS AS WELL AS KEEP LIVESTOCK AT BAY. AND I WOULD STRONGLY SUGGEST THAT THE LANDOWNER BE FORCED TO INSTALL THIS TYPE OF GATE.

UPON SPEAKING WITH ONE OF THE PEOPLE WHICH ARE ACTIVELY CAMPAIGNING TO CLOSE THIS ROAD I WAS TOLD THAT HE COUNTED 53 CARS ON ONE SUNDAY AFTERNOON TRAVELING THIS ROAD AND HE COMMENTED THAT WHAT RIGHT DO THEY HAVE DOWN THERE. TO THAT I SAY THIS, "THEY HAVE EVERY RIGHT!"

I FIND IT EXTREMELY DISTURBING THAT THE MINISTRY OF HIGHWAYS IN THE AREA WOULD EVEN CONTEMPLATE THE CLOSURE OF SUCH A HISTORICAL ROAD. THIS PRACTICE OF LOCKS ON GATES ON PUBLIC ACCESS ROADS SEEMS TO BECOMING A WIDE SPREAD PRACTICE IN THIS HIGHWAYS DISTRICT.

YOUR QUICK ATTENTION TO THIS MATTER WILL BE APPRECIATED.

YOURS TRULY

RECEIVED

s.22

s.22

October 30,1991.



Ministry Of Transportation And Highways,
10716-100Ave.
Fort.St.John, B.C.
VIJ-IZ3.

Attention Mr. John P. Clark.

Dear Sir:

Further to your letter to me dated October 21, 1991 regarding gates placed on our private road and our private property which you refer to as Road#152A, Old Hudson Hope Road. s.22

s.22

s.22 This road which we have the gate across was built by funding from the land owners and it was built for private use and crosses private property. Therefore the gates will remain locked and the road will be closed to public access.

The Ministry of Highways, nor anyone else,are not to tamper with this gate or endeavor to remove it. Our lawyer s.22 advises us that we are within our legal rights to keep this gate locked and to close this road to the public. He has studied the documents and the land titles which we sent him. Being this road was built by land owners and not the government and in view of the fact there is alternate routes for the public to use, we have the right to close this private road to public use. Our stand on the dispute is if the government has a road through this private property, where is this road? How and when did they acquire the right-of-way, how wide is it, and where is the survey plan? To whom did they negotiate for the right-of-way and to whom was money paid? The land title also supports our argument on the above.

When we met with you and Dennis Cullings in your office some time back, you stated that if your department spent money on a private road it would then become a public road under your jurisdiction and ownership. Dennis at that time said that the department sent a grader over this road 2 or 3 times in the past 10 years. We do not agree that this is now apublic road because your grader trespassed on this private property 3 times in the past 10 years.

s.22 have been causing the most disturbance over the road closure s.22

s.22 They are the same ones that were successful in the past to get government graders to grade that hill on private property. s.22

s.22

s.22

s.22 Also note that we the only farmers in there and a representative of B.C. Hydro made formal request that you close that road and not spend public money on it.

In closing I again stress the importance that these gates not be tampered with or removed by your Department. There is "No Trespassing" signs there and these signs must be respected. Should you decide not to respect our requests in this matter, and do in fact send a crew down there on private property and destroy and, or remove these gates, we request you notify s.22 s.22 s.22 s.22 so we can have the media and other concerned citizens attend this historic event.

We do hope this dispute comes to a satisfactory and peaceful conclusion and that court action will not be necessary on our part.

Yours Truly,

s.22

MINISTRY OF TRANSPORTATION & HIGHWAYS
NOV -7 1991
FORT ST. JOHN

s.22

MINISTER OF HIGHWAYS
VICTORIA, B. C.

DEAR SIR:

RE: 119 ROAD (OLD HUDSON HOPE ROAD) FORT ST. JOHN, HIGHWAYS DISTRICT

I AM FORCED TO WRITE THIS LETTER AS MY NUMEROUS PHONE CALLS TO THE LOCAL HIGHWAYS DEPARTMENT HAVE ACHIEVED NO VISIBLE RESULTS. I AM CONCERNED ABOUT LOCKED GATES ON A PORTION OF THE ABOVE MENTIONED ROAD. FOR SOME UNKNOWN REASON THE LOCAL HIGHWAY PERSONAL HAVE ALLOWED AND APPROVED OF LOCKS BEING PLACED ON SEVERAL GATES ON A PUBLIC ROAD THAT HAS BEEN USED BY NUMEROUS PEOPLE FOR GENERATIONS.

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YOUR QUICK ATTENTION TO THIS MATTER WILL BE APPRECIATED.

YOURS TRULY

s.22

MINISTRY OF TRANSPORTATION & HIGHWAYS
OCT

cc Highways, Fort St John

Province of
British Columbia

Ministry of
Transportation
and Highways

J716 - 100 Avenue
Fort St. John, BC
V1J 1Z3
Phone: 787-3237

October 21, 1991

s.22

Dear Sir:

Re: Gate on Old Hudson Hope Road

I wish to acknowledge your letter of October 10, 1991, regarding the above. The people responsible for the gate have been requested to remove it, and we will take action as necessary if it is not removed.

Thank you for expresssing your concerns with respect to this matter.

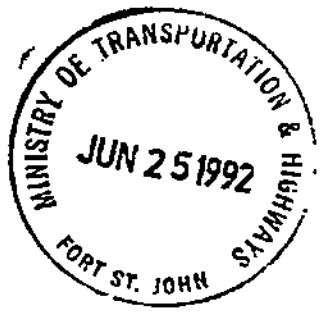
Yours truly,

John P. Clark
District Highways Manager

JPC/hb

s.22

June 22, 1992.



Ministry of Transportation
and Highways
10716 100th Avenue
Fort St. John, B. C.
V1J 1Z3

Attention: John P. Clark,
District Highways Manager

Dear Mr. Clark:

RE: GATE ON OLD HUDSON'S HOPE ROAD

With reference to our letter of October 10, 1991, and your response of October 21, 1991, I wish again to bring to your attention that the matter has not been solved.

Obviously, the owners of the property do not respect your authority and I think it is time that they be dealt with both with regard to the gate and the destruction of part of the provincial road system.

I will follow your progress in the matter with keen interest.

Yours truly,

s.22

#300, 10003 - 110 Ave.
Fort St. John, BC
V1J 6M7
Phone: 787-3237

July 9, 1992

s.22

Dear s.22

RE: GATE ON OLD HUDSON HOPE ROAD

I wish to acknowledge your letter of June 22, 1992 concerning the above. In conjunction with the Ministry of Lands we have progressed somewhat with the situation. The gate should be removed by the end of July, 1992 or the Crown will be removing same.

Yours truly,

John P. Clark
District Highways Manager

s.22

Ministry of Transportation and Highways
Correspondence Tracking System

Page: 3

June 1, 1993
10:42 AM

REFERRAL SLIP

CORRESPONDENT
First Name:
Middle Name:
Surname:
Title:
Organization: s.22
Address:

City:
Province:
Postal Code: s.22 Zipcode:
Country:
Electoral District: Peace River North
Issue:

CTS Log Number: 001855 93
Minister's Log Number: 4510
File Code: 280-30
Entered By: CBA

Date of Letter: 93/05/26
Date Received: 93/06/01
Date Completed: / /
Status: OP
Category: REG

Attitude:

Subject: Property acquisition, undeveloped right of way. Opposed to Min opening Old Hudson Hope Rd 119. View money could be better spent elsewhere, Peace River, see 642/93.

REFERRED TO
Office Id: REGION 4 Office Description: Regional Director, Central North East
Surname: CARR Date Referred: 93/06/01
Remarks: Prepare response for Minister's signature.

FAX MESSAGE

TO Mr. Carr
COMPANY Region 4
YOUR FAX NO.
OUR FAX NO. 387-6771
NO. OF PAGES 3
DATE 93/06/01
RE: A

Note: Please Rush this correspondence

Thank-you.

CTS→ 1855

A.

John:
Please make sure disp covers all points raised by
s.22
Please have
disp response to me by
" 1/92. Thanks

Page 094 to/à Page 095

Withheld pursuant to/removed as

s.3

ackage Subject: Road 119 (Old Hope Road)

Item Title: Road 119 (Old Hope Road)

Way...
Good Plan
DAn
cc Sharon VArley

20-A

---------- Original Memo ----------

To: Dan Doyle From: Wayne Carr
Subject: Road 119 (Old Hope Road) Date Sent: 93/06/03

Dan, we are continuing to get pressure from one special interest group regarding legalizing access on this road in the South Peace. Three more letters are on the way to the Minister's office at this time.

I have asked John Clark to prepare a comprehensive briefing package to fully explain the situation and will forward it to you the end of next week for your information. It may be necessary to brief the Minister since the calls and letters are now all being directed to his office.

Wayne

MINISTRY OF TRANSPORTATION & HIGHWAYS

20-119

ISSUE PAPER

REGION

4 - Central/North East

COMMUNITY

Fort St. John

TOPIC

Old Hudson Hope Road #119
Legalize R/W of Section 4 Road

ELECTORAL DISTRICT

North Peace

ISSUE

The Ministry considers portions of the Old Hudson Hope Road #119 to be Section 4 by virtue of the Highway Act. This road accesses both private lands, a portion of a pipeline across the Peace River and by a requested extension of the right-of-way, some 250 meters would give access to a parcel of crown land and the Peace River. A gate was placed across the road approximately two years ago and since that time the Ministry and BC Lands have received several complaints and queries to have the road open. Ministry attempts to remove the gate have failed. No improvements or reconstruction of this lower class road are contemplated at this time.

BACKGROUND

The Ministry considers the previously maintained portion of the Old Hudson Hope Road to be public by virtue of Section 4 of the Highway Act. We have not however, maintained the portion of road for several years down the hills to the Peace River. The road however, is record to this day in the District Road Register and previous employees for the Ministry will verify that maintenance took place when needed. The Ministry of BC Lands has requested the extension to supply access to the crown land as part of their access mandate. Dominion township deletions in the area are not feasible for use as access due to topography without major realignments which would disrupt agricultural use of this land. Existing township deletions have also been fenced off restricting public access.

This entire project has been prompted by the placement of a gate across the road at the top of the hill by local land owners approximately two years ago. Since that time however, the local district office and the local BC Lands office have received several complaints and queries to have the gate removed. In 1992, one family was locked in after driving down the hill and coming back to find the gate locked on them. In the fall of 1992, two men assaulted another who wanted access and was restricted. Several others have been turned away who want access to the crown land and Peace River hunting and fishing areas. Land owners have concerns over trespassers and the use of A.T.V.'s in the area. When this project became more intense, I reviewed the district's action plan with the Regional Director who in turn reviewed it with Headquarters. The position taken was we were to proceed even if expropriation was necessary to resolve this issue. Since then a further review by the Minister's office has suggested that we attempt to have the gate removed but if unsuccessful, back off and leave the locals to resolve the dispute. No action to acquire right-of-way to access the crown land was to take place by this Ministry.

It should also be noted that the s.22 have tried to link s.22 District Highways Manager, South Peace District to this project however, only s.22 who won the land at the north end of the project have been involved. This District is solely acting on public complaints and not personal interest.

MINISTRY POSITION

Attempts to remove the gate peacefully have failed in the past two years. The District Highways Manager and Properties Agents have met with the land owners and all attempts to date to come to a peaceful solution seem to not be achievable. The Ministry position at this date is to leave any further disputes over the gate lie with the local owners and area residents. Should the locals wish to determine if the road is public through the court system, the Ministry will supply any information it has through the Freedom of Information guidelines. The Ministry considers the previously maintained portion of the road still public by virtue of Section 4 of the Highway Act. No action to acquire right-of-way to access crown land will be done by this Ministry as this is contrary to our mandate.

IMPACT SUMMARY

This position of allowing the gate to remain on a public road could set a precedence for other area situations.

MINISTRY RECOMMENDATION

One must consider that if we back down and allow the gate to remain, there are other similar issues not only in this district but throughout the Peace River area which would be jeopardized by any change in direction.

In this case however, since there is no residential access needed, only access to farmland and crownland beyond, the Ministry should reconsider its position as follows:

1. Leave the gate as is for now, but consider further fencing and other improvements to relieve concerns.

2. Consider fencing the township deletion from the location where the gate exists now all the way to the crown land (about 3 kilometres), with appropriate signing, to allow public access by foot, horseback or A.T.V.'s (no other vehicles) only. This will alleviate most of the current public pressure.

3. Advise the local residents who want the gate removed to proceed through court action to determine once and for all whether there is sufficient evidence to prove Section 4 status of the road and have the gate removed. The Minstry would assist through Freedom of Information with any information it has. The Ministry would continue to state that as far as we are concerned the road is still public, in part, until determined otherwise but take no further action.

4. If the gate is removed the Ministry would construct a turn-around at the end of the public portion (previously maintained) of the road, and assist in fencing to ensure that all users recognize that there is no public access to crown lands beyond.

5. The Ministry will make it clear to the Ministry of Crown Lands, residents and road users that it is NOT this Ministry's mandate to ensure access to all deeded parcels of land, or to crown land, but to maintain public roads currently in service. If others wish to turn over roads to this Ministry to be maintained then there are processes in place for accepting these. Only via subdivision approval procedures does this Ministry get involved in ensuring access to currently inaccessible parcels of land or crown land "beyond".

PREPARED BY
John P. Clark
District Highways Manager
North Peace District

Lawren Wagar
Regional Manager, Rehab. & Maint. Services
Central/North East Region
November 3, 1993

DATE SUBMITTED
June 7, 1993

DATE REVISED
November 3, 1993

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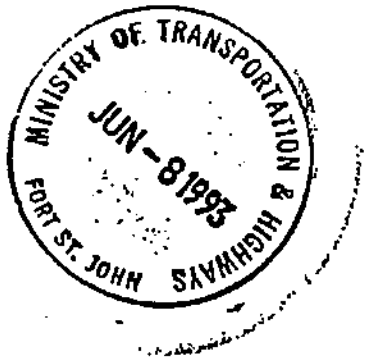
PREPARED BY
John P. Clark
District Highways Manager
North Peace District

Lawren Wagar
Regional Manager, Rehab. & Maint. Services
Central/North East Region
November 3, 1993

DATE SUBMITTED
June 7, 1993

DATE REVISED
November 3, 1993

s.22



Copy to Steve Henderson P.A.

MINISTER OF HIGHWAYS
VICTORIA, B. C.

Dear Sir:

RE: 119 ROAD (OLD HUDSON HOPE ROAD) FORT ST. JOHN, HIGHWAYS DISTRICT

It has been over 3 years since the locked gate appeared on the above mentioned road. This concerns me a great deal. Since my last letter written over two years ago a lot has happened at the gate. There has been continuing intimidation, violence, harassment and assault.

I have heard numerous complaints concerning the gate and the lock and I am sure the Ministry has heard many of these complaints. It is extremely disturbing how someone can barricade Road 119 with so little discouragement from the Ministry.

In the same area as Road 119 barricades have been erected on legally deleted road allowances. One by a barbed wire fence, another by set of stock corrals, and still in another instance there is a yard and out buildings. How can this be allowed to happen? Does the Ministry of Transportation and Highways have no power to stop such things from happening and if such things happen do they have no power to have such barricades removed?

Is it only coincidence that the family who is trying to stop the public from enjoying the beautiful Peace Valley is also the family who has a s.22 In the past few years an elk herd has been established on this side of the river in the very area in question. In this area there is also a large population of deer, some moose and bear. It would be very much too the benefit of this family to have solo access to this area. It was stated by the family in question that, "Pretty soon you will have to pay to go to the river." I feel the Ministry needs to protect the public from such land barrens who have only their own interests in mind.

I feel a very strong statement must be made which should includes new laws. The present laws are either not being enforced or they are inadequate to protect the rights of the public. Many other similar problems are assured to arise if these people are allowed to continue barricading public access.

Other people are listening and watching to what is going to happen with this road. At present the message they are getting is: keep the locks on, if they cut the locks off put a new one on, pretty soon people will tire of arguing about the access and the road will be closed to the public.

I feel a speedy conclusion must be brought to bare on this long outstanding issue before any more serious problems arise.

I would like an immediate update on what is happening with roads 119 and 125.

I have enclosed a copy of my first letter written in 1991.

Yours truly

s.22

cc Ministry of Highways (Fort St. John District)

s.22

MINISTER OF HIGHWAYS
VICTORIA, B. C.

DEAR SIR:

RE: 119 ROAD (OLD HUDSON HOPE ROAD) FORT ST. JOHN, HIGHWAYS DISTRICT

I AM FORCED TO WRITE THIS LETTER AS MY NUMEROUS PHONE CALLS TO THE LOCAL HIGHWAYS DEPARTMENT HAVE ACHIEVED NO VISIBLE RESULTS. I AM CONCERNED ABOUT LOCKED GATES ON A PORTION OF THE ABOVE MENTIONED ROAD. FOR SOME UNKNOWN REASON THE LOCAL HIGHWAY PERSONAL HAVE ALLOWED AND APPROVED OF LOCKS BEING PLACED ON SEVERAL GATES ON A PUBLIC ROAD THAT HAS BEEN USED BY NUMEROUS PEOPLE FOR GENERATIONS.

I WISH TO POINT OUT THAT THIS ROAD AT ONE POINT IN TIME WAS THE ONLY ROAD CONNECTING COMMUNITIES WEST OF FORT ST. JOHN ALONG THE PEACE RIVER TO FORT ST. JOHN. THIS ROAD WAS BUILT BY TAXPAYERS MONEY AND MAINTAINED WITH TAXPAYER MONEY FOR MANY YEARS. IT IS STILL USED BY THE PUBLIC BECAUSE OF THE SCENIC BEAUTY, HISTORICAL SIGNIFICANCE, AND AS AN ALTERNATE ROUTE TO HUDSON HOPE.

VERY RECENTLY I HAVE LEARNED THAT NOT ONLY ARE THE GATES LOCKED, BUT SOMEONE HAS BARRACKED THE ROAD IN WILDER CREEK WITH A BULLDOZER, TO EVEN MORE IMPEND THE PUBLICS RIGHT TO TRAVEL THIS ROAD. I STRONGLY FEEL THAT IN THIS DAY AND AGE THERE ARE ALTERNATIVES TO GATES WITH LOCKS. ON THE MARKET THERE ARE NUMEROUS TYPES OF GATES THAT ALLOW VEHICLES TO FREELY TRAVEL ROADS AS WELL AS KEEP LIVESTOCK AT BAY. AND I WOULD STRONGLY SUGGEST THAT THE LANDOWNER BE FORCED TO INSTALL THIS TYPE OF GATE.

UPON SPEAKING WITH ONE OF THE PEOPLE WHICH ARE ACTIVELY CAMPAIGNING TO CLOSE THIS ROAD. I WAS TOLD THAT HE COUNTED 53 CARS ON ONE SUNDAY AFTERNOON TRAVELING THIS ROAD AND HE COMMENTED THAT WHAT RIGHT DO THEY HAVE DOWN THERE. TO THAT I SAY THIS, "THEY HAVE EVERY RIGHT!"

I FIND IT EXTREMELY DISTURBING THAT THE MINISTRY OF HIGHWAYS IN THE AREA WOULD EVEN CONTEMPLATE THE CLOSURE OF SUCH A HISTORICAL ROAD. THIS PRACTICE OF LOCKS ON GATES ON PUBLIC ACCESS ROADS SEEMS TO BECOMING A WIDE SPREAD PRACTICE IN THIS HIGHWAYS DISTRICT.

YOUR QUICK ATTENTION TO THIS MATTER WILL BE APPRECIATED.

YOURS TRULY

s.22

CC MINISTRY OF HIGHWAYS, FORT ST. JOHN

Province of British Columbia

Ministry of Transportation and Highways

MEMORANDUM

Gwen Gordy
Regional Steno
Central/North East Region

June 7, 1993
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

280-30

RE: MINISTERS' RESPONSE # CTS 001881
BEN KNUTSON - PEACE RIVER REGIONIAL DISTRICT

Suggested response would be:

Thank you for your letter of May 27th, 1993, regarding Road 119 in the Charlie Lake area. The Old Hudson's Hope Road #119 is considered public under Section 4 of the Highway Act and has been recorded as such for over twenty years in the District Records. Approximately 2 years ago a locked gate was erected near the top of the hill on this road and my Ministry started receiving several queries regarding this which have continued to date. The Ministry has attempted to have the gate removed, which has lead to the recent right of way project. This project will legalize the area of the gate as public right of way and the right of way for the existing Section 4 road.

To answer your two specific questions. Firstly, the Ministry is attempting to establish a right of way only for what is now considered public road via Section 4 of the Highway Act and to aid the Ministry of B. C. Lands, extend this right of way approximately 250 metres to access the Crown Land along the Peace River in an area which does not effect any present agricultural use. This right of way will also be on terrain suitable for future construction as necessary. The Ministry is not contemplating any road construction at this time with this project. The Ministry each year undertakes similar surveys and land acquisitions which forms part of the ongoing Ministry programs. I am advised by John Clark, the District Highways Manager for North Peace, that this is only one of several situations currently being dealt with in this district.

With respect to your second question. The Ministry is establishing a right of way for the existing road in its present location. This not only makes sense not to disrupt any other lands but due to the hillside situation other alignments would not be practical. Existing township deletions extending south In this area are not practical due to the steep topography to access the land along the Peace River without major realignments. Any major realignments of these would interfere with lands now used for agriculture.

...2

This project has been ongoing for some time now and at a point where negotiations will commence shortly. I am advised by my staff that there is only one family concerned with this project and the other parties involved have all consented to the project after several public meetings with the parties involved and Ministry staff. It is hoped that the remaining concerns can be worked through with those concerned and as such I am advising my staff to continue with this project at this time.

Thank you for taking the time to express the concerns from the Peace River Regional District.

Prepared by:

John P. Clark, District Highways Manager
North Peace District
June 6, 1993

Approved by:

PEACE RIVER REGIONAL DISTRICT

Office of: The Chairman

May 27, 1993

Fax to: 356-2290

The Honourable Art Charbonneau
Minister of Transportation and Highways
Parliament Buildings,
Victoria, BC
V8V 1X4

Dear Mr. Minister:

Re: Proposed extension of Road 119 (Charlie Lake, B.C. area)

At a meeting held on May 27, 1993 the Board of the Peace River Regional District passed the following resolution in regard to a Ministry of Transportation and Highways proposal to extend Road 119.

MOVED, SECONDED and CARRIED

that the Honourable Art Charbonneau, Minister of Transportation and Highways be requested to hold the extension of Road 119 in abeyance until;

a) an explanation can be provided of why this road is being constructed during a time of budgetary restraint; and

b) an explanation of why private land is being considered for expropriation when there is an alternative route which is more economical and does not involve private land.

Yours truly,

Ben Knutson
Chairman

c.c. - M.L.A.'s - North and South Peace
- Mr. John Clarke, Ministry of Transportation and Highways, Fort St. John
- BC Agricultural Land Commission, Burnaby

PLEASE REPLY TO:
P.O. BOX 810, DAWSON CREEK, B.C. V1G 4H8. TELEPHONE (604) 782-5891 or ZENITH 2770. FAX (604) 782-8118

Province of British Columbia

Ministry of Transportation and Highways

MEMORANDUM

Gwen Gordy
Regional Stenographer
Central/Northeast Region

June 7, 1993
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

280-30

RE: MINISTER'S RESPONSE CTS 1855 s.22

Suggested response would be:

Thank you for your latest letter of May 29, 1993, concerning Road 119. Firstly, please accept my apologies for the delay in replying to your last letter of February 19, 1993.

With respect to the points in your letter. Firstly, with respect to the mandate of the Ministry of Environment, Lands and Parks, you do not state who you were speaking to; however, our contact which is the Regional Director of B.C. Lands in Fort St. John, Mr. Egon Weger, who advises that it is their Ministry's mandate to supply access to lands beyond. In this case to the Crown lands along the Peace River. This access is basically sought on a grade suitable for road construction when necessary. The existing dominion township right of way deletions in the area are considered too steep on their existing alignment.

Secondly, the Ministry has Road 119 recorded in the district road register and the portion of concern is considered Section 4 by virtue of the Highway Act. This register is available for viewing at the local district office in Fort St. John at 10003 - 110 Avenue.

Thirdly, public roads, crown lands and the Peace River are all for the enjoyment of the public. I appreciate your concerns with trespassers; however, the land owner must accept some responsibility in these instances too. The Ministry has offered to fence the proposed right of way as part of the land acquisition settlement if the owner wishes it as an attempt to aid in solving this concern.

.../2

Fourthly, I can assure you that the local district office is acting on public complaints and inquiries as a result of the gate which was erected on the road. I do not feel it in the best public interest to provide a list of names to you at this time, but rather suggest you contact Mr. John Clark, District Highways Manager for the North Peace, at 787-3237 or 10003 - 110 Avenue, Fort St. John, to review his file with you.

With respect to your Item 5, the Ministry budgets each year funds toward these types of right of way issues including acquisition, fencing, etc. These costs are considered part of the operational budget of the Ministry whereas funding for new construction is considered part of the capital construction budget. At present, funding has only been limited in the area of new or capital construction. With respect to any fencing on this project, as previously stated, the item of fencing has been offered as part of any land acquisition. As a general rule fencing on side roads is maintained thereafter by the owner.

Lastly, with respect to funding for the north. I'm sure if you contact Mr. John Clark, District Highways Manager, now that the budget for his area has been publicly announced, he would be pleased to review this year's program with you.

The Ministry has taken another look at this project due to yours and other written correspondence; however, I do not feel that establishing a right of way over any existing Section 4 road so that both the land owners and the public have a defined and legal access through the area should be of such concern. My staff will therefore be proceeding with this project as previously advised.

Prepared by:

John P. Clark
District Highways Manager
North Peace District
June 6, 1993

Approved by:

JPC/hb

Page 110 to/à Page 111

Withheld pursuant to/removed as

s.3

VS OFFICE Tuesday 93/06/08 02:24 pm I

Package Subject: Road 119 (Old Hope Road)

Item Title: Road 119 (Old Hope Road)

20-A

Wayn
Good Plan
DAn
cc Sharon VArley

---------- Original Memo ----------

To: Dan Doyle From: Wayne Carr
Subject: Road 119 (Old Hope Road) Date Sent: 93/06/03

Dan, we are continuing to get pressure from one special interest group regarding legalizing access on this road in the South Peace. Three more letters are on the way to the Minister's office at this time.

I have asked John Clark to prepare a comprehensive briefing package to fully explain the situation and will forward it to you the end of next week for your information. It may be necessary to brief the Minister since the calls and letters are now all being directed to his office.

Wayne

Ministry of Transportation and Highways	**TELEX/FACSIMILE RECORD**	Date JUNE 3/93 File No.

VIA: ☐ TELETYPE ☐ RADIO ☐ FACSIMILE

TO: JOHN CLARK DHM FORT ST. JOHN %: PHONE No.	FROM: STEVE HENDERSON
FAX No. TELEX No.	FAX No. PHONE No.

SUBJECT:

RUSH

URGENT

Steve

PAGES: 5 (including this sheet)

NOTATION OF CONVERSATION WITH BEN KNUTSON (PRRD) JUNE 3, 1993
TOPIC: OLD HOPE ROAD

May 25, 1993 mtg. with the residents along the Road attended by:
Ben Knutson- Chairman of Peace River Regional District
Karen Gooding- Director Area B

Comments from mtg:
-why is MoTH interested in this road?
-what is the reason MoTH is adamant in continuing project?
-in time of restraint why is MoTH prepared to spend this money?
-where is the pressure coming from to continue the project?
-who is pushing for road and why?
-nobody wants road
-PRRD Board at a loss at MoTH actions
-access to approx. 55ha. not critical to Prov. needs
-alternate location for access is available
-Ministry of Environment may not support this project

General discussion with Knutson on the project; the Peace River public necessity to have MoTH money spent on other more valuable road projects, individual owner needs for access to their lands, the mandate of the Province (both BC Lands and MoTH) to provide access to Crown Land,

Knutson comments:
-mtg. held with John Clark and Karen Gooding where John was not forthcoming with evidence of public support for the project (where is the evidence?)
-Region 8 Transportation Committee has not been fully informed on this project as per agreement on consultation
-after PRRD discussions with ALR, MoTH may have contravened regulations (after surveying) needed for approval to continue
-PRRD has passed resolution opposing this project and has FAXED a copy to Art Charbonneau
-indicated that if MoTH continue with works on the project, an injunction will be sought (PRRD may support this move)

MoTH to draft reply with specific reference to the points about s.22 Let's put an end to this debate about extending the road.

Draft should be for my signature.

There is other info about this 117 rd on the file as well.

27/5/93 (Julia Bardos)

Min. Residential Tenancy Branch

(387-9177)

Ministerial Assistant

Min. of Labour and Consumer Services

Ministry of Transportation
& Highways

s.22

Att: Julia Barbo,

Re our conversation and the "Old Hope" 119 road.
I am forwarding you copies of correspondence with some info re

s.22

Entering the road will make [illegible]

Lois

s.22

Log # 1857/93.

MINISTER OF TRANSPORTATION & HIGHWAYS
TH 4498
MAY 18 1993
DRAFT REPLY ☐ FYI ☒ FILE ☐

JUN 1 1993
CORRESPONDENCE UNIT
MINISTRY OF TRANSPORTATION & HIGHWAYS

Ministry of Transportation and Highways

FACSIMILE RECORD

Date June 3/93

File No.

Steve Henderson

P.G.

FROM: North Peace District

#300 - 10003 - 110 Avenue

Fort St. John, BC

V1J 6M7

FAX No. PHONE No.

FAX No. 787-3279 PHONE No. 787-3237

SIGNAL PAGES TO BE:

☐ FILED ☐ MAILED ☐ COURIERED ☐ OTHER (SPECIFY)

SUBJECT:

RUSH!

PAGES: 7 (including this sheet)

Operators Signature

FAXED
May 31/93

MINISTRY OF TRANSPORTATION & HIGHWAYS
JUN - 2 1993
FORT ST. JOHN

s.22

May 31, 1993

Mr. John Clark
District Highways Manager
Ministry of Transportation and Highways
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7

VIA Fax # 787-3279

Mr. Clark:

RE: Access to SEC 36 TWP 83 RG 20 W6W - SOUTH EAST ¼

s.22

s.22 We understand that it is the Ministry of Transportation and Highways mandate to supply access to all deeded quarters of land. s.22

s.22

Please advise as to when you will begin surveying this road allowance.

Your cooperation will be most appreciated.

s.22

cc Karen Goodings - Peace River Regional District
Dave Landry - Ministry of Lands

Page 119 to/à Page 120

Withheld pursuant to/removed as

s.3

s.22

May 28, 1993

Honourable Art Charbonneau,
The Minister of Transportation and Highways,
Room 28, Parliament Buildings,
Victoria, B.C. V8V 1X4

Dear Mr. Charbonneau;

s.22

s.22

s.22 the Crown Land
to which access supposedly has to be gained,. Because of the
imminence of Site C and the flood reserve imposed (and still
existing). s.22

s.22

Our road (the 119 Road) was built by a former land owner to
access his holdings s.22 s.22
s.22 a through road to Bear Flat was
opened up by s.22
s.22 With a cat and big machinery they crossed
our land without permission. This is all documented in my
letters to the Dept. of Highways in 1982. I protested but
Highways were noncommital.

In 1985 Czar Resources acquired a statuatory right of way
to the Peace River over our land to build a pipeline across
the river. This was a private agreement. s.22
s.22 and agreed to improve our road (with gravel, etc.). Czar
has no problem with the present situation - they have a key to
the gate, but in general they service their well-head by
helicopter on both sides of the river. So any need for access
by Czar is a Highways' "red herring".

In the past ten years the situation with the public has
steadily deteriorated. From berry pickers and picnickers,
the road instead became used by A.T.V.'s and teenage partiers.
Hence the locked gate.

s.22

and so are, for that matter, are any others with a peaceful reason for being there.

I have one question. How did s.22 suddenly become a Section 4 Highways road?

s.22

s.22 We have no option but to fight it.

s.22

s.22

'can of worms'.

s.22

s.22

May 26, 1993

The Honourable Art Charbonneau,
Minister of Transportation and Highways,
Room 28, Parliament Buildings,
Victoria, B.C. V8V 1X4

FAX #: 356 2290

Dear Mr Charbonneau,

I write to bring some facts to your attention concerning the proposed right of way acquisition for the road erroneously called the "Old Hudson Hope Road".

The reasons given for the proposal are:-

1) Conflict resolution.
2) To provide access to all private parcels of land.
3) To provide access to crown lands for the enjoyment of all.

1) The conflict is over the erection of a gate which stands on property owned by [redacted] s.22 The gate was put up with the verbal agreement of both the ministry of Lands and the ministry of Highways. The gate is on private property, and we dispute your claim that the road is "public by virtue of Section 4 of the Highway Act". The gate was not put up with malicious intent, but to stem the ever increasing tide of vandalism that was ruining land, fences and buildings. We put up signs (including the "user respect" signs which were promptly torn down) and tried to explain the problems of erosion caused by ATV's to those who would not stay on the farm road. We finally built the gate as a measure to counter the increasing disrespect for the land and disregard of the people farming that land.

2) Access to private parcels of land is not an issue here, as s.22 owns all the lower property.

3) Therefore access to crown land is the only issue to address. A small parcel of crown land s.22 and could be accessed by the proposed right of way. There are other possible solutions to this access problem.
   a) Other possible points of access. One has been proposed that is closer to an established road.
   b) Other possible means of transportation. Does access necessarily mean vehicular access? Pedestrian/ equestrian trails could easily be established. Boat access is readily available from the Peace River.

There remain several un-answered questions from our meetings and correspondence.

Why, in this period of fiscal restraint is this project even under consideration when other projects in the district (e.g.

****
*** ACTIVITY REPORT ***
****

TRANSMISSION OK

TX/RX NO.	9045
CONNECTION TEL	8p565 6065
CONNECTION ID	P GEN
START TIME	06/03 08:49
USAGE TIME	06'26
PAGES	8
RESULT	OK

Province of British Columbia

Ministry of Transportation and Highways

MEMORANDUM

Mr. Don MacSween
Chief Property Agent
Properties Branch
Ministry of Transportation and Highways
Headquarters

June 2, 1993
Regional Properties
#213 1011 Fourth Avenue
Prince George, B.C.
V2L 3H9

Telephone: 565-6472
Facsimile: 565-6065

MINISTRY OF TRANSPORTATION
JUN 4 1993
SURVEYS

Re: Old Hope Road #119

Please review the attached map of what is known as the Old Hope Road #119, located approximately 25 km. west of Fort St John in the North Peace District. This District is proposing to legalize the Ministry's tenure over the Old Hope Road. I have outlined the Road in green. Section 27 (adjoining the north side of the Peace River) is owned by the Province, B.C. Lands. There are various owners along the length of the road.

We are requesting that you proceed with historical research of the Ministry files to determine whether there is sufficient evidence to support a Section 4 claim to Ministry ownership of the travelled portion of the Road.

There have been a number of letters sent to our Minister expressing concerns about the project. Some of the affected landowners have hired legal counsel in anticipation of the right-of-way negotiations commencement. I would appreciate your prompt attention to this request and that you telephone or write me with your expected work schedule and estimated completion date.

Thank you for your consideration. If you have any questions or concerns, please contact the undersigned.

Steven Henderson
Property Agent

SH/nwh

cc Mr. John Clark, District Highways Manager, North Peace, Central North East Region

Province of
British Columbia

Ministry of
Transportation
and Highways

Regional Properties
#213-1011 4th Avenue
Prince George, BC
V2L 3H9

Telephone: 565-6472
Facsimile: 565-6065/7278

REGISTERED MAIL

R7147, R7148, R7146,
PS68739, PS68741, PS68735
PS68738, PS68740, PS68734
PS68736
North Peace

February 2, 1993

Mr. Volker Kroecher
Northland Enterprises Ltd.
P.O. Box 204
Charlie Lake, British Columbia
V0C 1H0

SW 1/4 & NE 1/4 SEC. 35 TP. 83 RGE. 20
SE 1/4 SEC. 2 TP 84 RGE. 20

Dear Mr. Kroecher:

RE: OLD HOPE ROAD #119

Further to our recent meeting to discuss the right-of-way acquisition project on the Old Hope Road, please be advised that the Ministry of Transportation and Highways will be hosting a project information meeting:

DATE: TUESDAY, FEBRUARY 16, 1993
TIME: 7:00 p.m.
PLACE: PIONEER INN (MOBERLY ROOM)

Representatives from the Ministry of Highways, the Ministry of Environment, Lands and Parks, and BC Hydro have been invited. Some of your neighbors have been invited and the others who have not, will be informed at separate meetings. The purpose of this meeting is to discuss the scope of the project and to build upon the discussions of the January 19th meeting.

Following are the topics and issues that arose from the January 19th and January 20th meetings held with all land owners who may be affected by the project:

- discussion of Phase I of project; to provide public access to Crown Lands, and Phase II of project; to provide public access through BC Hydro lands to land-locked Crown Land parcels, over what is known as American Road. Currently, there is no proposal to connect the two road rights-of-way.

/...2

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Province of
British Columbia

Ministry of
Transportation
and Highways

Regional Properties
#213-1011 4th Avenue
Prince George, BC
V2L 3H9

Telephone: 565-6472
Facsimile: 565-6065/7278

REGISTERED MAIL

R7147, R7148, R7146,
PS68739, PS68741, PS68735
PS68738, PS68740, PS68734
PS68736
North Peace

February 2, 1993

NW ¼ Sec. 35 Tp 83 Rge. 20

s.22

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/...2

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Province of
British Columbia

Ministry of
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and Highways

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#213-1011 4th Avenue
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V2L 3H9

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REGISTERED MAIL

R7147, R7148, R7146,
PS68739, PS68741, PS68735
PS68738, PS68740, PS68734
PS68736
North Peace

February 2, 1993

SE 1/4 Sec. 34 Tp. 83 Rge. 20

s.22

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/...2

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MINISTRY OF TRANSPORTATION & HIGHWAYS
FORT ST. JOHN
FEB - 5 1993

- discussion of the methodology of acquiring lands for road right-of-way; i.e. the preparation of legal plans and acquisition plans, appraisal of interests, and the negotiation of compensation for purchase of the right-of-way. The Ministry intends to fence the right-of-way to establish the public-private boundaries.

- discussion of the future effects of providing access for the public. Questions arose over the restriction of the public use of the Crown Lands; by containing vehicles in a parking area and the types of vehicles which could be allowed in the area. Environment has been asked to advise the Ministry of Transportation after considering this question.

- discussion of closing and consolidating unusable and unneeded 66 feet statutory road allowances, into existing titles as part of the negotiations. This may provide comfort to the Agriculture Land Commission, in evaluating the Ministry submission to approve the project. Further, the Ministry and surveyor will inspect the area and determine if the alignment can be placed out of cultivated areas.

I have outlined topics for discussion at the Tuesday meeting:

a) scope of the project;
b) persons involved;
c) extent of the activities necessary to complete;
d) scheduling.

Thank you for your cooperation. If you have any questions or concerns please contact the undersigned.

Yours truly,

Steven Henderson
Property Agent
Central North/East Region

SH/dm

cc Mr. John Clark, District Highways Manager, North Peace
Mr. Chris Windt, BC Hydro,
Mr. Dave Landry, BC Lands
Mr. Brian Churchill, BC Environment
Mr. Mike Waberski, Waberski & Darrow

P. 1

NOTE TO FILE

PS#: OLD HOPE ROAD #119

DATE: January 19/93

PERSON(S) CONTACTED: SEE OVER.

LEGAL:

NOTATION:

(1) discussed the project → legitimize R/W → provide public access

(2) discussion about → provision of fencing to define R/W bdry → help to deter trespassers. Owners commenting about the destruction of crops, fencing, hill sides by 4 wheelers and ATV's.

→ where are the public going once they get to the public lands and why do the public need access to the Peace River? Consider establishing parking area at end of R/W and deter motorized vehicles proceeding further.

→ whether the road is Section 4 → Ministry will not get involved in this discussion. Has there been maintenance in past?

→ prevention of access to Deep Creek and access to BC Hydro Land from the American load → consolidate the ¼'s and only survey as far as necessary to access the Crown lands parcels.

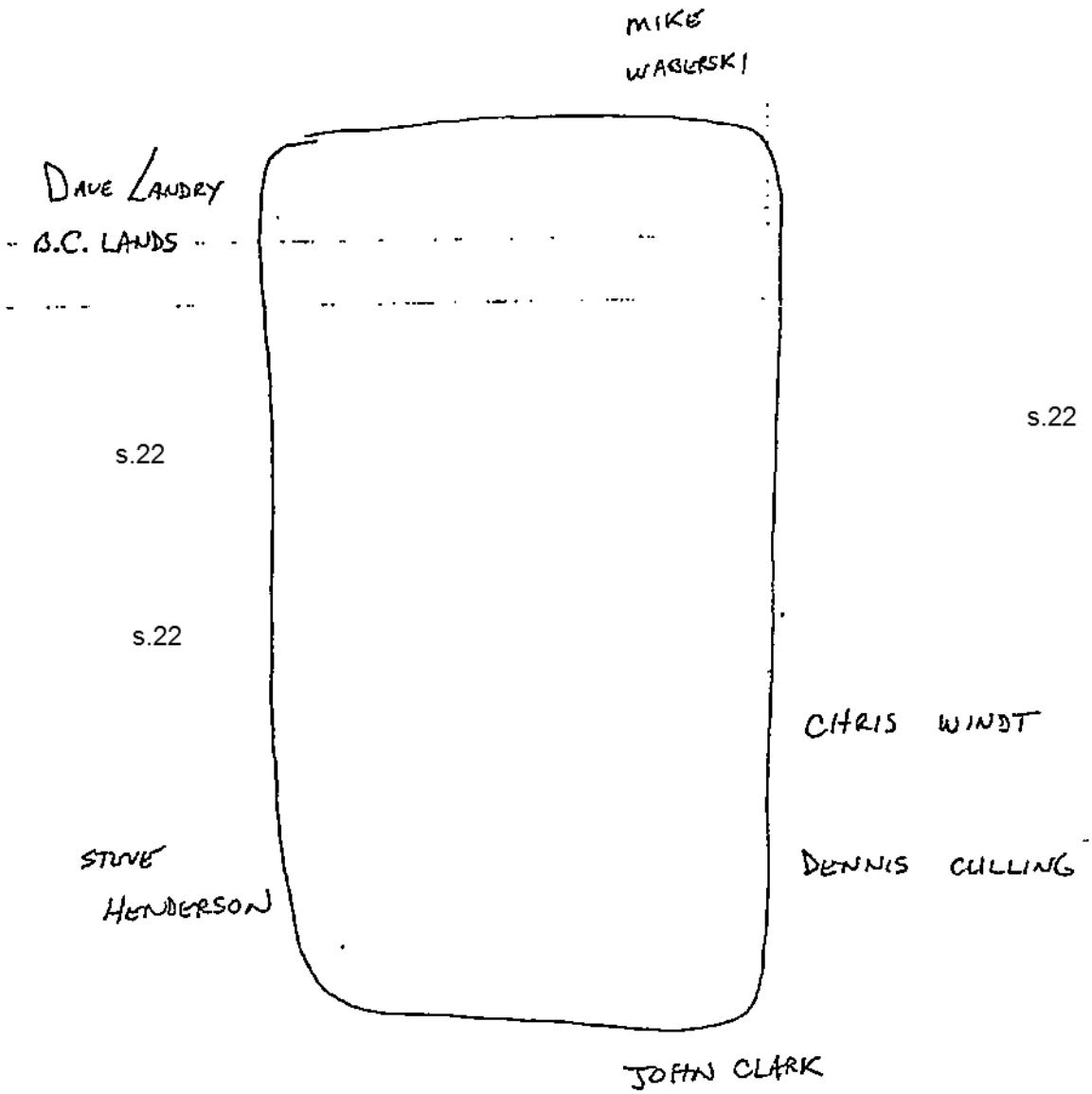
ACTION:

PERSONS TO BE NOTIFIED:

→ why can MoTH spend money on this project when there is a restraint program on (ie. the completion of Beatton River Crossing)?

PERTINENT DATES:

→ s.22 indicated that authority to install the gate and lock was obtained before installation (from someone in one of the


MIKE WAGERSKI
DAVE LANDRY
B.C. LANDS
s.22
s.22
s.22
CHRIS WINDT
DENNIS CULLING
STEVE HENDERSON
JOHN CLARK

NOTE TO FILE

P. 2

PS# OLD HOPE ROAD #119

DATE: January 19/93

PERSON(S) CONTACTED: _____

_____

LEGAL: _____

NOTATION:

discussion -> suggest talking to Environment about restricting ATV usage and access in Crown lands, (John will do).
-> close statutory R/A which are not ever to be used and consolidate with adjoining 1/4's as part of compensation
-> inspect the road and look at avoiding the old farm site with the R/W -> some brushing/grading may be necessary.
-> gather information from enviroment and send it out in letter form and organize another mtg and have enviroment attend. At meeting address scope for the project.

MIKE WASERSKI -> it is possible to provide R/W plans by the end of March if we have next meeting the 3rd week in February.

ACTION:

PERSONS TO BE NOTIFIED: _____

_____

PERTINENT DATES: _____

January 20/93

Met with s.22

(1) addressed the issue of rationalization of our R/W tenure along Old Hope Road re: provision of fencing, survey plans, purpose (public access to Peace River), possibility of consolidation, seek advice from Environment on plans for Crown Land (possibility of asking for ATV restriction), advised them that Dennis Culling & Waborski would inspect property, the role the Ministry plays in keeping R/W effects on agricultural land mitigated (AL Commission,

(2) informed them that the public acquisition of R/W to the River was Phase I and that public access between where we stop at the Crown Land to the west (through BC Hydro property) would eliminated. Phase II would bring the access to the Crown lands parcels from Bear Flats.

(3) s.22 indicated that they felt public access from the end of our project to connect to the Bear Flats area must be ensured. s.22 X indicated s.22 that MOTH will not go to court or expend funds to prove our ownership of Section 4 -> if we need it (the road) then we must acquire the R/W through normal channels.

(4) s.22 asked s.22 to phone J. Clark for further info regarding

s.22 (cont'd)

s.22

s.22 They also claim that the road is numbered #119 from east to west.

6 s.22 question on who's authority the gate + lock was installed.

7 indicated to s.22 the next step -> seek input from Environment, send info out in a letter + set up another meeting

Province of
British Columbia

Ministry of
Transportation
and Highways

Regional Properties
#213-1011 4th Avenue
Prince George, BC
V2L 3H9

Telephone: 565-6472
Facsimile: 565-6065/7278

R7147, R7148, R7146,
PS68739, PS68741, PS68735
PS68738, PS68740, PS68734
PS68736
North Peace

January 8, 1993

s.22

Dear s.22

RE: Old Hope Road #119

Further to our recent telephone conversation, please be advised that the Ministry of Transportation and Highways will be hosting a right-of-way acquisition and project information meeting. This meeting will provide general information on the Old Hope Road #119 project:

DATE:	JANUARY 19, 1993
TIME:	10:00 am
PLACE:	DISTRICT HIGHWAYS OFFICE FORT ST. JOHN, B.C. 0003 - 110th. AVE.

Representatives from the Ministry of Highways, the Ministry of Environment, Lands and Parks, and BC Hydro have been invited. Some of your neighbors have been invited and the others who have not, will be informed at seperate meetings. All information will be informal and will reflect the intentions of the Ministry of Highways in successfully completing this project.

/...2

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Province of
British Columbia

Ministry of
Transportation
and Highways

Region... Properties
#213-1011 4th Avenue
Prince George, BC
V2L 3H9

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/...2

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and Highways

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/...2

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MINISTRY OF TRANSPORTATION & HIGHWAYS
FORT ST. JOHN
JAN 12 1993

I hope that the discussion will be forthcoming and informative. I have outlined a few topics for discussion and welcome additions the day of the meeting:

a) purpose of the project;
b) scope of the project;
c) persons involved;
d) extent of the activities necessary to complete;
c) scheduling.

Thank you for your co-operation. If you have any questions or concerns please contact the undersigned.

Yours truly,

for Steven Henderson
Property Agent
Central North/East Region

SH/dm

cc. Mr. John Clark, District Highways Manager, North Peace
Mr. Egon Weger, Director, BC Lands
Mr. Chris Windt, BC Hydro, 2795 East 44th Avenue, Vancouver, B.C. V5R 3A5
Mr. Mike Waberski, Waberski and Darrow, "B" 9908 102nd Avenue, Fort St. John, B.C., V1J 2E1

Province of
British Columbia

Ministry of
Transportation
and Highways

#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
787-3237

R7147, R7148, R7146
PS68739, PS68741, PS68735
PS68738, PS68740, PS68734
PS68736
North Peace

March 3, 1993

s.22

RE: OLD HOPE ROAD #119
NW 1/4 SEC. 35, TP. 83, RGE. 20

Further to our recent meeting of February 16, 1993, the Ministry has considered the various items and concerns discussed at that time. These include A.T.V. restrictions, some kind of a restricted barrier to replace the gate that presently exists, and use of the township deletions to provide alternate access to the Crownland. I have also considered the request to block Road #152 as well. None of these have, after further review, proven viable and therefore leaves the Ministry in only one position, which is to have Mr. Mike Waberski, of Waberski Darrow B.C.L.S., proceed with the initial survey of the Old Hudson Hope Road #119 as we have previously outlined to you in our meetings. Mr. Waberski will be proceeding very shortly and by way of a copy of this letter, be advised to contact you before entry onto your land.

We will require land for the right-of-way from the above noted parcel. A property agent will contact you to discuss the methods which are available to the Ministry of Transportation & Highways to acquire right-of-way. An independent appraisal report will be completed. An offer of compensation for the transfer of land will be presented to the owner and negotiations will be entered to reach an amicable agreement.

.../2.

Section 3 of the Expropriation Act, S.B.C. 1987, Chapter 23, provides an option for a property owner to agree to transfer or dedicate land to an expropriating authority without compensation when agreement cannot be reached on the compensation to be paid. An advance payment would be made in accordance with Section 19 of the Act. Compensation for the land could then be determined by the Expropriation Compensation Board.

If neither of these settlement options is acceptable to you, the only remaining method by which the Ministry of Transportation and Highways may acquire the right-of-way is through expropriation.

We hope that an amicable settlement can be reached for the acquisition of the required right-of-way from your property.

Yours truly,

John P. Clark
District Highways Manager

JPC/pq

cc: Mr. M. Waberski, Waberski Darrow, Fort St. John, BC
Michelle Garvock, Regional Properties Agent, Prince George, BC

s.22

Minister of Highways
Victoria, B. C.

Dear Sir:

I have traveled roads 119 and 125 since 1940 and am extremely unhappy that I can no longer go for a ride on this beautiful scenic road because of locked gates. s.22 s.22 So I am fully aware that public funds have been used on this road.

Many of my old friends used this road as their access to Fort St. John, included are s.22 Also included in these was the s.22 which is now strongly opposed to the use of this road.

s.22

s.22 I traveled the road in question to reach the valley. I was not in any way stopped from travelling this road because we all knew it was a public road, not PRIVATE because we helped pay for it.

On many occasions we picnicked with s.22 in the valley. It is too bad that my children, grandchildren and great grandchildren can no longer enjoy the same pleasures without grovelling for a key to a gate on a public road. Many residents from Fort St. John also enjoyed berry picking and picnicking without hassles.

Myself and many Fort St. John residents have also enjoyed berry picking, picnicing, swimming on the crown land parcel in question and at that time no one questioned whether we have a right to be there. The road was even grated for easier access in those years.

s.22

s.22

s.22 and find it totally disgraceful that I can no longer freely enjoy the beauty of this area, due to people who came long after I did.

I don't understand how a single family can gain from so much tax payers money that was used to build and maintain this road over the years.

When I came to this country I thought it stood for rights and freedom. Was I wrong?!!!! Does the news release on July 15 mean I can no longer travel this public road as is my RIGHT?

s.22

s.22

Art Charbonneau
Minister of Transportation and Highways
Victoria, B. C.

Dear Sir:

Re: Road 119 and 125

It has been brought to my attention recently via the local radio station that the gate and lock will not be removed from this road, effectively closing the road from further public use.

s.22

When we first travelled this road there was a cattle guard across the road, which was no problem. Years later, a gate was erected across the road. This was not a problem either as we opened and closed the gates behind ourselves. Then , three years ago the gate across the road became a locked gate. That was the end to our pleasant picnics and Sunday drives on the 119 and 125 Roads, a public road.

Steps were being taken via law abiding process to get this gate unlocked. Now all of a sudden local politicians disregard all the proper channels to go through and declare the gate and lock will stay due to lack of public interest.

I would like to know HOW this can be done without any regard to the people who were going through proper channels to have this road opened to the public again, and WHY the public was not told about this in effect road closure until they heard it on the radio.

WHAT ARE YOU GOING TO DO TO ENSURE THAT THE MAJORITY'S RIGHTS ARE UPHELD??????

Yours truly,

s.22

s.22

Art Charbonneau
Minister of Transportation and Highways
Parliament Building
Victoria, B. C.

Dear Sir:

Re: 119 and 125 Access

After numerous phone calls and letters, I was assured by three of your departments that the road in question would have the locked gate removed. Everything was going through the proper channels and the locked gates would be removed in due process. Then, I hear on the radio that the gate and lock would remain in place because there was a lack of public interest in the use of the road beyond the gate.

I suggest you listen to your local ministries and open up this road for all public. Public funds have been spent on this road therefore we have a right to travel it without the hassel of getting a key. It should not be necessary to waste public funds in holding a PUBLIC meeting as it is our right to travel this road. There should be no question that it is public since your ministries have proof that public funds have been spent on it.

I am aware that it is my right to have access to crown lands and water. I really do not understand how this one family can break the laws of this fair country for over 3 years and get away with it.

s.22

cc. Egon Weger
John Clarke
R. Neufeld
Regional Board (Ben Knutson)

s.22

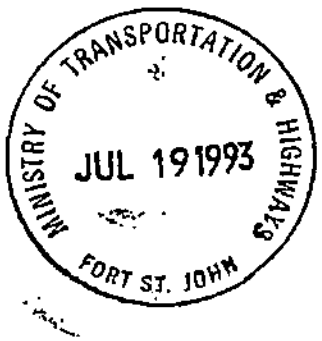
Minister of Highways
Victoria, B. C.

Dear Sir:

I am very concerned about the locked gate on 119 Road in the Fort St. John Highways District. This gate has been locked for the last three years and on numerous occasion s.22 reassured that the gate would be removed. s.22 when he was trying to go beyond the gate on a public road. It is no longer feasible to take our family on a Sunday drive through the valley because of the gates. It is societies right to travel a public road without harassment and abuse. It is time for your ministry to insure that the public can freely travel this and any other public road without impediment.

Due to the length of time this matter has been drawn out your immediate attention would be greatly appreciated.

s.22



c.c. Regional District, Attention Phil Cave
Richard Neufeld, Peace River North MLA
John Clark, Fort St. John Highways
Egon Weger, Crown Lands

This beautiful Peace River Valley has no public access between Taylor and Hudson Hope....Why?!!!! Because the right of ways and roads have been blocked by certain people who selfishly want these areas to themselves.

THESE ARE EXAMPLES OF RECENT HEADLINES IN THE NEWS-

- Clayoquot Sound Blockaders arrested!!!
- Native Arrested for Blockading Road on their Land!!!

Roads are being blocked illegally (ie. Road 119 & Road 125) in our Peace River area and nothing is being done about it.

Basically this whole issue is very simple....

Disregarding opinions such as these

- Nobody has any business down there....
- there will be vandalism....
- etc. etc.

Blockading a legal Section 4 Road is against the law. Why isn't this law being enforced??!!!!

It is time now for us to let our voices be heard and to stand up for our rights and we are doing this!!!!

No one person has the right to block a Legal Section 4 Road, this can only be done by our judicial system.

It is time to open this road!!!!!!!!!!!

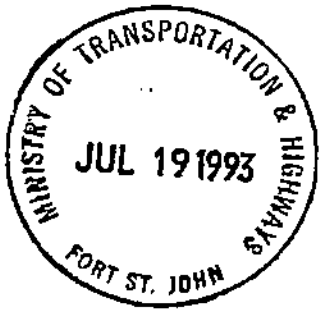
Yours truly,

s.22

s.22



s.22



July 16, 1993

Mr. Art Charbonneau
Minister of Highways
Victoria, BC

Dear Mr. Charbonneau,

Re: Road 119 & Road 125

It has just come to my attenion via CKNI Radio that these roads will remain closed due to the public's lack of interest. Needless to say this is very upsetting - "Lack of Interest". Several months ago we were assured by the Ministry of Highways that the road would be upgraded to give the public access to the river and crown lands so we naturally assumed that this was being done. Why has this been overruled by politicians who disregard our local Highway Ministries opinions and decisions.

We did not ask for the road to be upgraded (that was a Ministry of Highways decision). We just want the use of this legal road to give us access to the Peace River and crown lands in the Peace River valley.

After enduring this illegal act ("THE BARRICADING OF A LEGAL ROAD") for many years, we finally thought that the laws of the land would be upheld and would allow us the use of this legal Section 4 Road only to find that once again the perpetrators of this illegal act are to be pacified. Why do these perpatrators have to be pacified.

Why do these perpetrators have the power to get away with this illegal act without any consequenses!!!! WHY ARE THESE PEOPLE ABOVE THE LAW!!!! I THINK IT IS TIME TO FIND OUT.

OH YES, There are some people that were given keys to the gate at the blockaded road, "ISN'T THAT SPECIAL." I can only presume that this gives these perpatrators a sense of power... to have "Joe Q Public" grovel at their feet to be allowed access to use and crown land that rightfully belongs to the public.

If this ever got out in the "real world", we would all be the laughing stock of the country because certain individuals have been above the law.

MINISTRY OF TRANSPORTATION & HIGHWAYS
JUL 19 1993
FORT ST. JOHN

s.22

Minister of Highways
Victoria, B. C.

Dear Sir:

Re: Road 119 and Road 125

Once again I am forced to write about this locked PUBLIC road. From a news release yesterday on our local radio station we were informed that no public money would be spent on the expansion of the road. A letter from your office to the Regional Board states that the locks will not be removed. NO PUBLIC INTEREST! s.22 think not. I am concerned that a few land owners can barricade a PUBLIC ROAD FOR THREE YEARS AND GET ANY WITH IT. I am concerned for the rights of the public, not just myself. If I did this I surely would be fined.

Local Land Owners were consulted. I THINK NOT. s.22

s.22

We do not wish ANY money to be spent on the road, all we want is the right to travel a PUBLIC road as we have done in the past. If the land owners want fences, then the government is not responsible for these fences, they are.

You should be aware that s.22 farmed the Peace Valley for seven years and there were no problems with the road. The public was allowed to freely travel the road as was their right. You treat people with respect and you get respect. We had no damage from the general public while we were farming this land. WHY NOW!

Your office told me that it is a public road, therefore you are responsible to have all locked gates removed, so I can once again travel freely from the Fort St. John side of the road out to the Hudson Hope Road, whether it be on 125 Road or 119 Road.

You would be a very irresponsible minister if you do not properly investigate this matter. You must listen to all parties concerned about this matter. I demand the locks be removed immediately.

s.22

Old Hudson Hope, FS 117

July 15th 93. Notes to file

Karen Goodings - Reg Dist Rep - has news story on local radio that MOTH will not be proceeding with old Hudson Hope RD project.

Phone calls -

s.22 - wanted access to River & across

- wants access to crown land

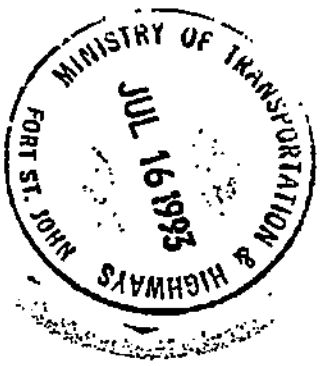
s.22 - inquiry as to what happening

s.22 - wants access open

J H Clark
Distn.

Reference: 1857/93

July 9, 1993



s.22

Dear s.22

Thank you for your letter of May 28, 1993, concerning the Old Hudson Hope Road 119 and the controversy regarding public access.

You will be pleased to know that, at this time, the Ministry is taking no further action to remove the private gate or establish a surveyed right of way for access to Crown Lands beyond. The Ministry tried to help as requested by a few of the area residents, but clearly the majority do not wish to see the gate removed or public monies spent on an access. I understand that current access to Crown Lands beyond is available on foot or horseback along the township deletions.

Although there have been very polarized views by local users, I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

ORIGINAL SIGNED BY MINISTER

JUL 09 1993

Julia Bardos
Ministerial Assistant

!bcc: Mr. Lawren Wagar, A/Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!SVarley, CU/LWagar/clc/4044c/Min.Log –4498– !

Ministry of Transportation
& Highways

s.22

May 13/93

Att: Julia Barlow,

Re our conversation and the "Old Hope" 119 road.

I am forwarding you copies of correspondence with some info re the land.

s.22

s.22

JUN 1 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION
& HIGHWAYS
TH 4498
MAY 18 1993
DRAFT REPLY ☐ FYI ☒ FILE ☐

PEACE RIVER REGIONAL DISTRICT

OFFICE OF: Chairman



Your File No. 26-W-93-28286
Our File No. 93/51

July 5, 1993

Mr. K.B. Miller, General Manager
BC Land Commission
Rm. 133, 4900 Canada Way
Burnaby, BC
V5G 4K6

Dear Mr. Miller:

Re: Application pursuant to BC Regulations #313/78 - Road #119

Thank you for the opportunity to respond to the referenced BC Regulation #313/78 application that proposes to provide "an established right-of-way over Road #119".

In a letter dated June 8, 1993 from Mr. John Clark, District Highways Manager, to your office, Mr. Clark states that "this road is considered a Section 4 by virtue of the Highways Act and that the Ministry is only establishing a right-of-way to legalize what is there". The Regional District wishes to point out that this may not be entirely correct.

In past correspondence and meetings regarding this proposed right-of way it has been noted by affected land owners that this is not an existing right-of-way, but rather this proposal would directly disrupt existing farm operations, including a private farm yard, grazing pasture and cultivated land.

Further, in May 1993, the Peace River Regional District wrote to the Minister of Transportation and Highway, to request that the proposed extension to Road #119 be held in abeyance until;

a) an explanation be provided of why this road is being constructed during a time of budgetary restraints; and

b) an explanation of why private land is being considered for expropriation when there is an alternative route which is more economical and it does not involve private land.

To date, these explanations have not been answered.

PLEASE REPLY TO:
□ P.O. BOX 810, DAWSON CREEK, B.C. V1G 4H8, TELEPHONE (604) 782-5891 or ZENITH 2770, FAX (604) 782-2718
□ 9912 - 106 AVENUE, FORT ST. JOHN, B.C. V1J 2N9, TELEPHONE (604) 785-8084 or ZENITH 08922, FAX (604) 785-1125

Reference: 1855/93

June 29, 1993



s.22

ia

Dear s.22

Thank you for your letter of May 26, 1993, concerning Road 119 and the controversy regarding public access. Please accept my apologies for the delay in replying to your last letter of February 19, 1993.

You will be pleased to know that, at this time, the Ministry is taking no further action to remove the private gate or establish a surveyed right of way for access to Crown Lands beyond. The Ministry tried to help as requested by a few of the area residents, but clearly the majority do not wish to see the gate removed or public monies spent on an access. I understand that current access to Crown Lands beyond is available on foot or horseback along the township deletions.

Although there have been very polarized views by local users, I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

ORIGINAL SIGNED BY MINISTER

JUL 07 1993

Art Charbonneau
Minister

Copy to: Honourable John Cashore
Minister of Environment, Lands and Parks
M.L.A., Coquitlam–Maillardville !–copy of incoming attached!

!bcc: Mr. Lawren Wagar, A/Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!SVarley, CU/LWagar/clc/4099c/Min.Log –4510– !

Package Subject: old hudson hope road

Item Title: old hudson hope road

MEMO FROM DAN DOYLE
ASSISTANT DEPUTY MINISTER OPS
MINISTRY OF TRANSPORTATION AND HIGHWAYS

TO : Wayne Carr

RE: Old Hudsons Hope Rd

DATE: June 17, 1993

This will confirm my discussion of June 16th with Lawren Wagar

We will not pursue the establishment of a Public road r/w on this road and will leave it to the locals to resolve the access issue. This approach is approved by the minister's office and the local MLA.

Dan

No action Taken on Hold.

B.C. AGRICULTURAL LAND COMMISSION
4940 Canada Way
Province of British Columbia Burnaby, B.C. V5G 4K6

RECEIPT 899730 J

THE SUM OF Four Hundred XX/100 DOLLARS $ 400.00

ACCOUNT OF Ministry of Transportation & Hwys.

Re: Application 26-W-ROEA-93-
Rd #119 - Old Hudson Hope Road

GST NUMBER R107864738

The amount receipted above includes GST in the amount of $ Nil

RECEIVED FROM 51940/0AA/RK45

ON 11 June 19 93

B.C. AGRICULTURAL LAND COMMISSION

ISSUING OFFICER'S SIGNATURE L. Campbell

FIN 48 Rev 91/3/26 (GP 4109) WHITE: CUSTOMER PINK: MINISTRY FILE CANARY: RETAIN IN BOOK FOR AUDIT

MINISTRY OF TRANSPORTATION & HIGHWAYS
JUN 24 1993
FORT ST. JOHN

Provincial
Agricultural Land
Commission

133 - 4940 Canada Way, Burnaby, B.C. V5G 4K6 Telephone: (604) 660-7000 Faxcom: (604) 660-7033

June 21, 1993

Reply to the attention of
Everett Lew

Ministry of Transportation & Highways
300-10003-110th Avenue
Fort St. John, BC V1J 6M7

Dear Sir/Madam:

Re: Application #26-W-RDEA-93-28286
Your File: "Old Hudson Hope Road" (District Plan 022-029-055)
Part of NW 1/4, NE 1/4, & SW 1/4, Sec. 35; Part of SE 1/4, Sec. 34; Part NE 1/4, Sec. 27; Part SE 1/4 Sec. 2; and Part Parcel 1, Plan 16514; all in Range 20, TP. 83, Peace River District

Your application under Section 44(e) of B.C. Regulation 313/78 has been received by this office. The Commission hopes to have this application considered at the earliest opportunity.

The Commission will consider the merits of your case on the basis of the information you presented in your application in addition to any information supplied by the Regional District or Municipality. We draw your attention to the enclosed "Points for Applicants to Consider" since these are the guidelines the Commission follows in considering an application.

You are advised that there will be no public hearing of this application and thus no opportunity to personally present your case to the Commission. The Commission's determination will be based on the information and documentation contained in your application. For this reason, it is imperative that you supply whatever additional information you may wish to convey to the Commission in the form of written documentation to ensure that any outstanding information is placed on the file prior to the Commission considering the application.

Please keep in mind that the restrictions concerning the use of land in the ALR still apply to the subject property.

Please refer to the above noted application number in all correspondence on this matter.

Yours truly
AGRICULTURAL LAND COMMISSION
per:

K. B. Miller, General Manager

cc: Peace River Regional District

eg/Enclosure

NO ACTION TAKEN!

POINTS FOR APPLICANTS TO CONSIDER

The object of the legislation is to preserve agricultural land and to protect it from encroachment of non-farm uses and subdivisions. If the Agricultural Land Reserve is to be maintained in the long term, it is obvious that it cannot be endlessly eroded. This goes beyond measures to control land under local agricultural and rural zoning bylaws, which are generally effective only so long as there is not a routine request to use more farm land for non-farm purposes. The principles involved in evaluating an application under the Agricultural Land Commission Act must differ from those employed in weighing re-zoning requests. The criteria for judging applications under the Agricultural Land Commission Act, will, by necessity, be more oriented towards maintaining a permanent farm land reserve without strict regard to present use or production needs.

The following represents the areas of concern which the Agricultural Land Commission considers when dealing with the applications. The points raised in these concerns are not considered in isolation since they are, in the main, interrelated. The Commission arrives at a decision by reviewing those variables which it considers to be relevant to the specific case at hand and by weighing the likely impacts of the proposed action, in view of the provincial policy which is to preserve land having potential for agricultural utilization.

One measure of agricultural potential is the Canada Land Inventory Agricultural Capability rating system, which is based on the range of crops that can be grown. Other parameters of agricultural potential are suitability for general agricultural purposes, suitability for specific agricultural crops, productivity, and homogeneity or integrity of the farming community, both present and future.

The Commission has, of necessity, adopted a long-term approach to the problem of preservation of agricultural land. Agricultural land is not defined on the basis of present use or parcel size (e.g. a 5 acre lot that is not providing a full-time farm income does not for that reason alone qualify for exclusion or non-farm use or subdivision). The Commission does not consider current market conditions to be a determining factor in its decisions.

1. Bio-physical resource base (based on soil-climate ratings as shown on Canada Land Inventory agricultural capability maps).

   A) Agricultural capability of the subject parcel (keeping in mind that higher capability lands have a greater number of crop options but also bearing in mind that some lower capability lands are highly suitable for the production of specialty crops such as blueberries, cranberries, range grasses or forages).

   B. Agricultural capability of surrounding lands.

2. Related Agricultural Concerns

   A. Will the proposed use permanently damage the physical capability of the land to produce agricultural crops?

What is Good Agricultural Land?

The question of what is good agricultural land and what is not is a complex one. To define British Columbia's most important agricultural land, the Agricultural Land Commission begins with the Canada Land Inventory (CLI) classification system under which land is grouped into seven classes according to its potentialities and limitations for agricultural use depending on inherent soil and climatic characteristics.

Canada Land Inventory ratings show the range of crops that can be grown. The ratings also show the particular soil and climatic features that downgrade the agricultural capability of the land. However, they give no indication of yield of individual crops, of social or economic conditions, or of the current use of the land. For example, a parcel of Class 4 land may be highly productive for a narrow range of crops. Thus the Agricultural Land Commission looks not only at capability but also takes other factors into consideration, particularly suitability for general agricultural purposes, suitability for specific agricultural crops, productivity, homogeneity of the farming community, and others.

Under the Canada Land Inventory System:

Class 1 land is capable of producing the very widest range of crops. Soil and climate combinations are optimum.

Class 2 land is capable of producing a wide range of crops, but minor restrictions of soil or climate may reduce capability to some degree.

Class 3 land is capable of producing a fairly wide range of crops, under good management practices. Soil and/or climate limitations are somewhat restrictive.

Class 4 land is capable of a restricted range of crops. Soil and climate limitations require special management considerations.

Class 5 land is capable of production of perennial forage crops only. Soil and/or climate restrictions severely limit capability.

Class 6 land cannot be cultivated due to soil and/or climate limitations but may be important in its natural state as grazing land.

Class 7 land has no agricultural capability whatsoever.

Ministry of Transportation & Highways

#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

June 8, 1993

Provincial Land Commission
4940 Canada Way
Burnaby, BC
V5G 4K6

Attention: Everett Lew

Dear Sir:

RE: APPLICATION FOR ROAD #119
OLD HUDSON HOPE ROAD

Attached please accept our application for exemption from the A.L.R. for Road #119. As we have discussed this issue has been a little contentious. The situation arose approximately two years ago when a gate was placed across the road as shown on the key map. The road is considered Section 4 by virtue of the Highway Act and we are *only* establishing a right of way to legalize what is there.

Should you wish any further information please contact the undersigned.

Yours truly,

John P. Clark
District Highways Manager

JPC/pq

Attachment

Province of British Columbia

Ministry of Transportation and Highways

MEMORANDUM

Gwen Gordy
Regional Stenographer
Central/Northeast Region

June 7, 1993
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

280-30

RE: MINISTER'S RESPONSE CTS 1855 - s.22

Suggested response would be:

Thank you for your latest letter of May 26, 1993, concerning Road 119. Firstly, please accept my apologies for the delay in replying to your last letter of February 19, 1993.

With respect to the points in your letter. Firstly, with respect to the mandate of the Ministry of Environment, Lands and Parks, you do not state who you were speaking to; however, our contact which is the Regional Director of B.C. Lands in Fort St. John, Mr. Egon Weger, who advises that it is their Ministry's mandate to supply access to lands beyond. In this case to the Crown lands along the Peace River. This access is basically sought on a grade suitable for road construction when necessary. The existing dominion township right of way deletions in the area are considered too steep on their existing alignment.

Secondly, the Ministry has Road 119 recorded in the district road register and the portion of concern is considered Section 4 by virtue of the Highway Act. This register is available for viewing at the local district office in Fort St. John at 10003 - 110 Avenue.

Thirdly, public roads, crown lands and the Peace River are all for the enjoyment of the public. I appreciate your concerns with trespassers; however, the land owner must accept some responsibility in these instances too. The Ministry has offered to fence the proposed right of way as part of the land acquisition settlement if the owner wishes it as an attempt to aid in solving this concern.

.../2

Fourthly, I can assure you that the local district office is acting on public complaints and inquiries as a result of the gate which was erected on the road. I do not feel it in the best public interest to provide a list of names to you at this time, but rather suggest you contact Mr. John Clark, District Highways Manager for the North Peace, at 787-3237 or 10003 - 110 Avenue, Fort St. John, to review his file with you.

With respect to your Item 5, the Ministry budgets each year funds toward these types of right of way issues including acquisition, fencing, etc. These costs are considered part of the operational budget of the Ministry whereas funding for new construction is considered part of the capital construction budget. At present, funding has only been limited in the area of new or capital construction. With respect to any fencing on this project, as previously stated, the item of fencing has been offered as part of any land acquisition. As a general rule fencing on side roads is maintained thereafter by the owner.

Lastly, with respect to funding for the north. I'm sure if you contact Mr. John Clark, District Highways Manager, now that the budget for his area has been publicly announced, he would be pleased to review this year's program with you.

The Ministry has taken another look at this project due to yours and other written correspondence; however, I do not feel that establishing a right of way over any existing Section 4 road so that both the land owners and the public have a defined and legal access through the area should be of such concern. My staff will therefore be proceeding with this project as previously advised.

Prepared by:

John P. Clark
District Highways Manager
North Peace District
June 6, 1993

Approved by:

JPC/hb

Page 162 to/à Page 163

Withheld pursuant to/removed as

s.3

NOTATION OF CONVERSATION WITH BEN KNUTSON (PRRD) JUNE 3, 1993
TOPIC: OLD HOPE ROAD

May 25, 1993 mtg. with the residents along the Road attended by:
Ben Knutson- Chairman of Peace River Regional District
Karen Gooding- Director Area B

Comments from mtg:
-why is MoTH interested in this road?
-what is the reason MoTH is adamant in continuing project?
-in time of restraint why is MoTH prepared to spend this money?
-where is the pressure coming from to continue the project?
-who is pushing for road and why?
-nobody wants road
-PRRD Board at a loss at MoTH actions
-access to approx. 55ha. not critical to Prov. needs
-alternate location for access is available
-Ministry of Environment may not support this project

General discussion with Knutson on the project; the Peace River public necessity to have MoTH money spent on other more valuable road projects, individual owner needs for access to their lands, the mandate of the Province (both BC Lands and MoTH) to provide access to Crown Land,

Knutson comments:
-mtg. held with John Clark and Karen Gooding where John was not forthcoming with evidence of public support for the project (where is the evidence?)
-Region 8 Transportation Committee has not been fully informed on this project as per agreement on consultation
-after PRRD discussions with ALR, MoTH may have contravened regulations (after surveying) needed for approval to continue
-PRRD has passed resolution opposing this project and has FAXED a copy to Art Charbonneau
-indicated that if MoTH continue with works on the project, an injunction will be sought (PRRD may support this move)

MoTH to draft reply with specific reference to the points about s.22 Let's put an end to this debate about extending the road.
Draft should be for my signature.
There is other info about this 119 ct on the files as well.

27/5/93 (Julia Bardos)

Ministerial Assistant

Mgr. Residential Tenancy Branch
(387-9177)

Min. of Labour and Consumer Services

Ministry of Transportation
& Highways

s.22

May 18/93

Att Julia Barbo,

Re our conversation and the "Old Hope" 119 road.
I am forwarding you copies of correspondence with some info re

s.22

Lee

s.22

Log # 18571

MINISTER OF TRANSPORTATION & HIGHWAYS
TH 4498
MAY 18 1993
DRAFT REPLY ☐ FYI ☒ FILE ☐

JUN 1 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

Province of British Columbia

Ministry of Environment, Lands and Parks
BC LANDS

Fourth Floor
810 Blanshard Street
Victoria, British Columbia
V8V 1X4
Telephone: (604) 387-1288
Fax: (604) 387-5669

File: 12695-007-P002
March 5, 1993

s.22

Dear s.22

The Honourable John Cashore, Minister of Environment, Lands and Parks has asked me to respond to your letter of February 10, 1993, regarding the "Old Hope Road".

Since you enclosed a copy of the invitation to the February 16, 1993 meeting sent to Mr. Volker Kroecher, I assume that you are aware of the operational concerns which were discussed at that meeting.

The public concern is not one of road development or maintenance but one of access to Crown lands. The problem arose when the route known as the "Old Hope Road" was gated and blocked about two years ago. Keys were provided to some people and to Czar Resources who use the road for regular maintenance of their pipeline which crosses the Peace River. Although the public believed the road to be a public thoroughfare, the Old Hope Road was never surveyed or identified on the Crown grants or the land title of the three quarter sections concerned.

One of the mandates of BC Lands is to ensure public access to Crown lands beyond private lands. Coincidently, the Ministry of Transportation and Highways have a mandate to provide access to the boundary of the last surveyed parcel served by a road system. In this case, the lands on the Peace Hills are a 1915 Soldier's Grant. About two-thirds of the road beyond the gate has to be acquired to access the Northwest 1/4 of Section 27, Township 23, Range 20, West of the Sixth Meridian. Acquisition of the remaining third would complete the road right of way to Crown land.

.../2

The Ministry of Transportation and Highways' intention to fence the route as stated in the letter you enclosed emanated from their discussions with the effected land owner.

This ministry has requested the acquisition of the existing Old Hope Road as a right of way as the most logical and economical way of meeting the access needs. The acquisition process falls within the mandate of the Ministry of Transportation and Highways.

Thank you for expressing your concerns. The Regional Director in Fort St. John, Egon Weger, (787-3411) would be pleased to meet with you and answer any further questions you may have.

Yours truly,

J. T. Hall
Executive Director
Lands Operations Division

CC: John Clark
From: Wayne Carr
Subject: Road 119 (Old Hope Road)

CEN/NOR PEACE
Security: General
Date Received: 93/06/03

Dan, we are continuing to get pressure from one special interest group regarding legalizing access on this road in the South Peace. Three more letters are on the way to the Minister's office at this time.

I have asked John Clark to prepare a comprehensive briefing package to fully explain the situation and will forward it to you the end of next week for your information. It may be necessary to brief the Minister since the calls and letters are now all being directed to his office.

Wayne

cc: John Clark

Ministry of Transportation and Highways

FACSIMILE RECORD

Date July 20/93

File No.

Debbie Pool
North Peace District

C/O

FAX No. PHONE No.

FROM: Kathy Josephson
Central / North East Region

FAX No. 565-6065 PHONE No. 565-6110

ORIGINAL PAGES TO BE:
☐ FILED ☐ MAILED ☐ COURIERED ☐ OTHER (SPECIFY)

SUBJECT: FOI Request - Rds 119 and 125

Debbie,

I asked Barb for some clarification of this request. Her reply is attached. Please determine if there are any other records which may pertain. e.g. expenditures -

Thanks,

Kathy

(Please call & confirm receipt)

PAGES: (including this sheet)

Josephson
Operators Signature

VS OFFICE Tuesday 93/07/20 09:37 am Page: 1

Intended For: Barb Tier This Item is In Progress
Author: Kathy Josephson
Subject: FOI Request-119 & 125 Rds

CC: Kathy Josephson From: Barb Tier
Subject: FOI Request-119 & 125 Rds Date Sent: 93/07/20

Properties Victoria District

Good morning!
I have spoken to the requester, s.22 regarding the records he is seeking relating to 119 and 125 Roads. He is looking for the old historical information regarding the creation of the roads, including gazetting, etc. He would like all information relating to dirt work, etc. from the beginning up to about 10 years ago. He is wanting records as well that prove Section 4.

For 119 Road he is primarily concerned with the southwest corner of Section 1.

Does this give you enough information to determine what records are requested? If not, please let me know.

District/ Wayne/ Minister

Also, regarding the information on letters he has requested:
Apparently these letters would relate to the gate(s) with the lock(s) on those two roads, and with the roads being Section 4.

He wishes to know how many letters have been received by the ministry in the past three years (basically since our change in government) relating to the a[illegible]e, how many were written by each person, and how many people have e[illegible]essed views for or against the situation.

We'll need to gather this information together and then determine whether it is releasable.

I will contact headquarters Properties Branch to see if they have any records relating to these two roads. Will you have all the records relating to the letters or should I be contacting the minister's office as well?

Technically we must have our answer prepared for the requestor by August 18th. Can you get the package to me by August 6th?

Will look forward to hearing from you.

Barb

c.c. Kathy Josephson
Debbie Pool

---------- Reply ----------

Barb,

Will discuss with Michelle Garvock, Regional Property Agent and get back to you today.

Thanks for the clarification, it does make the request clearer.

s.22

July 19, 1993

Art Charbonneau
Minister of Transportation and Highways
Victoria, B. C.

Dear Sir:

Re: Road 119 and 125

It has been brought to my attention recently via the local radio station that the gate and lock will not be removed from this road, effectively closing the road from further public use.

s.22

s.22

When we first travelled this road there was a cattle guard across the road, which was no problem. Years later, a gate was erected across the road. This was not a problem either as we opened and closed the gates behind ourselves. Then , three years ago the gate across the road became a locked gate. s.22

s.22

Steps were being taken via law abiding process to get this gate unlocked. Now all of a sudden local politicians disregard all the proper channels to go through and declare the gate and lock will stay due to lack of public interest.

I would like to know HOW this can be done without any regard to the people who were going through proper channels to have this road opened to the public again, and WHY the public was not told about this in effect road closure until they heard it on the radio.

WHAT ARE YOU GOING TO DO TO ENSURE THAT THE MAJORITY'S RIGHTS ARE UPHELD??????

Yours truly ,

s.22

s.22

Art Charbonneau
Minister of Transportation and Highways
Parliament Building
Victoria, B. C.

Dear Sir:

Re: 119 and 125 Access

After numerous phone calls and letters, I was assured by three of your departments that the road in question would have the locked gate removed. Everything was going through the proper channels and the locked gates would be removed in due process. Then, I hear on the radio that the gate and lock would remain in place because there was a lack of public interest in the use of the road beyond the gate.

I suggest you listen to your local ministries and open up this road for all public. Public funds have been spent on this road therefore we have a right to travel it without the hassel of getting a key. It should not be necessary to waste public funds in holding a PUBLIC meeting as it is our right to travel this road. There should be no question that it is public since your ministries have proof that public funds have been spent on it.

I am aware that it is my right to have access to crown lands and water. I really do not understand how this one family can break the laws of this fair country for over 3 years and get away with it.

s.22

cc. Egon Weger
John Clarke
R. Neufeld
Regional Board (Ben Knutson)

s.22

July 16, 1993

Minister of Highways
Victoria, B. C.

Dear Sir:

I would like to respond to a letter by yourself on June 29, 1993 to Ben Knutson.

I would really like to know how the minister can state that the majority do not wish to have the gate removed. Who is this majority? I have people calling and coming to my door on a regular basis asking why this public road is blocked. We were told at the February 16 meeting that large numbers of people (a minimum of 50) have phoned local ministries with their complaint and many have written. Letters were not being written of late because we were lead to believe that due process was being followed. (see attached letter)

Were you given false information? NO PUBLIC meeting was held. The meeting s.22 public to the local regional representative which was held February 16, 1993 was in fact a closed meeting by invitation only. They saw fit not to follow these guidelines. We told other concerned citizens that this was a CLOSED meeting of property owners who had land on the road in question. Please see attached letter from your office in Prince George.

Were you led to believe that this a family feud, with s.22 using his political ties to push the removal of the gate through? We were informed of this misinformation by s.22 on the evening of June 15, 1993. You should examine s.22 record very carefully. He has had no influence on what is happening at ALL and he has never used his position for any personal gain.

s.22

s.22 also barricading [illegible] Please check this fact with your local ministries.

Are you aware that allegated vandalism and other property damage is a policing matter, not a matter for the Minister of Transportation and Highways?

I believed that the government was there to protect the rights of the majority. Maybe you should consult local ministries before making a decision of this magnitude. This road situation is being watched in [illegible] precedent setting case. Are you advocating the

it? Does your letter of June 29 mean that this section 4 road can be barricaded?

I demand that Chapter 167 of the Highway Act part 1, clause 4 (1) and 4 (2) referring to section 4 roads and Chapter 167, part 2 referring to protection of highways be enforced NOW. We have been extremely patient in this matter, but with your recent letter we now have to demand action. We are not going to accept your recent letter, based on non-facts and much misinformation close down a road we have a RIGHT to travel. ACTION MUST BE

s.22

Province of
British Columbia

Ministry of
Transportation
and Highways

#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
787-3237

R7147, R7148, R7146
PS68739, PS68741, PS68735
PS68738, PS68740, PS68734
PS68736
North Peace

March 3, 1993

s.22

Dear s.22

RE: OLD HOPE ROAD #119
NW 1/4 SEC. 35, TP. 83, RGE. 20

Further to our recent meeting of February 16, 1993, the Ministry has considered the various items and concerns discussed at that time. These include A.T.V. restrictions, some kind of a restricted barrier to replace the gate that presently exists, and use of the township deletions to provide alternate access to the Crownland. I have also considered the request to block Road #152 as well. None of these have, after further review, proven viable and therefore leaves the Ministry in only one position, which is to have Mr. Mike Waberski, of Waberski Darrow B.C.L.S., proceed with the initial survey of the Old Hudson Hope Road #119 as we have previously outlined to you in our meetings. Mr. Waberski will be proceeding very shortly and by way of a copy of this letter, be advised to contact you before entry onto your land.

We will require land for the right-of-way from the above noted parcel. A property agent will contact you to discuss the methods which are available to the Ministry of Transportation & Highways to acquire right-of-way. An independent appraisal report will be completed. An offer of compensation for the transfer of land will be presented to the owner and negotiations will be entered to reach an amicable agreement.

.../2.

Section 3 of the Expropriation Act, S.B.C. 1987, Chapter 23, provides an option for a property owner to agree to transfer or dedicate land to an expropriating authority without compensation when agreement cannot be reached on the compensation to be paid. An advance payment would be made in accordance with Section 19 of the Act. Compensation for the land could then be determined by the Expropriation Compensation Board.

If neither of these settlement options is acceptable to you, the only remaining method by which the Ministry of Transportation and Highways may acquire the right-of-way is through expropriation.

We hope that an amicable settlement can be reached for the acquisition of the required right-of-way from your property.

Yours truly,

John P. Clark
District Highways Manager

JPC/pq

cc: Mr. M. Waberski, Waberski Darrow, Fort St. John, BC
Michelle Garvock, Regional Properties Agent, Prince George, BC

s.22

Minister of Highways
Victoria, B. C.

Dear Sir:

I have traveled roads 119 and 125 since 1940 and am extremely unhappy that I can no longer go for a ride on this beautiful scenic road because of locked gates. s.22 s.22 So I am fully aware that public funds have been used on this road.

Many of my old friends used this road as their access to Fort St. John, included are s.22
Also included in these was s.22 which is now strongly opposed to the use of this road.

s.22
s.22 I traveled the road in question to reach the valley. I was not in any way stopped from travelling this road because we all knew it was a public road, not PRIVATE because we helped pay for it.

On many occasions we picnicked with s.22 in the valley. It is too bad that s.22 s.22 can no longer enjoy the same pleasures without gravelling for a key to a gate on a public road. Many residents from Fort St. John also enjoyed berry picking and picnicking without hassles.

Myself and many Fort St. John residents have also enjoyed berry picking, picnicing, swimming on the crown land parcel in question and at that time no one questioned whether we have a right to be there. The road was even grated for easier access in those years.

s.22

s.22
s.22 and find it totally disgraceful that I can no longer freely enjoy the beauty of this area, due to people who came long after I did.

I don't understand how a single family can gain from so much tax payers money that was used to build and maintain this road over the years.

When I came to this country I thought it stood for rights and freedom. Was I wrong?!!!! Does the news release on July 15 mean I can no longer travel this public road as is my RIGHT?

s.22

s.22

July 16, 1993

Minister of Highways
Victoria, B. C.

Dear Sir:

I am very concerned about the locked gate on 119 Road in the Fort St. John Highways District. This gate has been locked for the last three years and on numerous occasion our family has been reassured that the gate would be removed. s.22 when he was trying to go beyond the gate on a public road. It is no longer feasible to take our family on a Sunday drive through the valley because of the gates. It is societies right to travel a public road without harassment and abuse. It is time for your ministry to insure that the public can freely travel this and any other public road without impediment.

Due to the length of time this matter has been drawn out your immediate attention would be greatly appreciated.

s.22

c.c. Regional District, Attention Phil Cove
Richard Neufeld, Peace River North MLA
John Clark, Fort St. John Highways
Egon Weger, Crown Lands

MINISTRY OF TRANSPORTATION & HIGHWAYS
JUL 19 1993
FORT ST. JOHN

This beautiful Peace River Valley has no public access between Taylor and Hudson Hope....Why?!!!! Because the right of ways and roads have been blocked by certain people who selfishly want these areas to themselves.

THESE ARE EXAMPLES OF RECENT HEADLINES IN THE NEWS-

- Clayoquot Sound Blockaders arrested!!!
- Native Arrested for Blockading Road on their Land!!!

Roads are being blocked illegally (ie. Road 119 & Road 125) in our Peace River area and nothing is being done about it.

Basically this whole issue is very simple....

Disregarding opinions such as these

- Nobody has any business down there....
- there will be vandalism....
- etc. etc.

Blockading a Legal Section 4 Road is against the law. Why isn't this law being enforced??!!!!

It is time now for us to let our voices be heard and to stand up for our rights and we are doing this!!!!

No one person has the right to block a Legal Section 4 Road, this can only be done by our judicial system.

It is time to open this road!!!!!!!!!!!!

Yours truly,

s.22

s.22



s.22

July 17, 1993

Minister of Transportation and Highways
Victoira B. C.

Dear Mr. Charbonneau,

I find the locked gates on roads 119 and 125 unacceptable. In your letter to Ben Knutson dated June 29, 1993 you state that "the majority do not wish to see the gate removed," I would really be interested in knowing how you arrived at such a conclusion. Was an advertised public meeting held? You are making a very broad statement. Can you verify it?

I have on file a letter dated Dec. 13, 1991 signed by YOU which tells s.22 to keep in touch with Mr. John Clark regarding this matter. I have enclosed this letter just in case your office has no record of it. We have followed your advice, but like a good politician your word does not seem to be very trust worthy, because in our last conversation with Mr. Clark the matter was being resolved. Why do you have local offices to deal with these types of matters if you have no intention of respecting their judgements? Is this not a waste of taxpayers money?

I had phoned both Mr. Henderson and Mr. Clark to voice my disgust about why a private invitation meeting, February 16, was allowed to take place with uninvited guests. They told me that they felt the same and the meeting should not have continued. These phone calls took place Feb. 17. None of the objectives of that meeting were met. Another example of wasted taxpayers money, your staff from the various ministries were not there out of the goodness of their hearts. They were being PAID. As well, taxpayers money was used to pay for the room.

I wish to point out that s.22 (which farms over 12 sections of land in the North Peace much which is in the area in question) farmed the Peace Valley Ranch for 7 years and s.22 made sure that a road was always in place even through cultivated fields. It was to our benefit to work these roads when we were seeding, but immediately following our seeding the roads were once again reestablished. We had absolutely NO problem with vandalism or property damage in that time. At that time we used the forementioned roads for access to the Peace Valley Ranch, owned by B. C. Hydro. When this land once again comes up for public tender we may wish to bid on them and we again will require this access. Gladysk Farms Ltd. spent countless thousands of dollars for maintenance of the roads in question for our use and all those who chose to drive this scenic historic road. At no time did we tell anyone they could not travel the road because we had fixed it at our own expense. We fixed ditches, we removed dirt and rock slides because we required an excellent road surface. We even hired graders at our own expense because highways did not have the time to fix the road when we most

Dear Resources must have interest in this public road because a 10 inch natural gas pipeline crosses the valley with a valve station which must be serviced. If the road remains locked are the government prepared to spent money on township deletions so they have access. Another example of irresponsible government waste, especially when the survey of the existing road is already completed by the ministry. These road have been in existence for over 50 years and much taxpayers money has already been spent. You can confirm this fact through your local ministry.

It came to my attention that the greatest expense of the legalization of the tenor on this road is the fencing. Since when is the government responsible for fencing. s.22

s.22

I think it is time you as minister took some time a LISTENED to your regional offices, which have facts not innuendoes.

I would like to see a responsible and just conclusion to this matter. Everyone has a RIGHT to travel a public road.

Your truly

s.22

(1)



(2)



(1)

Can Any one get access through these Township Deletions. Note No Gate.

fence across ROAD ALLOWANCE
Between Sec 26 and 27
Twp 83 Rge 20 W6M

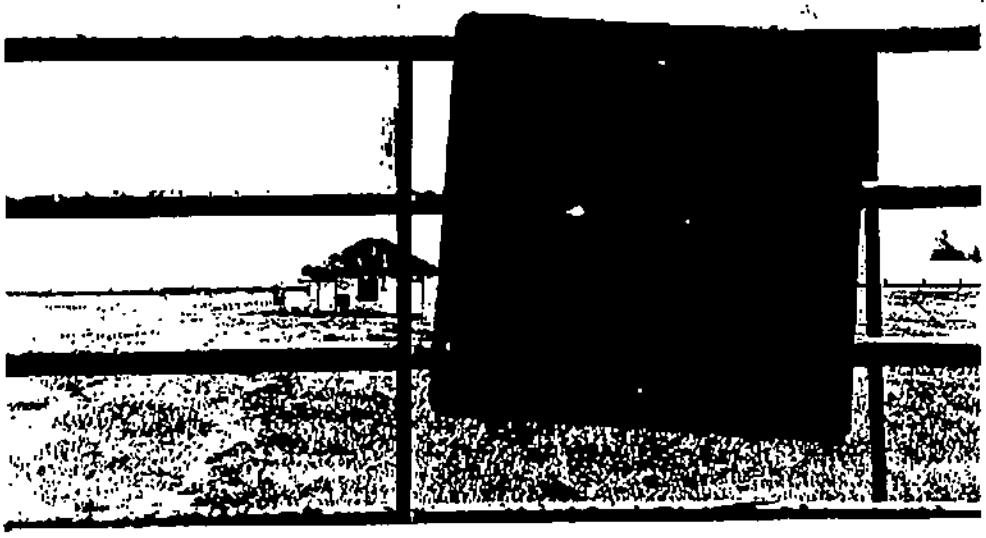
(2)

Lock on gate

3



4



(3)

Another Township Deletion
Note No Trespassing sign.
and corrals, highways act for
check illegallity)

Between 35 and 36
Twp 83 Rge 20 W6M

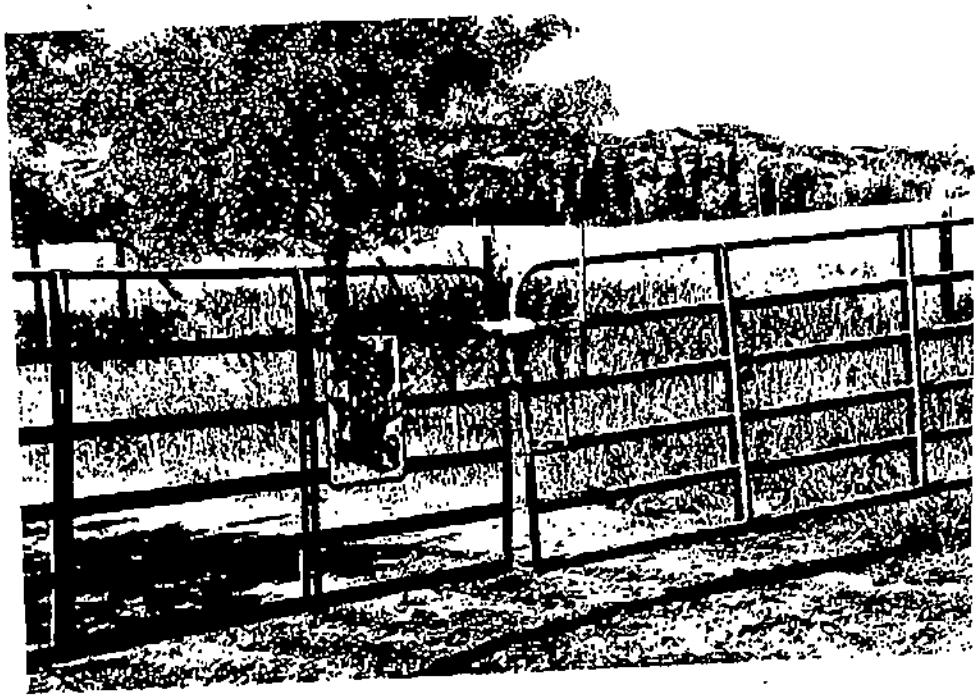
(4)

Note where
signs came from.
I wonder how they
obtained them
(maybe to intimidate taxpayer
who wish to use this Deletion)

(5)



(6)



(5)

Proof that corrals are on this Road allowance

(6)

Gate on 119 Road Note illegal use of a road sign stolen from the ministery.

PHONE MEMO

TO: Alan
FROM: Doreen
OF:
DATE: July 19
TIME: 3 45 AM PM
AREA CODE
NO.
EXT. 787 9466

MESSAGE

356-6705
FAX # 9948

SIGNED: Gail

PHONED ✓ | CALL BACK ✓ | RETURNED CALL ☐ | WANTS TO SEE YOU ☐ | WILL CALL AGAIN ☐ | WAS IN ☐ | URGENT ☐

Ministry of Transportation and Highways

FACSIMILE RECORD

Date July 19, 1993

File No.

TO: MR. RICHARD NEUFELD
MLA - PEACE RIVER NORTH

C/O

FAX No. 356-6705 PHONE No.

FROM: North Peace District
#300 - 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7

FAX No. 787-3279 PHONE No. 787-3237

ORIGINAL PAGES TO BE:
☐ FILED ☐ MAILED ☐ COURIERED ☐ OTHER (SPECIFY)

SUBJECT: OLD HUDSON'S HOPE ROAD #119

MR. NEUFELD,

PLEASE FIND ATTACHED TWO MAPS SENT TO s.22

I FOUND NOTHING CURRENT ADDRESSED TO s.22

PLEASE CALL ME IF YOU NEED MORE INFORMATION.

REGARDS.

PAGES: 3. (including this sheet)

A.R. EDGAR A/DHM FOR
Operators Signature J.P. CLARK, D.H.M.

H-6 (91/07)

D R A F T

Reference: 2524/93

Wes McKnight, President
Upper Cache Creek Cattlemen's Association

s.22

Thank you for your letter, concerning Road 119 and current controversy regarding public access. I regret the delay in responding but this situation has been under review for some time.

At this time the Ministry is taking no further action to have the private gate removed or to establish a surveyed right-of-way for access to Crown Lands beyond. While the Ministry was attempting to assist as requested by a few, clearly the majority do not wish to see the gate removed or public monies spent on such access. Current access to Crown Lands beyond is available on foot horseback along the township deletions.

I trust that all parties will accept the Ministry's position on this matter. To-date there have been very polarized views by local users.

Thank you for expressing your concerns.

Prepared by: Lawren Wagar, Regional Manager,
Rehabilitation & Maintenance Services
Central/North East Region
June 23, 1993

Approved by: Wayne Carr, Regional Director
Central/North East Region
June

D R A F T

Reference: 2523/93

s.22

Thank you for your letter of June 7, 1993, concerning Road 119 and current controversy regarding public access.

The Ministry is taking no further action to have the private gate removed or to establish a surveyed right-of-way for access to Crown Lands beyond. Clearly the majority do not wish to see the gate removed or public monies spent on such access. Current access to Crown Lands beyond is available on foot or horseback along the township deletions for recreational purposes.

I trust that any requirements for vehicular access can be accommodated locally by the gate owners.

Prepared by: Wayne Carr, Regional Director
Central/North East Region
June 28, 1993

Ministry of Transportation and Highways

FACSIMILE RECORD

Date July 19-93

File No.

TO: Bob Cosdew
Region

C/O

FAX No. PHONE No.

FROM: North Peace District
#300 - 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7

FAX No. 787-3279 PHONE No. 787-3237

ORIGINAL PAGES TO BE:
☐ FILED ☐ MAILED ☐ COURIERED ☐ OTHER (SPECIFY)

SUBJECT: FOI Request.
Rds 119 & 125.

I have received this FOI Request & will start working on it. Michelle is aware that we would probably receive this as properties has info on it.

Thanks,

original attached as previously faxed

H-6 (91/07)

PAGES: 2 (including this sheet)

Debbie Pool
Operators Signature

To Ministry of Trans & Highway.

Gladys Farms Ltd would like to request all documentation on file concerning 119 & 125 Rds. also request the numbers of letters (personal) received and the number of people these letters were received from. & their stand ~~to~~ being for or against these two roads, also the number of letters each individual wrote.

s.22



→ copy in Old Hudson Hope Rd file
→ ♦ 1 in general files

Reference: 3038/93

August 17, 1993



s.22

Thank you for your letter of July 17, 1993, concerning Road 119 and the current controversy regarding public access.

I have asked Ministry staff to provide me with further details about your concern. I have also asked for a review of public interests represented to me earlier by local elected officials. Once I have received this information, I will be able to respond fully to your letter. You may expect to hear from me again soon.

Thank you for taking the time to write.

Yours sincerely,

AUG 12 1993

ORIGINAL SIGNED BY MINISTER

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/clc/4630c/Min.Log --5011– !

RECEIVED
JUL 29 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION
& HIGHWAYS
JUL 26 1993
5011
DRAFT REPLY ☒ FYI ☐ FILE ☐

s.22

July 17, 1993

Minister of Transportation and Highways
Victoira B. C.

Dear Mr. Charbonneau,

I find the locked gates on roads 119 and 125 unacceptable. In your letter to Ben Knutson dated June 29, 1993 you state that "the majority do not wish to see the gate removed," I would really be interested in knowing how you arrived at such a conclusion. Was an advertised public meeting held? You are making a very broad statement. Can you verify it?

I have on file a letter dated Dec. 13, 1991 signed by YOU which tells s.22 to keep in touch with Mr. John Clark regarding this matter. I have enclosed this letter just in case your office has no record of it. We have followed your advice, but like a good politician your word does not seem to be very trust worthy, because in our last conversation with Mr. Clark the matter was being resolved. Why do you have local offices to deal with these types of matters if you have no intention of respecting their judgements? Is this not a waste of taxpayers money?

I had phoned both Mr. Henderson and Mr. Clark to voice my disgust about why a private invitation meeting, February 16, was allowed to take place with uninvited guests. They told me that they felt the same and the meeting should not have continued. These phone calls took place Feb. 17. None of the objectives of that meeting were met. Another example of wasted taxpayers money, your staff from the various ministries were not there out of the goodness of their hearts. They were being PAID. As well, taxpayers money was used to pay for the room.

I wish to point out that s.22 (which farms over 12 sections of land in the North Peace much which is in the area in question) farmed the Peace Valley Ranch for 7 years s.22 made sure that a road was always in place even through cultivated fields. It was to our benefit to work these roads when we were seeding, but immediately following our seeding the roads were once again reestablished. We had absolutely NO problem with vandalism or property damage in that time. At that time we used the forementioned roads for access to the Peace Valley Ranch, owned by B. C. Hydro. When this land once again comes up for public tender we may wish to bid on them and we again will require this access. s.22 spent countless thousands of dollars for maintenance of the roads in question for our use and all those who chose to drive this scenic historic road. At no time did we tell anyone they could not travel the road because we had fixed it s.22 We fixed ditches, we removed dirt and rock slides because we required an excellent road surface. We even hired graters at s.22 because highways did not have the time to fix the road when we most needed it. If you wish to verify this fact you can contact B. C. Hydro Property Division Site C.

carr #09305

Czar Resources must have interest in this public road because a 10 inch natural gas pipeline crosses the valley with a valve station which must be serviced. If the road remains locked are the government prepared to spent money on township deletions so they have access. Another example of irresponsible government waste, especially when the survey of the existing road is already completed by the ministry. These road have been in existence for over 50 years and much taxpayers money has already been spent. You can confirm this fact through your local ministry.

It came to my attention that the greatest expense of the legalization of the tenor on this road is the fencing. Since when is the government responsible for fencing. s.22 MUST build my OWN fences at my own expense when I wish to keep people out or livestock in. I do not demand taxpayers money to build my fences and I feel no one else should receive taxpayers money for fencing.

I think it is time you as minister took some time a LISTENED to your regional offices, which have facts not innuendoes.

I would like to see a responsible and just conclusion to this matter. Everyone has a RIGHT to travel a public road.

Your truly

s.22

Province of
British Columbia

OFFICE OF THE
MINISTER

Ministry of
Transportation
and Highways
MINISTER RESPONSIBLE FOR ~~BC FERRIES,~~
BC RAIL ~~AND BC TRANSIT~~

Parliament Buildings
Victoria
British Columbia
V8V 1X4

Reference: 4000/91

December 13, 1991

s.22

Dear s.22

Thank you for your recent letter expressing your concerns regarding locked gates on the old Hudson Hope Road.

I, too, was concerned upon learning about the situation to which you describe. Ministry staff have arranged to meet with personnel from the Ministry of Environment, Lands and Parks to determine the status of the road in question and the legalities involved with the removal of the gate.

I urge you to keep in touch with Mr. John Clark, the District Highways Manager, for further developments. Mr. Clark can be reached at 787-3237 or at 10716 - 100 Avenue, Fort St. John, British Columbia, V1J 1Z3.

Thank you for bringing your concerns to my attention.

Yours sincerely,

Art Charbonneau
Minister

Copy to: Honourable John Cashore
Minister of Environment, Lands and Parks

Recycled Paper

Ministry of Transportation & Highways

#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

22-20A-119
22-20A-125
22-280-30

August 11, 1993

"Hand Delivered"

Mr. B. Knutson, Chairman
Peace River Regional District
9912 - 106 Avenue
Fort St. John, BC
V1J 2N9

Dear Mr. Knutson:

Re: OLD HUDSON'S HOPE ROAD 119/125 LOCKED GATE

Area landowners have placed a gate on the Old Hudson's Hope Road approximately four kilometres from the end of this public road s.22 dispute). This portion of road is considered Section 4 under the Highway Act by the Ministry. The road serves as access to private land, crownland and the Peace River. The Ministry has been pressured for some time to legalize a route to the River and remove the gate. The Old Hudson's Hope Road provides the only physical access, due to topography, within at least ten miles in either direction to the river area.

At that point in time the majority of requests from road users was to keep the gate in place and locked so the Ministry took no action to have the gate removed and while the road may be public by virtue of Section 4 of the Highway Act, the Ministry did not have an interest in pursuing having the road opened.

Recently we have received considerable correspondence to support removing this road gate and allow unrestricted access to the area primarily for recreational purposes.

We would like to ask your assistance in this matter by providing this office with your official position on this issue.

.../2

Our executive will be meeting very soon to discuss this matter and we would appreciate a response by Monday, August 16, 1993, at the very latest.

I apologize for such short notice and hope you can accommodate this request.

Yours sincerely,

A.R. Edgar
A/District Highways Manager
North Peace District

ARE/pq

cc: W. Carr, A/Assistant Deputy Minister, Victoria
L. Wagar, Regional Manager Operations, Prince George

Ministry of Transportation & Highways

#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

22-20A-119
22-20A-125
22-280-30

August 11, 1993

"Hand Delivered"

The Honourable Richard Neufeld, M.L.A.
Peace River North
10028 - 103 Avenue
Fort St. John, BC
V1J 2H5

Dear Mr. Neufeld:

Re: OLD HUDSON'S HOPE ROAD 119/125 LOCKED GATE

Area landowners have placed a gate on the Old Hudson's Hope Road approximately four kilometres from the end of this public road s.22 dispute). This portion of road is considered Section 4 under the Highway Act by the Ministry. The road serves as access to private land, crownland and the Peace River. The Ministry has been pressured for some time to legalize a route to the River and remove the gate. The Old Hudson's Hope Road provides the only physical access, due to topography, within at least ten miles in either direction to the river area.

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Yours sincerely,

A.R. Edgar
A/District Highways Manager
North Peace District

ARE/pq

cc: W. Carr, A/Assistant Deputy Minister, Victoria
L. Wagar, Regional Manager Operations, Prince George

PEACE RIVER REGIONAL DISTRICT

MINISTRY OF TRANSPORTATION & HIGHWAYS
AUG 17 1993
FORT ST. JOHN

Office of the Chairman

August 11, 1993

BY FAX

Mr. A.R. Edgar
A/District Highways Manager
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, B.C.
V1J 6M7

Dear Mr. Edgar:

Re: OLD HUDSON'S HOPE ROAD 119/125 LOCKED GATE

Thank you for your letter of today's date.

Please find enclosed a copy of my letter of July 30, 1993 to the Honourable Art Charbonneau. My official position, and that of the Board, continues to be that mediation by the Ombudsman would be the best process to find a solution to this problem. I note from the 1992 Annual Report of the Ombudsman, at pages 96/97, that the Ombudsman's office has experience in negotiating successful resolutions in this type of situation.

Yours truly,

Ben Knutson

Ben Knutson
Chairman

BK:bc

cc: W. Carr, A/Assistant Deputy Minister, Victoria
L. Wagar, Regional Manager Operations, Prince George

See "memo to file".
22-203-119
22-280-30
dated Aug. 18/93.

PLEASE REPLY TO:
□ P.O. BOX 810, DAWSON CREEK, B.C. V1G 4H8, TELEPHONE (604) 782-5891 or ZENITH 2770, FAX (604) 782-2718
□ 9912 - 106 AVENUE, FORT ST. JOHN, B.C. V1J 2N9, TELEPHONE (604) 785-8084 or ZENITH 08922, FAX (604) 785-1125

TO FILE: 22-280-30

Recycled Paper

PEACE RIVER REGIONAL DISTRICT

MINISTRY OF TRANSPORTATION & HIGHWAYS
AUG 17 1993
FORT ST. JOHN

Office of the Chairman

August 11, 1993

BY FAX

Mr. A.R. Edgar
A/District Highways Manager
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, B.C.
V1J 6M7

Dear Mr. Edgar:

Re: OLD HUDSON'S HOPE ROAD 119/125 LOCKED GATE

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Please find enclosed a copy of my letter of July 30, 1993 to the Honourable Art Charbonneau. My official position, and that of the Board, continues to be that mediation by the Ombudsman would be the best process to find a solution to this problem. I note from the 1992 Annual Report of the Ombudsman, at pages 96/97, that the Ombudsman's office has experience in negotiating successful resolutions in this type of situation.

Yours truly,

Ben Knutson
Chairman

BK:bc

cc: W. Carr, A/Assistant Deputy Minister, Victoria
L. Wagar, Regional Manager Operations, Prince George

PLEASE REPLY TO:
□ P.O. BOX 810, DAWSON CREEK, B.C. V1G 4H8, TELEPHONE (604) 782-5891 or ZENITH 2770, FAX (604) 782-2718
□ 9912 - 105 AVENUE, FORT ST. JOHN, B.C. V1J 2N9, TELEPHONE (604) 785-8084 or ZENITH 08922, FAX (604) 785-1125

TO FILE: 22-290-30

Recycled Paper

41.7
9.1

PEACE RIVER REGIONAL DISTRICT

Office of the Chairman

July 30, 1993

The Honourable Art Charbonneau
Minister of Transportation and Highways
Room 028, Parliament Buildings
VICTORIA, B.C.
V8V 1X4

Dear Mr. Charbonneau:

Re: Proposed Extension of Road 119 (Charlie Lake, B.C. area)

At its meeting on July 22nd the Regional Board met with citizens regarding Road 119. As you are aware, there has been considerable correspondence and discussion about this road. It is the Board's recommendation that mediation is the best process, and that your office consider using the experience of the Ombudsman to obtain an unbiased objective view.

We look forward to receiving your comments on the Board's recommendation.

Yours truly,

Ben Knutson
Chairman

BK:jf

cc: - Mr. Neufeld, MLA Peace River North
- Mr. Jack Weisgerber, MLA Peace River South
- Mr. John Clarke, Ministry of Transportation & Highways, Fort St. John
- BC Agricultural Land Commission, Burnaby

PLEASE REPLY TO:
□ P.O. BOX 810, DAWSON CREEK, B.C. V1G 4H8, TELEPHONE (604) 782-5891 or ZENITH 2770, FAX (604) 782-2718
□ 9912 - 106 AVENUE, FORT ST. JOHN, B.C. V1J 2N9, TELEPHONE (604) 785-8084 or ZENITH 08922, FAX (604) 785-1125



1992 Annual Report
of the
Ombudsman

To the Legislative Assembly
of the
Province of British Columbia

The ministry is now taking a more active role in prevention by using its authority to approve subdivisions of land in unorganized areas as an avenue to insist on appropriate drainage. The ministry is imposing higher standards on developers in order to prevent this serious problem for landowners.

Public and Private Roads

Another frequent concern is the uncertain status of roads - are they public or private? Many of these problems originated because Crown grants of land many years ago excluded existing roads that ran through the land but did not identify them in the grant to the landowner. In these large parcels of land, with roads that might be little more than a wagon trail, it could be very difficult to know whether the road was public or private. As well, the issue might never arise unless the land was sold or the owner attempted to subdivide.

An example of this problem was a feud between two neighbours in the Columbia Valley over road access across one neighbour's ranch to the other's property. Neighbour #1 discovered a 1909 B.C. Gazette Notice which described a public right of way across Neighbour #2's property. Until the 1970s, there was no requirement that the description of a public road established in this manner be registered against the titles of the private properties it crossed. Neighbour #1 applied to the ministry for a permit to construct a road across Neighbour #2's property along the route described in the Gazette.

Neighbour #2 protested that the Gazette route had never been registered against the title to his land and that he was unaware of it when he laid out his fields, fences and irrigation lines. A road along that route would have a significant impact on his farming operations. Neighbour #1 and the ministry responded that he should have been aware of the route because there was clear physical evidence of the old road except where it had been obliterated by ploughing. Neighbour #2 countered that there were many private roads on his land and in the area and there was nothing to indicate to him that this road was public.

The ministry met repeatedly with the neighbours to try to resolve the dispute, without success. Finally, both neighbours made a complaint to the Ombudsman. Neighbour #1 complained of the delay in issuing his

construction permit. Neighbour #2 complained that the ministry was not giving fair consideration to his concerns about the impact of the Gazette route.

We travelled to the site to view the problem and met there with the neighbours and the ministry. In the end, the neighbours agreed on an alternate access route which Neighbour #1 would construct. The ministry would assist them by supplying culverts and cattle guards.

The ministry also agreed to recommend that the Gazette route be permanently closed if Neighbour #2 would agree to dedicate the new road across his property for public use. This would preserve a legal, public right of way to Neighbour #1's property. Once closed, the old route would become part of Neighbour #2's property, removing the threat to his fields. The complaints were resolved.

Ministry of Transportation & Highways

#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

22-20A-119
22-20A-125
22-280-30

August 11, 1993

"Hand Delivered"

Mr. B. Knutson, Chairman
Peace River Regional District
9912 - 106 Avenue
Fort St. John, BC
V1J 2N9

Dear Mr. Knutson:

Re: OLD HUDSON'S HOPE ROAD 119/125 LOCKED GATE

Area landowners have placed a gate on the Old Hudson's Hope Road approximately four kilometres from the end of this public road s.22 dispute). This portion of road is considered Section 4 under the Highway Act by the Ministry. The road serves as access to private land, crownland and the Peace River. The Ministry has been pressured for some time to legalize a route to the River and remove the gate. The Old Hudson's Hope Road provides the only physical access, due to topography, within at least ten miles in either direction to the river area.

At that point in time the majority of requests from road users was to keep the gate in place and locked so the Ministry took no action to have the gate removed and while the road may be public by virtue of Section 4 of the Highway Act, the Ministry did not have an interest in pursuing having the road opened.

Recently we have received considerable correspondence to support removing this road gate and allow unrestricted access to the area primarily for recreational purposes.

We would like to ask your assistance in this matter by providing this office with your official position on this issue.

.../2

Our executive will be meeting very soon to discuss this matter and we would appreciate a response by Monday, August 16, 1993, at the very latest.

I apologize for such short notice and hope you can accommodate this request.

Yours sincerely,

A.R. Edgar
A/District Highways Manager
North Peace District

ARE/pq

cc: W. Carr, A/Assistant Deputy Minister, Victoria
L. Wagar, Regional Manager Operations, Prince George

Ministry of Transportation & Highways

#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

~~22-20A-119~~
22-20A-125
22-280-30

August 11, 1993

"Hand Delivered"

The Honourable Richard Neufeld, M.L.A.
Peace River North
10028 - 103 Avenue
Fort St. John, BC
V1J 2H5

Dear Mr. Neufeld:

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Yours sincerely,

A.R. Edgar
A/District Highways Manager
North Peace District

ARE/pq

cc: W. Carr, A/Assistant Deputy Minister, Victoria
L. Wagar, Regional Manager Operations, Prince George

BC hydro

Sponsor XV Commonwealth Games Victoria 94 August 18-28, 1994

Property Services Division

Telephone: (604) 623-3957
FAX: (604) 623-3988



3 August 1993

File: 2480 Lease

Ministry of Transportation & Highways
#300 - 10003 110th Avenue
Fort St. John, B.C.
V1J 6M7

Attention: John P. Clark
District Highways Manager

Dear Sir:

Subject: B.C. Hydro Property
Bear Flats Area

I write with reference to the long standing issue of access across B.C. Hydro property at Bear Flats by use of the #125 American Road.

The issue of access in this area is a concern to adjacent landowners, the general public, tenants of B.C. Hydro property, Crown Ministries and other stakeholders.

B.C. Hydro would like to see this matter resolved and is ready to consider and work toward any proposed solution that satisfies the concerns of all affected parties.

Yours truly,

RTP Penney

R.T. (Bob) Penney
Manager, Real Estate

RTP/lk
RP9\MOTH-3.aug

cc: C. Windt - BCH

To Road #119 Locked Gate File

PEACE RIVER REGIONAL DISTRICT

Office of the Chairman

MINISTRY OF TRANSPORTATION & HIGHWAYS
AUG - 4 1993
FORT ST. JOHN

July 30, 1993

The Honourable Art Charbonneau
Minister of Transportation and Highways
Room 028, Parliament Buildings
VICTORIA, B.C.
V8V 1X4

Dear Mr. Charbonneau:

Re: Proposed Extension of Road 119 (Charlie Lake, B.C. area)

At its meeting on July 22nd the Regional Board met with citizens regarding Road 119. As you are aware, there has been considerable correspondence and discussion about this road. It is the Board's recommendation that mediation is the best process, and that your office consider using the experience of the Ombudsman to obtain an unbiased objective view.

We look forward to receiving your comments on the Board's recommendation.

Yours truly,

Ben Knutson
Chairman

BK:jf

cc: - Mr. Neufeld, MLA Peace River North
- Mr. Jack Weisgerber, MLA Peace River South
- Mr. John Clarke, Ministry of Transportation & Highways, Fort St. John
- BC Agricultural Land Commission, Burnaby

old Hope Rd file

PLEASE REPLY TO:
□ P.O. BOX 810, DAWSON CREEK, B.C. V1G 4H8, TELEPHONE (604) 782-5891 or ZENITH 2770, FAX (604) 782-2718
□ 9912 - 106 AVENUE, FORT ST. JOHN, B.C. V1J 2N9, TELEPHONE (604) 785-8084 or ZENITH 08922, FAX (604) 785-1125

Ministry of
Transportation
and Highways

Gwen Gordy, Regional Steno
Central/North East Region
#213, 1011 - 4th Avenue
Prince George, BC
V2L 3H9

July 29, 1993
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

280-30

Re: MINISTERS RESPONSE

#2987
#2971
#2973
#2974
#2977
#2978
#2979
#2980
#2981

s.22

Suggested response would be:

Thank you for your letter of July (*above date*), 1993, concerning the Old Hudson Hope Road #119/125 and the controversy regarding public access.

The Ministry has received numerous letters from other local users describing their perspective on this issue and so I'm able to appreciate the varying points of view.

The Ministry is taking no further action to have the private gate removed. While the road may be public by virtue of Section 4 of the Highway Act, the Ministry does not have an interest in pursuing having the road opened at this time.

Thank you for bringing your concerns to my personal attention.

Prepared by:

A.R. Edgar
Area Manager Roads
North Peace District

District approval by:

John P. Clark
District Highways Manager

Regional Approval by:

ARE/pq

Ministry of Transportation & Highways

#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

22-20A-119 (LOCKED GATE PECK PROPERTY).
280-30

July 29, 1993

s.22

Dear s.22

Re: GATE ON OLD HUDSON HOPE ROAD #119

Thank you for your letter of July 27, 1993, concerning the private locked gate at the above and I apologize for not keeping you updated on the situation.

The Ministry has received numerous letters from other local users describing their perspective on this issue and so I'm able to appreciate the varying points of view.

The Ministry is taking no further action to have the private gate removed or to establish a surveyed right of way for access to crown lands beyond. While the road may be public by virtue of Section 4 of the Highway Act, the Ministry does not have an interest in pursuing having the road opened at this time. However, members of the public who wish to have the gate removed are free to seek legal recourse to have that done.

I trust that any of your requirements for vehicular access can be accommodated locally by the gate owners.

Yours truly,

A.R. Edgar, A/District Highway Manager
for
John P. Clark

ARE/pq



Province of British Columbia
Ministry of Transportation & Highways
10716 - 100th Street
Fort St. John, B. C.
V1J 1Z3

July 27, 1993

Attention: John P. Clark
District Highways Manager

Dear Sir:

Re: Gate on Old Hudson Hope Road

Enclosed, please find your response to my original letter of October 10th regarding the above. I followed up the matter with a subsequent letter which you again acknowledged with an indication that action was forthcoming.

It is now getting close to two years and yet what appeared to be an illegal blockage of a public road still exists.

At this point in time, I would like you to let me know if there is an offense under the Highways Act and if so, why it is not remedied.

Yours truly,

s.22

encl.

Province of
British Columbia

Ministry of
Transportation
and Highways

10716 - 100 Avenue
Fort St. John, BC
V1J 1Z3
Phone: 787-3237

October 21, 1991

s.22

Dear Sir:

Re: Gate on Old Hudson Hope Road

I wish to acknowledge your letter of October 10, 1991, regarding the above. The people responsible for the gate have been requested to remove it, and we will take action as necessary if it is not removed.

Thank you for expresssing your concerns with respect to this matter.

Yours truly,

John P. Clark
District Highways Manager

Ministry of Transportation and Highways

FACSIMILE RECORD

Date July 28, 1993

File No.

TO: MR. DAVID HARRIS

OMBUDSMAN OFFICE

C/O

FAX No. 387-0198 PHONE No. 387-5855

FROM: North Peace District

#300 - 10003 - 110 Avenue

Fort St. John, BC

V1J 6M7

FAX No. 787-3279 PHONE No. 787-3237

ORIGINAL PAGES TO BE:

☐ FILED ☐ MAILED ☐ COURIERED ☐ OTHER (SPECIFY)

SUBJECT: PRIVATE LOCKED GATE ON OLD HOPE ROAD #119

FORT ST. JOHN, BC.

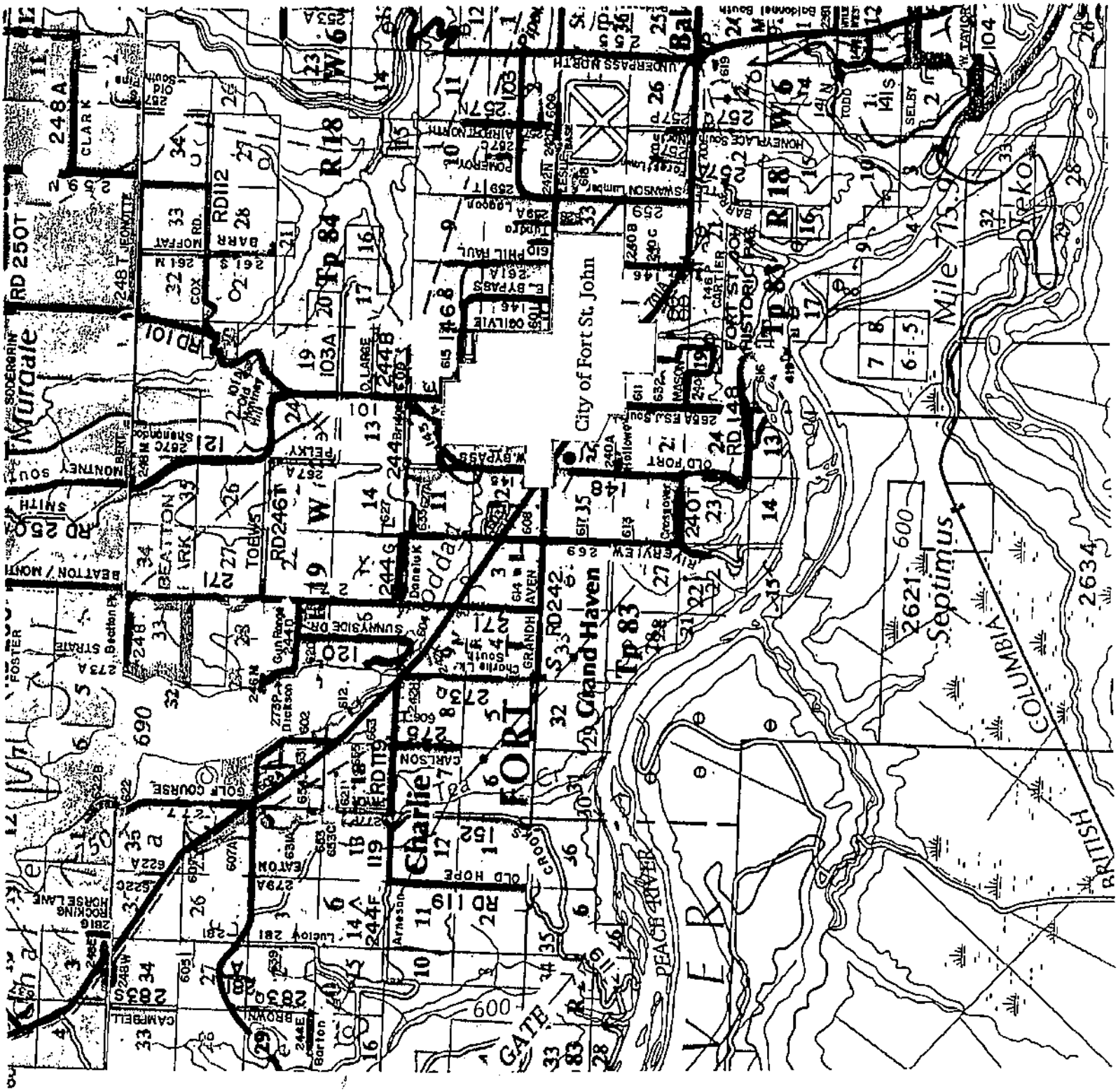
Please find attached a plan showing the location of the above as per your request.

H-6 (91/07)

PAGES: two (including this sheet)

A.R. EDGAR, A/DISTRICT HIGHWAYS MANAGER

Operators Signature


City of Fort St. John
Fort St. John
Charlie Lake
Grand Haven
Septimus
Murdale
Mile 13
Dokko
COLUMBIA
BRITISH
PEACE RIVER
GATE
RD 250T
RD 101
RD246T
RD242
RD119
RD112
Tp 84
Tp 83
R18
R17
W6
W5
248A
248T
240T
240A
240B
240C
244F
244G
2448
2621
2634
2835
690
600

WALSH CLEAVELEY FUS

BARRISTERS AND SOLICITORS

PATRICK D. WALSH, B. A., LL.B.
CHRIS D. CLEAVELEY, B. A., LL.B.
MARY N. FUS, B. A., LL.B.

9940 - 104TH AVENUE
FORT ST. JOHN, B. C.
V1J 2K3
PHONE (604) 785-4477
FAX NO.(604) 785-1467



July 21, 1993

Ministry of Transportation
and Highways
Room 300
10003 - 110th Avenue
Fort St. John, B.C.
V1J 6M7

ATTENTION: JOHN CLARK

Dear Sir:

RE: ROADS 119 & 125

On July 16, 1993 I became aware that the Ministry intends to close both Road 119 and Road 125. I am very disappointed in this news.

Within the past two months I have attempted to travel Road 119 from Charlie Lake and Road 125 from Bear Flats and found my access blocked by locked gates. s.22 s.22 s.22 s.22 s.22

The Peace River is the focal point of recreation in this area. To deny access, to arguably the most beautiful portion of the valley is extremely unfair. I suggest you take a walk in that area in the autumn and assess the area for yourself.

I am also aware that there may be some friction between the adjacent land owners. That situation should not adversely affect members of the general public being entitled access to this wonderful area.

I enclose for your information a photocopy of a recent article in The Northerner. It is a shame more people do

not enjoy the splendours of our area. It is a tragedy when people are prevented from enjoying those same splendours.

Yours very truly,

WALSH CLEAVELEY FUS

PER: CHRIS CLEAVELEY

CDC/cdm
cc: Honourable Art Charbonneau
Enclosure

Page 223

Withheld pursuant to/removed as

Copyright

Intended For: BOB CORDER This Item is In Progress
Author: Debbie Pool
Subject: FOI Request

Hi Bob:

Information for s.22 FOI request is being couriered down to Kathy's attention today.

We have also checked our archived files and found nothing there. It should be noted that s.22 there was a flood in the basement of the PGOB basement and many of the old files were destroyed.

If you have any questions please call me,

Debbie Pool

cc: Kathy Josephson

Reference: 3032/93

August 27, 1993

s.22

Dear s.22

Thank you for your letter of July 19, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

AUG 27 1993

ORIGINAL SIGNED BY MINISTER

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4619c/Min.Log –4973– !

RECEIVED
JUL 28 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION
& HIGHWAYS
T + H
JUL 21 1993
4973
DRAFT REPLY ☒ FYI ☐ FILE ☐

Date: Mon Jul 19 14:54:20 MST 1993
Content-Length: 558

To whom it may concern:

In regards to Road # 119 and Road # 125:

This road is a public road and leads to the flats above the Peace River. I don't think it is right for any one individual to take it upon themselve lock the public out. This road may lead to his fields but it also leads t some of the most beautiful scenic country in the Peace Area. This is a ver enjoyable area both in the summer and winter seasons. I personally use th road and am concerned about what happens to it.

A concerned citizen:

s.22

Reference: 3030/93
3031/93

August 27, 1993

s.22

Dear s.22

Thank you for your letters of July 19, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

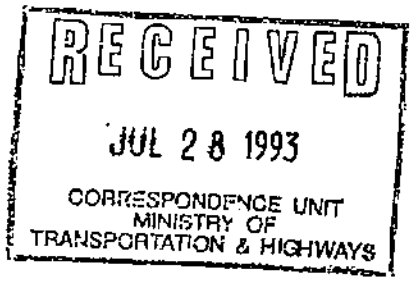
AUG 27 1993 J.B.
ORIGINAL SIGNED BY ~~MINISTER~~

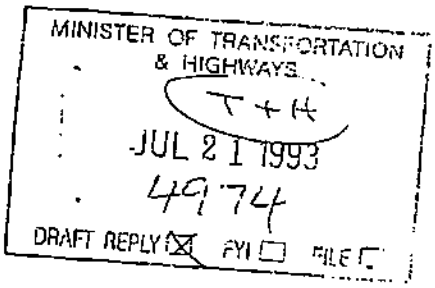
Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4617c/Min.Log –4975, 4974– !





Date: Mon Jul 19 14:54:20 MST 1993
Content-Length: 558

To whom it may concern:

In regards to Road # 119 and Road # 125:

This road is a public road and leads to the flats above the Peace River. I don't think it is right for any one individual to take it upon themselves to lock the public out. This road may lead to his fields but it also leads to some of the most beautiful scenic country in the Peace Area. This is a very enjoyable area both in the summer and winter seasons. I personally use this road and am concerned about what happens to it.

A concerned citizen:

s.22

RECEIVED
JUL 28 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION
& HIGHWAYS
JUL 21 1993
4975
DRAFT REPLY ☒ FYI ☐ FILE ☐

Date: Mon Jul 19 14:54:20 MST 1993
Content-Length: 558

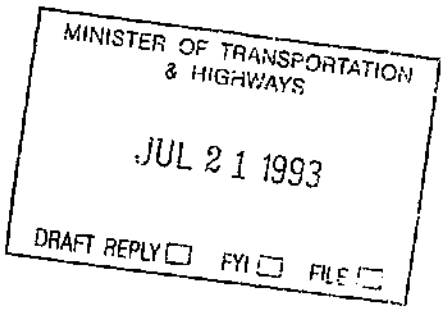
To whom it may concern:

In regards to Road # 119 and Road # 125:

This road is a public road and leads to the flats above the Peace River. I don't think it is right for any one individual to take it upon themselves lock the public out. This road may lead to his fields but it also leads to some of the most beautiful scenic country in the Peace Area. This is a very enjoyable area both in the summer and winter seasons. I personally use this road and am concerned about what happens to it.

A concerned citizen:

s.22



Date: Mon Jul 19 14:54:20 MST 1993
Content-Length: 558

To whom it may concern:

In regards to Road # 119 and Road # 125:

This road is a public road and leads to the flats above the Peace River. I don't think it is right for any one individual to take it upon themselves to lock the public out. This road may lead to his fields but it also leads to some of the most beautiful scenic country in the Peace Area. This is a very enjoyable area both in the summer and winter seasons. I personally use this road and am concerned about what happens to it.

A concerned citizen:

s.22

Reference: 2973/93

August 27, 1993

s.22

Dear s.22

Thank you for your letter of July 16, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

J.B.

ORIGINAL SIGNED BY ~~MINISTER~~

AUG 27 1993

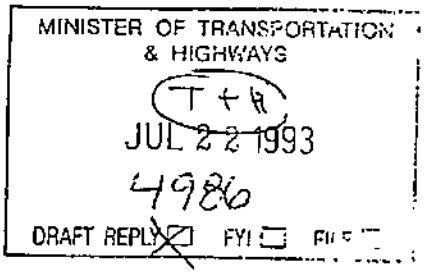
Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4634c/Min.Log –4986– !

s.22



July 16, 1993

Minister of Highways
Victoria, B. C.

Dear Sir:

This is in regards to a news release on CKNL yesterday about Road 119 and Road 125. In no way do I want money spent on this road, but I want to have the locked gates removed. In the past my friends and I have traveled this PUBLIC road on snowmobiles and we wish to continue using our right to travel a public road when we wish.

We want the gates and locks removed so we can travel the road.

s.22



Reference: 3033/93

August 27, 1993

s.22

Dear s.22

Thank you for your letter of July 16, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

ORIGINAL SIGNED BY J.B. ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4620c/Min.Log –No Number– !

s.22

July 16, 93

Dear Sir:

I am writing in regards to the 119 sol, in the Charlie Lake area, that the Government has decided they are not going to do anything with. We the residence of Charlie Lake and area would like to see this road opened. There are gates accross this road now, which are locked, therefore we are not able to have access to the rear.

s.22

s.22

s.22

RECEIVED
JUL 28
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

Province of British Columbia

MEMORANDUM

Freedom of Information Office
Min of Highways - Victoria
Attn Barb Fries

FROM: L. Clark - D/M
North Peace Dist.
Ft St. John.

SUBJECT: F.O.I. s.22

DATE: Aug 26/93

FILE:

☐ For Your Information ☐ Please O.K. and Return ☐ Please Discuss With Me ☒ For Your Request ☐ For Your Signature
☐ Please Process ☐ Return With More Details ☐ Investigate and Report ☐ Please Answer ☐ For Your File

Package re s.22 F.O.I. included this info. one as 17 under dist. 5/D. Trish ask that I return to you.

Regards
Lorne Clark
D/M.

Comments:

Fold Here for Window Envelope

Fold Here for Window Envelope

REMOVE THIS SHEET AND FORWARD BALANCE OF SET

Reference: 2971/93

August 27, 1993

s.22

Dear s.22

Thank you for your letter of July 19, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

J.C.

ORIGINAL SIGNED BY MINISTER

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4631c/Min.Log –4982– !

MINISTER OF TRANSPORTATION & HIGHWAYS
T+H
JUL 22 1993
4982
DRAFT REPLY ☒ FYI ☐ FILE ☐

s.22

July 19/93

RECEIVED
JUL 26 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

Art Charbonneau
Minster of Highways
Victoria B.C.

Dear Sir:

In regards to closeing the old Hudson Hope road (Road 119) I never went to the meeting as I never new anything about it. But I would certainly like to see it left open for the public It is a lovely place to go trail riding

s.22 s.22

s.22

s.22 , There isn't very many of these places left anymore.

s.22



Reference: 2987/93

August 27, 1993

s.22

Dear] s.22

Thank you for your letter of July 20, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

ORIGINAL SIGNED BY J.B. ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4637c/Min.Log –4997– !

10662 102 Street
Fort St. John, B.C.
V1J 4X7

July 20, 1993

RECEIVED
JUL 26 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION
& HIGHWAYS
T+H
JUL 23 1993
4997
DRAFT REPLY ☒ FYI ☐ FILE ☐

Dear Minister of Highways:

Re: 119 Road and 125 Road (Old Hudson's Hope Road - Fort St. John District

s.22

Therefore, I was shocked to hear the ad on the local radio station regarding the closure of the above Roads to the public. Just recently I was informed that this matter was settled and that the gates would be removed from 125 Road. Is there some trickery being practiced? - it appears that there is an elusiveness on the part of the local government (Peace River Assessment District) the provincial government and the lobbyists for the road closure. How often will this come to issue?? Will it come to issue without the taxpayers knowledge??

These road are public roads and have been public roads. I recall vividly that many of the local landowners would work on the road during the summer with whatever farm equipment was available, in lieu of taxes. I would also suggest to you that since that time many of our tax dollars have gone towards maintenance of this road.

Further, many tax dollars have gone towards justifying the building of the dam in this area and further tax dollars have gone into funding an organization to defend the public's interest, all in order to preserve the beauty of this Valley. However, it seems that there is no access to this valley from Taylor to the Halfway. Could it be at least two land owners have their homes built on or very near a road allowance? Could it further be that a certain land owner wants to create a guide and outfitting type of community amidst an area suitable for recreation?

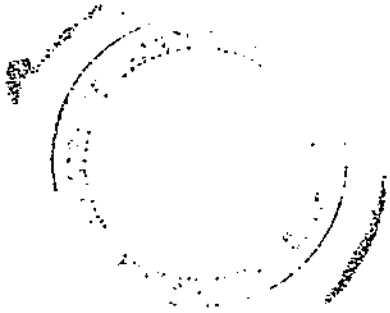
Many questions remain unanswered. My questions to you are:

1.) **How often will this issue re-surface once a decision is formed?**
2.) **Will the taxpayer be suitably informed if and when it does?**
3.) **How can you justify closure of this road?**

Please reply.

Yours truly,

s.22



Reference: 2523/93
3008/93
3009/93
3010/93

August 27, 1993

s.22

Dear s.22

Thank you for your letters of June 7, July 16 and July 23, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

AUG 27 1993 J.C.
ORIGINAL SIGNED BY ~~MINISTER~~

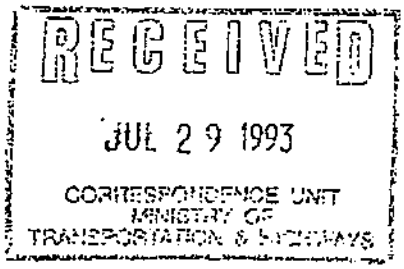
Art Charbonneau
Minister

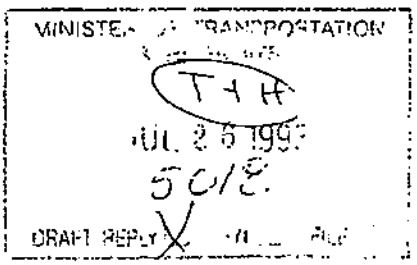
!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George – copy of incoming attached.!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!SVarley, CU/WCarr/JBardos/clc/4260c/Min.Log –4680 & 4971 & 5010 & 5018– !

s.22





July 16, 1993

Minister of Highways
Victoria, B. C.

Dear Sir:

Re: Road 119 and Road 125

Once again I am forced to write about this locked PUBLIC road. From a news release yesterday on our local radio station we were informed that no public money would be spent on the expansion of the road. A letter from your office to the Regional Board states that the locks will not be removed. NO PUBLIC INTEREST! s.22 I think not. I am concerned that a few land owners can barricade a PUBLIC ROAD FOR THREE YEARS AND GET AWAY WITH IT. I am concerned for the rights of the public, not just myself. If I did this I surely would be fined.

Local Land Owners were consulted. I THINK NOT. s.22

s.22

We do not wish ANY money to be spent on the road, all we want is the right to travel a PUBLIC road as we have done in the past. If the land owners want fences, then the government is not responsible for these fences, they are.

You should be aware that s.22 farmed the Peace Valley for seven years and there were no problems with the road. The public was allowed to freely travel the road as was their right. You treat people with respect and you get respect. We had no damage from the general public while we were farming this land. WHY NOW!

Your office told me that it is a public road, therefore you are responsible to have all locked gates removed, so I can once again travel freely from the Fork St. side of the road out to the Hudson Hope Road, whether it be 125 Road or 119 Road.

You would be a very irresponsible minister if you do not properly investigate this matter. You must listen to all parties concerned about this matter. I demand the locks be removed immediately.

s.22

- 30101

Page 242 to/à Page 244

Withheld pursuant to/removed as

s.3

s.22

RECEIVED
JUL 28 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION
& HIGHWAYS
JUL 21 1993
497
DRAFT REPLY ☒ FYI ☐ FILE ☐

Minister of Highways
Victoria, B. C.

Dear Sir:

I would like to respond to a letter by yourself on June 29, 1993 to Ben Knutson.

I would really like to know how the minister can state that the majority do not wish to have the gate removed. Who is this majority? I have people calling and coming to my door on a regular basis asking why this public road is blocked. We were told at the February 16 meeting that large numbers of people (a minimum of 50) have phoned local ministries with their complaint and many have written. Letters were not being written of late because we were lead to believe that due process was being followed. (See attached letter)

Were you given false information? NO PUBLIC meeting was held. The meeting the s.22 called public to the local regional representative which was held Feb. 16, 1993 was in fact a closed meeting by invitation only. They saw fit not to follow these guidelines. We told other concerned citizens that this was a CLOSED meeting of property owners who have access from the road in question. Please see attached letter from your office in Prince George.

We were led to believe that this s.22 using its political ties to push the removal of the gate through. We were informed of this misfeasance by s.22 on the evening of Nov. 3, 1993. You should be aware s.22 record very carefully. He has had no influence or what is happening at ALL and has never used his position for any personal gain.

Were you aware that most of the people in support of the gates staying have only personal gain in mind, not the publics? As stated in an earlier letter there is now access to the area that would no longer be accessible to the public, only by s.22 How coincidental that this locked gate appeared at the time the elk began establishing themselves in the area. Another fact is that strong advocates of this gate remaining are also barricading or attempting to bar some other roads in this area. Please check this fact with your local ministries.

Are you aware that allegations of [illegible] and other property damage is a policing matter, not a matter for the Minister of Transportation and Highways?

Log # 3008

I suggest that the government has to protect the rights of the majority. Maybe you should consult all ministries before making a decision of this magnitude. The situation is being watched in all provinces is a precedent setting case. Are you advocating the closure of all section 4 roads? Are you aware that [illegible] happening closed [illegible]

it? Does your letter of June 29 mean that this section 4 road can be barricaded?

I demand that Chapter 167 of the Highway Act part 1, clause 4 (1) and 4 (2) referring to section 4 roads and Chapter 167, part 2 referring to protection of highways be enforced NOW. We have been extremely patient in this matter, but with your recent letter we now have to demand action. We are not going to accept your recent letter, based on non-facts and much misinformation close down a road we have a RIGHT to travel. ACTION MUST BE IMMEDIATE.

s.22

Province of
British Columbia

Ministry of
Transportation
and Highways

Regional Properties
#213-1011 4th Avenue
Prince George, BC
V2L 3H9

Telephone: 565-6472
Facsimile: 565-6065/7278

REGISTERED MAIL

R7147, R7148, R7146,
PS68739, PS68741, PS68735
PS68738, PS68740, PS68734
PS68736
North Peace

February 2, 1993

s.22

s.22

Dear s.22

RE: OLD HOPE ROAD #119

Further to our recent meeting to discuss the right-of-way acquisition project on the Old Hope Road, please be advised that the Ministry of Transportation and Highways will be hosting a project information meeting:

DATE: TUESDAY, FEBRUARY 16, 1993
TIME: 7:00 p.m.
PLACE: PIONEER INN (MOBERLY ROOM)

Representatives from the Ministry of Highways, the Ministry of Environment, Lands and Parks, and BC Hydro have been invited. Some of your neighbors have been invited and the others who have not, will be informed at separate meetings. The purpose of this meeting is to discuss the scope of the project and to build upon the discussions of the January 19th meeting.

Following are the topics and issues that arose from the January 19th and January 20th meetings held with all land owners who may be affected by the project:

- discussion of Phase I of project; to provide public access to Crown Lands, and Phase II of project; to provide public access through BC Hydro lands to land-locked Crown Land parcels, over what is known as American Road. Currently, there is no proposal to connect the two road rights-of-way.

/...2

- discussion of the methodology of acquiring lands for road right-of-way; i.e. the preparation of legal plans and acquisition plans, appraisal of interests, and the negotiation of compensation for purchase of the right-of-way. The Ministry intends to fence the right-of-way to establish the public-private boundaries.

- discussion of the future effects of providing access for the public. Questions arose over the restriction of the public use of the Crown Lands; by containing vehicles in a parking area and the types of vehicles which could be allowed in the area. Environment has been asked to advise the Ministry of Transportation after considering this question.

- discussion of closing and consolidating unusable and unneeded 66 feet statutory road allowances, into existing titles as part of the negotiations. This may provide comfort to the Agriculture Land Commission, in evaluating the Ministry submission to approve the project. Further, the Ministry and surveyor will inspect the area and determine if the alignment can be placed out of cultivated areas.

I have outlined topics for discussion at the Tuesday meeting:

a) scope of the project;
b) persons involved;
c) extent of the activities necessary to complete;
d) scheduling.

Thank you for your cooperation. If you have any questions or concerns please contact the undersigned.

Yours truly,



Steven Henderson
Property Agent
Central North/East Region

SH/dm

cc Mr. John Clark, District Highways Manager, North Peace
Mr. Chris Windt, BC Hydro,
Mr. Dave Landry, BC Lands
Mr. Brian Churchill, BC Environment
Mr. Mike Waberski, Waberski & Darrow

Province of
British Columbia

Ministry of
Transportation
and Highways

#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
787-3237

R7147, R7148, R7146
PS68739, PS68741, PS68735
PS68738, PS68740, PS68734
PS68736
North Peace

March 3, 1993

s.22 s.22

Dear s.22

RE: OLD HOPE ROAD #119
NW 1/4 SEC. 35, TP. 83, RGE. 20

Further to our recent meeting of February 16, 1993, the Ministry has considered the various items and concerns discussed at that time. These include A.T.V. restrictions, some kind of a restricted barrier to replace the gate that presently exists, and use of the township deletions to provide alternate access to the Crownland. I have also considered the request to block Road #152 as well. None of these have, after further review, proven viable and therefore leaves the Ministry in only one position, which is to have Mr. Mike Waberski, of Waberski Darrow B.C.L.S., proceed with the initial survey of the Old Hudson Hope Road #119 as we have previously outlined to you in our meetings. Mr. Waberski will be proceeding very shortly and by way of a copy of this letter, be advised to contact you before entry onto your land.

We will require land for the right-of-way from the above noted parcel. A property agent will contact you to discuss the methods which are available to the Ministry of Transportation & Highways to acquire right-of-way. An independent appraisal report will be completed. An offer of compensation for the transfer of land will be presented to the owner and negotiations will be entered to reach an amicable agreement.

.../2

Recycled Paper

Section 3 of the Expropriation Act, S.B.C. 1987, Chapter 23, provides an option for a property owner to agree to transfer or dedicate land to an expropriating authority without compensation when agreement cannot be reached on the compensation to be paid. An advance payment would be made in accordance with Section 19 of the Act. Compensation for the land could then be determined by the Expropriation Compensation Board.

If neither of these settlement options is acceptable to you, the only remaining method by which the Ministry of Transportation and Highways may acquire the right-of-way is through expropriation.

We hope that an amicable settlement can be reached for the acquisition of the required right-of-way from your property.

Yours truly,

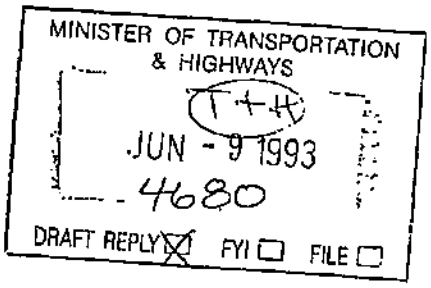
John P. Clark
District Highways Manager

JPC/pq

cc: Mr. M. Waberski, Waberski Darrow, Fort St. John, BC
Michelle Garvock, Regional Properties Agent, Prince George, BC

s.22

JUN 2 1 1993



MINISTER OF HIGHWAYS
VICTORIA, B. C.

Dear Sir:

RE: 119 ROAD (OLD HUDSON HOPE ROAD) - DEPT ST. JOHN, HIGHWAYS DISTRICT

It has been over 3 years since the [illegible] gate appeared on the above mentioned road. This concerns me a great deal. Since my last letter written over two years ago a lot has happened at the gate. There has been continuing intimidation, violence, harassment and assault.

I have heard numerous complaints concerning the gate and the lock and I am sure the Ministry has heard many of these complaints. It is extremely disturbing how someone can barricade Road 119 with so little disengagement from the Ministry.

In the same area as Road 119 barriers have been erected on legally deeded road allowances. One by [illegible] wire fence, another by set of [illegible] corrals, and still in another instance there is a yard and out buildings. How can this be allowed to happen? Does the Ministry of Transportation and Highways have the power to stop such things from happening and if such things happen do they have no power to have such barriers removed?

Is it only coincidence that the family who is trying to stop the public from enjoying the beautiful Peace Valley is also the family who has s.22 in the past few years an elk herd has been established in this area of the river in the valley area in question. In this area there is a large population of deer, some moose and bear. It would be a shame such that the benefit of this family to have solo access to this [illegible] It was stated by the family in a letter, "Perhaps [illegible] pay to go to the river" I feel the Ministry needs to protect the public from such [illegible] be in mind.

I feel very strong statements must be made which should includes new laws [illegible] being enforced or they are in vain to protect the rights of the public. Many other similar problems seem to arise if people are allowed to continue barricading public access.

Other people are listening and waiting to what is going to happen with this road. As people see they are getting it's keep the locks on, if they cut the locks off a new one on, pretty soon people will tire of arguing about the gates and the road will be closed to the public.

[illegible] hard on this long [illegible]

I would like an immediate update on what is happening with roads 119 and 125.

I have enclosed a copy of my first letter written in 1991.

s.22

t St. John District)

s.22

MINISTER OF HIGHWAYS
VICTORIA, B. C.

re req # 66 93-11-19

DEAR SIR:

RE: 119 ROAD (OLD HUDSON HOPE ROAD) FORT ST. JOHN, HIGHWAYS DISTRICT

I AM FORCED TO WRITE THIS LETTER AS MY NUMEROUS PHONE CALLS TO THE LOCAL HIGHWAYS DEPARTMENT HAVE ACHIEVED NO VISIBLE RESULTS. I AM CONCERNED ABOUT LOCKED GATES ON A PORTION OF THE ABOVE MENTIONED ROAD. FOR SOME UNKNOWN REASON THE LOCAL HIGHWAY PERSONAL HAVE ALLOWED AND APPROVED OF LOCKS BEING PLACED ON SEVERAL GATES ON A PUBLIC ROAD THAT HAS BEEN USED BY NUMEROUS PEOPLE FOR GENERATIONS.

I WISH TO POINT OUT THAT THIS ROAD AT ONE POINT IN TIME WAS THE ONLY ROAD CONNECTING COMMUNITIES WEST OF FORT ST. JOHN ALONG THE PEACE RIVER TO FORT ST. JOHN. THIS ROAD WAS BUILT BY TAXPAYERS MONEY AND MAINTAINED WITH TAXPAYER MONEY FOR MANY YEARS. IT IS STILL USED BY THE PUBLIC BECAUSE OF THE SCENIC BEAUTY, HISTORICAL SIGNIFICANCE, AND AS AN ALTERNATE ROUTE TO HUDSON HOPE.

VERY RECENTLY I HAVE LEARNED THAT NOT ONLY ARE THE GATES LOCKED, BUT SOMEONE HAS BARRACKED THE ROAD IN WILDER CREEK WITH A BULLDOZER, TO EVEN MORE IMPEND THE PUBLICS RIGHT TO TRAVEL THIS ROAD. I STRONGLY FEEL THAT IN THIS DAY AND AGE THERE ARE ALTERNATIVES TO GATES WITH LOCKS. ON THE MARKET THERE ARE NUMEROUS TYPES OF GATES THAT ALLOW VEHICLES TO FREELY TRAVEL ROADS AS WELL AS KEEP LIVESTOCK AT BAY. AND I WOULD STRONGLY SUGGEST THAT THE LANDOWNER BE FORCED TO INSTALL THIS TYPE OF GATE.

UPON SPEAKING WITH ONE OF THE PEOPLE WHICH ARE ACTIVELY CAMPAIGNING TO CLOSE THIS ROAD. I WAS TOLD THAT HE COUNTED 53 CARS ON ONE SUNDAY AFTERNOON TRAVELING THIS ROAD AND HE COMMENTED THAT WHAT RIGHT DO THEY HAVE DOWN THERE. TO THAT I SAY THIS, "THEY HAVE EVERY RIGHT!"

I FIND IT EXTREMELY DISTURBING THAT THE MINISTRY OF HIGHWAYS IN THE AREA WOULD EVEN CONTEMPLATE THE CLOSURE OF SUCH A HISTORICAL ROAD. THIS PRACTICE OF LOCKS ON GATES ON PUBLIC ACCESS ROADS SEEMS TO BECOMING A WIDE SPREAD PRACTICE IN THIS HIGHWAYS DISTRICT.

YOUR QUICK ATTENTION TO THIS MATTER WILL BE APPRECIATED.

YOURS TRULY

s.22

CC MINISTRY OF HIGHWAYS, FORT ST. JOHN



Reference: 2980/93
2981/93
3028/93

August 27, 1993

s.22

Thank you for your letters of July 17, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

J.B.

ORIGINAL SIGNED BY ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4635c/Min.Log –4996, 5031– !

RECEIVED
JUL 27 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION
& HIGHWAYS
T+H
JUL 23 1993
44946
DRAFT REPLY ☒ FYI ☐ FILE ☐

s.22

To Whom It May Concern.

I'am writting in concern about possible closures of Roads 119 and 125. I personally would perfer these two roads be kept open,as they lead to public domain or crown land. s.22

s.22

s.22 We will not be the only ones affected by this closure, there are a large number of people,familys and clubs, who use these roads,such as a trail riding club, skidooing,all terain vecihles etc... There are also a couple of farm familys that move farm equipment over them to get to some of the fields and leased land. These same couples allow all the above mentioned access across their land to all the above people,even when they have crops on the land,as long as we stay to the edges and don't tramp down said crops. Access across their land gives us access to crown land but without these two roads being open we will have no access at all to any of these lands. So being please consider the effect this have on the above mentioned people,clubs and farmer's recreation and businesses. I hope you will take this all into account and find it is in the best interest to keep these routes open.Also as a note of interest there is no maintenance cost to the parts of the roads that are to be shut off,also i personally don't expect any.

Thank You.

s.22

MINISTER OF TRANSPORTATION & HIGHWAYS
T + H
JUL 27 1993
5031
DRAFT REPLY ☒ FYI ☐ FILE ☐

s.22

To Whom It May Concern.

I'am writing in concern about possible closures of Roads 119 and 125. I personally would perfer these two roads be kept open.as they lead to public domain or crown land. s.22

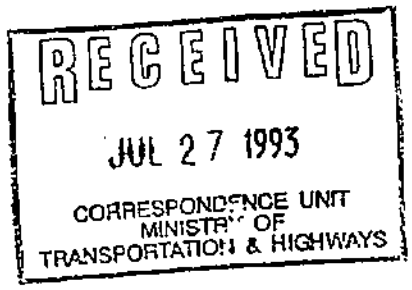
s.22

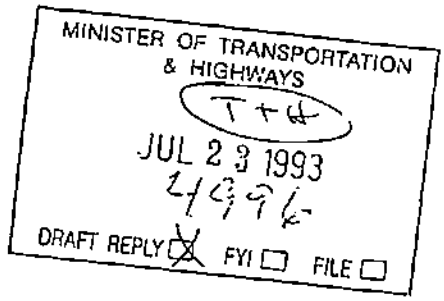
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s.22

RECEIVED
JUL 29 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

For reasons addressed - Ground Delivery.





July 17/93
Charlie Lake B.C.
V0C-1H0.

To Whom It May Concern.

I'am writing in concern about possible closures of Roads 119 and 125. I personally would perfer these two roads be kept open,as they lead to public domain or crown land. s.22

s.22

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Thank You.

s.22

No address on envelope

Reference: 3066/93

August 27, 1993

s.22

Thank you for your letter of July 16, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

ORIGINAL SIGNED BY S.2. MINISTER

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!
!copy of incoming attached.!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/LWagar/WCarr/clc/4647c/Min.Log –5060– !

MINISTER OF TRANSPORTATION & HIGHWAYS

T + H

JUL 28 1993

506C

DRAFT REPLY ☒ FYI ☐ FILE ☐

s.22

July 16/93

RECEIVED

AUG 04 1993

CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

Hn. A. Charbonneau,
Minister of Transportation

Dear Sir:

I wish to protest the blocking of Rd. 119 & 125. As a concerned citizen I feel it is our right to have the road kept open as it is source of recreation for hikers & horseback riders. Visitors can view some of our scenic spots.

A concerned citizen,

Sincerely.

s.22

s.22

Carr

Reference: 2974/93

August 27, 1993

s.22

Thank you for your letter of July 19, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

J.B.

ORIGINAL SIGNED BY ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4632c/Min.Log –4984– !

MINISTER OF TRANSPORTATION
& HIGHWAYS
T+H
JUL 22 1993
4984
DRAFT REPLY X FYI ☐ FILE ☐

s.22

RECEIVED
JUL 26 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

Dear Sir,

s.22

s.22

I am married for
which I got older and I want
to show my children the original
Hudson Hope road. If it is closed
because of some people who want
it to themselves that am I going
to show my children this heritage
road.

[illegible]

s.22

MINISTRY OF TRANSPORTATION & HIGHWAYS
SEP - 31993
FORT ST. JOHN

Reference: 2977/93

August 27, 1993

s.22

Thank you for your letter of July 21, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

J.C.
ORIGINAL SIGNED BY ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4633c/Min.Log –4993– !

& HIGHWAYS
JUL 23 1993
4993

July 21/93

RECEIVED
JUL 26 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

s.22

I'am writing in concern about possible closures of Roads 119 and 125. I personally would perfer these two roads be kept open,as they lead to public domain or crown land s.22

s.22

s.22

s.22 We will not be the only ones affected by this closure, there are a large number of people,familys and clubs, who use these roads,such as a trail riding club, skidooing,all terain vecihles etc... There are also a couple of farm familys that move farm equipment over them to get to some of the fields and leased land. These same couples allow all the above mentioned access across their land to all the above people,even when they have crops on the land,as long as we stay to the edges and don't tramp down said crops. Access across their land gives us access to crown land but without these two roads being open we will have no access at all to any of these lands. So being please consider the effect this have on the above mentioned people,clubs and farmer's recreation and businesses. I hope you will take this all into account and find it is in the best interest to keep these routes open.Also as a note of interest there is no maintenance cost to the parts of the roads that are to be shut off,also i personally don't expect any.

Thank You.

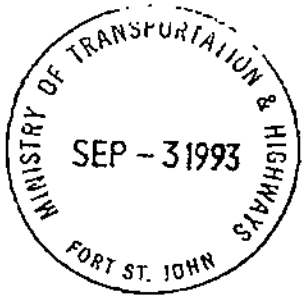
I Am ALso not impressed with s.22

s.22 "And our Local Dept OF Highway FOR ALLowing This CLosure wiThout To HAppen wiTh out PuBLic Input. WHAT HAppened [redacted] TO The PuBLic PROCESS TO CLOSe Roads .

s.22

Concerned

cc



Reference: 3078/93

August 27, 1993

s.22

Thank you for your letter of July 26, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

J.B.
ORIGINAL SIGNED BY ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!
!copy of incoming attached.!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/LWagar/WCarr/JBardos/clc/4646c/Min.Log –5055– !

WALSH CLEAVELEY FUS

BARRISTERS AND SOLICITORS

PATRICK D. WALSH, B. A., LL.B.
CHRIS D. CLEAVELEY, B. A., LL.B.
MARY N. FUS, B. A., LL.B.

9940 - 104TH AVENUE
FORT ST. JOHN, B. C.
V1J 2K3
PHONE (604) 785-4477
FAX NO.(604) 785-1467

MINISTER OF TRANSPORTATION & HIGHWAYS
JUL 28 1993
5055
DRAFT REPLY ☒ FYI ☐ FILE ☐

July 26, 1993

Honourable Art Charbonneau
Ministry of Transportation
and Highways
Parliament Buildings
Victoria, B.C.
V8V 1X4

RECEIVED
AUG 04 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

Dear Mr. Minister:

RE: ROAD 119 - CHARLIE LAKE, B.C.

I am writing to you to express my concerns regarding the blocking of Road 119.

On July 22, 1993 I attended the Peace River Regional District meeting in Dawson Creek with other concerned members of the public. The sentiments of the majority in attendance are that the gate should be removed and if needed public monies spent on access.

During the course of the meeting Chairman Knutson said,"I regret that the Regional District got involved. We did not receive all the information possible." It is my opinion that your office did not receive all the necessary information prior to your letter of June 29, 1993. Clearly the majority do wish to see the gate removed and if needed public monies spent on access.

Chairman Knutson reported that you are going to be in this area on July 30, 1993. We would like an opportunity to express our views to you on this subject.

Yours very truly,

PER: CHRIS CLEAVELEY

CDC/cdm

CC 18/81/93

Reference: 2978/93
2979/93

August 27, 1993

s.22

Thank you for your letters of July 17, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

ORIGINAL SIGNED BY J.B. ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4636c/Min.Log –4994, 4995– !

RECEIVED
JUL 27 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION
& HIGHWAYS
T+H
JUL 23 1993
4945
DRAFT REPLY ☒ FYI ☐ F

s.22

To Whom It May Concern.

I'am writing in concern about possible closures of Roads 119 and 125. I personally would perfer these two roads be kept open,as they lead to public domain or crown land s.22

s.22

s.22 We will not be the only ones affected by this closure, there are a large number of people,familys and clubs, who use these roads,such as a trail riding club, skidooing,all terain vechiles etc... There are also a couple of farm familys that move farm equipment over them to get to some of the fields and leased land. These same couples allow all the above mentioned access across their land to all the above people,even when they have crops on the land,as long as we stay to the edges and don't tramp down said crops. Access across their land gives us access to crown land but without these two roads being open we will have no access at all to any of these lands. So being please consider the effect this have on the above mentioned people,clubs and farmers recreation and businesses. I hope you will take this all into account and find it is in the best interest to keep these routes open.Also as a note of interest there is no maintenance cost to the parts of the roads that are to be shut off,also I personally don't expect any.

s.22

Carl

RECEIVED
JUL 27 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION
& HIGHWAYS
T+H
JUL 23 1993
4994
DRAFT REPLY

s.22

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Thank You.

s.22

MINISTRY OF TRANSPORTATION & HIGHWAYS
SEP - 31993
FORT ST. JOHN

Reference: 2977/93

August 27, 1993

s.22

Thank you for your letter of July 21, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

A.B.
ORIGINAL SIGNED BY ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4633c/Min.Log –4993– !

MINISTRY OF TRANSPORTATION & HIGHWAYS
J + H
JUL 23 1993
4902

July 21/93

RECEIVED
JUL 26 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

s.22

I'am writing in concern about possible closures of Roads 119 and 125. I personally would perfer these two roads be kept open, as they lead to public domain or crown land. s.22

s.22

s.22 We will not be the only ones affected by this closure, there are a large number of people, familys and clubs, who use these roads, such as a trail riding club, skidooing, all terain vecihles etc... There are also a couple of farm familys that move farm equipment over them to get to some of the fields and leased land. These same couples allow all the above mentioned access across their land to all the above people, even when they have crops on the land, as long as we stay to the edges and don't tramp down said crops. Access across their land gives us access to crown land but without these two roads being open we will have no access at all to any of these lands. So being please consider the effect this have on the above mentioned people, clubs and farmer's recreation and businesses. I hope you will take this all into account and find it is in the best interest to keep these routes open. Also as a note of interest there is no maintenance cost to the parts of the roads that are to be shut off, also i personally don't expect any.

Thank You.

I Am ALso not impressed with s.22 and our Local Dept OF Highw s.22 FOR ALLowing This Closure wiTho To Happen with out PuBLic Input. What Happened [redacted] To The PuBL Process To Close Roads.

s.22

Reference: 3036/93

August 27, 1993

s.22

Thank you for your recent letter concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

J.B.

ORIGINAL SIGNED BY ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4624c/Min.Log –5020– !

RECEIVED
JUL 29 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

s.22

MINISTER OF TRANSP
& HIGHWAYS
JUL 26 19
502C
DRAFT REPLY ☒ FYI ☐

Minister of Highways
Victoria, B. C.

Dear Sir:

Re: Road 119 and 125 Fort St. John District

s.22

s.22 The view was tremendous and we all had a lot of fun. s.22
s.22

s.22 Now due to locked gates this is no longer possible. I wish to have the gates removed so that s.22 and I can once again travel this public road without harassment.

I would like to see an immediate removal of the locked gates.

Thank you.

s.22

c.c. John Clark, Fort St. John Highways District

Reference: 3037/93

August 27, 1993

s.22

Thank you for your letter of July 16, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

J.B.
ORIGINAL SIGNED BY ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4629c/Min.Log –5019– !

s.22

RECEIVED
JUL 29 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION
& HIGHWAYS
JUL 26 1993
5617
DRAFT REPLY ☒ FYI ☐ FILE ☐

July 16, 1993

Minister of Highways
Victoria, B. C.

Dear Sir:

I am very concerned about the locked gate on 119 Road in the Fort St. John Highways District. This gate has been locked for the last three years and on numerous occasion our family has been reassured that the gate would be removed. s.22 when he was trying to go beyond the gate on a public road. It is no

s.22

s.22 It is societies right to travel a public road without harassment and abuse. It is time for your ministry to insure that the public can freely travel this and any other public road without impediment.

Due to the length of time this matter has been drawn out your immediate attention would be greatly appreciated.

s.22

c.c. Regional District, Attention Phil Cove
Richard Neufeld, Peace River North MLA
John Clark, Fort St. John Highways
Egon Weger, Crown Lands

Province of
British Columbia

Ministry of Transportation & Highways

#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

280-30
22-21-57
22-20A-152

August 25, 1993

s.22

Re: Access to South 1/2, Sec. 36, Tp. 83, Rge. 20, W6M

Thank you for your request on clarifying the Ministry's position on the obstructed access to the above. As mentioned in my letter to you dated June 21, 1993, the Crooks Road 152 which runs through Section 36, Tp. 83, Rge. 20, W6M is deemed public by Section 4 of the Highways Act. This road cannot be obstructed in any way and if it is then a Ministry of Transportation and Highways district representative will be responsible for handling a resolution. However, any accesses from this road will normally be private and any obstruction problems to these accesses shall be resolved by the concerned parties without M.O.T.H. involvement.

Request for removal of obstructions from these private accesses to the Ministry is advised only to confirm the legal location and making local authorities aware of a problem that may affect M.O.T.H. in the future. It is obvious that the problem be known to the landowner, and if he is not responsible for the access blockage and has approved your use of the access, then it is assumed that you have permission to remove the blockage.

I hope I have outlined our position to this matter and that resolution to this problem is without extreme hardship.

Please contact me at 787-3237 if you need further assistance.

Yours truly,

A.R. Edgar
Area Manager, Roads

ARE/hd

Recycled Paper

Province of
British Columbia
Ministry of Transportation & Highways

#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

22-20A-152
22-21-57
280-30

June 21, 1993

s.22

RE: ACCESS TO SE 1/4, SEC. 36, TWP. 83, RGE. 20, W6M

Thank you for your letter of May 31, 1993, requesting access to the above property.

Much of the South Peace and North Peace Districts have been surveyed under the Dominion Surveys Township System resulting in 66 foot wide road allowances every one mile East to West and every two miles North to South. These road allowances were created without any consideration for geographical restrictions, for the purpose of building roads to gain access to private lands.

Unfortunately the 277 road allowance which parallels and is outside the east boundary of NE 1/4 and SE 1/4 has a huge, steep ravine which is also heavily treed in the area south of where it leaves the existing Crooks Road #152. These conditions do not favour the construction of a safe and easily maintained road grade without enormous expense. Perhaps this is the reason for the existing location of the Crooks Road #152 which is deemed public by Section 4 of the Highways Act which states:

> "Where public money has been expended on a travelled road that has not before then been established by notice in the Gazette or otherwise dedicated to public use by a plan deposited in the land title office for the district in which the road is situated that travelled road is deemed and is declared to be a public highway."

In research to your request I do notice a private access leaving Crooks Road #152 in the NW 1/4, Sec. 36, Twp. 83, Rge. 20, W6M and accessing your SE 1/4 which may be public access as part of the Crown Grant for the NW 1/4 section if the access existed prior to the Crown Grant dated June 9, 1944. This would have to be researched further.

It is noticed from air photos that access is provided to your SW 1/4 via the Crooks Road #152 and which allows you unrestricted access to your SE 1/4 through your own property.

.../2

Recycled Paper

Unfortunately the Ministry is not in a position to provide assistance in constructing a new access to your SE 1/4 of Section 36 and hope the existing access serves your purposes at this time.

Please contact me at 787-3237 if you have any further concerns.

Yours truly,

for John P. Clark
District Highways Manager

ARE/pq

cc: Karen Goodings, Peace River Regional District
Dave Laundry, Ministry of Lands

Reference: 3097/93

August 31, 1993

s.22

Thank you for your recent letter concerning Road 119 and Road 125 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

J.B.

ORIGINAL SIGNED BY ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4772c/Min.Log –5104– !

MINISTER OF TRANSPORTATION & HIGHWAYS
5104
AUG 0 4 1993
MOTH
DRAFT REPLY ☑ FYI ☐

Dwayne Dancy
NORTHLAND TRAIL BLAZERS
SNOWMOBILE CLUB
s.22

Art Charvonneau
Ministy of Transportation
Parliment Buildings
Victoria, B.C.

RECEIVED
AUG 0 6 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

Dear Sir:

Our club has concerns of road #119 and #125 closures. This access has been used for many years as a haritage trail known as the TEE CREEK trail. We have used it for many years for Club activities, such as our annual SNOWARAMA RIDE which we raise money for B.C.Lions Society for Disabled children.

It was great to use this trail to have access to all the Crown Land back there, and also to bring in new visitors on snowmobiles to show them all the abundance of wildlife in the area. We have enjoyed this pleasure. It is a beautiful valley to appreciate in the winter to summer months. There is very few places like this that a person can enjoy the use of on a recrational point. We are not asking much, but just to encourage your support to keep this Heritage site and trail open for the future.

Yours truly
Dwayne Dancy
Public Relations
Northland Trail Blazers
Snowmobile Club

cc : Ron Larroy,B.C. Snowmobile Federation

Reference: 3037/93

August 27, 1993

s.22

Dear s.22

Thank you for your letter of July 16, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

Art Charbonneau
Minister

Province of
British Columbia

Minister of
Transportation
and Highways

Parliament Buildings
Victoria, British Columbia
V8V 1X4

Reference: 3037/93

August 27, 1993

s.22

Thank you for your letter of July 16, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

ORIGINAL SIGNED BY ~~MINISTER~~ S.B.

AUG 27 1993

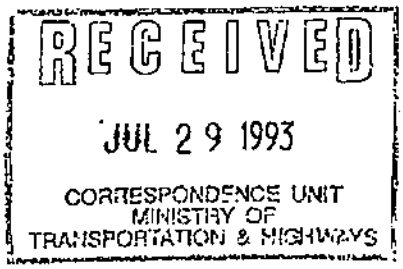
Art Charbonneau
Minister

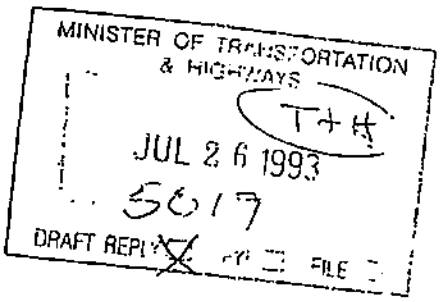
!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4629c/Min.Log –5019– !

s.22





Minister of Highways
Victoria, B. C.

Dear Sir:

I am very concerned about the locked gate on 119 Road in the Fort St. John Highways District. This gate has been locked for the last three years and on numerous occasion our family has been reassured that the gate would be removed. s.22

s.22 s.22

s.22

s.22 It is societies right to travel a public road without harassment ard abuse. It is time for your ministry to insure that the public can freely travel this and any other public road without impediment.

Due to the length of time this matter has been drawn out your immediate attention would be greatly appreciated.

s.22

c.c. Regional District, Attention Phil Cove
Richard Neufeld, Peace River North MLA
John Clark, Fort St. John Highways
Egon Weger, Crown Lands

Reference: 3074/93

August 27, 1993

s.22

Thank you for your letter of July 23, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

ORIGINAL SIGNED BY JB ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!
!copy of incoming attached.!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/LWagar/WCarr/JBardos/clc/4648c/Min.Log –5065– !

MINISTER OF TRANSPORTATIO
& HIGHWAYS
JUL 29 1993
5065
DRAFT REPLY ☒ FYI ☐

s.22

RECEIVED
AUG 04 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

Mr. Art Charbonneau,
Minister of Highways,
Provincial Legislature,
Victoria, B.C.

Dear Mr. Charbonneau,

We are opposed to the placing of a gate on what is known as the Old Hope Road (also known as Road 119) at a point about 4 miles west of the Alaska Highway.

The present road west of the gate provides a wonderful view of the Peace River valley as well as a nearby wildlife viewing point. s.22

s.22 The road also leads to Deep Creek, which provides for an easy-to-follow avenue to the Peace River. s.22

s.22

To us the Old Hope Road represents the freedom to enjoy the bountifulness of the Peace River valley. **Do not allow a gate to prevent our access to this beautiful part of the river.** Let us continue to enjoy what we will never take for granted. Our right to experience the beauty of the Peace.

Sincerely

s.22

Reference: 3029/93

August 27, 1993

s.22

Thank you for your letter of July 19, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

AUG 27 1993

ORIGINAL SIGNED BY J.B. ~~MINISTER~~

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4616c/Min.Log –4976– !

RECEIVED
JUL 28 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION
& HIGHWAYS
T + H
JUL 21 1993
4976
DRAFT REPLY ☒ FYI ☐ FILE ☐

Date: Mon Jul 19 14:54:20 MST 1993
Content-Length: 558

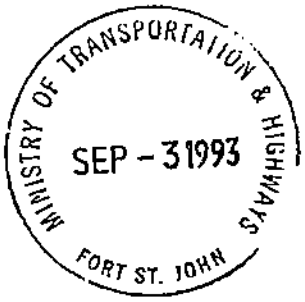
To whom it may concern:

In regards to Road # 119 and Road # 125:

This road is a public road and leads to the flats above the Peace River. I don't think it is right for any one individual to take it upon themselves to block the public out. This road may lead to his fields but it also leads to some of the most beautiful scenic country in the Peace Area. This is a very enjoyable area both in the summer and winter seasons. I personally use this road and am concerned about what happens to it.

A concerned citizen:

s.22



Reference: 3274/93

August 27, 1993

s.22

This letter is further to my letter of August 17, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

J.B.
ORIGINAL SIGNED BY ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John– copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/cba/4725c/Min.Log –no log– !

Thank you for your letters of June 7, July 16 and July 23, 1993 concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to ~~remove~~ establish a surveyed right of way for access to Crown lands beyond. However, Ministry staff will be asking for the private gate to be removed since the road at that location is a public highway pursuant to Section 4 of the Highway Act.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

SHARON

Minister's reply for a grant of letters currently held by Correspondence Unit - please prep asap

11 # 3274

Reference: 3034/93

August 27, 1993

s.22

Thank you for your letter of July 19, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

J.B.

ORIGINAL SIGNED BY ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4621c/Min.Log –4978– !

MINISTER OF TRANSPORTATION & HIGHWAYS
T+H
JUL 21 1993
4978
DRAFT REPLY X FYI ☐ FILE ☐

July 19, 1993

RECEIVED
JUL 28 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

PETROTEC CONTROLS INC
10911 Alaska Road, Fort St. John, B.C. V1J 5P4
Tel.: (604) 785-2849 Fax: (604) 785-5056

Minister of Highways
28 Parliament Buildings
Victoria, B.C.
V8V 1X4

Dear Sir:

We are very concerned and outraged about the possible closed of 119 Road, in the district.

No one should have the right to restrict the public the use of crown land, private property yes, but not crown land.

This closure will make it impossible to access the banks of the Peace River which are being enjoyed by people of all ages for cross country skiing, hiking, 4-Wheel touring, snowmobiling, etc..

Please review this matter as it is important to the rights of the people of this area.

Thank you,

K.G. Miller.

KGM/deg

Reference: 3026/93

August 27, 1993

s.22

Thank you for your letter of July 16, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely, J.B.

ORIGINAL SIGNED BY ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

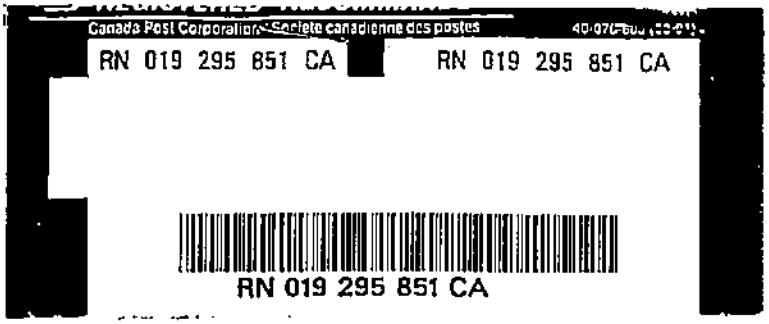
!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4608c/Min.Log –4972– !

MINISTER OF TRANSPORTATION & HIGHWAYS
T + H
JL 2 1 1993
4972
Y ☒ FYI ☐ FILE ☐

s.22



July 16, 1993

RECEIVED
JUL 2 8 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

Mr. Art Charbonneau
Minister of Highways
Victoria, BC

Dear Mr. Charbonneau,

Re: Road 119 & Road 125

It has just come to my attenion via CKNL Radio that these roads will remain closed due to the public's lack of interest. Needless to say this is very upsetting - "Lack of Interest". Several months ago we were assured by the Ministry of Highways that the road would be upgraded to give the public access to the river and crown lands so we naturally assumed that this was being done. Why has this been overruled by politicians who disregard our local Highway Ministries opinions and decisions.

We did not ask for the road to be upgraded (that was a Ministry of Highways decision). We just want the use of this legal road to give us access to the Peace River and crown lands in the Peace River valley.

After enduring this illegal act ("THE BARRICADING OF A LEGAL ROAD") for many years, we finally thought that the laws of the land would be upheld and would allow us the use of this legal Section 4 Road only to find that once again the perpetrators of this illegal act are to be pacified. Why do these perpatrators have to be pacified.

Why do these perpetrators have the power to get away with this illegal act without any consequenses!!!! WHY ARE THESE PEOPLE ABOVE THE LAW!!!! I THINK IT IS TIME TO FIND OUT.

OH YES, There are some people that were given keys to the gate at the blockaded road, "ISN'T THAT SPECIAL." I can only presume that this gives these perpatrators a sense of power... to have "Joe Q Public" grovel at their feet to be allowed access to use and crown land that rightfully belongs to the public.

If this ever got out in the "real world", we would all be the laughing stock of the country because certain individuals have been above the law.

This beautiful Peace River Valley has no public access between Taylor and Hudson Hope....Why?!!!! Because the right of ways and roads have been blocked by certain people who selfishly want these areas to themselves.

THESE ARE EXAMPLES OF RECENT HEADLINES IN THE NEWS-

- Clayoquot Sound Blockaders arrested!!!
- Native Arrested for Blockading Road on their Land!!!

Roads are being blocked illegally (ie. Road 119 & Road 125) in our Peace River area and nothing is being done about it.

Basically this whole issue is very simple....

Disregarding opinions such as these

- Nobody has any business down there....
- there will be vandalism....
- etc. etc.

Blockading a Legal Section 4 Road is against the law. Why isn't this law being enforced??!!!!

It is time now for us to let our voices be heard and to stand up for our rights and we are doing this!!!!

No one person has the right to block a Legal Section 4 Road, this can only be done by our judicial system.

It is time to open this road!!!!!!!!!!!

Yours truly.

s.22

s.22

Reference: 3035/93

August 27, 1993

s.22

Thank you for your letter of July 16, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

ORIGINAL SIGNED BY J.B. ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4622c/Min.Log –5012– !

s.22

RECEIVED
JUL 29 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION
& HIGHWAYS
T+H
JUL 26 1993
5012
DRAFT REPLY X FYI ☐ FILE ☐

Minister of Highways
Victoria, B. C.

Dear Sir:

I have traveled roads 119 and 125 s.22 and am extremely unhappy that I can no longer go for a ride on this beautiful scenic road because of locked gates. s.22 worked taxes off on 119 Road s.22 . So I am fully aware that public funds have been used on this road.

Many of my old friends used this road as their access to Fort St. John, included are s.22
Also included in these s.22

s.22

s.22

s.22 I traveled the road in question to reach the valley. I was not in any way stopped from travelling this road because we all knew it was a public road, not PRIVATE because we helped pay for it.

On many occasions we picnicked with friends from Fort St. John in the valley. s.22

s.22 can no longer enjoy the same pleasures without grovelling for a key to a gate on a public road. Many residents from Fort St. John also enjoyed berry picking and picnicking without hassles.

Myself and many Fort St. John residents have also enjoyed berry picking, picnicing, swimming on the crown land parcel in question and at that time no one questioned whether we have a right to be there. The road was even grated for easier access in those years.

s.22

s.22

s.22 find it totally disgraceful that I can no longer freely enjoy the beauty of this area, due to people who came long after I did.

I don't understand how a single family can gain from so much tax payers money that was used to build and maintain this road over the years.

When I came to this country I thought it stood for rights and freedom. Was I wrong?!!!! Does the news release on July 15 mean I can no longer travel this public road as is my RIGHT?

s.22

s.22

Reference: 3027/93

August 27, 1993

s.22

Thank you for your recent letter concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

ORIGINAL SIGNED BY J.B. ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4614c/Min.Log –5005– !

RECEIVED
JUL 27 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION
& HIGHWAYS
T+H
JUL 23 1993
5005
DRAFT REPLY ☒ FYI ☐ FILE ☐

Dear Minister of Highways:

I am writting to you about the concern of the 119 and 125 Road. The cause for me writting is I herd the ~~ad~~ on the local radio that it was no longer accerable because of the gate. s.22

s.22

We can no longer go down to the peace river valley s.22

s.22 because of this Gate!!!.

CAIC 109 #3027

s.22

s.22

We can not go part the GATE!!!.
2 may not know much about the law, but 2 thought a public road can't be blocaded by any means of a blocade, am 2 not right?. Now take this into consideration, you cannot let one person get away with a gate on a public road, it's ~~NO~~ W or All !!!.

s.22

s.22 2 also know that there is not ONE place between Taylor B.C. and the Halfway River to launch a boat. 2 would greatly appercate it if you would remove of this Blacade off the road so myself and many other

people would be able to enjoy the beautiful valley.

Respectfully yours

s.22

s.22

Reference: 3036/93

August 27, 1993

s.22

Thank you for your recent letter concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

J.B.

ORIGINAL SIGNED BY ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4624c/Min.Log –5020– !

RECEIVED
JUL 29 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

s.22

MINISTER OF TRANSPORT
& HIGHWAYS
T+H
JUL 26 1993
5020
DRAFT REPLY ☒ FYI ☐ FIL

Minister of Highways
Victoria, B. C.

Dear Sir:

Re: Road 119 and 125 Fort St. John District

s.22

I would like to see an immediate removal of the locked gates.

Thank you.

s.22

c.c. John Clark, Fort St. John Highways District

Ministry of
Transportation
and Highways

Wayne Carr, Regional Director
Central/North East Region
#213, 1011 - 4th Avenue
Prince George, BC
V2L 3H9

December 9, 1993
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

280-30

Re: Minister's Response #4279
s.22

Thank you for your letter of November 6, 1993. I understand that since my last correspondence with you, your solicitors, Plenert & Higson have been corresponding with the North Peace District office on your behalf. My staff have forwarded to Mr. Plenert further documents from our files to substantiate our position that the Old Hudson Hope Road is public by virtue of Section 4 of the Highway Act. I ask that you consider this information.

In light of this additional information now being shared with you, we ask that you advise the North Peace District Highways Manager, Mr. John Clark at #300, 10003 - 110 Avenue, Fort St. John, BC, V1J 6M7, of any further concerns so that we may investigate and hopefully resolve these. Should your position now be to negotiate fencing, etc. to protect your families private land, we would be pleased to discuss this.

The office of the Ombudsman has agreed to facilitate any further meetings necessary to resolve this situation regarding the Old Hudson Hope Road #119.

Thank you for further contacting me regarding this matter.

Prepared by:

John P. Clark
District Highways Manager
North Peace District

JPC/pq

Approved by:

Page 304 to/à Page 305

Withheld pursuant to/removed as

s.3

Province of British Columbia

Ministry of Transportation and Highways

MEMORANDUM

Maria Braden, Admin Officer
Central/North East Region
#213, 1011 - 4th Avenue
Prince George, BC
V2L 3H9

November 12, 1993
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

292-01

Re: ***Information on Roads #125 & 119 - North Peace District***

As per my telephone conversation of November 10th with Barb Tier, enclosed is the additional material to be combined with information on Road #119 which was previously sent.

Please note that we would appreciate the return of the aerial photos.

Thank you.

John P. Clark
District Highways Manager

/pq

Enclosures

cc: Barb Tier, Freedom of Information, Victoria

Ministry of Transportation & Highways

#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

292-01
22-20-119

November 10, 1993

s.22

Re: ***Roads #119 and #125***

I wish to acknowledge your faxed letter dated November 3, 1993. Your further request for information on the above two roads is being processed through Freedom of Information.

Yours truly,

John P. Clark
District Highways Manager

JPC/pq

Nov. 8/93

Information in The FAX.
and. Quoted in Nov. 3/93 letter from s.22

F.S.J. - Ft. Graham Trail - orig. survey May 1915

1936 - Being Constructed.

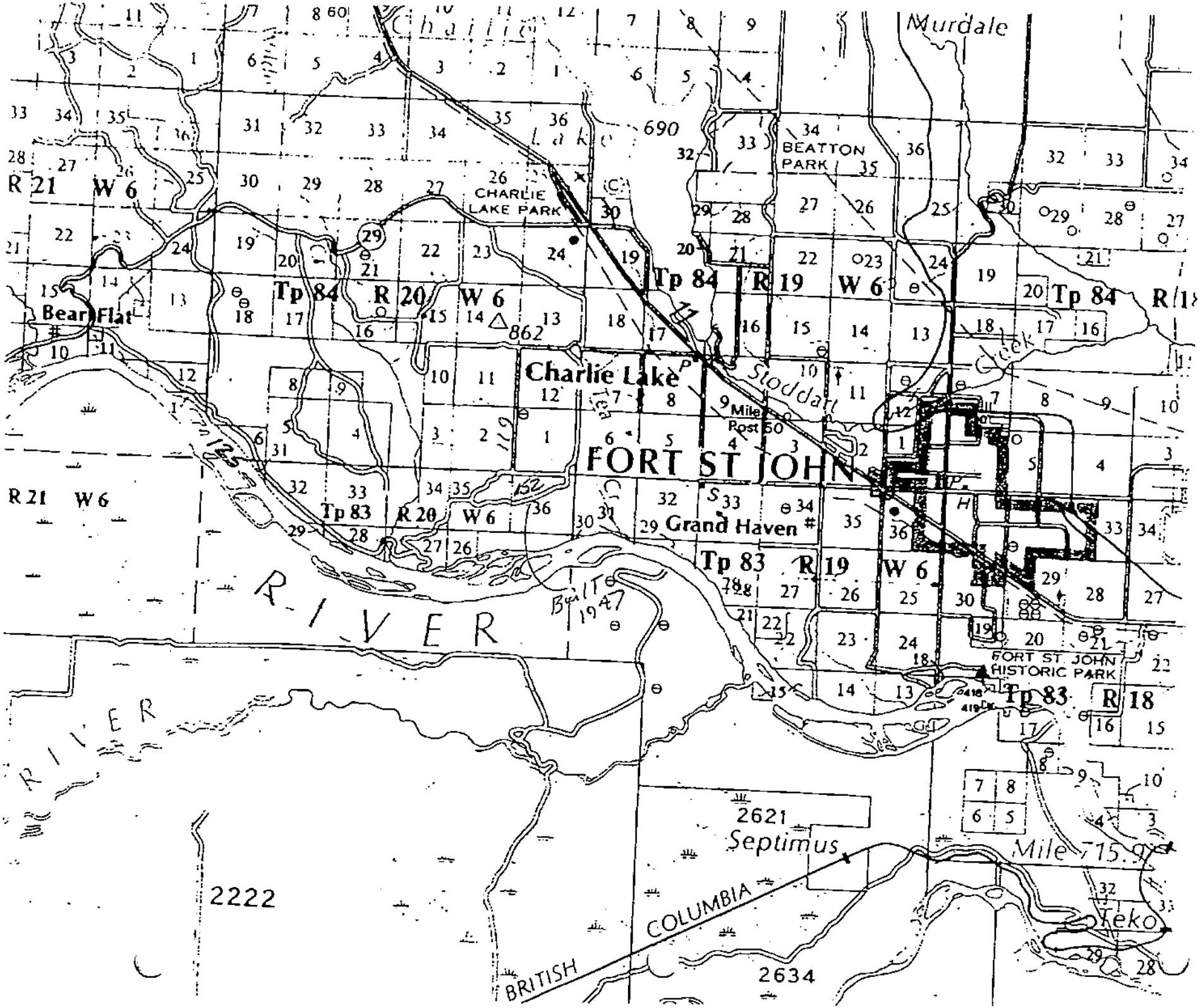
1989 - Flood in Prov. Bldg. - destroyed Records prior to 1970

1970 Road Registes

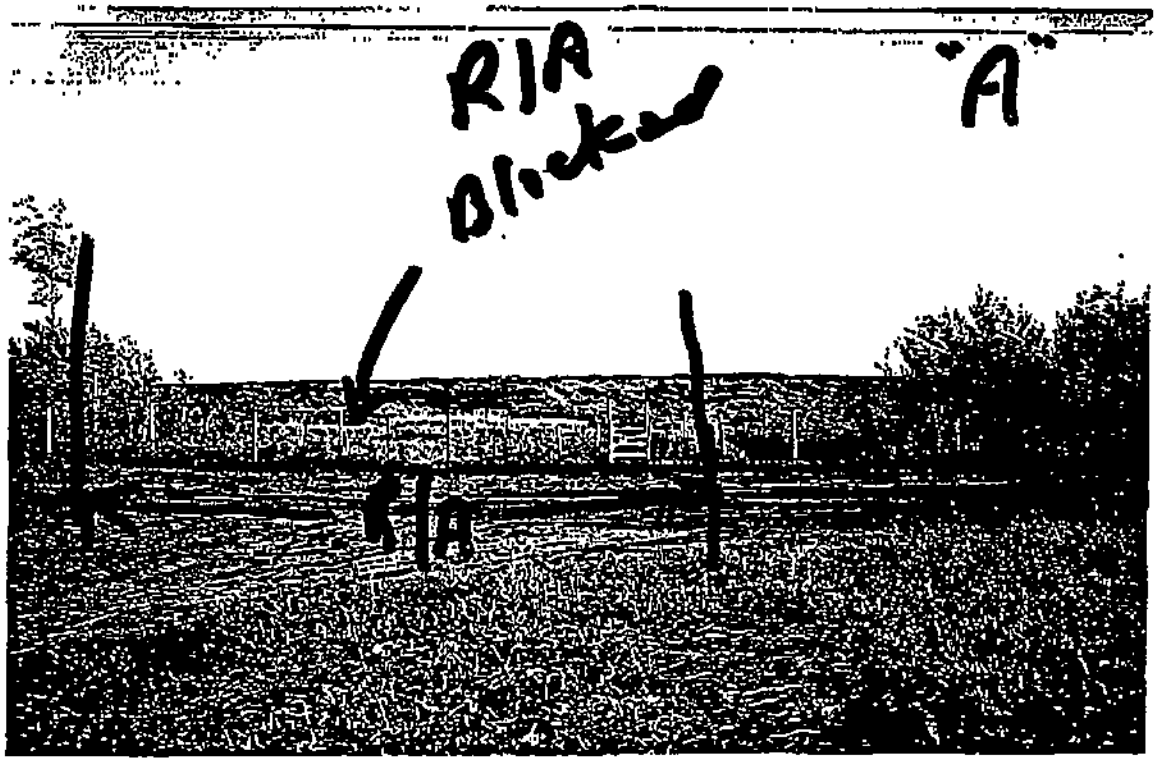
1982 - D.H.W. - used from B.C.H. documentation Rd 119
- included Air Photos. dated 1952 & 1976.
showing Roads

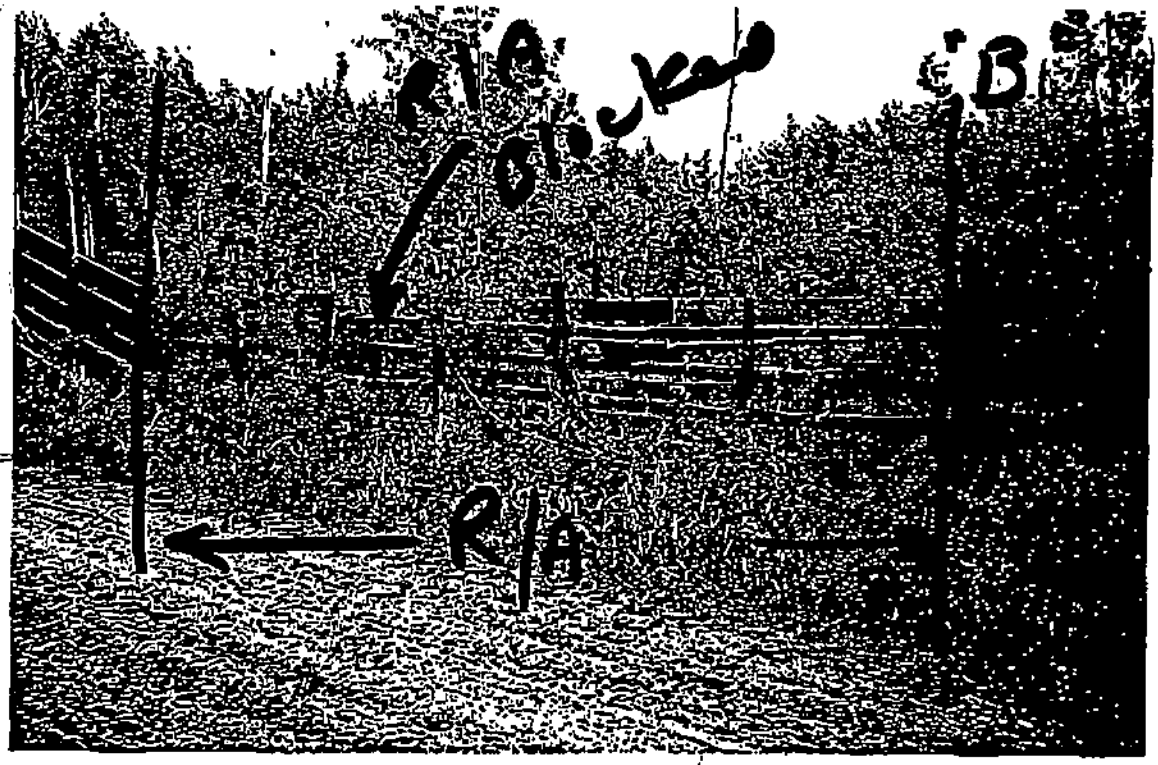
1973 - Woods Wilder Wellsites on B.C. Hydro land.
access via 119 & 125 (survey Plans)

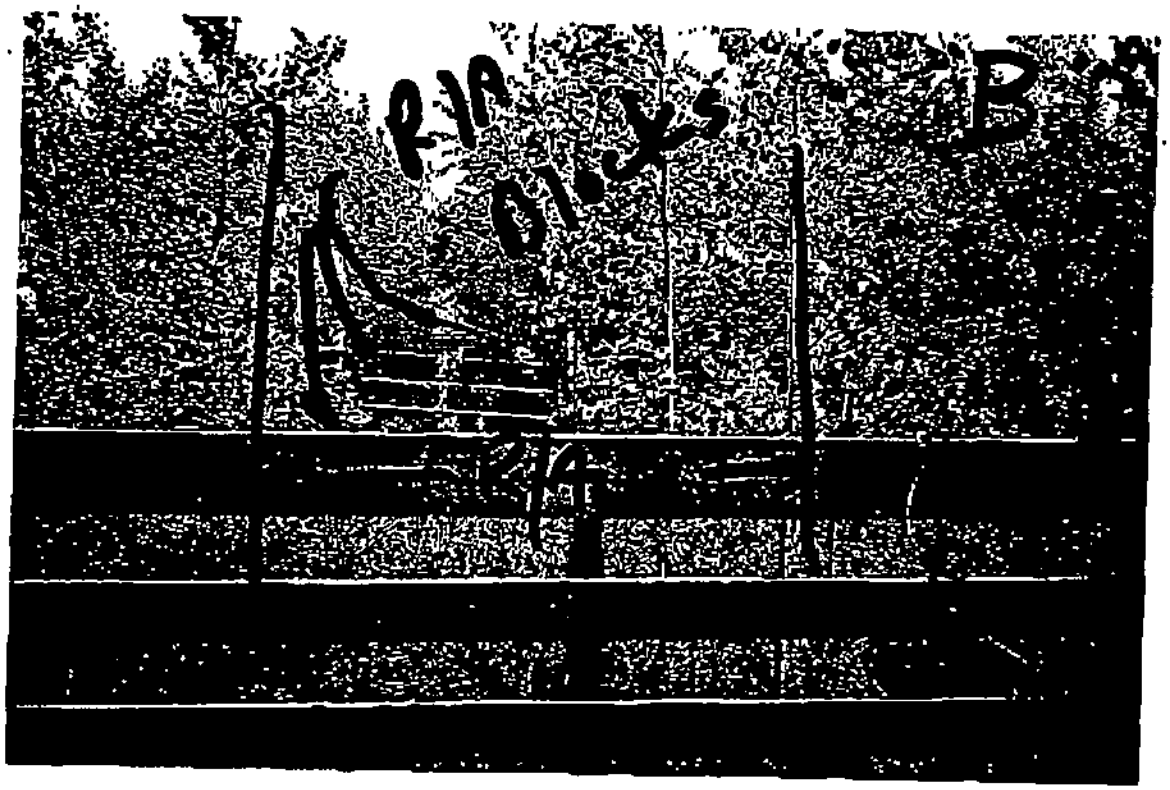
mid 1940's s.22 - statement - Tompkins built Rd 125
based on Pre-emptors Map of 1936.
- - To haul Coal from H.H.
- ~~Ed~~ Tompkins - also built the Hill Section
now Rd ~~119~~ 152 To Road ~~152~~ 119


Murdale
690
BEATTON PARK
CHARLIE LAKE PARK
R 21 W 6
Tp 84 R 20 W 6
Tp 84 R 19 W 6
Tp 84 R 18
Bear Flat
862
Charlie Lake
Stoddart
Creek
Mile Post 50
FORT ST JOHN
Tp 83 R 20 W 6
Grand Haven
Tp 83 R 19 W 6
Tp 83 R 18
FORT ST JOHN HISTORIC PARK
Built 1947
RIVER
2621
Septimus
Mile 75
2222
COLUMBIA
BRITISH
2634
Tekoa


RIA
Blocked
"A"
RIA


RIA
Blocked
"A"
RIA


B
R/A
R/A


R/A
B

Pr
Bri

FEED DOCUMENT THIS DIRECTION
IMPORTANT FAX MESSAGE

TO Bruce Craig
COMPANY
FAX NO.
FROM Steve H
NO. OF PAGES 7
RE 5.4 Roads

MEMORANDUM

Disti
c

93
B.C.

November 3, 1993

Properties Branch
3B - 940 Blanshard St.
Victoria, B.C. V8W 3E6
Phone: (604) 387-1838
Fax: (604) 387-7592

File: 67650-01
ORCS - Section 4

RE: New Policy on Contested Section 4 Road Rights-of-Way

Enclosed is a new Properties Branch Policy which defines when and how the Ministry responds to disputes over the status of Section 4 roads. Also enclosed is an two page document entitled "Response to Issues" which provides a rationale for the new policy and discusses certain issues raised by the Policy.

Under the policy, Section 4 road conflicts will be directed back to the parties unless the Ministry determines that the public interest would be served by securing a right-of-way at this time.

The Regional Property Agent, upon receipt of a Contract For Services and an approved design plan, will proceed to secure a right-of-way.

As outlined in the Response to Issues, Item 2, Regional Properties and/or the District will normally undertake research where required. As a consequence of this change, we intend to close all outstanding requests for research into the historical status of disputed roads located within your District.

.../2

We will complete any outstanding research requests that are specifically required for the Premier, the Minister or for the Deputy Minister. Please review the attached list of outstanding requests and inform us by November 22nd of any that require completion.

Thank you for your assistance.

N. Logan Stewart
Director

NLS/rm
W:\DATA\AOSM\CORESS\SW\NUSEC4.DOC
bcgau

Encl.

cc: - Managers, Property Services

ALL DISTRICT HIGHWAYS MANAGERS

Region 1:	
Bill Sunderwood	Fraser Valley District
Peter Milburn	Howe Sound District
Bill Baker	Lower Mainland District
Region 2:	
Douglas Kirk	Nicola District
Dan Williams	Okanagan-Shuswap District
Warren Horsnell	South Cariboo District
Geoff Freer	South Okanagan District
Larry Fransson	Thompson District
Region 3:	
Christine Legault	Central Kooteny District
Larry Patterson	East Kootenay District
John Bodnarchuk	Kootenay Boundary District
Dean Handley	Selkirk District
Region 4:	
Tracy Cooper	Central Cariboo District
Errol Redman	Fort George District
Reg Fredrickson	Nechako District
Brian Deakin	North Cariboo District
John Clark	North Peace District
Kevin Higgins	Robson District
Stan Gladysz	South Peace District
Region 5:	
Loren Kelly	Bulkley Nass District
Grant Lachmuth	Lakes District
John Newhouse	Skeena District
Bruce Mackay	Stikine District
Region 6:	
Peter Wightman	Central Island District
Mike Proudfoot	North Island District
Richie Harold	South Island District

November 3, 1993
W:\DATA\AGSM\CORESS\RIMDISTRIB.DOC

(CHAPTER)
(NUMBER)

(ISSUE DATE)

SUBJECT CONTESTED SECTION 4 ROAD RIGHT-OF-WAY

Approved By: ADM - Highways Operations

Initiating Director: Director, Properties

Manager/Supervisor:

Working Contact: Chief Property Agent

POLICY

1. The Ministry of Transportation and Highways will only take a position on contested Section 4 road when it is prepared to secure a standard right-of-way by expropriation if so required.

2. In such cases, the Ministry will prepare a Plan of the right-of-way inclusive of those parts of the Section 4 road that fall within the corridor.

3. Compensation will not be offered for the contested Section 4 road (the traveled portion of the right-of-way).

4. The right-of-way will be a corridor that is no less than 20 metres in width, widened as necessary to enclose the existing or planned works, inclusive of excavation and embankment slopes plus the determined maintenance strip.

5. Where, at this time, it is not in the public interest to secure a standard right-of-way, the claimant(s) is to be informed that the Ministry will take no position on status but that Government records are available under the Freedom of Information and Privacy Act.

PURPOSE

To define when and how the Ministry responds to conflicts over the status of Section 4 roads initiated by the public.

SCOPE

Ministry action will only commence upon determination that public interest is served by securing the right-of-way.

Note: The decision will be made by the District Highways Manager in consultation with Regional Officials.

This Policy does not apply to subdivision approvals pursuant to the Land Title Act (Part 7)

REFERENCES

Properties Branch Standards and Procedures Manual

- Chapter 5.6.11 (to be amended)

Response to Issues Raised about the New Policy on Contested Section 4 Roads

Rationale for Introduction of New Policy:

In many Section 4 conflicts, the Ministry's research into historical ownership has not, by itself, resolved the disputes to the satisfaction of all parties and, in some instances, the cost of the research has outweighed the cost of the disputed land.

The intent of the Policy, therefore, is to redirect the dispute back to the parties unless the Ministry determines that the public interest would be served by securing a right-of-way at this time.

Where it is not in the public interest to secure a right-of-way, the Ministry will inform the parties that it will not take a position on status but that Government records are available under the Freedom of Information and Privacy Act.

Where it is in the public interest to secure a right-of-way, it is also in the best interest of the Ministry to resolve these conflicts with the owner, before the Land Compensation Board if necessary, rather than contesting Section 4 status in the Supreme Court.

To achieve this, the Ministry will prepare a Plan for securing a standard right-of-way, as defined in the Policy, and negotiate an agreement based on the Plan; or expropriate if necessary.

Responses to Issues:

1. Will the new Policy undermine our basic claims for Section 4 Road Status?

   - No. The intent is not to reduce or undermine our claim to Section 4 roads but, where required in the public interest, to resolve individual conflicts by consensual acquisition of the additional widths required or by proceeding with expropriation of the total corridor.

   - Compensation will not be offered for the traveled portion of the right-of-way.

2. At what point does the Ministry purchase the contested right-of-way rather than do some research and validate the claim?

   - Assuming the decision is to secure a right-of-way, Regional Properties and/or the District should complete the following "basic" research in each case:

     1. Title search of relevant properties
     2. Crown Grant and original plan retrieval and search
     3. Gazette Notice search
     4. Search of District historical files and Ministry annual reports regarding road maintenance records

     A cost benefit analysis should be done to determine the depth of research into Item 4 above.

     Regional Properties will determine whether the Ministry has a case for Section 4 status and will compensate or expropriate accordingly.

3. Does the new policy mean that the Ministry will acquire contested right-of-way in all cases?

   - No. Securement of right-of-way corridors will occur only where it is warranted in the public interest. The decision will be made by the District Highways Manager in consultation with Regional Officials.

4. Will the District receive additional funding to compensate landowners?

   - Funding is a regional issue. Funding requirements may be addressed through the Section 4 Road/Gazetted Roads Survey Program.

5. What constitutes public interest?

   - The test to be used to determine public interest would be similar to that used for expropriation decisions. Considerations would include, but not be limited to: "the common good", community and Ministry needs, availability of funding.

MINISTRY OF TRANSPORTATION AND HIGHWAYS
NORTH PEACE DISTRICT
ISSUE PAPER

Region:
4

Community:
Fort St. John

Topic:
Old Hudson Hope Road #119
Legalize R/W of Section 4 Road

Electoral District:
North Peace

Issue:

The Ministry considers the Old Hudson Hope Road #119 to be Section 4 by virtue of the Highway Act. This road accesses both private lands, a pipeline across the Peace River and by a requested extension of the right of way, some 250 meters gives access to a parcel of crown land and the Peace River. A gate was placed across the road approximately two years ago and since that time the Ministry and BC Lands have received several complaints and queries to have the road open. Ministry attempts to remove the gate have failed. No improvements or reconstruction of this lower class road are contemplated at this time.

Background:

The Ministry considers the Old Hudson Hope Road to be public by virtue of Section 4 of the Highway Act. We have not however, maintained the portion of road for several years down the hills to the Peace River. The road however, is recorded to this day in the District Road Register and previous employees for the Ministry will verify that maintenance took place when needed. Due to the fact that separate titled parcels of land are accessed via this road, access to a pipeline across the Peace River is needed and a short extension of approximately 250 meters accesses the crown land along the Peace River, the Ministry cannot close its interest in providing access to all lands. The Ministry of BC Lands has requested the extension to supply access to the crown land as part of their access mandate. Dominion township deletions in the area are not feasible for use as access due to topography without major realignments which would disrupt agricultural use of this land. Existing township deletions have also been fenced off restricting public access.

This entire project has been prompted by the placement of a gate across the road at the top of the hill by local land owners approximately two years ago. Since that time however, the local district office and the local BC Lands office have received several complaints and queries to have the gate removed. In 1992, one family was locked in after driving down the hill and coming back to find the gate locked on them. In the fall of 1992, two men assaulted another who wanted access and was restricted. Several others have been turned away who want access to the crown land and Peace River

.../2

hunting and fishing areas. Land owners have concerns over trespassers and the use of A.T.V.'s in the area. When this project became more intense, I reviewed the district's action plan with the Regional Director who in turn reviewed it with Headquarters. The position taken was we were to proceed even if expropriation was necessary to resolve this issue. Since then a further review by the Minister's office has suggested that we attempt to have the gate removed but if unsuccessful, back off and leave the locals to resolve the dispute.

It should also be noted that s.22 have tried to link s.22 District Highways Manager, South Peace District to this project however, only s.22 the land at the north end of the project have been involved. This District is solely acting on public complaints and not personal interest.

Ministry Position

Attempts to remove the gate peacefully have failed in the past two years. The District Highways Manager and Properties Agents have met with the land owners and all attempts to date to come to a peaceful solution seem to not be achievable. The Ministry position at this date is to leave any further disputes over the gate lie with the local owners and area residents. Should the locals wish to determine if the road is public through the court system, the Ministry will supply any information it has through the Freedom of Information guidelines. The Ministry considers the road still public by virtue of Section 4 of the Highway Act.

Impact Summary:

This position of allowing the gate to remain on a public road could set a precedence for other area situations.

Ministry Recommendation:

One must consider that if we back down and allow the gate to remain, there are other similar issues not only in this district but throughout the Peace River area which would be jeopardized by any change in direction. The Ministry also has a mandate to ensure access to all deeded parcels of land and maintain its rights to Section 4 roads.

In this case however, since there is no residential access needed, only access to farmland and crownland beyond, the Ministry should reconsider its position as follows:

1. Leave the gate as is for now.

2. Advise the local residents who want the gate removed to proceed through court action to determine once and for all whether there is sufficient evidence to prove Section 4 status of the road and have the gate removed. the Ministry would assist through Freedom of Information with any information it has.

.../3

3. The Ministry would continue to state that as far as we are concerned the road is still public until determined otherwise but take no further action.

Prepared by:

John P. Clark
District Highways Manager
North Peace District
November 2, 1993

JPC/pq

	TELEX/FACSIMILE RECORD	Date October 22, 1993 File No.
VIA: TELETYPE	RADIO	FACSIMILE

TO:	FROM:
District Highways Manager	WAYNE CARR
North Peace District	REGIONAL DIRECTOR
Fort St. John, B.C.	CENTRAL/NORTH EAST REGION
FAX No. TELEX No.	FAX No. 565-6065 PHONE No. 565-6479

SUBJECT:
OLD HUDSON HOPE ROAD #119

PLEASE FOLLOW UP.

PAGES: 8 (including this sheet)	Lenora Fillion Operator's Signature

Page 323 to/à Page 324

Withheld pursuant to/removed as

s.3

PLENERT
HIGSON
LAW CORPORATION

Wayne Plenert, B.Th., B.A., LL.B.
Gary Higson, B.A., LL.B.
David Clancy, LL.B.

#201 - 1136 - 103rd Avenue,
Dawson Creek, B.C. V1G 2G7

Phone: (604) 782-9134
Fax: (604) 782-9135

MINISTRY OF TRANSPORTATION & HIGHWAYS
OCT - 1 1993
FORT ST. JOHN

Our File: 22670

Wednesday, September 29, 1993

Ministry of Transportation & Highways
#300, 10003 - 110th Avenue
FORT ST. JOHN, BC
V1J 6M7

ATTENTION: Mr. John P. Clark

Dear Sir:

RE: Road 119 - Old Hudson Hope Road

Your letter of September 16, 1993 has been referred to me for a response. Patty Hebert tells me that this gate is not on land that she owns. Therefore, your communication appears to have gone to the wrong party. She tells me, however, that the claim that you make for a public road would affect land of hers, and for that reason I am writing this letter.

I have received a copy of a letter from the Minister indicating that as of June 29, 1993, the Ministry was taking no further action to remove the private gate. Your letter gives no basis for the change in approach or policy of the Ministry. In view of the public policy issues involved, it would be appreciated if the basis for your letter could be disclosed.

Your letter suggests that only the land past the first gate might be considered public. Although my clients strongly dispute that, they appreciate the fact that your letter only deals with the land after the first gate, and not beyond any of the other gates. They appreciate what appears to be a concession that there is no public road at the point or beyond the second gate.

However, assuming that you concede that the maximum extent of your claim could only be up to the second gate, then the purpose of having this road declared public would be to have access to the middle of my client's property and for no other purpose. Either you have some designs on the middle of my client's property or you intend to use some other approach to extend the public at some further point. This then becomes a major land

Page 326 to/à Page 333

Withheld pursuant to/removed as

s.3

20-119



Reference: 3387/93

October 21, 1993

s.22

Thank you for your letter of August 24, 1993, addressed to my predecessor, requesting assistance in resolving the controversy regarding public access on Road 119 near Charlie Lake.

I appreciate your position on this matter. Ministry staff have been communicating with the office of the Ombudsman on this issue based on a complaint from a local citizen. The Ministry's position, which we hope will resolve this impasse, is that the gate be removed in order for others to use the public portion of the road. The Ministry will not be establishing a formal right of way or acquiring additional access to Crown Land and the Peace River.

Thank you for bringing your concerns to this Ministry's attention. I trust that this issue will soon resolve itself.

Yours sincerely,

ORIGINAL SIGNED BY MINISTER

OCT 28 1993

Jackie Pement
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!SVarley, CU/WCarr/cba/4981c/Min.Log –5287– !

Page 335 to/à Page 339

Withheld pursuant to/removed as

s.3

Ministry of Transportation & Highways

#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

22-20-119

October 18, 1993

Plenert Higson Law Corp.
#201 - 1136 - 103rd Avenue
Dawson Creek, BC
V1G 2G7

Attention: Wayne Plenert

Dear Sir:

Re: Road #119 Old Hudson Hope Road

I wish to acknowledge your letter of September 29, 1993, on behalf of s.22
s.22

Once the situation is further reviewed, a reply will be forwarded to you with respect to the information and comments in your letter.

Yours truly,

John P. Clark
District Highways Manager

JPC/pq

PLENERT HIGSON

LAW CORPORATION



Wayne Plenert, B.Th., B.A., LL.B.
Gary Higson, B.A., LL.B.
David Clancy, LL.B.

#201 - 1136 - 103rd Avenue,
Dawson Creek, B.C. V1G 2G7

Phone: (604) 782-9134
Fax: (604) 782-9135

Wednesday, September 29, 1993

Our File: 22670

Ministry of Transportation & Highways
#300, 10003 - 110th Avenue
FORT ST. JOHN, BC
V1J 6M7

ATTENTION: Mr. John P. Clark

Dear Sir:

RE: Road 119 - Old Hudson Hope Road

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However, assuming that you concede that the maximum extent of your claim could only be up to the second gate, then the purpose of having this road declared public would be to have access to the middle of my client's property and for no other purpose. Either you have some designs on the middle of my client's property or you intend to use some other approach to extend the public at some further point. This then becomes a major land

use dispute in which one of the parties is attempting to deal with it in a piecemeal fashion.

I have reviewed the history of this matter and your interpretation that there is evidence that this is a Section 4 road will be hotly contested.

I have reviewed letters that were written in 1982 complaining to the Ministry about what was happening on this land.

Also, the Affidavits that you have had prepared go far short of establishing that this is a Section 4 road.

Rather than go through all of the details at this time, I would invite you to reconsider the approach that your Ministry is taking and look to your motives and your purposes in taking such a position and take the "high road"!

Yours truly,

PLENERT HIGSON



Per: WAYNE PLENERT

WP/pjb

Page 343

Withheld pursuant to/removed as

s.14

Page 344 to/à Page 351

Withheld pursuant to/removed as

s.3

7380-20

DRAFT

Reference: 3398/93

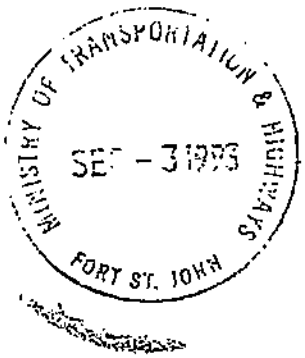
s.22

Thank you for your letter of August 9, 1993, requesting assistance in resolving the controversy regarding public access on Road 119 near Charlie Lake.

Ministry officials have been communicating with the office of the Ombudsman on this issue based on a complaint from a local citizen. The Ministry position, which we hope will resolve this impasse, is that the gate be removed in order for others to use the public portion of the road. The Ministry will not be establishing formal right-of-way or acquiring addition access to Crown Land and the Peace River beyond. Regarding your additional request for access to Bear Flats, the Ministry is reviewing access issues in the area.

Thank you for bringing your concerns to my attention. I trust that this issue will soon resolve itself.

Prepared by: Wayne Carr, Regional Director
Central/North East Region
September 7, 1993



Reference: 3262/93

August 31, 1993

Mr. Ben Knutson
Chairperson
Peace River Regional District
Post Office Box 810
Dawson Creek, British Columbia
V1G 4H8

Dear Mr. Knutson:

Thank you for your letter of July 30, 1993, requesting further assistance in resolving the controversy regarding public access on Road 119 near Charlie Lake.

Ministry officials have been communicating with the office of the Ombudsman on this issue based on a complaint from a local citizen. I understand that the Ombudsman's office will be communicating recommendations to the complaining citizens.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Again, thank you for sharing your concerns with me.

Yours sincerely,

J.B.
ORIGINAL SIGNED BY ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/LWagar/cba/4753c/Min.Log –5140 & 5222– !

PEACE RIVER REGIONAL DISTRICT

Office of the Chairman

RECEIVED
AUG 1 1 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION
& HIGHWAYS
TH 5140
AUG 0 6 1993
DRAFT REPLY ☑ FYI ☐ FILE ☐

July 30, 1993

The Honourable Art Charbonneau
Minister of Transportation and Highways
Room 028, Parliament Buildings
VICTORIA, B.C.
V8V 1X4

Dear Mr. Charbonneau:

Re: Proposed Extension of Road 119 (Charlie Lake, B.C. area)

At its meeting on July 22nd the Regional Board met with citizens regarding Road 119. As you are aware, there has been considerable correspondence and discussion about this road. It is the Board's recommendation that mediation is the best process, and that your office consider using the experience of the Ombudsman to obtain an unbiased objective view.

We look forward to receiving your comments on the Board's recommendation.

Yours truly,

Ben Knutson
Chairman

BK:jf

cc: - Mr. Neufeld, MLA Peace River North
- Mr. Jack Weisgerber, MLA Peace River South
- Mr. John Clarke, Ministry of Transportation & Highways, Fort St. John
- BC Agricultural Land Commission, Burnaby

PLEASE REPLY TO:
☐ P.O. BOX 810, DAWSON CREEK, B.C. V1G 4H8, TELEPHONE (604) 782-5891 or ZENITH 2770, FAX (604) 782-2718
☐ 9912 - 106 AVENUE, FORT ST. JOHN, B.C. V1J 2N9, TELEPHONE (604) 785-8084 or ZENITH 08922, FAX (604) 785-2718



Reference: 3271/93

August 31, 1993

s.22

Thank you for your letter and petition of July 29, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

AUG 3 0 1993 J.B.
ORIGINAL SIGNED BY ~~MINISTER~~

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4774c/Min.Log –5165– !

RECEIVED
AUG 13 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION
& HIGHWAYS
TH 5165
AUG 03 1993
DRAFT REPLY ☐ FYI ☐ FILE ☐

s.22

Minister of Transportation and Highways
Parliament Buildings
Victoria, B. C.

Hon. Art Charbonneau

Re: Road 119 and 125 - access to crown as well as a through road to Highway 29

It has been brought to my attention by your letter to Ben Knutson dated June 29, 1993 that this issue is not being resolved because of lack of interest of the public. I assure you there is a genuine interest in access to crown and the through road for the purpose of scenery, hunting, fishing, hiking, camping, horseback riding, to name a few. I am enclosing a petition as proof of the public's genuine interest in using these roads.

s.22

SECURITY
REGISTERED
R
SÉCURITÉ
RECOMMANDÉ

C.C. Egon Wiger
John Clarke

We, as concerned citizens, wish to use Road 119 and 125 (Old Hope Road) as access to the Peace River, Crown Lands as well as through road to Highway 29.

F.S.J.
F.S.J.
F.S.J.

Reference: 3097/93

August 31, 1993

Mr. Dwayne Dancy
Northland Trail Balzers
Snowmobile Club

s.22

Dear Mr. Dancy:

Thank you for your recent letter concerning Road 119 and Road 125 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

J.B.
ORIGINAL SIGNED BY ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4772c/Min.Log –5104– !

MINISTER OF TRANSPORTATION & HIGHWAYS
5104
AUG 0 4 1993
MOTH
DRAFT REPLY ☑ FYI ☐

Dwayne Dancy
NORTHLAND TRAIL BLAZERS
SNOWMOBILE CLUB
s.22

Art Charvonneau
Ministy of Transportation
Parliment Buildings
Victoria, B.C.

RECEIVED
AUG 0 6 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

Dear Sir:

Our club has concerns of road #119 and #125 closures.

This access has been used for many years as a haritage trail known as the TEE CREEK trail

We have used it for many years for Club activities, such as our annual SNOWARAMA RIDE

which we raise money for B.C.Lions Society for Disabled children.

It was great to use this trail to have access to all the Crown Land back

there, and also to bring in new visitors on snowmobiles to show them all the abundance of

wildlife in the area. We have enjoyed this pleasure. It is a beautiful valley to

appreciate in the winter to summer months. There is very few places like this that a

person can enjoy the use of on a recrational point. We are not asking much, but just

to encourage your support to keep this Heritage site and trail open for the future.

Yours truly
Dwayne Dancy
Public Relations
Northland Trail Blazers
Snowmobile Club

cc : Ron Larrow B.C. Snowmobile Federation

#3[illegible], 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
787-3237

R7147, R7148, R7146
PS68739, PS68741, PS68735
PS68738, PS68740, PS68734
PS68736
North Peace

March 3, 1993

Mr. Volker Kroecher
Northland Enterprises Ltd.
P.O. Box 204
Charlie Lake, BC
VOC 1HO

Dear Mr. Kroecher:

RE: OLD HOPE ROAD #119
SW 1/4 & NE 1/4 SEC. 35, TP. 83, RGE. 20
SE 1/4 SEC. 2, TP. 84, RGE. 20

Further to our recent meeting of February 16, 1993, the Ministry has considered the various items and concerns discussed at that time. These include A.T.V. restrictions, some kind of a restricted barrier to replace the gate that presently exists, and use of the township deletions to provide alternate access to the Crownland. I have also considered the request to block Road #152 as well. None of these have, after further review, proven viable and therefore leaves the Ministry in only one position, which is to have Mr. Mike Waberski, of Waberski Darrow B.C.L.S., proceed with the initial survey of the Old Hudson Hope Road #119 as we have previously outlined to you in our meetings. Mr. Waberski will be proceeding very shortly and by way of a copy of this letter, be advised to contact you before entry onto your land.

We will require land for the right-of-way from the above noted parcel. A property agent will contact you to discuss the methods which are available to the Ministry of Transportation & Highways to acquire right-of-way. An independent appraisal report will be completed. An offer of compensation for the transfer of land will be presented to the owner and negotiations will be entered to reach an amicable agreement.

.../2

Section 3 of the Expropriation Act, S.B.C. 1987, Chapter 23, provides an option for a property owner to agree to transfer or dedicate land to an expropriating authority without compensation when agreement cannot be reached on the compensation to be paid. An advance payment would be made in accordance with Section 19 of the Act. Compensation for the land could then be determined by the Expropriation Compensation Board.

If neither of these settlement options is acceptable to you, the only remaining method by which the Ministry of Transportation and Highways may acquire the right-of-way is through expropriation.

We hope that an amicable settlement can be reached for the acquisition of the required right-of-way from your property.

Yours truly,

John P. Clark
District Highways Manager

JPC/pq

cc: Mr. M. Waberski, Waberski Darrow, Fort St. John, BC
Michelle Garvock, Regional Properties Agent, Prince George, BC

Page 362 to/à Page 364

Withheld pursuant to/removed as

s.3

BChydro

proud of our Service

Properties Division

TEL: (604) 623-3957
FAX: (604) 623-3988



1 March 1993

File:

Ministry of Transportation & Highways
#300 - 10003 110 Avenue
Fort St. John, B.C.
V1J 6M7

Attention: John P. Clark
District Highways Manager

Dear Sir:

Subject: B.C. Hydro Properties
Bear Flats Area

I refer to your letter of 9 December 1992, addressed to Mr. Chris Windt, B.C. Hydro Ranch Manager.

B.C. Hydro is in agreement with the suggested proposal that it's properties in Sections 28, 29, 32 and 33, Township 83, Range 20, West 6th Meridian, be consolidated at the time the Ministry legalizes the right of way for the #125 American Road.

My understanding of the Ministry's intention is that the right of way for the #125 American Road will be legalized from the old commune farm buildings which are located within the fractional SE ¼ of Section 32 then in an easterly direction over the Hydro lands and up to the Crown parcel contained within the SE ¼ of Section 32. Legal access would then be in place to the Crown parcel and the consolidated Hydro parcel would also have legal access.

With regard to the above proposal can you please confirm that:

a. All the exiting parts of the #125 American Road considered to be a Section 4 road running through the 7 separate B.C. Hydro legal parcels to Wilder Creek, will be deleted from the proposed new consolidated single parcel.

b. B.C. Hydro will not be responsible to legally survey any of the existing #125 American Road portions contained within Hydro's separate legal parcels, prior to consolidating these parcels into one single parcel.

c. All costs relating to the legalization of the right of way for #125 American Road to the existing Crown parcel located within the Fractional SE ¼ of Section 32, except for the costs of consolidating the B.C. Hydro legal parcels, are to the Ministry of Transportation and Highways account.

Yours truly,

RTPenney

R.T. (Bob) Penney
Manager, Real Estate

RTP/lk
RP8\MOTH-1.Mar

cc: C. Windt, BCH

Ministry of Transportation and Highways

FACSIMILE RECORD

Date Feb 4/93

File No.

TO: Steve Henderson
Property Negotiator
Pr George.

C/O

FAX No. PHONE No.

FROM: North Peace District
#300 - 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7

FAX No. 787-3279 PHONE No. 787-3237

ORIGINAL PAGES TO BE:
☐ FILED ☐ MAILED ☐ COURIERED ☐ OTHER (SPECIFY)

SUBJECT: Old Hope Rd # 119
A.T.V. Restrictions

I finally got ahold of Brian Churchill from Min of Environment. It is possible for a A.T.V. restricted area but usually they are larger areas and require going thru a public process ad a Order in Council. He can't attend on Feb 16th but if we want to proceed he would have to have the public meeting ad a submission (for this year) by Mar 15/93. s.22 was also in to see him on this. He suggests if we want to proceed look at an area of Crown land from Bear Flats to Old Fort. Give me a call, o

PAGES: 1 (including this sheet)

J. Clark
Operators Signature

Province of
British Columbia

Ministry of
Transportation
and Highways

Region[illegible] roperties
#213-1011 4th Avenue
Prince George, BC
V2L 3H9

Telephone: 565-6472
Facsimile: 565-6065/7278

MINISTRY OF TRANSPORTATION & HIGHWAYS
FEB - 5 1993
FORT ST. JOHN

REGISTERED MAIL

R7147, R7148, R7146,
PS68739, PS68741, PS68735
PS68738, PS68740, PS68734
PS68736
North Peace

February 2, 1993

NW ¼ NE 1/4 SEC. 27-TP. 83, RGE. 20
W6M, PRD

s.22

Dear s.22

RE: OLD HOPE ROAD #119

Further to our recent meeting to discuss the right-of-way acquisition project on the Old Hope Road, please be advised that the Ministry of Transportation and Highways will be hosting a project information meeting:

DATE: TUESDAY, FEBRUARY 16, 1993
TIME: 7:00 p.m.
PLACE: PIONEER INN (MOBERLY ROOM)

Representatives from the Ministry of Highways, the Ministry of Environment, Lands and Parks, and BC Hydro have been invited. Some of your neighbors have been invited and the others who have not, will be informed at separate meetings. The purpose of this meeting is to discuss the scope of the project and to build upon the discussions of the January 19th meeting.

Following are the topics and issues that arose from the January 19th and January 20th meetings held with all land owners who may be affected by the project:

- discussion of Phase I of project; to provide public access to Crown Lands, and Phase II of project; to provide public access through BC Hydro lands to land-locked Crown Land parcels, over what is known as American Road. Currently, there is no proposal to connect the two road rights-of-way.

/...2

380-30

Reference: 642/93

May 12, 1993



s.22

Thank you for your latest letter of February 19, 1993, concerning the Old Hudson's Hope Road 119.

The Ministry has an obligation to provide access to all private parcels of land and to lands beyond. The Ministry of Environment, Lands and Parks has an obligation to provide access to all crown land for the enjoyment of all. This Ministry considers the Old Hudson's Hope Road to be public by virtue of Section 4 of the Highway Act. Due to recent conflicts with a gate being erected on the road, along with complaints of trespassers entering onto private lands, this Ministry has chosen to legally establish a right of way to all parcels as well as lands beyond. In this situation the erection of the gate, as with public complaints, has prompted our action at this time.

In your letter you refer to the local highways department being pushed by s.22 one of our District Highways Managers, to proceed with this project. I have checked into this matter and can assure you that the local district office is acting solely as a result of public calls and complaints to both this Ministry and the Ministry of Environment, Lands and Parks.

With respect to your question as to whether we are going to open roads to every parcel of crown land, the Ministry of Environment, Lands and Parks has an obligation to establish a road right of way to all parcels they create and to the crown lands beyond. Although a few have been missed in the past, it is in the public interest to ensure access to all land at time of subdivision. With respect to resolving the access issue of the Old Hudson's Hope Road, the costs of surveying and fencing are considered minimal to resolve this issue once and for all.

.../2

I am aware of the condition of the roads in Peace River and the funding for rehabilitation of the area roads is similar to the other districts in the north.

Regarding your last question with respect to roads and undeveloped right of ways, Ministry staff believe you are referring to the Dominion Township (66 feet wide) deletions for road purposes which you have in the Peace River block. When the original survey of the Township system was laid out in Peace River in the early 1900s, every two miles north and every one mile east or west, a deletion of 66 feet was left for access purposes. These were for the construction of future roads; however, sometimes due to terrain, particularly in the river valleys, construction of these is not always feasible. These deletions are referred to as road right of ways now, whether constructed or not.

I trust I have answered all your concerns and thank you for taking the time to write.

Yours sincerely,

ORIGINAL SIGNED BY MINISTER

MAY 12 1993
Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John!

!Mr. S.D. Gladysz, District Highways Manager!
!South Peace, Dawson Creek – copy of incoming attached.!

!SVarley, CU/JClark/MVCollins/rn/2872c/Min.Log –3605– !

Province of British Columbia

Message

TO John Clark

NAME Eugene Baston

OF

PHONE 785-3775

☐ TELEPHONED ☒ PLEASE PHONE

☐ WILL PHONE AGAIN AT ☐ RETURNED YOUR PHONE CALL

☒ CAME IN TO SEE YOU ☐ WILL COME IN AT

MESSAGE: Re: Old Hudson's Hope Road. - gate - concerned and wants to know why it's there? Update him on situation please. -

DATE 93-05-03

TIME 11:40 a.m.

RECEIVED BY (ROUTING SLIP — OTHER SIDE)

Recycled Paper

MR 2280

OPC 3706

"Scotch" 7660 "Post-it" Telephone Message Pad

To John

Date 93 06 07 Time 4:22

WHILE YOU WERE OUT

s.22

M

of Can. Resources

Phone No. 787-7718

TELEPHONED		PLEASE CALL	
WAS IN TO SEE YOU		WILL CALL BACK	
WANTS TO SEE YOU		URGENT	
RETURNED YOUR CALL	X		

Message

Operator

Province of British Columbia

Ministry of Transportation and Highways

CONTRACT FOR SERVICES

SERVICES REQUESTED FROM THE FOLLOWING: C.F.S. AGREEMENT No.: 2106

☐ HEADQUARTERS ☒ REGION: Central/North East ☐ DISTRICT: _____

BUSINESS UNIT: Properties

SERVICE AGREEMENT

PROJECT INFORMATION:

Vote	Resp.	Account	Project	Sub-project/Work Pkg.
0 5 9	4 2 2	1 0 1 0 5	0 8 2 0 5	

Project Name: Old Hope Road

Location: Road 119

Hwy. Route: _____ Segment: _____ kms: _____

Project Manager: John Clark Phone: 787-3237 Fax: 787-3279

SERVICES TO BE PROVIDED

Activity No.	Service Description	Agreed Completion Date YEAR	MONTH	DAY
	Continue R/W negotiations as part of on going project. (Last years R.F.S. A30023)	9 4	0 3	3 1

Agreed Charge Out Rate: X X 1.5 ☐ Other _____

Cost Distribution: (A) ☐ Waived ☐ Required (B) External Cost: ☒ Direct ☐ Journal Vouchered

Approved Service Expenditure: Single Year $ 5 0 , 0 0 0 Multi Year $ _____

For This Fiscal Year: $ _____ Internal + $ _____ External = $ 5 0 , 0 0 0 Total

Team Member / Business Unit Designate Assigned: _____ Phone: _____ Fax: _____

AMENDMENTS

Amendment No.: _____ This Amends C.F.S. No.: _____

Amendment To: ☐ Service Description ☐ Approved Service Expenditure ☐ Completion Date

Requesting Responsibility Centre (Project)

Signature: _____

Name *(print)*: John P. Clark

Address: North Peace District
Fort St. John, BC

Title: District Highways Manager

Phone: 787-3237 Fax: 787-3279

9 3 Year 0 4 Month 2 8 Day

(Requesting R.C. Authority)
- Project Manager*
- District Highways Manager
- Regional Manager
- Appropriate Regional/Branch/Project Director

**Project Manager refers to an employee whose official position title is Project Manager; not an employee given responsibility to manage a project.*

Service Responsibility Centre (Business Unit)

Signature: _____

Name *(print)*: _____

Address: _____

Title: _____

Phone: _____ Fax: _____

Year Month Day

Resp. Account Project Sub-Project

(Service R.C. Authority)
- Business Unit Manager
- District Highways Manager
- Regional Manager
- Appropriate Regional/Branch/Project Director

SECOND COPY - BUSINESS UNIT MANAGER

514 (93/02)

Province of
British Columbia

MEMORANDUM

Gwen Gordy
Regional Steno
Central/Northeast

April 23, 1993
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

280-30

RE: MINISTER'S RESPONSE #3605
s.22 - REWRITE

Suggested response would be:

Thank you for your latest letter of February 19, 1993 concerning the Old Hudson's Hope Road 119. The Ministry has an obligation to provide access to all private parcels of land and to lands beyond. The Ministry for BC Lands has an obligation to provide access to all crown land for the enjoyment of all and not just a restricted chosen few. This Ministry considers the Old Hudson's Hope Road to be public by virtue of Section 4 of the Highway Act. Due to recent conflicts with a gate being erected on the road, along with complaints of trespassers entering onto private lands, this Ministry has chosen to legally establish a right-of-way to all parcels as well as lands beyond. In this situation the erection of the gate, as with public complaints, has prompted our action at this time.

In your letter you refer to the local highways department being pushed by a "Highways Official". I have checked into this matter and can assure you that the local district office is acting solely as a result of public calls and complaints to both this Ministry and the Ministry of BC Lands. My staff are now committed to proceed with this project in order to satisfy the needs of the general public.

With respect to your question as to whether we are going to open roads to every parcel of crown land. The Ministry of BC Lands has an obligation to delete a road right-of-way to all parcels they create and to the crown lands beyond. Although a few have been missed in the past, it is in the government's best interest to ensure access to all land is provided for the general public. With respect to resolving the access issue of the Old Hudson's Hope Road, the costs of surveying and fencing are considered minimal to resolve this issue once and for all.

I am aware of the condition of the roads in the Peace River and when the budget is announced, I'm sure you will find that the funding for rehabilitation of the area roads is similar to the other districts in the north.

.../2

Your last question with respect to roads and undeveloped right-of-ways. I believe you are referring to the Dominion Township (66 feet wide) deletions for road purposes which you have in the Peace River block. When the original survey of the Township system was laid out in the Peace River back in the early 1900's, every two miles north and every 1 mile east or west a deletion of 66 feet was left for access purposes. These were for the construction of future roads; however, sometimes due to terrain , especially as you drop down into the river valleys, construction of these is not always feasible. These deletions are referred to as road rights-of-way now whether constructed or not.

I trust I have answered all your concerns and thank you for taking the time to once again write.

PREPARED BY:

John P. Clark
District Highways Manager
North Peace District
April 22, 1993

APPROVED BY:

Steve

Province of British Columbia

Ministry of Attorney General
LEGAL SERVICES BRANCH

608 Broughton Street
Victoria
British Columbia
V8V 1X4
Telephone: (604) 356-8400
Fax: (604) 356-9154, 387-5758, 356-9284, 387-1010, 356-9153 or 387-9264

April 14, 1993

COPY

Greg Cranston
234 Abbott Street
Vancouver, B.C.
V6B 2K8

Dear Sir:

RE: Old Hudson's Hope Road

I have been asked to respond to your letter of March 23, 1993 to Mr. John P. Clark, District Highways Manager. I am instructed that the Ministry has already completed the survey in question. I am also instructed that the road across your client's property is a public highway pursuant to section 4 of the Highway Act, R.S.B.C. 1979. The Ministry has every right to enter and survey its own highway. In addition, the Ministry has the right under section 8 of the Expropriation Act, S.B.C. 1987, c.23 to enter onto lands in order to survey to determine the location of lands required for additional highway.

If the Ministry determines that it is necessary to acquire lands beyond the current travelled portion of the section 4 road, the Ministry will attempt to purchase that land from your client. I am instructed that, failing an outright purchase, the Ministry will expropriate the required land and pay to your client the fair market value of the land according to an independent appraisal. If your client is in disagreement with the amount of payment, your client may file a claim with the Expropriation Compensation Board.

Yours truly,

BRENDA M. REDER
Barrister and Solicitor

BMR:mm

cc: Don Rhone ✓

FEED FAX THIS END

FAX

To: JOHN CLARK
Dept.: NORTH PEACE D.H.M.
Fax No.:
No. of Pages: 3
From: STEVE HENDERSON
Date: MAY 14. 93
Company:
Fax No.:
Comments: FYI

MINISTRY OF TRANSPORTATION & HIGHWAYS
MAR 26 1993
FORT ST. JOHN

GREG CRANSTON
Barrister & Solicitor
(Also of the Yukon Bar)

234 ABBOTT STREET VANCOUVER, B.C. V6B 2K8 (604) 688 0495 FAX:688 0201

March 23, 1993

John P. Clark
District Highways Manager
300, 10003 - 110 Avenue
Fort St. John, B.C.
V1J 6M7

Dear Mr. Clark:

Re: Old Hudson's Hope Road

Please be advised that I act for the owners of the property NW and NE 1/4 Section 27, TP. 83, RG. 20, W6M, Peace River District. My clients have attempted for some time to be reasonable citizens and to deal in a meaningful way with your office. It would seem that their efforts are to nought. We are also privy to certain documents that indicate that there may not have been full and frank disclosure to my clients. I am not in a position at this point to unequivocably state that that is the case.

We are disappointed that we are no able to reach any reasonable solution at this point. We remain ready, willing and able to discuss the matter.

With regard to your proposal to have a survey done, we are opposed to that and put you on notice that any intrustion on my client's property will be treated as a criminal and civil tresspass and we will seek all remedies available, including the R.C.M.P. Although the Department of Highways may have the right to survey an existing right of way, we take the position that it does not have the right to survey a proposed one. We are not prepared to have anyone tresspass on the property without a Court Order.

We were further disappointed by your attempt to begin the process by your suggestion that you cannot get B.C. Land Commission approval without having a plan of the right-of-way, showing the location, widths, etc. We can only assume that you have a very good idea of where you would like the road to go and it is my opinion that there is nothing preventing you from making an application in principle, without doing any actual surveying. I would further suggest that once the actual surveying is done, it would be fait d'accompli.

Finally, I am very concerned about the appearance of bias in this case. It is my understanding that an employee of your Ministry (in fact the local office) has a serious and competing interest to that of my clients and that that is one of the major reasons why the Ministry is continuing to push for this road.

Your ssugestions are not acceptable. If a road were to be built across my client's property, we will insist on a major deposit being made on account of damages. It has been our experience that one a road is built, there is no way to keep people out. There has been damage done to the gate presently in place on the property on

gular basis.

With regard to Czar Petroleum, we are perfectly capable of negotiating whatever access they may require directly with them and with your assertion that access is required to Crown Land, that is patently not the case as there are hundreds of parcels of Crown land all over the province that have no access. It is a travesty to me that the Department should suggest that this small parcel is so unique and so useful that a road across my client's land is a necessity.

In short, if you are serious about proceeding with this unfortunate scheme, please have your Counsel contact me.

Yours very truly

Greg Cranston

GREG CRANSTON

c.c. Minister of Highways
237, 617 Government Street
Victoria, B.C.
V8V 2M3

Ujjal Dosangh, MP
Parliament Buildings
Victoria, B.C.
V8V 1X4

Mr. Mike Waberski
Waberski Darrow B.C.L.S.
9908 - 102 Avenue
Fort St. John, B.C.
V1J 2E1

Steve

Province of British Columbia

Ministry of Attorney General
LEGAL SERVICES BRANCH

609 Broughton Street
Victoria
British Columbia
V8V 1X4
Telephone: (604) 356-8400
Fax: (604) 356-9154, 387-5758, 356-9284, 387-1010, 356-9153 or 387-9264

April 14, 1993

COPY

Greg Cranston
234 Abbott Street
Vancouver, B.C.
V6B 2K8

Dear Sir:

RE: Old Hudson's Hope Road

I have been asked to respond to your letter of March 23, 1993 to Mr. John P. Clark, District Highways Manager. I am instructed that the Ministry has already completed the survey in question. I am also instructed that the road across your client's property is a public highway pursuant to section 4 of the Highway Act, R.S.B.C. 1979. The Ministry has every right to enter and survey its own highway. In addition, the Ministry has the right under section 8 of the Expropriation Act, S.B.C. 1987, c.23 to enter onto lands in order to survey to determine the location of lands required for additional highway.

If the Ministry determines that it is necessary to acquire lands beyond the current travelled portion of the section 4 road, the Ministry will attempt to purchase that land from your client. I am instructed that, failing an outright purchase, the Ministry will expropriate the required land and pay to your client the fair market value of the land according to an independent appraisal. If your client is in disagreement with the amount of payment, your client may file a claim with the Expropriation Compensation Board.

Yours truly,

BRENDA M. REDER
Barrister and Solicitor

BMR:mm

cc: Don Rhone ✓

FEED FAX THIS END

FAX

To: JOHN CLARK
Dept.: NORTH PEACE
Fax No.: D.H.M.
No. of Pages: # 3
From: STEVE HENDERSON
Date: MAY 14 93
Company:
Fax No.:
Comments: FYI

Post-it™ fax pad 7503E

MINISTRY OF TRANSPORTATION & HIGHWAYS
MAR 26 1993
FORT ST. JOHN

GREG CRANSTON
Barrister & Solicitor
(Also of the Yukon Bar)

234 ABBOTT STREET VANCOUVER, B.C. V6B 2K8 (604) 688 0495 FAX:688 0201

March 23, 1993

John P. Clark
District Highways Manager
300, 10003 - 110 Avenue
Fort St. John, B.C.
V1J 6M7

Dear Mr. Clark:

Re: Old Hudson's Hope Road

Please be advised that I act for the owners of the property NW and NE 1/4 Section 27, TP. 83, RG. 20, W6M, Peace River District. My clients have attempted for some time to be reasonable citizens and to deal in a meaningful way with your office. It would seem that their efforts are to nought. We are also privy to certain documents that indicate that there may not have been full and frank disclosure to my clients. I am not in a position at this point to unequivocably state that that is the case.

We are disappointed that we are no able to reach any reasonable solution at this point. We remain ready, willing and able to discuss the matter.

With regard to your proposal to have a survey done, we are opposed to that and put you on notice that any intrustion on my client's property will be treated as a criminal and civil tresspass and we will seek all remedies available, including the R.C.M.P. Although the Department of Highways may have the right to survey an existing right of way, we take the position that it does not have the right to survey a proposed one. We are not prepared to have anyone tresspass on the property without a Court Order.

We were further disappointed by your attempt to begin the process by your suggestion that you cannot get B.C. Land Commission approval without having a plan of the right of way, showing the location, widths, etc. We can only assume that you have a very good idea of where you would like the road to go and it is my opinion that there is nothing preventing you from making an application in principle, without doing any actual surveying. I would further suggest that once the actual surveying is done, it would be fait d'accompli.

Finally, I am very concerned about the appearance of bias in this case. It is my understanding that an employee of your Ministry (in fact the local office) has a serious and competing interest to that of my clients and that that is one of the major reasons why the Ministry is continuing to push for this road.

Your ssugestions are not acceptable. If a road were to be built across my client's property, we will insist on a major deposit being made on account of damages. It has been our experience that one a road is built, there is no way to keep people out. There has been damage done to the gate presently in place on the property on

#3 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

Road 119

April 13, 1993

s.22

Thank you for your letter dated April 2nd concerning the Old Hudson Hope Road 119. The Ministry is merely establishing a right-of-way for what we consider a public road by virtue of Section 4 of the Highways Act and is not contemplating any reconstruction at this time.

ATVs can be restricted through a public process with the Ministry of Environment and this has been explained to those land owners involved some time ago now.

I suggest you contact that Ministry if you have concerns, as it is not something we can implement. I do not believe ATVs are allowed on public roads otherwise without licences. If they are, this is a law enforcement problem.

Thank you for your comments.

Yours truly,

John P. Clark
District Highways Manager

JPC/hb

Box 6062.
Fort St. John. B.C..
V1J 4H6



April 2. 1993.

Mr. John P. Clark.
District Highways Manager.
300. 10003 - 110 Ave..
Fort St. John. B. C..
V1J 6M7

Dear Mr. Clark.

I am writing to you on behalf of the directors of the Peace Valley Environmental Association concerning:

Old Hudson s Hope Rd.
NW and NE 1/4 Section 27
TP 83. RG 20. W6M
Peace River District

It was brought to our attention earlier this week that your ministry is planning an access road to crown land.

We are concerned that this delicate ecosystem will be seriously damaged by the building of this project. Also. once the access is available we worry about the damage that will be done by ATVS. Has there been an environmental assessment done on this proposal? What of calving and nesting areas?

As we want people to enjoy the beauty of the Peace. we would fully support the access be limited to walkers on hiking trails and non-motorized vehicles.

Our annual meeting will be held the end of the month. I would appreciate hearing from you before then.

Thank you for your attention to this matter.

Yours sincerely.

Ruthann Darnall

Mrs. R. D. Darnall
Chairperson. P.V.E.A.

Ministry of Transportation and Highways

FACSIMILE RECORD

Date Mar 26/93

File No.

TO: Michelle Gawrock
Reg Property Agent
Pr. George

C/O

FROM: North Peace District
#300 - 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7

FAX No. PHONE No.

FAX No. 787-3279 PHONE No. 787-3237

ORIGINAL PAGES TO BE:
☐ FILED ☐ MAILED ☐ COURIERED ☐ OTHER (SPECIFY)

SUBJECT: Old Hudson Hope Rd.

Please refer to the attached, just received. I'll be away until Monday April 5th/93 Can we discuss this then or if a reply is required beforehand, could you respond for me, with advice from Wayne Carr & our Solicitor.

Thanks

Attachment

John Clark
DIM

PAGES: 3 (including this sheet)

Operators Signature

H-6 (91/07)

GREG CRANSTON
Barrister & Solicitor
(Also of the Yukon Bar)

MINISTRY OF TRANSPORTATION & HIGHWAYS
MAR 26 1993
FORT ST. JOHN

234 ABBOTT STREET VANCOUVER, B.C. V6B 2K8 (604) 688 0495 FAX:688 0201

March 23, 1993

John P. Clark
District Highways Manager
300, 10003 - 110 Avenue
Fort St. John, B.C.
V1J 6M7

Dear Mr. Clark:

Re: Old Hudson's Hope Road

Please be advised that I act for the owners of the property NW and NE 1/4 Section 27, TP. 83, RG. 20, W6M, Peace River District. My clients have attempted for some time to be reasonable citizens and to deal in a meaningful way with your office. It would seem that their efforts are to nought. We are also privy to certain documents that indicate that there may not have been full and frank disclosure to my clients. I am not in a position at this point to unequivocably state that that is the case.

We are disappointed that we are no able to reach any reasonable solution at this point. We remain ready, willing and able to discuss the matter.

With regard to your proposal to have a survey done, we are opposed to that and put you on notice that any intrustion on my client's property will be treated as a criminal and civil tresspass and we will seek all remedies available, including the R.C.M.P. Although the Department of Highways may have the right to survey an existing right of way, we take the position that it does not have the right to survey a proposed one. We are not prepared to have anyone tresspass on the property without a Court Order.

We were further disappointed by your attempt to begin the process by your suggestion that you cannot get B.C. Land Commission approval without having a plan of the right-of-way, showing the location, widths, etc. We can only assume that you have a very good idea of where you would like the road to go and it is my opinion that there is nothing preventing you from making an application in principle, without doing any actual surveying. I would further suggest that once the actual surveying is done, it would be fait d'accompli.

Finally, I am very concerned about the appearance of bias in this case. It is my understanding that an employee of your Ministry (in fact the local office) has a serious and competing interest to that of my clients and that that is one of the major reasons why the Ministry is continuing to push for this road.

Your ssugestions are not acceptable. If a road were to be built across my client's property, we will insist on a major deposit being made on account of damages. It has been our experience that one a road is built, there is no way to keep people out. There has been damage done to the gate presently in place on the property on

a regular basis.

With regard to Czar Petroleum, we are perfectly capable of negotiating whatever access they may require directly with them and with your assertion that access is required to Crown Land, that is patently not the case as there are hundreds of parcels of Crown land all over the province that have no access. It is a travesty to me that the Department should suggest that this small parcel is so unique and so useful that a road across my client's land is a necessity.

In short, if you are serious about proceeding with this unfortunate scheme, please have your Counsel contact me.

Yours very truly

Greg Cranston

GREG CRANSTON

c.c. Minister of Highways
237, 617 Government Street
Victoria, B.C.
V8V 2M3

Ujjal Dosangh, MP
Parliament Buildings
Victoria, B.C.
V8V 1X4

Mr. Mike Waberski
Waberski Darrow B.C.L.S.
9908 - 102 Avenue
Fort St. John, B.C.
V1J 2E1

Ministry of Transportation and Highways	TELEX/FACSIMILE RECORD	Date Tuesday, March 16, 1993 File No.

VIA: TELETYPE RADIO FACSIMILE

TO:	FROM:
s.22	Steven Henderson
Fort St. John	Property Agent
	Central/North East Region
PHONE:	
FAX No. s.22 TELEX No.	FAX No. 565-6065 PHONE No. 565-6472

SUBJECT: Old Hope Road #119 Survey

Attached please find letter concerning our telephone conversation of March 15, 1993. Original to be sent by mail.

cc. John Clark
Mike Waberski
Greg Cranston

PAGES: 3 (including this sheet)

S. Henderson
Operator's Signature

Province of
British Columbia

Ministry of
Transportation
and Highways

Regional Properties
#213-1011 4th Avenue
Prince George, BC
V2L 3H9

Telephone: 565-6472
Facsimile: 565-6065

VIA: FACSIMILE

R7147, R7148, R7146
PS68739, PS68741, PS68735
PS68738, PS68740, PS68734
PS68736
North Peace

March 16, 1993

s.22

Re: **Old Hope Road #119**
N. W. & N. E. 1/4, Section 27, Township 83, Range 20, W6M
Peace River District

This letter will confirm our telephone conversation of March 15, 1993, concerning the Old Hope Road #119 property right-of-way acquisition project. In our discussion, I indicated that the Ministry was directing Mr. Mike Waberski (Waberski Darrow, BCLS) to proceed with the initial survey of the Old Hope Road.

I also indicated that the Ministry takes this action pursuant to Section 8 of the Expropriation Act, S.B.C. 1987 c. 23. This section allows a person authorized by the expropriating authority entry onto lands for limited purposes. The Ministry is not obligated to obtain an owner's consent before proceeding with the activities detailed in the Act; however, it is our policy to advise the owner of our intentions.

Mr. Waberski will be directed to proceed with his work as soon as possible and we will ask that he advise you when he enters onto your property.

As a result of your comments regarding legal opinions you have obtained, I am copying this letter to Mr. Greg Cranston, Barrister and Solicitor.

.../2

Old Hope Road #119

Thank you for your co-operation. If you have any questions or concerns, please contact the undersigned.

Yours truly,

Steven Henderson
Property Agent

cc Mr. John Clark, District Highways Manager, Ministry of Transportation and Highways
Mr. Mike Waberski, B.C.L.S, Waberski and Darrow
Ms. Bernadette Aura, Property Management/Land Survey Coordinator. Ministry of Transportation and Highways
Mr. Greg Cranston, Barrister and Solicitor

Province of
British Columbia

Ministry of
Transportation
and Highways

, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

March 15, 1993

s.22

Re: *OLD HUDSON'S HOPE ROAD*
NW AND NE 1/4 SECTION 27, TP. 83, RG. 20, W6M, PEACE RIVER DISTRICT

Dear s.22

I wish to acknowledge your letter dated March 10th & 11th 1993, with respect to concerns over the above noted project.

Firstly at the last meeting on February 16, we discussed the A.T.V. problem and a possibility of a restricted area. I advised that Ministry of Environment had this jurisdiction and through a "Public Process" will consider restricted areas. I also mentioned that they prefer to deal with large areas, for example, all Crown Land between the Halfway River to the Old Fort. The Ministry can only offer support of such a restriction, but its up to the public at large to promote this to the Ministry of Environment.

With respect to compensation for the road right of way, whether it be fencing, texas gates, signs, inconvenience or anything else, this is between the land owner and our Ministry's property negotiator, thus I did not elaborate in my last letter with respect to any particular items whether monetary or not.

With respect to your proposal to consolidate your parcels of land and eliminate the road. At present Czar Petroleum's uses this road to access their pipeline and as previously discussed, feasible access is also required to the Crown Land. The Ministry is therefore attempting to establish a legal right of way over the existing route rather than create a new one. You are quite free to consider consolidation of your lands, in any case, if you wish.

.../2

In your letter of March 11th, you refer to the B. C. Land Commissions approval. In order for the Ministry to apply to the Commission for any right of way project we must first have a plan of the right of way showing location, widths, etc. This is now what we have instructed Mike Waberski, BCLS to do as the 1st step in this entire process. At our meeting Mr. Waberski outlined what is required to accomplish this initial plan. This same plan serves as a basis for negotiations with the various land owners as well.

I trust the above will clarify your concerns mentioned in your letters.

Yours truly

John P. Clark
District Highways Manager

JPC/mb

s.22

March 10, 1993

Mr. John Clark
District Highways Manager
Ministry of Transportation and Highways
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7

Mr. Clark:

RE: Your letter dated March 3/93 - Received March 9 - via Canada Post - Prince George.

So we are back to square one.

You have reneged on your promise to hold another meeting, to produce some written documentation as to who is pushing for this proposed road, and you have failed to address any of our major concerns - the main ones being: ATV's; Environmental protection; Effect on our stock operation; and any future extension of this road.

You say any solutions are not viable - exactly!! - so you propose to throw us to the wolves.

I guess that the time has now come for you to put in writing what you propose to do to mitigate the damages and I state here and now a monetary solution is not acceptable to me or to my family. Some things we expect you to consider are:

1. fencing and Texas gates and maintenance of these due to vehicular traffic and passengers thereof;

2. protection of deeded land from the public traffic (gates, fences, signs, etc.) some sort of facilities to handle the people;

3. a solution for stock access to the hills on the west quarter;

4. a consolidation of the road allowance with my deeded land to be replaced by this proposed road;

Since a survey is an irrevocable step to a public road (unless you want another Beatton River) we would request that our concerns be addressed first.

s.22

From your meeting on Feb. 16, 1993 you must gather that almost none of the landowners in the area are in favour of this road - and we too are "the public" as well as being taxpayers. We need a good reason for pushing this road on us.

I have a suggestion or two to get Highways off the hook in their "mandate" to access all separate quarters of deeded land.

I will consolidate my 3 quarters into one parcel. and/or I will give an easement (to go on the deed) for a road from one quarter to another. This could also be done to cross Ross's quarter. (This would not be a public easement).

As for Lands, we would put in a hiking and horseback trail to the river. This is done all over in Europe, and protects the environment and wildlife.

Please reply to this letter immediately - so we can start working on the issues.

s.22

cc Ministry of Transportation and Highways
Art Charboenneau

s.22

March 11, 1993

Your File:
R7147, R7148, R7146
PS68739, PS68741, PS68735
PS68738, PS68740, PS68734
PS68736
NORTH PEACE

Mr. John Clark
District Highways Manager
Ministry of Transportation and Highways
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7

VIA Fax # 797-3279

Mr. Clark:

RE: OLD HOPE ROAD #119
NW & NE ¼ SEC. 27, TP. 83, RGE. 20, WPM
PEACE RIVER DISTRICT

Further to my letter dated March 10, 1993 I would like to bring to your attention the following:

> Under the B.C. Regulations - 313/78 - Section 44E - it says that any delineation for construction of a new highway or road requires the approval of the Agriculture Land Commission.

Could you please supply me with a copy of this approval.

s.22

cc Mr. Kirk Miller
Chairman of the Agriculture Land Commission
Burnaby, BC

Ministry of Transportation and Highways

FACSIMILE RECORD

Date March 11/93

File No.

TO: Michelle Gawrock
Reg Property Agent
Prince George

FROM: North Peace District
#300 - 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7

FAX No. PHONE No.

FAX No. 787-3279 PHONE No. 787-3237

ORIGINAL PAGES TO BE:
☒ FILED ☐ MAILED ☐ COURIERED ☐ OTHER (SPECIFY)

SUBJECT: Old Hudson Hope Rd 119

Please refer to the attached letter from s.22 I will phone you later to discuss. Possibly you would want to run this by Wayne Carr aswell.

Talk to you later

John Clark
DDM

PAGES: 3 (including this sheet)

Operators Signature

(9107)

Ministry of Transportation and Highways

FACSIMILE RECORD

Date March 15/93

File No.

TO: Michelle Gavrock
Property Agent
Prince George.

C/O

FAX No. PHONE No.

FROM: North Peace District
#300 - 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7

FAX No. 787-3279 PHONE No. 787-3237

ORIGINAL PAGES TO BE:
☐ FILED ☐ MAILED ☐ COURIERED ☐ OTHER (SPECIFY)

SUBJECT: Old Hope Rd #119

Rush!!!

Phone me after you have read the attached please.

John Clark
D/M.

PAGES: 6 (including this sheet)

Operators Signature

s.22

FAXED March 11/93 pl

MINISTRY OF TRANSPORTATION & HIGHWAYS
MAR 15 1993
FORT ST. JOHN

March 10, 1993

Mr. John Clark
District Highways Manager
Ministry of Transportation and Highways
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7

Mr. Clark:

RE: Your letter dated March 3/93 - Received March 9 - via Canada Post - Prince George.

So we are back to square one.

You have reneged on your promise to hold another meeting, to produce some written documentation as to who is pushing for this proposed road, and you have failed to address any of our major concerns - the main ones being: ATV's; Environmental protection; Effect on our stock operation; and any future extension of this road.

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I guess that the time has now come for you to put in writing what you propose to do to mitigate the damages and I state here and now a monetary solution is not acceptable to me or to my family. Some things we expect you to consider are:

1. fencing and Texas gates and maintenance of these due to vehicular traffic and passengers thereof;

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3. a solution for stock access to the hills on the west quarter;

4. a consolidation of the road allowance with my deeded land to be replaced by this proposed road;

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s.22

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I have a suggestion or two to get Highways off the hook in their "mandate" to access all separate quarters of deeded land.

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As for Lands, we would put in a hiking and horseback trail to the river. This is done all over in Europe, and protects the environment and wildlife.

Please reply to this letter immediately - so we can start working on the issues.

s.22

cc Ministry of Transportation and Highways
Art Charboenneau

#30C, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
787-3237

R7147, R7148, R7146
PS68739, PS68741, PS68735
PS68738, PS68740, PS68734
PS68736
North Peace

March 3, 1993

s.22

RE: OLD HOPE ROAD #119
NW 1/4 SEC. 35, TP. 83, RGE. 20

Further to our recent meeting of February 16, 1993, the Ministry has considered the various items and concerns discussed at that time. These include A.T.V. restrictions, some kind of a restricted barrier to replace the gate that presently exists, and use of the township deletions to provide alternate access to the Crownland. I have also considered the request to block Road #152 as well. None of these have, after further review, proven viable and therefore leaves the Ministry in only one position, which is to have Mr. Mike Waberski, of Waberski Darrow B.C.L.S., proceed with the initial survey of the Old Hudson Hope Road #119 as we have previously outlined to you in our meetings. Mr. Waberski will be proceeding very shortly and by way of a copy of this letter, be advised to contact you before entry onto your land.

We will require land for the right-of-way from the above noted parcel. A property agent will contact you to discuss the methods which are available to the Ministry of Transportation & Highways to acquire right-of-way. An independent appraisal report will be completed. An offer of compensation for the transfer of land will be presented to the owner and negotiations will be entered to reach an amicable agreement.

.../2

Section 3 of the Expropriation Act, S.B.C. 1987, Chapter 23, provides an option for a property owner to agree to transfer or dedicate land to an expropriating authority without compensation when agreement cannot be reached on the compensation to be paid. An advance payment would be made in accordance with Section 19 of the Act. Compensation for the land could then be determined by the Expropriation Compensation Board.

If neither of these settlement options is acceptable to you, the only remaining method by which the Ministry of Transportation and Highways may acquire the right-of-way is through expropriation.

We hope that an amicable settlement can be reached for the acquisition of the required right-of-way from your property.

Yours truly,

John P. Clark
District Highways Manager

JPC/pq

cc: Mr. M. Waberski, Waberski Darrow, Fort St. John, BC
Michelle Garvock, Regional Properties Agent, Prince George, BC

#3, , 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
787-3237

March 3, 1993

Waberski Darrow, B.C.L.S.
9908B - 102 Avenue
Fort St. John, BC
V1J 2E1

Attention: Mr. Mike Waberski

Dear Sir:

RE: OLD HOPE ROAD #119

By way of this letter and attached copies of letters to interested parties, I would on behalf of Steve Henderson, Property Agent, Prince George, instruct you to proceed with the initial survey and plan of the Old Hope Road #119 to the crownland along the Peace River.

Please contact the undersigned should you need further directions.

Yours truly,

John P. Clark
District Highways Manager

JPC/pq

Attachments

#3oo, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
787-3237

R7147, R7148, R7146
PS68739, PS68741, PS68735
PS68738, PS68740, PS68734
PS68736
North Peace

March 3, 1993

s.22

RE: OLD HOPE ROAD #119

Further to our recent meeting of February 16, 1993, the Ministry has considered the various items and concerns discussed at that time. These include A.T.V. restrictions, some kind of a restricted barrier to replace the gate that presently exists, and use of the township deletions to provide alternate access to the Crownland. I have also considered the request to block Road #152 as well. None of these have, after further review, proven viable and therefore leaves the Ministry in only one position, which is to have Mr. Mike Waberski, of Waberski Darrow, B.C.L.S., proceed with the initial survey of the Old Hudson Hope Road #119 as we have previously outlined to you in our meetings. Mr. Waberski will be proceeding very shortly and by way of a copy of this letter, be advised to contact you before entry.

We will require land for the right-of-way from parcels you have an interest in as well as the land owner involved. A property agent will contact you to discuss the methods which are available to the Ministry of Transportation & Highways to acquire right-of-way. An independent appraisal report will be completed. An offer of compensation for the transfer of land will be presented to the owner and negotiations will be entered to reach an amicable agreement.

.../2

Section 3 of the Expropriation Act, S.B.C. 1987, Chapter 23, provides an option for a property owner to agree to transfer or dedicate land to an expropriating authority without compensation when agreement cannot be reached on the compensation to be paid. An advance payment would be made in accordance with Section 19 of the Act. Compensation for the land could then be determined by the Expropriation Compensation Board.

If neither of these settlement options is acceptable, the only remaining method by which the Ministry of Transportation and Highways may acquire the right-of-way is through expropriation.

We hope that an amicable settlement can be reached for the acquisition of the required right-of-way from the properties involved.

Yours truly,

John P. Clark
District Highways Manager

JPC/pq

cc: Mr. M. Waberski, Waberski Darrow, Fort St. John, BC
Michelle Garvock, Regional Property Agent, Prince George, BC

#3[illegible], 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
787-3237

R7147, R7148, R7146
PS68739, PS68741, PS68735
PS68738, PS68740, PS68734
PS68736
North Peace

March 3, 1993

s.22

RE: OLD HOPE ROAD #119
SE 1/4 SEC. 34, TP. 83, RGE. 20

Further to our recent meeting of February 16, 1993, the Ministry has considered the various items and concerns discussed at that time. These include A.T.V. restrictions, some kind of a restricted barrier to replace the gate that presently exists, and use of the township deletions to provide alternate access to the Crownland. I have also considered the request to block Road #152 as well. None of these have, after further review, proven viable and therefore leaves the Ministry in only one position, which is to have Mr. Mike Waberski, of Waberski Darrow B.C.L.S., proceed with the initial survey of the Old Hudson Hope Road #119 as we have previously outlined to you in our meetings. Mr. Waberski will be proceeding very shortly and by way of a copy of this letter, be advised to contact you before entry onto your land.

We will require land for the right-of-way from the above noted parcel. A property agent will contact you to discuss the methods which are available to the Ministry of Transportation & Highways to acquire right-of-way. An independent appraisal report will be completed. An offer of compensation for the transfer of land will be presented to the owner and negotiations will be entered to reach an amicable agreement.

.../2

Section 3 of the Expropriation Act, S.B.C. 1987, Chapter 23, provides an option for a property owner to agree to transfer or dedicate land to an expropriating authority without compensation when agreement cannot be reached on the compensation to be paid. An advance payment would be made in accordance with Section 19 of the Act. Compensation for the land could then be determined by the Expropriation Compensation Board.

If neither of these settlement options is acceptable to you, the only remaining method by which the Ministry of Transportation and Highways may acquire the right-of-way is through expropriation.

We hope that an amicable settlement can be reached for the acquisition of the required right-of-way from your property.

Yours truly,

John P. Clark
District Highways Manager

JPC/pq

cc: Mr. M. Waberski, Waberski Darrow, Fort St. John, BC
Michelle Garvock, Regional Properties Agent, Prince George, BC

Province of
British Columbia

Ministry of
Transportation
and Highways

#.), 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
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R7147, R7148, R7146
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PS68738, PS68740, PS68734
PS68736
North Peace

March 3, 1993

s.22

RE: OLD HOPE ROAD #119
NW & NE 1/4 SEC. 27, TP. 83, RGE. 20, W6M
PEACE RIVER DISTRICT

Further to our recent meeting of February 16, 1993, the Ministry has considered the various items and concerns discussed at that time. These include A.T.V. restrictions, some kind of a restricted barrier to replace the gate that presently exists, and use of the township deletions to provide alternate access to the Crownland. I have also considered the request to block Road #152 as well. None of these have, after further review, proven viable and therefore leaves the Ministry in only one position, which is to have Mr. Mike Waberski, of Waberski Darrow B.C.L.S., proceed with the initial survey of the Old Hudson Hope Road #119 as we have previously outlined to you in our meetings. Mr. Waberski will be proceeding very shortly and by way of a copy of this letter, be advised to contact you before entry onto your land.

We will require land for the right-of-way from the above noted parcel. A property agent will contact you to discuss the methods which are available to the Ministry of Transportation & Highways to acquire right-of-way. An independent appraisal report will be completed. An offer of compensation for the transfer of land will be presented to the owner and negotiations will be entered to reach an amicable agreement.

.../2

H-467 (90/06)

Section 3 of the Expropriation Act, S.B.C. 1987, Chapter 23, provides an option for a property owner to agree to transfer or dedicate land to an expropriating authority without compensation when agreement cannot be reached on the compensation to be paid. An advance payment would be made in accordance with Section 19 of the Act. Compensation for the land could then be determined by the Expropriation Compensation Board.

If neither of these settlement options is acceptable to you, the only remaining method by which the Ministry of Transportation and Highways may acquire the right-of-way is through expropriation.

We hope that an amicable settlement can be reached for the acquisition of the required right-of-way from your property.

Yours truly,

John P. Clark
District Highways Manager

JPC/pq

cc: Mr. M. Waberski, Waberski Darrow, Fort St. John, BC
Michelle Garvock, Regional Properties Agent, Prince George, BC

Mr. Don MacSween
Chief Property Agent
Properties Branch
Ministry of Transportation and Highways
Headquarters

June 2, 1993
Regional Properties
#213 1011 Fourth Avenue
Prince George, B.C.
V2L 3H9

Telephone: 565-6472
Facsimile: 565-6065

Re: **Old Hope Road #119**

Please review the attached map of what is known as the Old Hope Road #119, located approximately 25 km. west of Fort St John in the North Peace District. This District is proposing to legalize the Ministry's tenure over the Old Hope Road. I have outlined the Road in green. Section 27 (adjoining the north side of the Peace River) is owned by the Province, B.C. Lands. There are various owners along the length of the road.

We are requesting that you proceed with historical research of the Ministry files to determine whether there is sufficient evidence to support a Section 4 claim to Ministry ownership of the travelled portion of the Road.

There have been a number of letters sent to our Minister expressing concerns about the project. Some of the affected landowners have hired legal counsel in anticipation of the right-of-way negotiations commencement. I would appreciate your prompt attention to this request and that you telephone or write me with your expected work schedule and estimated completion date.

Thank you for your consideration. If you have any questions or concerns, please contact the undersigned.

Steven Henderson
Property Agent

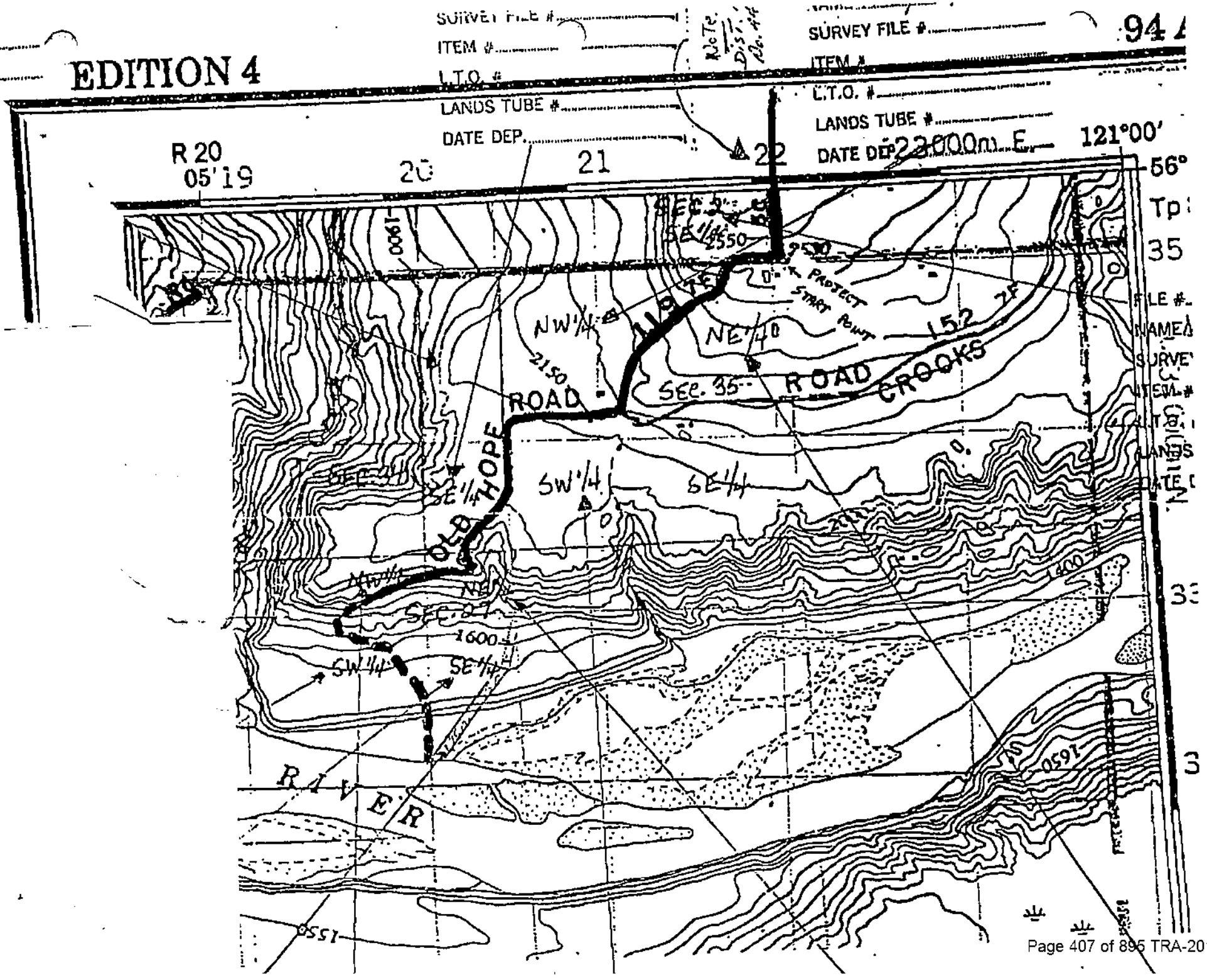
SH/nwh

cc Mr. John Clark, District Highways Manager, Nc
East Region

FEED FAX THIS END

FAX
To: JOHN CLARK
Dept.:
Fax No.:
No. of Pages:
From: STEVE H.
Date: June 4.93
Company:
Fax No.:
Comments: FYI

Post-it™ fax pad 7003E


EDITION 4
SURVEY FILE #
ITEM #
L.T.O. #
LANDS TUBE #
DATE DEP.
R 20
05'19
20
21
22
23000m E
121°00'
SEC. 35
SE1/4
1900
1550
1400
START POINT
NW1/4
NE1/4
2150
ROAD
SEC. 35
ROAD
CROOKS
HOPE
SW1/4
SE1/4
SEC. 34
SEC. 27
1600
SW1/4
SE1/4
RIVER
1650
1550
56°
35
33

(1) AFTER WRITING remove green sheet and forward the balance of set intact.

(2) WHEN REPLYING after writing your reply keep pink sheet for your file, forward white sheet. CRC 3

Province of British Columbia

MEMORANDUM

Ministry of Transportation & Highways
JUN -1 1993
FORT ST. JOHN

TO: MR. JOHN CLARK
DISTRICT HWYS MANAGER
FORT ST. JOHN

FROM: E. LEW
LAND COMMISSION

SUBJECT: OLD HOPE ROAD PROJECT

DATE: May 28/93

FILE:

☐ For Your Information ☐ Please O.K. and Return ☐ Please Discuss With Me ☐ Per Your Request ☐ For Your Signature
☐ Please Process ☐ Return With More Details ☐ Investigate and Report ☐ Please Answer ☐ For Your File

John: As discussed today, an application under BC Reg 313/78 (Schedule F) is forthcoming regarding the above.

"CONFIRMATION"

E

Fold Here for Window Envelope

REPLY:

WRITE YOUR REPLY AND RETURN THIS SHEET

1991 - May 28.93

PEACE RIVER REGIONAL DISTRICT

Office of: The Chairman

May 27, 1993

Fax to: 356-2290



The Honourable Art Charbonneau
Minister of Transportation and Highways
Parliament Buildings,
Victoria, BC
V8V 1X4

Dear Mr. Minister:

Re: Proposed extension of Road 119 (Charlie Lake, B.C. area)

At a meeting held on May 27, 1993 the Board of the Peace River Regional District passed the following resolution in regard to a Ministry of Transportation and Highways proposal to extend Road 119.

MOVED, SECONDED and CARRIED

that the Honourable Art Charbonneau, Minister of Transportation and Highways be requested to hold the extension of Road 119 in abeyance until;

a) an explanation can be provided of why this road is being constructed during a time of budgetary restraint; and

b) an explanation of why private land is being considered for expropriation when there is an alternative route which is more economical and does not involve private land.

Yours truly,

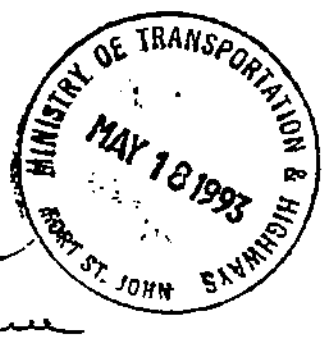
Ben Knutson

Ben Knutson
Chairman

c.c. - M.L.A.'s - North and South Peace
- Mr. John Clarke, Ministry of Transportation and Highways, Fort St. John
- BC Agricultural Land Commission, Burnaby

PLEASE REPLY TO:
□ P.O. BOX 810, DAWSON CREEK, B.C. V1G 4H8, TELEPHONE (604) 782-5891 or ZENITH 2770, FAX (604) 782-2718
□ 9912 - 106 AVENUE, FORT ST. JOHN, B.C. V1J 2N9, TELEPHONE (604) 785-8084 or ZENITH 08922, FAX (604) 785-1125

May 17, 1993



John Clark
Dept. of Highways Manager
#300 - 10003 110 Avenue
Fort St John, BC
V1J 6M7

Dear Sir:

Re: Gate located on the old Hudson Hope road in the Dark Creek areas.

The road has been public access in the the past and we feel that it should be public access now.

s.22

we have the right to voice our opinion on the immediate removal of the gate.

Yours Truly

s.22

Acknowledged by phone J.

280-30

Reference: 642/93

May 12, 1993



s.22

Thank you for your latest letter of February 19, 1993, concerning the Old Hudson's Hope Road 119.

The Ministry has an obligation to provide access to all private parcels of land and to lands beyond. The Ministry of Environment, Lands and Parks has an obligation to provide access to all crown land for the enjoyment of all. This Ministry considers the Old Hudson's Hope Road to be public by virtue of Section 4 of the Highway Act. Due to recent conflicts with a gate being erected on the road, along with complaints of trespassers entering onto private lands, this Ministry has chosen to legally establish a right of way to all parcels as well as lands beyond. In this situation the erection of the gate, as with public complaints, has prompted our action at this time.

In your letter you refer to the local highways department being pushed by Mr. Stan Gladysz, one of our District Highways Managers, to proceed with this project. I have checked into this matter and can assure you that the local district office is acting solely as a result of public calls and complaints to both this Ministry and the Ministry of Environment, Lands and Parks.

With respect to your question as to whether we are going to open roads to every parcel of crown land, the Ministry of Environment, Lands and Parks has an obligation to establish a road right of way to all parcels they create and to the crown lands beyond. Although a few have been missed in the past, it is in the public interest to ensure access to all land at time of subdivision. With respect to resolving the access issue of the Old Hudson's Hope Road, the costs of surveying and fencing are considered minimal to resolve this issue once and for all.

.../2

I am aware of the condition of the roads in Peace River and the funding for rehabilitation of the area roads is similar to the other districts in the north.

Regarding your last question with respect to roads and undeveloped right of ways, Ministry staff believe you are referring to the Dominion Township (66 feet wide) deletions for road purposes which you have in the Peace River block. When the original survey of the Township system was laid out in Peace River in the early 1900s, every two miles north and every one mile east or west, a deletion of 66 feet was left for access purposes. These were for the construction of future roads; however, sometimes due to terrain, particularly in the river valleys, construction of these is not always feasible. These deletions are referred to as road right of ways now, whether constructed or not.

I trust I have answered all your concerns and thank you for taking the time to write.

Yours sincerely,

ORIGINAL SIGNED BY MINISTER

MAY 12 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John!

!Mr. S.D. Gladysz, District Highways Manager!
!South Peace, Dawson Creek – copy of incoming attached.!

!SVarley, CU/JClark/MVCollins/rn/2872c/Min.Log –3605– !

Item S ' ject: MIN. CORR.

28

D R A F T

Reference: 0642-93

s.22

Thank you for your latest letter of February 19, 1993, concerning the Old Hudson's Hope Road #119. The Ministry has an obligation to provide access to all private parcels of land and to lands beyond. The Ministry for BC Lands has an obligation to provide access to all crown land for the enjoyment of all and not just a restricted chosen few. This Ministry considers the Old Hudson's Hope Road to be public by virtue of Section 4 of the Highway Act. Due to recent conflicts with a gate being erected on the road, along with complaints of trespassers entering onto private lands, this Ministry has chosen to legally establish a right-of-way to all parcels as well as lands beyond. In this situation the erection of the gate, as with public complaints, has prompted our action at this time.

In your letter you refer to the local highways department being pushed by a "Highways Official". I have checked into this matter and can assure you that the local district office is acting solely as a result of public calls and complaints to both this Ministry and the Ministry of BC Lands. My staff is now committed to proceed with this project in order to satisfy the needs of the general public.

With respect to your question as to whether we are going to open roads to every parcel of crown land, the Ministry of BC Lands has an obligation to provide a road right-of-way to all parcels they create and to the crown lands beyond. Although a few have been missed in the past, it is in the government's best interest to ensure access to all land is provided for the general public. With respect to resolving the access issue of the Old Hudson's Hope Road, the costs of surveying and fencing are considered minimal to resolve this issue once and for all.

I am aware of the condition of the roads in the Peace River

and when the budget is announced, I am sure you will find that the fundir for rehabilitation of the area roads is similar to the other distri..s in e north.

/...2

Your last question with respect to roads and undeveloped right-of-ways, I believe you are referring to the Dominion Township (66 feet wide) deletions for road purposes which you have in the Peace River block. When the original survey of the Township system was laid out in the Peace River back in the early 1900's, every two miles north and every one mile east or west a deletion of 66 feet was left for access purposes. These were for the construction of future roads; however, sometimes due to terrain, especially as you drop down into the river valleys, construction of these is not always feasible. These deletions are referred to as road right-of-ways now whether constructed or not.

I trust I have answered all your concerns and thank you for taking the time to once again write.

Prepared by: John Clark, District Highways Manager
North Peace District
April 23, 1993

Approved by: Wayne Carr, Regional Director
Central/North East REgion
April 26, 1993

***SHARON - One change - third paragraph first page...delete a road right-of-way to all.....now reads provide a road right-of-way to all. Remember also that this reply will cover #1529/93.

s.22

Reference: 592/93

May 6, 1993



s.22

Thank you for your letter of February 13, 1993, concerning the Old Hudson Hope Road 119.

The Ministry is attempting to establish a legally surveyed right of way for what is now considered to be a public road via Section 4 of the Highway Act. This project has been escalated by the placement of a gate on the road in the past, which has caused undue hardship for the public to use the road. The Ministry, therefore, wants to ensure unrestricted passage for all the public by defining a legal right of way and removing the gate. This road not only serves the crown land, as you mentioned, but under the terms of the Land Title Act provides access to the private parcels of land north of the crown land. The Ministry has a mandate to ensure that private parcels of land, as well as lands beyond, are all served via legal access. The Old Hudson's Hope Road will also serve as access to Peace River, which has been requested by local residents.

The access points, namely at Old Fort and Taylor, are both open to public use and are some 10 to 15 miles away from the Old Hudson's Hope Road access. These accesses you mention do not provide access to crown land or private parcels in the area of the Old Hudson's Hope Road, nor do any of the dominion survey right of ways provide access. Thus, we have chosen to keep the present alignment and grade of the Old Hudson's Hope Road down to the crown land at Peace River to serve all concerns in this area.

.../2

With respect to the two other projects you mentioned namely, the Beatton River Crossing and Highway 29, both these are considered priorities with the Ministry. However, the scheduling of these projects remains dependent on available funding.

Thank you for taking the time to express your concerns.

Yours sincerely,

ORIGINAL SIGNED BY MINISTER

MAY 18 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John!

!SVarley, CU/JClark/rn /2865c/Min.Log –3555– !

Province of
British Columbia

MEMORANDUM

Gwen Gordy, Regional Steno
Central/North East Region
#213, 1011 - 4th Avenue
Prince George, BC

April 23, 1993
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7

280-30

RE: MINISTERS RESPONSE
s.22
REWRITE REFERENCE: 592-93

Suggested response would be:

Thank you for your letter of February 13, 1993, concerning the Old Hudson's Hope Road #119.

The Ministry is attempting to establish a legally surveyed right-of-way for what is now considered to be a public road via Section 4 of the Highway Act. This project has been escalated by the placement of a gate on the road in the past, which has caused considerable undue hardship for the public to use the road. The Ministry therefore wants to ensure unrestricted passage for all the public by defining a legal right-of-way and removal of the gate. This road not only serves the crown land, as you mentioned, but under the terms of the Land Title Act provides access to the private parcels of land north of the crown land. The Ministry has a mandate to ensure that private parcels of land, as well as lands beyond, are all served via legal access. The Old Hudson's Hope road will also serve as access to the Peace River which has been requested by local residents.

The access points, namely at Old Fort and Taylor, are both open to public use and are some 10 to 15 miles away from the Old Hudson's Hope Road Access. These accesses you mention do not provide access to the crown land or private parcels in the area of the Old Hudson's Hope Road nor do any of the dominion survey rights-of-way provide physical and vehicular access due to the steep topography. The Ministry has therefore chosen to stay with the present alignment and grade of the Old Hudson's Hope Road down to the crown land at the Peace River to serve all concerns in this area.

With respect to the two other projects you mentioned namely; the Beatton River Crossing and Highway 29. Both these are considered priorities with the Ministry; however, the scheduling of these remains dependent on available funding. At this time only a few of the Ministry's highest priorities are proposed to be funded in 1993/94 and our ability to proceed will be determined when government's budget is announced.

.../2

Thank you for taking the time to express your concerns.

Prepared by:

John P. Clark, District Highways Manager
North Peace District
April 23, 1993

Approved by:

Item ? ject· MINS CORRS

D R A F T

Reference: 592-93

s.22

Thank you for your letter of February 13, 1993, concerning the Old Hudson Hope Road #119.

The Ministry is attempting to establish a legally surveyed right-of-way for what is now considered to be a public road via Section 4 of the Highway Act. This project has been escalated by the placement of a gate on the road in the past, which has caused considerable undue hardship for the public to use the road. The Ministry therefore wants to ensure unrestricted passage for all the public by defining a legal right-of-way and removal of the gate. This road not only serves the crown land, as you mentioned, but under the terms of the Land Title Act provides access to the private parcels of land north of the crown land. The Ministry has a mandate to ensure that private parcels of land, as well as lands beyond, are all served via legal access. The Old Hudson's Hope road will also serve as access to the Peace River which has been requested by local residents.

The access points, namely at Old Fort and Taylor, are both open to public use and are some 10 to 15 miles away from the Old Hudson's Hope Road Access. These accesses you mention do not provide access to crown land or private parcels in the area of the Old Hundson's Hope Road nor do any of the dominion survey right-of-ways provide physical and vehicular access due to the steep topography. The Ministry has therefore chosen to stay with the present alignment and grade of the Old Hudson's Hope Road down to the crown land at the Peace River to serve all concerns in this area.

With respect to the two other projects you mentioned namely; the Beatton River Crossing and Highway 29. Both these are considered priorities with the Ministry; however, the scheduling of these remains dependent on available funding. At this time only a few of the Ministry's highest priorities are proposed to be funded in 1993/94 and our ability to proceed will be determined when government's budget is announced.

Thank you for taking the time to express your concerns.

Prepared by: John Clark, District Highways Manager

North Peace District
April 23, 1993

Approved by: W. Carr, Regional Director
Central/North East Region
April 26, 1993

To: Joh Clark CEN/NOR PEACE
From: Wayne Carr
Subject: MLA' Briefing Packages Date: 93/04/13

25 C

Distribution:

Not Requested

---------- Mailing History ----------

Date: 93/04/13
Time: 07:33 am
Subject: MLA' Briefing Packages
From: Dan Doyle
Distribution:
Joe Jensen
Keith Bespflug
Gordon Sutherland
Wayne Carr
Jon Buckle
Neville Hope
Earl Lund
cc Veronica Walsh

Item Suoject: MLA' Briefing Packages

To all Regional Directors

The minister has yet ot approve the briefing packages for MLA's on this years capital and rehab program. It is therefore not public knowledge at this time.
Dan

Item Subject: MLA briefing packages

Gentlemen, please delay any discussions of rehab or capital programs until advised to proceed.

Wayne

Page 425 to/à Page 426

Withheld pursuant to/removed as

s.3

Ministry of Transportation and Highways
Correspondence Tracking System

REFERRAL SLIP

Page: 3

June 1, 1993
10:42 AM

CORRESPONDENT
First Name:
Middle Name:
Surname:
Title:
Organization: s.22
Address:

City:
Province:
Postal Code:
Country:
Electoral District: Peace River North
Issue:
Subject: Property acquisition, undeveloped right of way. Opposed to Min opening Old Hudson Hope Rd 119. View money could be better spent elsewhere, Peace River, see 642/93.

CTS Log Number: 001855 93
Minister's Log Number: 4510
File Code: 280-30
Entered By: CBA

Date of Letter: 93/05/16
Date Received: 93/06/01
Date Completed: / /
Status: OP
Category: REG

Attitude:

REFERRED TO
Office Id: REGION 4 Office Description: Regional Director, Central North East
Surname: CARR
Remarks: Prepare response for Minister's signature.
Date Referred: 93/06/01

FAX MESSAGE

TO Mr. Carr
COMPANY Region 4
YOUR FAX NO.
OUR FAX NO. 387-6771
NO. OF PAGES 3
DATE 93/06/01
RE:

Note: Please Rush this correspondence

Thank-you.

CTS→ 1855

John:
Please make sure draft covers all points raised by
s.22
Please have draft response for me by
" 192. Thank

and Highways

FACSIMILE RECORD

File No.

Gwen Gordy
Regional Steno
P.G.

FROM: North Peace District
#300 - 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7

X No. PHONE No.

FAX No. 787-3279 PHONE No. 787-3237

INAL PAGES TO BE:
FILED ☐ MAILED ☐ COURIERED ☐ OTHER (SPECIFY)

BJECT: Mini Response # 2196
Karen Goodings.

As per attached, etc. etc.!

Have a nice day

Lorna

PAGES: 8
(including this sheet)

Operators Signature

1/07)

PEACE RIVER REGIONAL DISTRICT

MINISTER OF TRANSPORTATION & HIGHWAYS
4591
JUN - 3 1993
DRAFT REPLY ☒ FILE ☐

May 28, 1993

The Honourable Art Charbonneau
Minister of Transportation
and Highways
Parliament Buildings
Victoria, BC
V8V 1X4

Dear Mr. Charbonneau:

It has come to my attention that there is a proposal by the local Department of Highways to extend the road commonly referred to as the Old Hudson's Hope Road #119 to access a very small parcel of Crown Land.

In a letter from you to s.22 dated May 12, 1993, you state "your Ministry has an obligation to provide access to all private parcels of land and to land beyond". Further, you state "The Ministry of Environment, Lands and Parks has an obligation to provide access to all Crown Land for the enjoyment of all". The access to this parcel of Crown Land could be obtained without expropriating private land.

The concerned land owners do not want to restrict access. They have not attempted to stop people from walking or riding horseback in this pristine like area, but they do want to reduce the obvious travesty that comes from the public who like the challenge of climbing hills with ATV's or four wheel drive pickups. As well, there are some of our local people who prefer an out-of-the-way party spot.

RECEIVED
JUN - 7 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

see 642/93
1855/93

Cancel
Log #2196/9

PLEASE REPLY TO:
☐ P.O. BOX 810, DAWSON CREEK, B.C. V1G 4H8, TELEPHONE (604) 782-5891 or ZENITH 2770, FAX (604) 782-2718

Package Subject: old hudson hope road

Item Title: old hudson hope road

MEMO FROM DAN DOYLE
ASSISTANT DEPUTY MINISTER OPS
MINISTRY OF TRANSPORTATION AND HIGHWAYS

TO : Wayne Carr

RE: Old Hudsons Hope Rd

DATE: June 17, 1993

This will confirm my discussion of June 16th with Lawren Wagar

We will not pursue the establishment of a Public road r/w on this road and will leave it to the locals to resolve the access issue. This approach is approved by the minister's office and the local MLA.

Dan

No action Taken on Hold

Ministry of Transportation and Highways
Correspondence Tracking System

June 14, 1993
8:57 AM

REFERRAL SLIP

CORRESPONDENT
First Name:
Middle Name: s.22
Surname:
Title:
Organization:
Address: General Delivery

City:
Province: s.22
Postal Code:
Country:
Electoral District: Peace River North
Issue:
Subject: Opposed to Min plans to extend the Old Hudson Hope Road No. 119, Fort St. John.

CTS Log Number: 002254 93
Minister's Log Number: 4614
File Code: 280-30
Entered By: CBA

Date of Letter: 93/05/31
Date Received: 93/06/14
Date Completed: / /
Status: OP
Category: REG

Attitude:

REFERRED TO
Office Id: REGION 4 Office Description: Regional Director, Central North East
Surname: CARR
Remarks: Prepare response for Minister's signature.

Date Referred: 93/06/14

FAX MESSAGE

TO Mr Carr
COMPANY Region 4
YOUR FAX NO.
OUR FAX NO. 387-6771
NO. OF PAGES 3
DATE 93/06/14
RE

Please Rush!

B.C. AGRICULTURAL LAND COMMISSION
4940 Canada Way
Province of British Columbia Burnaby, B.C. V5G 4K6

RECEIPT

899700 J

THE SUM OF Four Hundred ~~Dollars~~ 00/100 DOLLARS $ 400.00

ON ACCOUNT OF Ministry of Transportation & Hwys.

Re: Application 26-W-ROEA-93-
Rd #119 - Old Hudson Hope Road

GST NUMBER R107864738

The amount receipted above includes GST in the amount of $ Nil

RECEIVED FROM 5194010AA/RK45 ON 11 June 19 93

B.C. AGRICULTURAL LAND COMMISSION

ISSUING OFFICER'S SIGNATURE L. Campbell

FIN 45 Rev. 91/3/26 (OP 4109) WHITE: CUSTOMER PINK: MINISTRY FILE CANARY: RETAIN IN BOOK FOR AUDIT

Province of British Columbia

Ministry of Transportation and Highways

MEMORANDUM

Gwen Gordy
Regional Steno
Central/North East Region
Rm. 213, 1011 - 4th Avenue
Prince George, BC
V2L 3H9

June 9, 1993
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

280-30

RE: MINISTERS' RESPONSE #CTS
s.22

Suggested response would be:

Thank you for your letter of June 7, 1993, concerning Road #119 and your support to have the road reopened. I appreciate your comments and concerns, however I can assure you that over the past several months the District Highways Manager for the North Peace, Mr. John Clark, has been trying to resolve this issue. To this date, several meetings have taken place with the parties involved and the plans have been prepared for negotiation purposes to legalize the right of way for Road #119. An application is also before the BC Land Commission for exclusion from the Agricultural Land Reserve. Negotiations with effected land owners including yourself will commence shortly. The Ministry is proceeding as quickly as possible to resolve this issue.

With respect to Road #125, the American Road, the Ministry will be looking at this right of way issue once Road #119 is resolved. I'm advised that Mr. John Clark, District Highways Manager is aware of the concerns you have with access in this entire area.

Thank you for taking the time to both support this project and express your concerns.

Prepared by:

John P. Clark
District Highways Manager
North Peace District
June 9, 1993

Approved by:

s.22



JUNE 7, 1993

MINISTER OF HIGHWAYS
VICTORIA, B. C.

Dear Sir:

RE: 119 ROAD (OLD HUDSON HOPE ROAD) FORT ST. JOHN, HIGHWAYS DISTRICT

s.22

s.22 This concerns me a great deal. Since my last letter written over two years ago a lot has happened at the gate. There has been continuing intimidation, violence, harassment and assault.

I have heard numerous complaints concerning the gate and the lock and I am sure the Ministry has heard many of these complaints. It is extremely disturbing how someone can barricade Road 119 with so little discouragement from the Ministry.

In the same area as Road 119 barricades have been erected on legally deleted road allowances. One by a barbed wire fence, another by set of stock corrals, and still in another instance there is a yard and out buildings. How can this be allowed to happen? Does the Ministry of Transportation and Highways have no power to stop such things from happening and if such things happen do they have no power to have such barricades removed?

s.22

s.22 In the past few years an elk herd has been established on this side of the river in the very area in question. In this area there is also a large population of deer, some moose and bear. It would be very much too the benefit of this family to have solo access to this area. s.22

s.22

s.22 I feel the Ministry needs to protect the public from such land barrens who have only their own interests in mind.

I feel a very strong statement must be made which should includes new laws. The present laws are either not being enforced or they are inadequate to protect the rights of the public. Many other similar problems are assured to arise if these people are allowed to continue barricading public access.

Other people are listening and watching to what is going to happen with this road. At present the message they are getting is: keep the locks on, if they cut the locks off put a new one on, pretty soon people will tire of arguing about the access and the road will be closed to the public.

I feel a speedy conclusion must be brought to bare on this long outstanding issue before any more serious problems arise.

I would like an immediate update on what is happening with roads 119 and 125.

I have enclosed a copy of my first letter written in 1991.

Yours truly,

s.22

cc Ministry of Highways (Fort St. John District)

Province of British Columbia

Ministry of Transportation and Highways

MEMORANDUM

Gwen Gordy
Regional Steno
Central/North East Region
Rm. 213, 1011 - 4th Avenue
Prince George, BC
V2L 3H9

June 9, 1993
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

280-30

RE: MINISTERS' RESPONSE #CTS
s.22

Suggested response would be:

Thank you for your letter of June 7, 1993, concerning Road #119 and your support to have the road reopened. I appreciate your comments and concerns, however I can assure you that over the past several months the District Highways Manager for the North Peace, Mr. John Clark, has been trying to resolve this issue. To this date, several meetings have taken place with the parties involved and the plans have been prepared for negotiation purposes to legalize the right of way for Road #119. An application is also before the BC Land Commission for exclusion from the Agricultural Land Reserve. Negotiations with effected land owners including yourself will commence shortly. The Ministry is proceeding as quickly as possible to resolve this issue.

With respect to Road #125, the American Road, the Ministry will be looking at this right of way issue once Road #119 is resolved. I'm advised that Mr. John Clark, District Highways Manager is aware of the concerns you have with access in this entire area.

Thank you for taking the time to both support this project and express your concerns.

Prepared by:

John P. Clark
District Highways Manager
North Peace District
June 9, 1993

Approved by:

s.22

AUGUST 10, 1991

MINISTER OF HIGHWAYS
VICTORIA, B. C.

DEAR SIR:

RE: 119 ROAD (OLD HUDSON HOPE ROAD) FORT ST. JOHN, HIGHWAYS DISTRICT

I AM FORCED TO WRITE THIS LETTER AS MY NUMEROUS PHONE CALLS TO THE LOCAL HIGHWAYS DEPARTMENT HAVE ACHIEVED NO VISIBLE RESULTS. I AM CONCERNED ABOUT LOCKED GATES ON A PORTION OF THE ABOVE MENTIONED ROAD. FOR SOME UNKNOWN REASON THE LOCAL HIGHWAY PERSONAL HAVE ALLOWED AND APPROVED OF LOCKS BEING PLACED ON SEVERAL GATES ON A PUBLIC ROAD THAT HAS BEEN USED BY NUMEROUS PEOPLE FOR GENERATIONS.

I WISH TO POINT OUT THAT THIS ROAD AT ONE POINT IN TIME WAS THE ONLY ROAD CONNECTING COMMUNITIES WEST OF FORT ST. JOHN ALONG THE PEACE RIVER TO FORT ST. JOHN. THIS ROAD WAS BUILT BY TAXPAYERS MONEY AND MAINTAINED WITH TAXPAYER MONEY FOR MANY YEARS. IT IS STILL USED BY THE PUBLIC BECAUSE OF THE SCENIC BEAUTY, HISTORICAL SIGNIFICANCE, AND AS AN ALTERNATE ROUTE TO HUDSON HOPE.

VERY RECENTLY I HAVE LEARNED THAT NOT ONLY ARE THE GATES LOCKED, BUT SOMEONE HAS BARRACKED THE ROAD IN WILDER CREEK WITH A BULLDOZER, TO EVEN MORE IMPEND THE PUBLICS RIGHT TO TRAVEL THIS ROAD. I STRONGLY FEEL THAT IN THIS DAY AND AGE THERE ARE ALTERNATIVES TO GATES WITH LOCKS. ON THE MARKET THERE ARE NUMEROUS TYPES OF GATES THAT ALLOW VEHICLES TO FREELY TRAVEL ROADS AS WELL AS KEEP LIVESTOCK AT BAY. AND I WOULD STRONGLY SUGGEST THAT THE LANDOWNER BE FORCED TO INSTALL THIS TYPE OF GATE.

UPON SPEAKING WITH ONE OF THE PEOPLE WHICH ARE ACTIVELY CAMPAIGNING TO CLOSE THIS ROAD. I WAS TOLD THAT HE COUNTED 53 CARS ON ONE SUNDAY AFTERNOON TRAVELING THIS ROAD AND HE COMMENTED THAT WHAT RIGHT DO THEY HAVE DOWN THERE. TO THAT I SAY THIS, "THEY HAVE EVERY RIGHT!"

I FIND IT EXTREMELY DISTURBING THAT THE MINISTRY OF HIGHWAYS IN THE AREA WOULD EVEN CONTEMPLATE THE CLOSURE OF SUCH A HISTORICAL ROAD. THIS PRACTICE OF LOCKS ON GATES ON PUBLIC ACCESS ROADS SEEMS TO BECOMING A WIDE SPREAD PRACTICE IN THIS HIGHWAYS DISTRICT.

YOUR QUICK ATTENTION TO THIS MATTER WILL BE APPRECIATED.

YOURS TRULY

s.22

CC MINISTRY OF HIGHWAYS, FORT ST. JOHN

Ministry of
Transportation
and Highways

Dan Doyle
Assistant Deputy Minister Operations
Highways Operations Department
940 Blanshard Street
Victoria, BC
V8W 3E6

June 9, 1993
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

20-A

RE: ROAD #119 - OLD HUDSON HOPE ROAD

Attached are an issue paper and related documentation as requested for briefing the Honorable Minister. I have tried to provide copies of pertinent correspondence or samples thereof as the file is too thick to send it all at this time. I have also prepared similar packages for Wayne Carr, Regional Director and our M.L.A., Mr. Richard Neufeld. The M.L.A. wishes to meet this weekend regarding this and other issues.

I understand that Wayne and I will be discussing this issue with you shortly.

Regards,

John P. Clark
District Highways Manager

JPC/pq

Attachment

cc: Wayne Carr, Regional Director, Central/North East Region

Province of British Columbia

Ministry of Transportation and Highways

MEMORANDUM

Dan Doyle
Assistant Deputy Minister Operations
Highways Operations Department
940 Blanshard Street
Victoria, BC
V8W 3E6

June 9, 1993
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

RE: ROAD #119 - OLD HUDSON HOPE ROAD

Attached are an issue paper and related documentation as requested for briefing the Honorable Minister. I have tried to provide copies of pertinent correspondence or samples thereof as the file is too thick to send it all at this time. I have also prepared similar packages for Wayne Carr, Regional Director and our M.L.A., Mr. Richard Neufeld. The M.L.A. wishes to meet this weekend regarding this and other issues.

I understand that Wayne and I will be discussing this issue with you shortly.

Regards,

John P. Clark
District Highways Manager

JPC/pq

Attachment

cc: Wayne Carr, Regional Director, Central/North East Region

Ministry of Transportation & Highways

#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

June 8, 1993

Provincial Land Commission
4940 Canada Way
Burnaby, BC
V5G 4K6

Attention: Everett Lew

Dear Sir:

RE: APPLICATION FOR ROAD #119
OLD HUDSON HOPE ROAD

Attached please accept our application for exemption from the A.L.R. for Road #119. As we have discussed this issue has been a little contentious. The situation arose approximately two years ago when a gate was placed across the road as shown on the key map. The road is considered Section 4 by virtue of the Highway Act and we are *only* establishing a right of way to legalize what is there.

Should you wish any further information please contact the undersigned.

Yours truly,

John P. Clark
District Highways Manager

JPC/pq

Attachment

Province of British Columbia

Ministry of Transportation and Highways

MEMORANDUM

Gwen Gordy
Regional Steno
Central/North East Region
Rm. 213, 1011 - 4th Avenue
Prince George, BC
V2L 3H9

June 8, 1993
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

280-30

RE: MINISTERS RESPONSE #CTS 2014
s.22

Suggested response would be:

Thank you for your letter of May 26, 1993, concerning the right of way acquisition proposed for Road #119 (Old Hudson Hope Road).

With respect to the questions asked in your letter. Firstly, the Ministry as part of its Operational budget provides funding to deal with several right of way problems and acquisitions each year and I'm advised that in the North Peace District this is just one of a few being dealt with at this time. The Cache Creek road you refer to I assume is the Upper - Lower Cache Creek extension. This project is currently in the planning stage with final revisions being made to meet the concerns of the B.C. Land Commission. Once complete, construction will then take place accordingly.

Secondly the concerns of the effects on the Peace Hills with respect to the ecosystem have been considered. As only right of way definition and legalization is proposed, I do not consider this to be a problem.

Thirdly, the effects on any livestock operation will be dealt with as part of the right of way acquisition by one of my Ministrys' property agents. The Ministry has many road right of ways through cattle range land throughout the province and has considered the local needs in these cases.

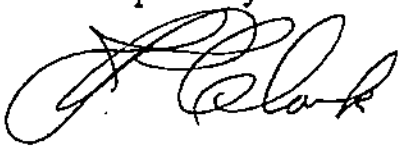
.../2

Fourthly, with respect to the public complaints the Ministry has received or for any other concerns, I suggest you contact Mr. John Clark, District Highways Manager for the North Peace at #300, 10003 - 110 Avenue, Fort St. John, BC, V1J 6M7 or call 787-3237. The concerns of all the public are being considered in this project as well as the mandates of both the Ministry of B.C. Lands and my Ministry to supply access.

By the legalizing of a right of way for what this Ministry now considers a Section 4 road by virtue of the Highways Act to private lands, the crown land and the Peace River, I consider that for all the citizens of British Columbia this will be in the best interest. I am therefore advising my staff to continue with this project at this time.

Thank you for taking the time to express your concerns.

Prepared by:



John P. Clark
District Highways Manager
North Peace District
June 7, 1993

Approved by:

MINISTRY OF TRANSPORTATION AND HIGHWAYS
NORTH PEACE DISTRICT
ISSUE PAPER

Region:
4

Community:
Fort St. John

Topic:
Old Hudson Hope Road #119
Legalize R/W of Section 4 Road

Electoral District:
North Peace

Issue:

The Ministry considers the Old Hudson Hope Road #119 to be Section 4 by virtue of the Highway Act. This road accesses both private lands, a pipeline across the Peace River and by a requested extension of the right of way some 250 meters gives access to a parcel of crown land and the Peace River. A gate was placed across the road approximately two years ago and since that time the Ministry and BC Lands have received several complaints and queries to have the road open. Ministry attempts to remove the gate have failed therefore now attempting to resolve the issue by establishing a right of way for the existing road. No improvements or reconstruction of this lower class road are contemplated at this time.

Background:

The Ministry considers the Old Hudson Hope Road to be public by virtue of Section 4 of the Highway Act. We have not however, maintained the portion of road for several years down the hills to the Peace River. The road however, is recorded to this day in the District Road Register and previous employees for the Ministry will verify that maintenance took place when needed. Due to the fact that separate titled parcels of land are accessed via this road, access to a pipeline across the Peace River is needed and a short extension of approximately 250 meters accesses the crown land along the Peace River, the Ministry cannot close its interest in providing access to all lands. The Ministry of B.C. Lands has requested the extension to supply access to the crown land as part of their access mandate. Dominion township deletions in the area are not feasible for use as access due to topography without major realignments which would disrupt agricultural use of this land. The District has chosen to legalize a right of way for the existing road.

.../2

This entire project has been prompted by the placement of a gate across the road at the top of the hill by local land owners approximately two years ago. Since that time however, the local district office and the local BC Lands Office have received several complaints and queries to have the gate removed. In 1992, one family was locked in after driving down the hill and coming back to find the gate locked on them. In the fall of 1992, two men assaulted another who wanted access and was restricted. Several others have been turned away who want access to the crown land and Peace River hunting and fishing areas. Land owners have concerns over trespassers and the use of A.T.V.'s in the area. When this project became more intense I reviewed the district's action plan with the Regional Director who in turn reviewed it with Headquarters. The position taken was we were to proceed even if expropriation was necessary to resolve this issue.

It should be also noted that th[e] s.22 have tried to link Stan Gladysz, District Highways Manager, South Peace District to this project however, only his two brothers who own the land at the north end of the project have been involved. This District is solely acting on public complaints and not personal interest.

Ministry Position:

Attempts to remove the gate peacefully have failed in the past two years. The District Highways Manager and Property Agent have attempted through several meetings with the land owners affected to resolve this issue and their concerns with the solution being to define a legal right of way for the road including an extension to access the crown land without effects on cultivated lands. During our meeting the landowners were advised by Properties that negotiations would be pursuant to the Expropriation Act. There are five private parties involved as well as B.C. Lands, Ministry of Forests, Czar Resources and B.C. Hydro. The lower area along the Peace River is in the proposed Site C flood plain, however Site C is 20 or more years away we are advised.

With respect to the issue of A.T.V.'s this office has consulted the local Ministry of Environment who have the mandate to control this issue. The concerned land owners have been advised to present their concerns over this issue to the Ministry of Environment and pursue an A.T.V. restricted area.

.../3

Since November of 1992, we have had several meetings with the parties affected to resolve their concerns and at this time only one family s.22 which have two deeded parcels affected and a grazing permit are the only resisting owners. All other owners, etc. have accepted our proposed plans.

To date we have an application to the B.C. Land Commission for the portion within the A.L.R. A B.C.L.S. was hired in February 1993, to prepare a plan of the proposed right of way for negotiations. Negotiations are to commence shortly. I have offered to fence the right of way should the land owners wish it as part of the right of way settlements, as there are concerns that trespassers with A.T.V.'s will be more prominent in the area as time goes on. A request to headquarters to research our Section 4 rights has been requested.

Impact Summary:

The Ministry should consider the following impacts for the future: Firstly the effects on other similar access issues in the Peace River Area. If we do not exercise our rights to maintain public access, we will set a precedence for other similar situations. Secondly, we have a mandate to provide physical and legal access to all deeded parcels. Existing Dominion township deletions due to topography do not provide this. Thirdly exclusions for roads as noted in the various crown grants for portions of this project would not be exercised.

To date the Ministry has invested approximately $10,000 in survey and administration costs and anticipates costs to complete at approximately $25,000 unless expropriation is needed.

Ministry Recommendation:

One must consider that if we back down here, there are several other similar issues not only in this district but throughout the Peace River Area which would be jeopardized by any change in direction.

The Ministry also has a mandate to provide access to all deeded lands and in this case maintain its public rights to a Section 4 road access. This Ministry at the request of B.C. Lands, has cooperated in achieving their mandate of access to the crown land and Peace River with this project as well.

.../4

It is therefore the recommendation that the Ministry proceed with this project as planned and attempt to settle with affected landowners and their concerns prior to expropriation.

Prepared by:

John P. Clark
District Highways Manager
North Peace District
June 7, 1993

Ministry of Transportation & Highways

#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

June 8, 1993

Provincial Land Commission
4940 Canada Way
Burnaby, BC
V5G 4K6

Attention: Everett Lew

Dear Sir:

RE: APPLICATION FOR ROAD #119
OLD HUDSON HOPE ROAD

Attached please accept our application for exemption from the A.L.R. for Road #119. As we have discussed this issue has been a little contentious. The situation arose approximately two years ago when a gate was placed across the road as shown on the key map. The road is considered Section 4 by virtue of the Highway Act and we are *only* establishing a right of way to legalize what is there.

Should you wish any further information please contact the undersigned.

Yours truly,

John P. Clark
District Highways Manager

JPC/pq

Attachment

Province of British Columbia

Ministry of Transportation and Highways

MEMORANDUM

Gwen Gordy
Regional Steno
Central/North East Region
Rm. 213, 1011 - 4th Avenue
Prince George, BC
V2L 3H9

June 8, 1993
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

280-30

RE: MINISTERS RESPONSE #CTS 2013
s.22

Suggested response would be:

Thank you for your letter dated May 28, 1993, concerning Road #119. The Ministry considers this road public by virtue of Section 4 of the Highway Act due to public funds being spent on maintenance several years ago. Even though maintenance has not continued regularly to this date, the Ministry still considers the road public. Original construction by other parties has no bearing in these situations. I am advised that when the local district office recently contacted Czar Resources, they indicated to the staff that the road is used on a regular basis and even though they have a key to the gate, they would prefer unrestricted access.

The issue of A.T.V.'s is one which should be handled in any area by the Ministry of Environment. Through a public process, they can create restrictions where A.T.V.'s may or may not be used. I recommend you contact the Fort St. John office for the Ministry of Environment at #200, 10003 - 110 Avenue concerning this matter. The Ministry has also offered to fence the proposed right of way as part of the land acquisition if the owners wish. This was also offered to assist with concerns regarding trespassers.

It is hoped that your concerns can be worked through with my staff so that this project may proceed. Your questions should be directed to Mr. John Clark, District Highways Manager at #300, 10003 - 110 Avenue, Fort St. John, BC, V1J 6M7, or 787-3237.

Thank you for contacting me on this matter.

Prepared by:

John P. Clark
District Highways Manager
North Peace District

Approved by:

Province of British Columbia

Ministry of Transportation and Highways

MEMORANDUM

Gwen Gordy
Regional Steno
Central/North East Region
213, 1011 - 4th Avenue
Prince George, BC
V2L 3H9

June 8, 1993
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

280-30

RE: MINISTERS RESPONSE #CTS 2196
KAREN GOODINGS

Thank you for your letter of May 28, 1993, concerning the Old Hudson Hope Road #119. With regards to your query of access, the Ministry considers the Old Hudson Hope Road public by virtue of Section 4 of the Highway Act. As such, access both legal and physical is required to all parcels of land as they are separate land titles. The dominion township deletions in the area, due to topography, do not serve this purpose. The Ministry of B.C. Lands has an obligation to obtain access to crown land and by a short extension of Road #119 this can be accomplished without effecting cultivated land. Ms. Patty Hebert has written the Ministry again on May 26th and I have attached a copy of that correspondence for your reference.

You have noted in your letter that the land owners do not want to restrict access. However, I am advised that on several occasions during the past two years since the gate was erected across the road, access has been restricted to a select few. The owners concerns over trespassers with A.T.V.'s should be controlled with fencing or A.T.V. area restrictions which the Ministry of Environment is responsible for. May I suggest you contact their office in Fort St. John at #200, 10003 - 110 Avenue.

Czar Resources, although currently having an agreement with the present landowners, require permanent access to their pipeline activities. We have confirmed this recently that their most desirable option is a public road over their current access arrangement. Both the Ministry of Forests and Ministry of B.C. Lands in Fort St. John have jurisdiction over this area and each have valid concerns regarding access to this area. The B.C. Land Commission is aware of this project, not only through discussions with Mr. John Clark, District Highways Manager for the North Peace, but have an application before them as well for relief from the Agricultural Land Reserve. The contact at the Land Commission is Mr. Everett Lew.

.../2

The intent of this project is to legalize a right of way for the existing road. This will satisfy the requirements of the Land Titles Act with respect to access to all parcels and as well allow us to remove the gate. As you have stated the owners do not wish to restrict access. I'm therefore advising my staff to proceed with this project.

Thank you for expressing your concerns.

Prepared by:

John P. Clark
District Highways Manager
North Peace District
June 8, 1993

Approved by:

Attachment - Correspondence to s.22 of May 26, 1993

Province of British Columbia

Ministry of Transportation and Highways

MEMORANDUM

Gwen Gordy
Regional Stenographer
Central/Northeast Region

June 7, 1993
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

280-30

RE: MINISTER'S RESPONSE CTS 1855 - s.22

Suggested response would be:

Thank you for your latest letter of May 26, 1993, concerning Road 119. Firstly, please accept my apologies for the delay in replying to your last letter of February 19, 1993.

With respect to the points in your letter. Firstly, with respect to the mandate of the Ministry of Environment, Lands and Parks, you do not state who you were speaking to; however, our contact which is the Regional Director of B.C. Lands in Fort St. John, Mr. Egon Weger, who advises that it is their Ministry's mandate to supply access to lands beyond. In this case to the Crown lands along the Peace River. This access is basically sought on a grade suitable for road construction when necessary. The existing dominion township right of way deletions in the area are considered too steep on their existing alignment.

Secondly, the Ministry has Road 119 recorded in the district road register and the portion of concern is considered Section 4 by virtue of the Highway Act. This register is available for viewing at the local district office in Fort St. John at 10003 - 110 Avenue.

Thirdly, public roads, crown lands and the Peace River are all for the enjoyment of the public. I appreciate your concerns with trespassers; however, the land owner must accept some responsibility in these instances too. The Ministry has offered to fence the proposed right of way as part of the land acquisition settlement if the owner wishes it as an attempt to aid in solving this concern.

.../2

Fourthly, I can assure you that the local district office is acting on public complaints and inquiries as a result of the gate which was erected on the road. I do not feel it in the best public interest to provide a list of names to you at this time, but rather suggest you contact Mr. John Clark, District Highways Manager for the North Peace, at 787-3237 or 10003 - 110 Avenue, Fort St. John, to review his file with you.

With respect to your Item 5, the Ministry budgets each year funds toward these types of right of way issues including acquisition, fencing, etc. These costs are considered part of the operational budget of the Ministry whereas funding for new construction is considered part of the capital construction budget. At present, funding has only been limited in the area of new or capital construction. With respect to any fencing on this project, as previously stated, the item of fencing has been offered as part of any land acquisition. As a general rule fencing on side roads is maintained thereafter by the owner.

Lastly, with respect to funding for the north. I'm sure if you contact Mr. John Clark, District Highways Manager, now that the budget for his area has been publicly announced, he would be pleased to review this year's program with you.

The Ministry has taken another look at this project due to yours and other written correspondence; however, I do not feel that establishing a right of way over any existing Section 4 road so that both the land owners and the public have a defined and legal access through the area should be of such concern. My staff will therefore be proceeding with this project as previously advised.

Prepared by:

John P. Clark
District Highways Manager
North Peace District
June 6, 1993

Approved by:

JPC/hb

RECEIVED
JUN 1 1993
CORRESPONDENCE UNIT
642/93 MINISTRY OF TRANSPORTATION & HIGHWAYS

s.22

Your reference

May 26, 1993

MINISTER OF TRANSPORTATION & HIGHWAYS
T+H
MAY 28 1993
4510
DRAFT REPLY ☒ FYI ☐ FILE ☐

Honourable Art Charbonneau
The Minister of Transportation and Highways
Room 20, Parliament Buildings
Victoria, BC
V8V 1X4

VIA FAX: 356-2290

Dear Mr. Charbonneau:

Thank you for your letter dated May 12 which was received on May 18(via of fax at my request after 4 phone calls) and which addressed the concerns I had written about in a letter to you on Feb. 19. I feel that three months is a long time to wait for a reply especially when the concerns I was addressing are going to have an impact on s.22

s.22

s.22

Please do not call this the "Old Hudson's Hope Road" - this is not the Old Hudson's Hope Road. The old road to Hudson's Hope did not go this way. Because of this erroneous name a lot of people believe this to be so.

I would like clarification to some of the points in your letter:

1. In discussion with various Ministry of Environment, Lands and Parks personnel they have stated that it is not their mandate to supply access to all crown land. That aside what do you consider access? The crown land can be accessed by foot, horse and by the river. Is this not access enough if one is to enjoy the biosphere in its natural state?

2. How does the Ministry consider the Road 119 to be a Section 4 road - especially that part which is on private land and which we have privately maintained ourselves. Who within the Ministry makes this decision. I question the validity of any statements from the local office that are not substantiated by documentation. Can we see this documentation?

3. The trespassers that have been entering on our private land are just that - trespassers - and - you - by opening this road are telling them its all right to encroach or invade private property because if they can cause enough problems and create enough noise the bureaucracy of the day will give in to them and to hell with the land owner, and to hell with environment and to hell with the future.

4. "The local district office is acting solely as a result of public calls and complaints". We ask for proof of these calls and complaints. What about our calls and our complaints - are we not part of the public?

Page 455 of 595 TRA-2015-51116

5. On the access issue of this Road 119 - how can you say the cost of surveying and fencing are considered minimal. I have a real problem trying to justify the cost of surveying as a legitimate expense when we have million dollar bridges in this area that do not have a road connecting them because there is no money. And then there is the cost of fencing! Some of the hill side is so steep that you can not hold a fence on it and believe me we have tried to fence it. Will it be the Ministry's role to build the fence then turn it over to the land owner to maintain while knowing full well that you can't keep it there?

6. I am sure you are aware of the condition of the roads in the Peace River area and I say to you the funding for the rehabilitation of the area roads is similar to the other districts in the north - and that funding seems to be non-existence. How can you justify the expense in this case? I do not accept the excuse that its a different pot of money - its all tax money is it not?

As I am sure you are aware by the tone of this letter I am very disturbed by the stand of your department. I can't help but think there is some other motive behind this. There has never been a public meeting yet you imply that the public's interest are being met. Please - I beseech you, take another look at this issue. By the time you finish supplying access to all crown land we are going to be a very poor province indeed!

s.22

cc John Cashore
Minister of Environment, Lands and Parks

Jack Weisgerber
South Peace MLA

R. Neufeld
North Peace MLA

Ezrol Nadeau
Office of the Ombudsman of BC

Arthur Hadland
Agriculture Land Commission - Fort St. John

Kirk Miller
Agriculture Land Commission - Burnaby

Peace River Regional District

Reference: 2013/93

June 29, 1993



s.22

Thank you for your letter of May 28, 1993, concerning the Old Hudson Hope Road 119 and the controversy regarding public access.

I appreciate your patience during the time it has taken to resolve this issue. You will be pleased to know that, at this time, the Ministry is taking no further action to remove the private gate or establish a surveyed right of way for access to Crown Lands beyond. The Ministry tried to help as requested by a few of the area residents, but clearly the majority do not wish to see the gate removed or public monies spent on an access. I understand that current access to Crown Lands beyond is available on foot or horseback along the township deletions.

Although there have been very polarized views by local users, I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

ORIGINAL SIGNED BY MINISTER

JUL 07 1993

Art Charbonneau
Minister

!bcc: Mr. Lawren Wagar, A/Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!SVarley, CU/LWagar/clc/4113c/Min.Log –4527– !

RECEIVED
JUN - 2 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION
& HIGHWAYS
T94
MAY 31 1993
4527
DRAFT REPLY ☒ FYI ☐ FILE ☐

s.22

May 28, 1993

Honourable Art Charbonneau,
The Minister of Transportation and Highways,
Room 28, Parliament Buildings,
Victoria, B.C. V8V 1X4

Dear Mr. Charbonneau;

I am the landowner of Section N half 27. 83 .20. 6M through which the Ministry of Highways want to push a road.

s.22

Our road (the 119 Road) was built by a former land owner to access his holdings. We improved it for our own use. s.22 s.22 a through road to Bear Flat was opened up by the s.22 who had rented the Hydro land to the west. With a cat and big machinery they crossed our land without permission. This is all documented in my letters to the Dept. of Highways in 1982. I protested but Highways were noncommital.

In 1985 Czar Resources acquired a statuatory right of way to the Peace River over our land to build a pipeline across the river. This was a private agreement. They paid us a nominal fee and agreed to improve our road (with gravel, etc.). Czar has no problem with the present situation - they have a key to the gate, but in general they service their well-head by helicopter on both sides of the river. So any need for access by Czar is a Highways' "red herring".

In the past ten years the situation with the public has steadily deteriorated. From berry pickers and picnickers, the road instead became used by A.T.V.'s and teenage partiers. Hence the locked gate.

s.22 We can't have A.T.V.'s tearing around harassing the stock and eroding the hillsides. The unique wildlife and vegetation of this river valley and of the islands of the Peace must be saved, and time is of the essence. Hikers and horseback riders are welcome

see 1367/93

and so are, for that matter, are any others with a peaceful reason for being there.

I have one question. How did our private road suddenly become a Section 4 Highways road?

Myself and my family are not the only ones who oppose Highways taking over this road. We have no option but s.22 to fight it... s.22 But you have suddenly made it a 'can of worms'.

s.22

Province of British Columbia

Ministry of Transportation and Highways

MEMORANDUM

Gwen Gordy
Regional Steno
Central/North East Region
Rm. 213, 1011 - 4th Avenue
Prince George, BC
V2L 3H9

June 8, 1993
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

280-30

RE: MINISTERS RESPONSE #CTS 2013
s.22

Suggested response would be:

Thank you for your letter dated May 28, 1993, concerning Road #119. The Ministry considers this road public by virtue of Section 4 of the Highway Act due to public funds being spent on maintenance several years ago. Even though maintenance has not continued regularly to this date, the Ministry still considers the road public. Original construction by other parties has no bearing in these situations. I am advised that when the local district office recently contacted Czar Resources, they indicated to the staff that the road is used on a regular basis and even though they have a key to the gate, they would prefer unrestricted access.

The issue of A.T.V.'s is one which should be handled in any area by the Ministry of Environment. Through a public process, they can create restrictions where A.T.V.'s may or may not be used. I recommend you contact the Fort St. John office for the Ministry of Environment at #200, 10003 - 110 Avenue concerning this matter. The Ministry has also offered to fence the proposed right of way as part of the land acquisition if the owners wish. This was also offered to assist with concerns regarding trespassers.

It is hoped that your concerns can be worked through with my staff so that this project may proceed. Your questions should be directed to Mr. John Clark, District Highways Manager at #300, 10003 - 110 Avenue, Fort St. John, BC, V1J 6M7, or 787-3237.

Thank you for contacting me on this matter.

Prepared by:

John P. Clark
District Highways Manager
North Peace District

Approved by:

Ministry of Transportation and Highways.
Correspondence Tracking System

Page: 8

June 4, 1993
11:56 AM

REFERRAL SLIP

CORRESPONDENT
First Name:
Middle Name:
Surname: s.22
Title:
Organization:
Address:

City:
Province: s.22
Postal Code:
Country:
Electoral District: Peace River North

CTS Log Number: 002013 93
Minister's Log Number: 4527
File Code: 280-30
Entered By: CBA

Date of Letter: 93/05/28
Date Received: 93/06/04
Date Completed: / /
Status: OP
Category: REG

Attitude:

Issue:
Subject: Opposed to Hwys taking over Old Hudson Hope Road 119, Peace River, see 1367/93 & 2014/93.

REFERRED TO
Office Id: REGION 4 Office Description: Regional Director, Central North East
Date Referred: 93/06/04
Surname: CARR
Remarks: Prepare response for Minister's signature.

FAX MESSAGE

TO Mr. Carr
COMPANY Rogers
YOUR FAX NO.
OUR FAX NO. 387-6771
NO. OF PAGES 3
DATE 93/06/04
RE: #

#2013

John:
Please prepare draft by June 8/93
Thanks
Gwen

DRAFT

Reference: 2013/93

s.22

Thank you for your letter dated May 28, 1993, concerning Road #119 and current controversy regarding public access.

At this time the Ministry is taking no further action to have the private gate removed or to establish a surveyed right-of-way for access to Crown Lands beyond. While the Ministry was attempting to assist as requested by a few, clearly the majority do not wish to see the gate removed or public monies spent on such access. Current access to Crown Lands beyond is available on foot or horseback along the township deletions.

I trust that all parties will accept the Ministry's position on this matter. To-date there have been very polarized views by local users.

Thank you for expressing your concerns.

Prepared by: Lawren Wagar, A/Regional Director
Central/North East Region
June 17, 1993

280-30

D R A F T

Reference: 2013/93

s.22

Thank you for your letter dated May 28, 1993, concerning oad #119. The Ministry considers this road public by virtue of ection 4 of the Highway Act due to public funds being spent on aintenance several years ago. Even though maintenance has not ontinued regularly to this date, the Ministry still considers the oad public. Original construction by other parties has no bearing n these situations. I am advised that when the local district ffice recently contacted Czar Resources, they indicated to the taff that the road is used on a regular basis and even though they ave a key to the gate, they would prefer unrestricted access.

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It is hoped that your concerns can be worked through with y staff so that this project may proceed. Your questions should be irected to Mr. John Clark, District Highways Manager at 300, 10003 110 Avenue, Fort St. John, B.C. V1J 6M7 or 787-3237.

Thank you for contacting me on this matter.

repared by: John P. Clark, District Highways Manager
North Peace District
June 8, 1993

pproved by: W. Carr, Regional Director
Central/North East Region
June 8, 1993

MINISTRY OF TRANSPORTATION & HIGHWAYS
FORT ST. JOHN
JUL 14 1993

Reference: 2014/93

June 29, 1993

s.22

Thank you for your letter of May 26, 1993, concerning Road 119 and the controversy regarding public access.

You will be pleased to know that, at this time, the Ministry is taking no further action to remove the private gate or establish a surveyed right of way for access to Crown Lands beyond. The Ministry tried to help as requested by a few of the area residents, but clearly the majority do not wish to see the gate removed or public monies spent on an access. I understand that current access to Crown Lands beyond is available on foot or horseback along the township deletions.

Although there have been very polarized views by local users, I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

ORIGINAL SIGNED BY MINISTER

JUL 07 1993

Art Charbonneau
Minister

Copy to: Honourable John Cashore
Minister of Environment, Lands and Parks
M.L.A., Coquitlam–Maillardville !–copy of incoming attached!

!bcc: Mr. Lawren Wagar, A/Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!SVarley, CU/LWagar/clc/4114c/Min.Log –4527– !

Page 463 to/à Page 464

Withheld pursuant to/removed as

s.3

Province of British Columbia

Ministry of Transportation and Highways

MEMORANDUM

Gwen Gordy
Regional Steno
Central/North East Region
Rm. 213, 1011 - 4th Avenue
Prince George, BC
V2L 3H9

June 8, 1993

North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

280-30

RE: MINISTERS RESPONSE #CTS 2014
s.22

Suggested response would be:

Thank you for your letter of May 26, 1993, concerning the right of way acquisition proposed for Road #119 (Old Hudson Hope Road).

With respect to the questions asked in your letter. Firstly, the Ministry as part of its Operational budget provides funding to deal with several right of way problems and acquisitions each year and I'm advised that in the North Peace District this is just one of a few being dealt with at this time. The Cache Creek road you refer to I assume is the Upper - Lower Cache Creek extension. This project is currently in the planning stage with final revisions being made to meet the concerns of the B.C. Land Commission. Once complete, construction will then take place accordingly.

Secondly the concerns of the effects on the Peace Hills with respect to the ecosystem have been considered. As only right of way definition and legalization is proposed, I do not consider this to be a problem.

Thirdly, the effects on any livestock operation will be dealt with as part of the right of way acquisition by one of my Ministrys' property agents. The Ministry has many road right of ways through cattle range land throughout the province and has considered the local needs in these cases.

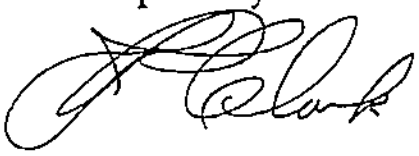
.../2

Fourthly, with respect to the public complaints the Ministry has received or for any other concerns, I suggest you contact Mr. John Clark, District Highways Manager for the North Peace at #300, 10003 - 110 Avenue, Fort St. John, BC, V1J 6M7 or call 787-3237. The concerns of all the public are being considered in this project as well as the mandates of both the Ministry of B.C. Lands and my Ministry to supply access.

By the legalizing of a right of way for what this Ministry now considers a Section 4 road by virtue of the Highways Act to private lands, the crown land and the Peace River, I consider that for all the citizens of British Columbia this will be in the best interest. I am therefore advising my staff to continue with this project at this time.

Thank you for taking the time to express your concerns.

Prepared by:



John P. Clark
District Highways Manager
North Peace District
June 7, 1993

Approved by:

Ministry of Transportation and Highways
Correspondance Tracking System

Page: 7

June 4, 1993
11:56 AM

REFERRAL SLIP

CORRESPONDENT
First Name:
Middle Name:
Surname:
Title:
Organization: s.22
Address:

City:
Province:
Postal Code:
Country:
Electoral District: Peace River North
Issue:
Subject: Concerns re proposed right of way acquisition of Old Hudson Hope Rd 119, see 1367/93, Peace River, see 2013/93.

CTS Log Number: 002014 93
Minister's Log Number: 4527
File Code: 280-30
Entered By: CBA

Date of Letter: 93/05/26
Date Received: 93/06/04
Date Completed: / /
Status: OP
Category: REG

Attitude:

REFERRED TO
Office Id: REGION 4 Office Description: Regional Director, Central North East
Surname: CARR
Remarks: Prepare response for Minister's signature.
Date Referred: 93/06/04

FAX MESSAGE
TO Mr. Carr
COMPANY Region 4
YOUR FAX NO.
OUR FAX NO. 387-6771
NO. OF PAGES 3
DATE 93/06/04
RE. #

2014

John.

Please prepare draft response by June 8/93

Thanks

Gwen.

D R A F T

Reference: 2014/93

s.22

Thank you for your letter of May 26, 1993, concerning the right of way acquisition proposed for Road #119 (Old Hudson Hope Road).

With respect to the questions asked in your letter. Firstly, the Ministry as part of its Operational budget provides funding to deal with several right of way problems and acquisitions each year and I am advised that in the North Peace District this is just one of a few being dealt with at this time. The Cache Creek road you refer to I assume is the Upper-Lower Cache Creek extension. This project is currently in the planning stage with final revisions being made to meet the concerns of the B.C. Land Commission. Once complete, construction will then take place accordingly.

Secondly, the concerns of the effects on the Peace Hills with respect to the ecosystem have been considered. As only right of way definition and legalization is proposed, I do not consider this to be a problem.

Thirdly, the effects on any livestock operation will be dealt with as part of the right of way acquisition by one of my Ministry's property agents. The Ministry has many road right of ways through cattle range land throughout the province and has considered the local needs in these cases.

Fourthly, with respect to the public complaints the Ministry has received or for any other concerns, I suggest you contact Mr. John Clark, District Highways Manager of the North Peace at 300, 10003 - 110 Avenue, Fort St. John, B.C. V1J 6M7 or call 787-3237. The concerns of all the public are being considered in this project as well as the mandates of both the Ministry of B.C. Lands and my Ministry to supply access.

By the legalizing of a right of way for what this Ministry now considers a Section 4 road by virtue of the Highways Act to private lands, the crown land and the Peace River, I consider that for all the citizens of British Columbia this will be in the best interest. I am therefore advising my staff to continue with this project at this time.

Thank you for taking the time to express your concerns.

Prepared by: John Clark, District Highways Manager
North Peace District
June 8, 1993

Approved by: Wayne Carr, Regional Director
Central/North East Region
June 8, 1993

DRAFT

Reference: 2014/93

s.22

Thank you for your letter of May 26, 1993, concerning the Old Hudson Hope Road #119 and current controversy regarding public access.

At this time the Ministry is taking no further action to have the private gate removed or to establish a surveyed right-of-way for access to Crown Lands beyond. While the Ministry was attempting to assist as requested by a few, clearly the majority do not wish to see the gate removed or public monies spent on such access. Current access to Crown Lands beyond is available on foot or horseback along the township deletions.

I trust that all parties will accept the Ministry's position on this matter. To-date there have been very polarized views by local users.

Thank you for expressing your concerns.

Prepared by: Lawren Wagar, A/Regional Director
Central/North East Region
June 17, 1993

MINISTRY OF TRANSPORTATION & HIGHWAYS
JUN 24 1993
FORT ST. JOHN

Provincial
Agricultural Land
Commission

133 - 4940 Canada Way, Burnaby, B.C. V5G 4K6 Telephone: (604) 660-7000 Faxcom: (604) 660-7033

June 21, 1993

Reply to the attention of
Everett Lew

Ministry of Transportation & Highways
300-10003-110th Avenue
Fort St. John, BC V1J 6M7

Dear Sir/Madam:

Re: Application #26-W-RDEA-93-28286
Your File: "Old Hudson Hope Road" (District Plan 022-029-055)
Part of NW 1/4, NE 1/4, & SW 1/4, Sec. 35; Part of SE 1/4, Sec. 34; Part NE 1/4, Sec. 27; Part SE 1/4 Sec. 2; and Part Parcel 1, Plan 16514; all in Range 20, TP. 83, Peace River District

Your application under Section 44(e) of B.C. Regulation 313/78 has been received by this office. The Commission hopes to have this application considered at the earliest opportunity.

The Commission will consider the merits of your case on the basis of the information you presented in your application in addition to any information supplied by the Regional District or Municipality. We draw your attention to the enclosed "Points for Applicants to Consider" since these are the guidelines the Commission follows in considering an application.

You are advised that there will be no public hearing of this application and thus no opportunity to personally present your case to the Commission. The Commission's determination will be based on the information and documentation contained in your application. For this reason, it is imperative that you supply whatever additional information you may wish to convey to the Commission in the form of written documentation to ensure that any outstanding information is placed on the file prior to the Commission considering the application.

Please keep in mind that the restrictions concerning the use of land in the ALR still apply to the subject property.

Please refer to the above noted application number in all correspondence on this matter.

Yours truly
AGRICULTURAL LAND COMMISSION
per:

K. B. Miller, General Manager

NO ACTION TAKEN!

cc: Peace River Regional District

eg/Enclosure

POINTS FOR APPLICANTS TO CONSIDER

The object of the legislation is to preserve agricultural land and to protect it from encroachment of non-farm uses and subdivisions. If the Agricultural Land Reserve is to be maintained in the long term, it is obvious that it cannot be endlessly eroded. This goes beyond measures to control land under local agricultural and rural zoning bylaws, which are generally effective only so long as there is not a routine request to use more farm land for non-farm purposes. The principles involved in evaluating an application under the Agricultural Land Commission Act must differ from those employed in weighing re-zoning requests. The criteria for judging applications under the Agricultural Land Commission Act, will, by necessity, be more oriented towards maintaining a permanent farm land reserve without strict regard to present use or production needs.

The following represents the areas of concern which the Agricultural Land Commission considers when dealing with the applications. The points raised in these concerns are not considered in isolation since they are, in the main, interrelated. The Commission arrives at a decision by reviewing those variables which it considers to be relevant to the specific case at hand and by weighing the likely impacts of the proposed action, in view of the provincial policy which is to preserve land having potential for agricultural utilization.

One measure of agricultural potential is the Canada Land Inventory Agricultural Capability rating system, which is based on the range of crops that can be grown. Other parameters of agricultural potential are suitability for general agricultural purposes, suitability for specific agricultural crops, productivity, and homogeneity or integrity of the farming community, both present and future.

The Commission has, of necessity, adopted a long-term approach to the problem of preservation of agricultural land. Agricultural land is not defined on the basis of present use or parcel size (e.g. a 5 acre lot that is not providing a full-time farm income does not for that reason alone qualify for exclusion or non-farm use or subdivision). The Commission does not consider current market conditions to be a determining factor in its decisions.

1. **Bio-physical resource base** (based on soil-climate ratings as shown on Canada Land Inventory agricultural capability maps).

   A) Agricultural capability of the subject parcel (keeping in mind that higher capability lands have a greater number of crop options but also bearing in mind that some lower capability lands are highly suitable for the production of specialty crops such as blueberries, cranberries, range grasses or forages).

   B. Agricultural capability of surrounding lands.

2. Related Agricultural Concerns

   A. Will the proposed use permanently damage the physical capability of the land to produce agricultural crops?

B) What are the existing and proposed parcel sizes in relation to the kinds of agricultural enterprises conducted in or suited to the area?

C) What would be the effect of the proposed subdivision/use on existing or potential agricultural uses on surrounding lands?

D) What would be the impact of the proposed subdivision/use on the farm community (e.g. demand for urban-type services by residential population)?

E) Are there major physical restrictions that would significantly interfere with farm use of the property (e.g. severance by a major highway)?

F) Can the proposal be modified to reduce the effects of existing restrictions or possible future negative impacts (e.g. consolidation of small parcels)?

G) Within the property holding, does the proposed subdivision create no net effect (e.g. subdivision and consolidation where the number of parcels remain the same)?

3. Area Concerns

A) What are the regional and community objectives for the area and how does the proposal relate to these objectives?

B) How do existing surrounding uses and parcel sizes affect the use of the subject property for farm purposes?

C) Given a documented need for the proposed use, can it be accommodated outside the Agricultural Land Reserve (i.e. are there alternative sites available)?

D) If a non-farm use is proposed, is it mutually supportive of agriculture or in conflict with it (e.g. agricultural related industry versus heavy industry)?

E) Are there remedial actions which the Agricultural Land Commission could initiate or co-ordinate that would encourage and improve agricultural use of the land (e.g. separation of farm traffic and through traffic in farm areas close to the urban areas)?

Applications will have to be carefully weighed against the clear statement of legislative policy set forth in Section 7(a) and (b) of the Agricultural Land Commission Act, viz.

> It is the object of the Commission to preserve agricultural land, and encourage the establishment and maintenance of farms, and the use of land in an Agricultural Land Reserve compatible with agricultural purposes,"
>
> And in Section 15(2) of the Agricultural Land Commission Act, viz.
>
> No person shall use agricultural land for any purposes other than farm use ...."

What is Good Agricultural Land?

The question of what is good agricultural land and what is not is a complex one. To define British Columbia's most important agricultural land, the Agricultural Land Commission begins with the Canada Land Inventory (CLI) classification system under which land is grouped into seven classes according to its potentialities and limitations for agricultural use depending on inherent soil and climatic characteristics.

Canada Land Inventory ratings show the range of crops that can be grown. The ratings also show the particular soil and climatic features that downgrade the agricultural capability of the land. However, they give no indication of yield of individual crops, of social or economic conditions, or of the current use of the land. For example, a parcel of Class 4 land may be highly productive for a narrow range of crops. Thus the Agricultural Land Commission looks not only at capability but also takes other factors into consideration, particularly suitability for general agricultural purposes, suitability for specific agricultural crops, productivity, homogeneity of the farming community, and others.

Under the Canada Land Inventory System:

Class 1 land is capable of producing the very widest range of crops. Soil and climate combinations are optimum.

Class 2 land is capable of producing a wide range of crops, but minor restrictions of soil or climate may reduce capability to some degree.

Class 3 land is capable of producing a fairly wide range of crops, under good management practices. Soil and/or climate limitations are somewhat restrictive.

Class 4 land is capable of a restricted range of crops. Soil and climate limitations require special management considerations.

Class 5 land is capable of production of perennial forage crops only. Soil and/or climate restrictions severely limit capability.

Class 6 land cannot be cultivated due to soil and/or climate limitations but may be important in its natural state as grazing land.

Class 7 land has no agricultural capability whatsoever.

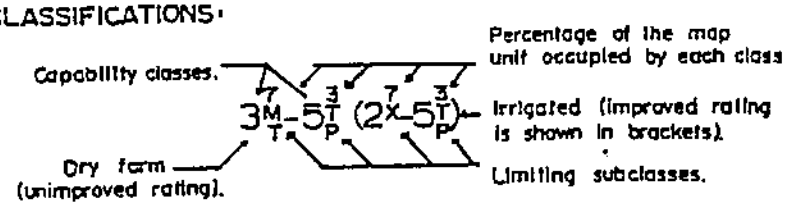
CANADA LAND INVENTORY
AGRICULTURAL CAPABILITY CLASSIFICATION FOR BRITISH COLUMBIA

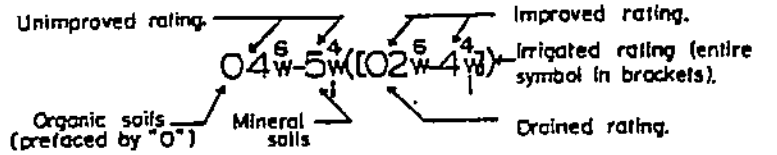
The CLI classification system groups land into 7 classes according to its potentials and limitations for agricultural use.

The classification system is based upon the inherent soil and climate characteristics of the land. Class ratings indicate the relative range of crops that can be grown, as well as the specific soil or climate limitations that down-grade the agricultural capability of the land.*

* The CLI agricultural capability ratings give no indication of specific crop suitability, productivity, or present land use.

EXAMPLE CLASSIFICATIONS:





The agriculture capability classes are determined on the relative range of crops the land can produce.

I. CAPABILITY CLASSES

CLASS 1 - widest range of crops
CLASS 2, CLASS 3, CLASS 4 - reduced range of crops caused by a number of limiting factors (subclasses)
CLASS 5 - pasture or forage (improvements feasible)
CLASS 6 - natural grazing
CLASS 7 - no productivity

II. LIMITING SUBCLASSES

A. - soil moisture deficiency (modified)
C. - adverse climate
D. - undesirable soil structure
E. - erosion
F. - low fertility
I. - inundation (flooding)
M. - moisture deficiency (droughtiness)
N. - salts
P. - steniness
R. - bedrock near the surface
S. - combination of 2 of D, F, M, or N
T. - topography (slope)
W. - excess water
X - combination of soil factors

Note: Where irrigation or drainage does not improve the capability class, only the dry farm rating is shown.

Ministry of Transportation and Highways

FACSIMILE RECORD

Date June 15/93

File No.

TO: John Clark
MTH
North Peace

C/O

FAX No. PHONE No.

FROM: Lauren Wagar
Reg. Mgr. Rehab & Maint. Svcs
Central/North East

FAX No. PHONE No.

ORIGINAL PAGES TO BE:
☐ FILED ☐ MAILED ☐ COURIERED ☐ OTHER (SPECIFY)

SUBJECT:

Lauren will get back to you as soon as he talks to Dan Doyle. He still needs more info.

PAGES: 17 (including this sheet)

Ministry of Transportation and Highways
Correspondence Tracking System

June 14, 1993
8:57 AM

REFERRAL SLIP

CORRESPONDENT
First Name:
Middle Name:
Surname:
Title:
Organization: s.22
Address:

City:
Province:
Postal Code:
Country:
Electoral District: Peace River North
Issue:
Subject: Requests the gate s.22 be kept closed – Opposed to extension of Old Hudson Hope Rd No. 119, Fort St. John.

CTS Log Number: 002255 93
Minister's Log Number: 4613
File Code: 280-30
Entered By: CBA

Date of Letter: 93/05/28
Date Received: 93/06/14
Date Completed: / /
Status: OP
Category: REG

Attitude:

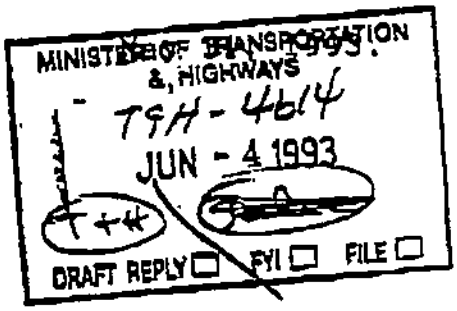
REFERRED TO
Office Id: REGION 4 Office Description: Regional Director, Central North East
Date Referred: 93/06/14
Surname: CARR
Remarks: Prepare response for Minister's signature.

FAX MESSAGE

TO Mr. Carr
COMPANY Region 4
YOUR FAX NO.
OUR FAX NO. 387-6771
NO. OF PAGES 13
DATE 93/06/14
RE: IN

Please Rush!
Thanks
C.

s.22



Honerable Art Cherbonneau,
Ministry of Highways,
Room 28,
Parliament Building,
Victoria, B.C.

Dear Sir:

As you must know your highways manager, Mr. John Clarke, out of Fort St. John is pressing hard to put a road through the farms of s.22 to gain access to a small parcel of crown land next to the Peace River. If this road was to proceed it would virtually destroy some of the best farm land in the whole Peace Valley. Much of the soil on these farms are #1 and #2 soils, very rare and valuable.

Part of the existing road that leads to the s.22 and ends at the foot of the steep hill at the boundary of s.22 farm was constructed by the land owner and not by the Ministry of Highways, yet John Clarke tries to call this a section 4 road, Why? Sometimes he admits that it isn't. s.22 and know it wasn't the Old Hudson Hope road, nor was it ever Road 119 as John Clarke likes to refer to it as. John Clarke and an individual from Lands and Housing stated to us that it's the Ministry's Mandate to access all parcels of crown land, that would virtually be an impossibility as there is thousands of hectars of crown land not accessed and the cost to do the surveys alone would be prohibitive.

The question asked by many is why single out this road and why access such a small parcel of crown land, which is leased to the s.22 for grazing, also this crown land is under the B.C. Hydro flood reserve. I'll try to answer these questions as follows:

There is a long time feud on going between s.22 s.22 told me that they wanted access to s.22 and that crown land for their pleasure and recreation. They told me that they would pressure Highways to make that a public road and that their s.22 s.22 who is Highways Manager, would pull the right strings to get it through.

There has been confrontations at s.22 gate between s.22 s.22 on one side against the s.22 on the other side. These bureaucrats, Mr. John Clarke, s.22 s.22 and employees of Lands and Housing just laughed at me when I mentioned writing to the Minister in Victoria. They just laugh and say " Those guys in Victoria are in for a four year term, we're here to stay, we'll be calling the shots, you have to answer to us not those guys in Victoria."

s.22 is retiring soon from the Ministry of Highways.

s.22

s.22 That's the reason s.22 want access through s.22 farm. There is already public road allowances accessing the Peace River, unapproved of course, but what better timing than now to get the Highways involved with public tax dollars prior to s.22 retiring.

s.22

s.22 creating a public thoroughfare dead center through the
s.22 agricultural farm fields and directly through their building site.

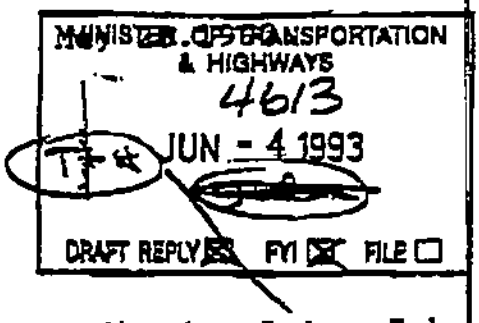
Please look into this matter for us and please don't get your answers from John Clarke or s.22 a non biased study would be in order, perhaps by the Forestry out of Fort.St.John, the Regional District and the Agricultural Land Reserve board.

Thank you for your time and consideration.

Sincerly.

s.22

s.22



Mr Art Charbonneau,
Ministry of Highways,
Room 28,
Parliament Building,
Victoria B.C.

Dear Mr. Charbonneau:

s.22 west of Charlie Lake, I have been plagued by vandals and on many occasions had my equipment damaged, also every year our fields have damage done by vehicles driven through the grain fields. Also livestock has been chased and one year a beef animal was butchered by persons unknown.

s.22 myself lock a gate, barring the public access to s.22 This worked very well and the vandalism stopped.

Mr. John Clarke, Highways Manager, said that we must open this gate as he considered that road a class 4 road. This particular road was built by the land owners, not by the Ministry of Highways. There was old wagon roads in various places used in the early days by homesteaders and settlers, but this road in question. s.22 farmed the B.C. Hydro property past s.22 s.22 about 10 years ago. They s.22 came down through s.22 and worked on s.22 private road with their D8 cat making a direct route to the hydro property which they rented.This action on s.22 part was unnecessary as there was already legal access to the hydro property from the west through crown land and maintained by the Ministry of Highways. Also, s.22 were in direct violation of trespassing through s.22 s.22 reluctantly allowed the s.22 to use that road, but only for their own use to access the hydro property.

John Clarke claims that a grader went down to the foot of the hill 10 years ago, once or twice, thus making that portion of the disputed road a class 4 road. That grader was in violation of the trespass act as well, as no permission was granted by s.22 It is strange that a grader ever went down there as it has never gone down in the last 10 years. I wonder how s.22 ever influenced the Ministry to send a grader down there when they were renting the hydro property. There has never been a grader sent down since s.22 stopped renting the Hydro farm.

s.22

I want s.22 gate kept locked which helps me a great deal. To make the private road of s.22 into a public road is completely out of the question, as any profitable farming operation would be impossible.

I have enclosed a couple of documents for your reference. Please acknowledge this letter and the documents enclosed. Please photo copy these documents and return the originals.

Sincerly, s.22

s.22

Ltr # 2255/93

Province of British Columbia

MEMORANDUM

TO: s.22

FROM: Land Title Office
130 Victoria St
Prince George, B.C.

SUBJECT: NW¼ sec 27 twp 83 Range 20 W6M

DATE: October 16/81

- [x] For Your Information
- [ ] Please O.K. and Return
- [ ] Please Discuss With Me
- [ ] Per Your Request
- [ ] For Your Signature
- [ ] Please Process
- [ ] Action with More Details
- [ ] Investigate and Report
- [ ] Please Answer
- [ ] For Your File

Please be advised our records do not show any road allowances within the above noted property

E.J. Raven per D Jardine

Cst SMITH contacted the MINISTRY of Lands who stated that although there was some confusion as to whether MEEK was allowed to lock a gate accessing an old road on his property it is now clear that at this time the public can not legally access this road.

Cst P.D. SMITH. 41820
P.D Smith

NOTE: The above is a hand written statement by Constable Smith from The RCMP out of Ft St John Sept 7th 1992

Item Subject: MINS CORR.

280 3C

D R A F T

Reference: 1539/93

Peace Valley Environmental Association
Box 6062
Fort St. John, British Columbia
V1J 4H6

Attention: Mrs. R.D. Darnall, Chairperson

Thank you for your letter of April 2, 1993 concerning the old Hudson's Road and possible environmental impacts. I have checked with my staff who advise that establishing a legally surveyed right-of-way for an existing public road will not impact on any environmental concerns in the area.

The issue of ATVs is appropriately handled through the Ministry of Environment by the establishment of restricted areas. This can be best accomplished through a public process if the need is warranted. It should also be note worthy that ATVs should not be on the public road system without applicable licenses.

I support your concerns for the environment, however I do not feel this project should be of concern. Should you have any further questions, please contact Mr. John Clark, District Highways Manager for the North Peace District at 787-3237 or at #300 10003 100 Avenue, Fort St. John.

Thank you for taking the time to express your concerns.

Prepared by: J. Clark, District Highways Manager
North Peace
April 23, 1993

Approved by: W. Carr, Regional Director
Central/North East Region
April 28, 1993

01130

DRAFT

Reference: 1539/93

Peace Valley Environmental Association
P.O. Box 6062
Fort St. John, British Columbia
V1J 4H6

ATTENTION: Mrs. R. D. Darnall, Chairperson

Thank you for your letter of April 2, 1993, concerning Road 119 and current controversy regarding public access. I regret the delay in responding, but this situation has been under review for some time.

At this time the Ministry is taking no further action to have the private gate removed or to establish a surveyed right-of-way for access to Crown Lands beyond. While the Ministry was attempting to assist as requested by a few, clearly the majority do not wish to see the gate removed or public monies spent on such access. Current access to Crown Lands beyond is available on foot or horseback along the township deletions.

I trust that all parties will accept the Ministry's position on this matter. To-date there have been very polarized views by local users.

Thank you for expressing your concerns.

Prepared by: Lawren Wagar, A/Regional Director
Central/North East Region
June 17, 1993

Reference: 1367/93

June 29, 1993



Mr. Greg Cranston
Barrister and Solicitor
234 Abbott Street
Vancouver, British Columbia
V6B 2K8

Dear Mr. Cranston:

Thank you for your letter of March 23, 1993, concerning Road 119 and the controversy regarding public access. I regret the delay in responding, but this situation has been under review for some time.

At this time, the Ministry is taking no further action to remove the private gate or establish a surveyed right of way for access to Crown Lands beyond. The Ministry tried to help as requested by a few of the area residents, but clearly the majority do not wish to see the gate removed or public monies spent on an access. I understand that current access to Crown Lands beyond is available on foot or horseback along the township deletions.

Although there have been very polarized views by local users, I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

ORIGINAL SIGNED BY MINISTER

JUL 07 1993

Art Charbonneau
Minister

!bcc: Mr. Lawren Wagar, A/Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!SVarley, CU/LWagar/clc/3455c/Min.Log –3985– !

GREG CRANSTON
Barrister & Solicitor
(Also of the Yukon Bar)

RECEIVED
APR 1 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

234 ABBOTT STREET VANCOUVER, B.C. V6B 2K8 (604) 688 0495 FAX:688 0201

March 23, 1993

MINISTER OF TRANSPORTATION & HIGHWAYS
TAH 3985
MAR 2 6 1993
DRAFT REPLY ☑ FYI ☐ FILE ☐

Mr. Art Charbonneau
Minister of Transportation and Highways
Room 28, Parliament Buildings
Victoria, B.C.
V8V 1X4

Dear Sir:

Re: Old Hudson's Hope Road
NW and NE 1/4 Section 27, TP.83, RG.20, V6M, Peace River District

s.22 are long time residents of Fort St. John and own a large parcel of land near the Peace River. There is an existing right of way over a hill and through two pieces of property. This right of way is difficult to negotiate. There is a trail that goes through the two pieces of property to give them access. There is a very parcel of Crown land near the river. This land includes islands that are occasionally under water. I would respectfully submit that this land has minimal value to the public. However, a member of the Ministry staff has some interest in an adjoining property and it would be of great value to that land to have unfettered access across my client's property.

We can only believe that to be one of the main reasons why the ministry in Fort St. John is pushing for access. It seems a tremendous waste of public resources to survey and build a road through two parcels of land to access a very small and relatively worthless piece of Crown land. As I indicated, there is an existing and legal right of way and if the Crown wishes access, it can avail itself of that.

Granted, the access may be more difficult to use than a newly built road and some modifications might have to be made, but that is not my client's problem.

I am enclosing copies of a letter dated March 15, 1993 from John P. Clark, District Highways Manager to my clients, and my response to him. I cannot believe that this government has the money to waste on such a foolish project - or the spare time to alienate taxpayers/voters.

I believe that the Ministry ought not to be involved in this.

Yours very truly

Greg Cranston

GREG CRANSTON

Cars
Log # 120

Province of
British Columbia

MEMORANDUM

Gwen Gordy, Regional Steno
Central/North East Region
#213, 1011 - 4th Avenue
Prince George, BC

April 22, 1993
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7

280-30

RE: MINISTERS RESPONSE #1367 - 93
GREG CRANSTON

Suggested response would be:

Thank you for your letter of March 23, 1993, concerning the Old Hudson's Hope Road. The road in question across your clients' property is a public highway pursuant to Section 4 of the Highway Act. The placement of a gate on this road has prompted my staff to resolve this issue of defining a right-of-way and remove the gate to supply access to all parcels including lands beyond, which is the Crownland at the Peace River. This is one of my Ministry's mandates and responsibilities.

With regards to your comments that someone locally from within the Ministry has a direct interest in this project, I can assure you, these are unjustified. The District Highways Manager, Mr. John Clark in Fort St. John is solely acting on requests from the general public and those received through the Ministry of BC Lands.

As the completion of this project will not only supply physical vehicular access to all parcels of land without further disruption to the hillside or cultivated lands below, I believe that this will satisfy the majority of the public concerns in this situation.

Should you have any further concerns directed from your client, I suggest you contact the District Highways Manager for the North Peace, Mr. John Clark at 787-3237 or at #300, 10003 - 110 Avenue, Fort St. John, BC.

Thank you for taking the time to contact me on this matter.

Prepared by:

John P. Clark, District Highways Manager
North Peace District
April 23, 1993

Approved by:

RECEIVED
APR 1 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

GREG CRANSTON
Barrister & Solicitor
(Also of the Yukon Bar)

234 ABBOTT STREET VANCOUVER, B.C. V6B 2K8 (604) 688 0496 FAX:688 0201

March 23, 1993

MINISTER OF TRANSPORTATION
& HIGHWAYS
TCH 3985
MAR 26 1993
DRAFT REPLY ☒ FYI ☐ FILE ☐

Mr. Art Charbonneau
Minister of Transportation and Highways
Room 28, Parliament Buildings
Victoria, B.C.
V8V 1X4

Dear Sir:

Re: Old Hudson's Hope Road
NW and NE 1/4 Section 27, TP.83, RG.20, V6M, Peace River District

s.22 are long time residents of Fort St. John and own a large parcel of land near the Peace River. There is an existing right of way over a hill and through two pieces of property. This right of way is difficult to negotiate. There is a trail that goes through the two pieces of property to give them access. There is a very parcel of Crown land near the river. This land includes islands that are occasionally under water. I would respectfully submit that this land has minimal value to the public. However, a member of the Ministry staff has some interest in an adjoining property and it would be of great value to that land to have unfettered access across my client's property.

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Granted, the access may be more difficult to use than a newly built road and some modifications might have to be made, but that is not my client's problem.

I am enclosing copies of a letter dated March 15, 1993 from John P. Clark, District Highways Manager to my clients, and my response to him. I cannot believe that this government has the money to waste on such a foolish project - or the spare time to alienate taxpayers/voters.

I believe that the Ministry ought not to be involved in this.

Yours very truly

Greg Cranston

GREG CRANSTON

Cover
Log # 13071R

GREG CRANSTON
Barrister & Solicitor
(Also of the Yukon Bar)

234 ABBOTT STREET VANCOUVER, B.C. V6B 2K8 (604) 688 0495 FAX:688 0201

March 23, 1993

John P. Clark
District Highways Manager
300, 10003 - 110 Avenue
Fort St. John, B.C.
V1J 6M7

Dear Mr. Clark:

Re: Old Hudson's Hope Road

Please be advised that I act for the owners of the property NW and NE 1/4 Section 27, TP. 83, RG. 20, W6M, Peace River District. My clients have attempted for some time to be reasonable citizens and to deal in a meaningful way with your office. It would seem that their efforts are to nought. We are also privy to certain documents that indicate that there may not have been full and frank disclosure to my clients. I am not in a position at this point to unequivocably state that that is the case.

We are disappointed that we are no able to reach any reasonable solution at this point. We remain ready, willing and able to discuss the matter.

With regard to your proposal to have a survey done, we are opposed to that and put you on notice that any intrusion on my client's property will be treated as a criminal and civil tresspass and we will seek all remedies available, including the R.C.M.P. Although the Department of Highways may have the right to survey an existing right of way, we take the position that it does not have the right to survey a proposed one. We are not prepared to have anyone tresspass on the property without a Court Order.

We were further disappointed by your attempt to begin the process by your suggestion that you cannot get B.C. Land Commission approval without having a plan of the right-of-way, showing the location, widths, etc. We can only assume that you have a very good idea of where you would like the road to go and it is my opinion that there is nothing preventing you from making an application in principle, without doing any actual surveying. I would further suggest that once the actual surveying is done, it would be fait d'accompli.

Finally, I am very concerned about the appearance of bias in this case. It is my understanding that an employee of your Ministry (in fact the local office) has a serious and competing interest to that of my clients and that that is one of the major reasons why the Ministry is continuing to push for this road.

Your asugestions are not acceptable. If a road were to be built across my client's property, we will insist on a major deposit being made on account of damages. It has been our experience that one a road is built, there is no way to keep people out. There has been damage done to the gate presently in place on the property on

a regular basis.

With regard to Czar Petroleum, we are perfectly capable of negotiating whatever access they may require directly with them and with your assertion that access is required to Crown Land, that is patently not the case as there are hundreds of parcels of Crown land all over the province that have no access. It is a travesty to me that the Department should suggest that this small parcel is so unique and so useful that a road across my client's land is a necessity.

In short, if you are serious about proceeding with this unfortunate scheme, please have your Counsel contact me.

Yours very truly

GREG CRANSTON

c.c. Minister of Highways
237, 617 Government Street
Victoria, B.C.
V8V 2M3

Ujjal Dosangh, MP
Parliament Buildings
Victoria, B.C.
V8V 1X4

Mr. Mike Waberski
Waberski Darrow B.C.L.S.
9908 - 102 Avenue
Fort St. John, B.C.
V1J 2E1

Province of British Columbia
Ministry of Transportation and Highways
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

March 15, 1993

s.22

Re: *OLD HUDSON'S HOPE ROAD*
NW AND NE 1/4 SECTION 27, TP. 83, RG. 20, W6M, PEACE RIVER DISTRICT

Dear s.22

I wish to acknowledge your letter dated March 10th & 11th 1993, with respect to concerns over the above noted project.

Firstly at the last meeting on February 16, we discussed the A.T.V. problem and a possibility of a restricted area. I advised that Ministry of Environment had this jurisdiction and through a "Public Process" will consider restricted areas. I also mentioned that they prefer to deal with large areas, for example, all Crown Land between the Halfway River to the Old Fort. The Ministry can only offer support of such a restriction, but its up to the public at large to promote this to the Ministry of Environment.

With respect to compensation for the road right of way, whether it be fencing, texas gates, signs, inconvenience or anything else, this is between the land owner and our Ministry's property negotiator, thus I did not elaborate in my last letter with respect to any particular items whether monetary or not.

With respect to your proposal to consolidate your parcels of land and eliminate the road. At present Czar Petroleum's uses this road to access their pipeline and as previously discussed, feasible access is also required to the Crown Land. The Ministry is therefore attempting to establish a legal right of way over the existing route rather than create a new one. You are quite free to consider consolidation of your lands, in any case, if you wish.

.../2

In your letter of March 11th, you refer to the B. C. Land Commissions approval. In order for the Ministry to apply to the Commission for any right of way project we must first have a plan of the right of way showing location, widths, etc. This is now what we have instructed Mike Waberski, BCLS to do as the 1st step in this entire process. At our meeting Mr. Waberski outlined what is required to accomplish this initial plan. This same plan serves as a basis for negotiations with the various land owners as well.

I trust the above will clarify your concerns mentioned in your letters.

Yours truly,

John P. Clark
District Highways Manager

JPC/mb

D R A F T

Reference: 1367/93

s.22

Thank you for your letter of March 23, 1993 concerning the Old Hudson's Hope Road. The road in question across your clients' property is a public highway pursuant to Section 4 of the Highway Act. The placement of a gate on this road has prompted my staff to resolve this issue of defining a right-of-way and remove the gate to supply access to all parcels including lands beyond, which is the Corwnland at the Peace River. This is one of my Ministry's mandates and responsibilities.

With regards to your comments that someone locally from within the Ministry has a direct interest in this project, I can assure you, these are unjustified. The District Highways Manager, Mr. John Clark in Fort St. John is solely acting on requests from the general public and those received through the Ministry of BC Lands.

As the completion of this project will not only supply physical vehicular access to all parcels of land without further disruption to the hillside or cultivated lands below, I believe that this will satisfy the majority of the public concerns in this situation.

Should you have any further concerns directed from your client, I suggest you contact the District Highways Manager for the North Peace, Mr. John Clark at 787-3237 or at #300 10003 110 Avenue, Fort St. John, British Columbia, V1J 6M7.

Thank you for taking the time to contact me on this matter.

Prepared by: John Clark, District Highways Manager

North Peace District
April 28, 1993

Approved by: yne Carr, Regional Director
Central/North East Region
April 29, 1993

Reference: 2255/93

June 29, 1993



s.22

Thank you for your letter of May 28, 1993, concerning the Old Hudson Hope Road 119 and the controversy regarding public access.

You will be pleased to know that, at this time, the Ministry is taking no further action to remove the private gate or establish a surveyed right of way for access to Crown Lands beyond. The Ministry tried to help as requested by a few of the area residents, but clearly the majority do not wish to see the gate removed or public monies spent on an access. I understand that current access to Crown Lands beyond is available on foot or horseback along the township deletions.

Although there have been very polarized views by local users, I trust that all parties will accept the Ministry's position on this matter.

As you requested, I have returned all of your original correspondence. Thank you for expressing your concerns.

Yours sincerely,

ORIGINAL SIGNED BY MINISTER

JUL 07 1993

Art Charbonneau
Minister

Attachments

!bcc: Mr. Lawren Wagar, A/Regional Director!
!Central/North East, Prince George!

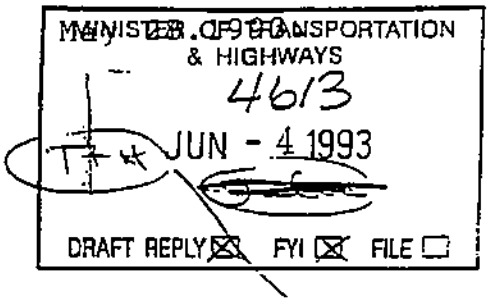
!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!C.U. – Return to s.22 all 12 pages of his original correspondence.!

!SVarley, CU/LWagar/clc/4239c/Min.Log –4613– !

Fort.St.John, B.C.,
V1J 4J1.

May 28, 1993



Mr Art Charbonneau,
Ministry of Highways,
Room 28,
Parliament Building,
Victoria B.C.

Dear Mr. Charbonneau:

I farm lands owned by s.22 west of Charlie Lake, s.22

s.22

s.22 myself lock a gate, barring the public access to s.22 This worked very well and the vandalism stopped.

Mr. John Clarke, Highways Manager, said that we must open this gate as he considered that road a class 4 road. This particular road was built by the land owners, not by the Ministry of Highways. There was old wagon roads in various places used in the early days by homesteaders and settlers, but this road in question. s.22 farmed the B.C. Hydro property past s.22 s.22 about 10 years ago. They, s.22 came down through s.22 and worked on s.22 private road with their D8 cat making a direct route to the hydro property s.22 .This action on the (s.22 part was unnecessary as there was already legal access to the hydro property from the west through crown land and maintained by the Ministry of Highways. Also, s.22 were in direct violation of trespassing through t s.22 reluctantly allowed s.22 to use that road, but only for their own use to access the hydro property.

John Clarke claims that a grader went down to the foot of the hill 10 years ago, once or twice, thus making that portion of the disputed road a class 4 road. That grader was in violation of the trespass act as well, as no permission was granted by s.22 . It is strange that a grader ever went down there as it has never gone down in the last 10 years. I wonder how thw s.22 ever influenced the Ministry to send a grader down there when they were renting the hydro property. There has never been a grader sent down since the s.22 s stopped renting the Hydro farm. s.22

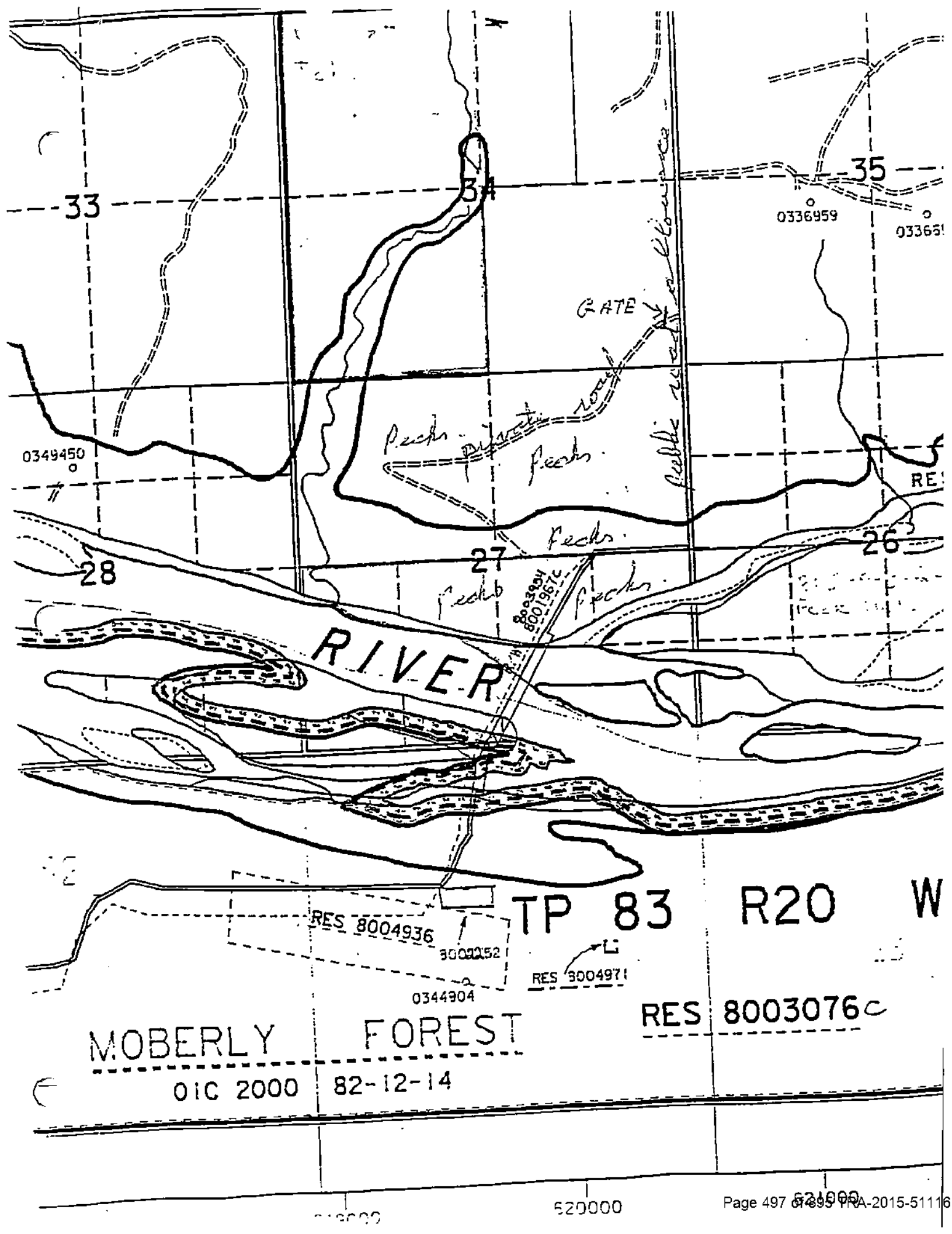
s.22

I want s.22 gate kept locked which helps me a great deal. To make the private road of s.22 into a public road is completely out of the question, as any profitable farming operation would be impossible.

I have enclosed a couple of documents for your reference. Plea acknowledge this letter and the documents enclosed. Please photo copy these documents and return the originals

Sincerl s.22

s.22


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GATE
Peeks
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Peeks
RIVER
TP 83 R20 W
RES 8004936
RES 8004971
0344904
RES 8003076c
MOBERLY FOREST
OIC 2000 82-12-14
520000

British Columbia

MEMORANDUM

s.22

FROM: Land Title Office
130 Victoria St.
Prince George, B.C

SUBJECT: NW¼ sec 27 twp 83 Range 20 W6M

DATE: October 16/81

☒ For Your Information ☐ Please O.K. and Return ☐ Please Discuss With Me ☐ Per Your Request ☐ For You
☐ Please Process ☐ Return With More Details ☐ Investigate and Report ☐ Please Answer ☐ For You

Please be advised our records do not show any road allowances within the above noted property

E. Paulen per D Jardine

Fold for Window Envelope

Cst SMITH contacted the MINISTRY OF Lands who stated that although there is some confusion as to wether MEEK was allowed to lock a gate accessing an old road on his property; it is now clear that at this time the public can not legally access this road.

Cst P.D. SMITH. 41820
P.D Smith

NOTE: The above is a hand written statement by Constable Smith from the RCMP out of Ft St John.
Sept 7th 1992.

s.22

Dear Madam:

I am writing this letter regarding agricultural property s.22 s.22 B.C. Hydro. This property is situated on the Peace River, east from Highway 29, (Hudson Hope Highway), near Cache Creek. I have enclosed a map for your reference. We have been plagued by vandals and hunters who open up the gates to the fields and drive 4X4 trucks and motorbikes through the grain fields doing willful damage, the gates are left open so livestock can get in.

The damage last year from livestock getting into these fields and from these people driving through our seeded crops amounted to more than s.22

This year we put a lock on the gate about a ½ mile west of the fields. The s.22 s.22 keep their gates locked so there is no public entry possible to the Hydro property from that direction. The s.22 are s.22 and have gave us and Chris Windt from Hydro keys so we can get to the Hydro farm s.22 if we so desire. This arrangement has worked very well this year and the damage to crops has been kept to a minimum.

The Ministry of Highways have put up "No Through Road" signs near Highway 29 where the road takes off to the Hydro property from the west. They have also put up this same sign on the east end near s.22 This has also helped to keep the traffic to a minimum.

Many hunters and undesireable people are saying that this is a through road and at one time was the Old Hudson Hope Road. This is not true as s.22 s.22 homesteaded about 5 miles from this road in 1932, and at no time since then was this road used as the Hudson Hope Road. The road to Hudson Hope in 1932 and ever since then has been near or where it is today. Numerous pack horse trails and old wagon trails criss crossed the country gaining access to homesteads. Many of the homesteaders have long disappeared along with the trails leading to thier homesteads. These old trails were not gazetted.

In 1942, Tompkins Contracting operated a coal mine near Hudson Hope. They were selling and hauling coal to the U.S. Army during the building of the Alaska Highway. The s.22 at that time built and constructed this road east of Cache Creek off Highway 29 through to near Charlie Lake through what is now the Hydro and s.22 properties. Their intent was to avoid the steep hills of Cache Creek, Deep Creek, and Tea Creek which existed on the Hudson Hope Public Highway. Also, they wanted the Ministry of Highways to take over this road after they constructed it. The Department of Highways refused to take it over. There were other obstacles as some land owners and farmers refused access through their properties. As there wasn't any roads gazetted in that area and because the Ministry of Highways refusal to take this over as a public road, the whole project was abandoned. Much of the old roads and trails disappeared over the years.

A land owner who owned the Hydro property back in the 1950's, hired a cat and reconstructed part of the old Tompkins road for his own use east through the s.22 property. He also built complete new sections of road.

Prior to Hydro buying the farm which used to be referred to as the Peace Valley, was owned by an American religious commune. This commune finally persuaded the Ministry of Highways to send a grader in from the west off Highway 29 to their building site and to do minimal repairs to that road. This road was then referred to as the American Road.

s.22 had access to their farm from the east through Charlie Lake. There was no connecting road between Pecks and the Hydro property. A few years ago, s.22 leased this Hydro farm. Then, without permission from s.22 entered s.22 property with a D8 cat and repaired and reconstructed an adjoining road through s.22 property across Deep Creek to the Hydro farm. There was considerable disagreement between s.22 over this trespass. s.22 finally allowed the s.22 ; to use this road only for thier own use, with the understanding that the s.22 would keep the gates closed.

s.22 continually left the gates open and livestock getting into the fields was a constant problem. s.22 admitted to leaving the gates open and to cutting the wire on the fences. Consequently, there was a law suit between the s.22 There was also another one between the s.22 who is an old time pensioner that has livestock and farms near the Hydro property. As I mentioned before, s.22 admitted to cutting the fences on the Hydro property and on s.22 property. (Pictures enclosed.) s.22 no longer lease the Hydro property and have no reason to be down there. They are still causing trouble by cutting fences and locks as recently as this past September of 1992 which they admitted and were caught doing.

s.22 have been writing letters to various Government Departments as well as to Hydro, protesting the closure of this road. They have also got some of their friends to write letters camoflaging the fact that s.22 are behind all of this.

s.22 s.22 s.22 s.22 s.22 s.22 Also, the s.22 B.C. Hydro is caught in the middle and have co-operated to the point of offering to install cattle guards in place of gates entering into the fields. This would eliminate the gates being left open and livestock entry at these points should be solved. This would not solve our biggest problem being s.22 the general public and hunters entering and driving through our crops doing willful damage and of course, vandalism.

Our position is that the fields s.22 agricultural use.

s.22 s.22

s.22

s.22 Vandals could cause

s.22

We do have some insurances but if someone was hurt or poisoned, we could have a large liability law suit against us. We would like to keep the gates locked to the fields only. We don't have any objection to the general public gaining access to Hydro's property outside the fenced fields or to Crown lands which are accessable without driving through the fields.

I hope that you will study the facts that I have outlined and also discuss this with Chris Windt, Ranch Management Services for B.C. Hydro. Chris is familiar with these problems and could help a great deal I'm sure.

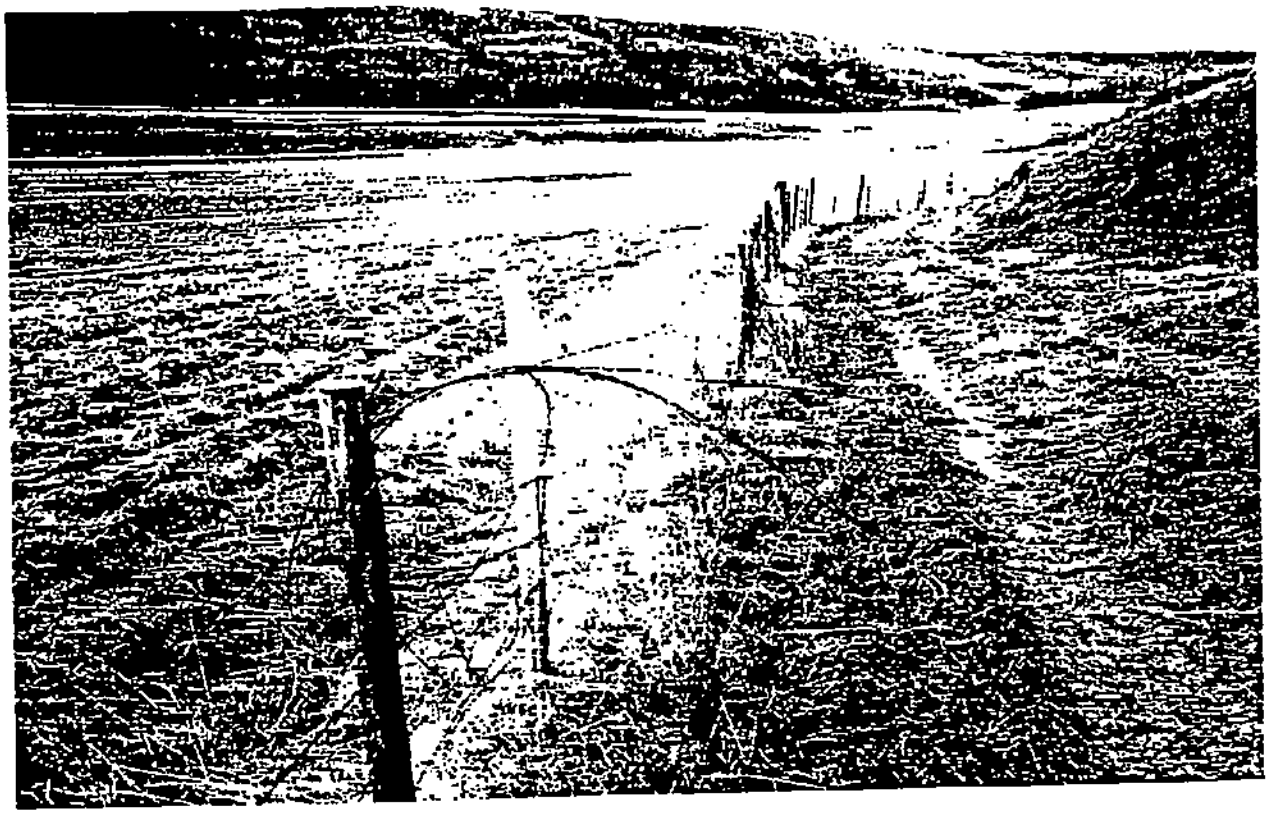
Sincerely,

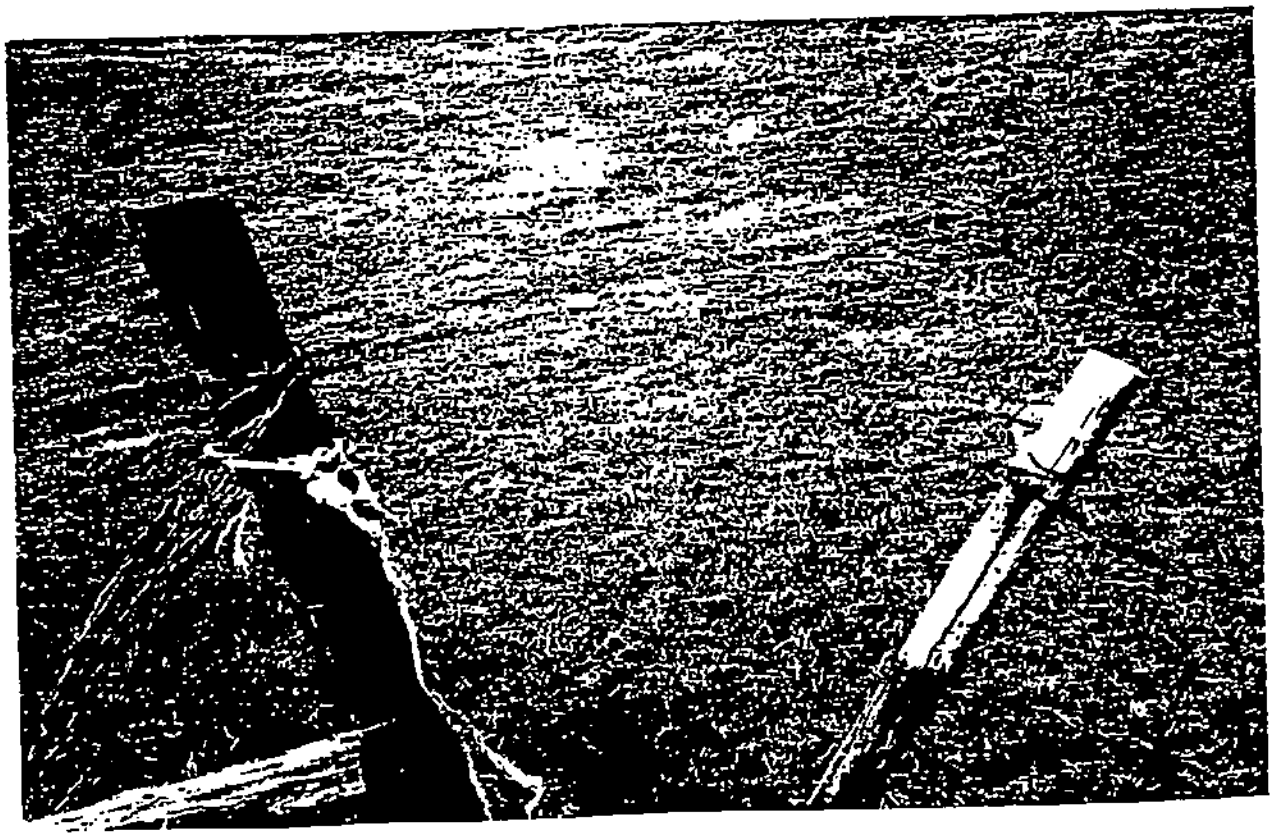
---

s.22

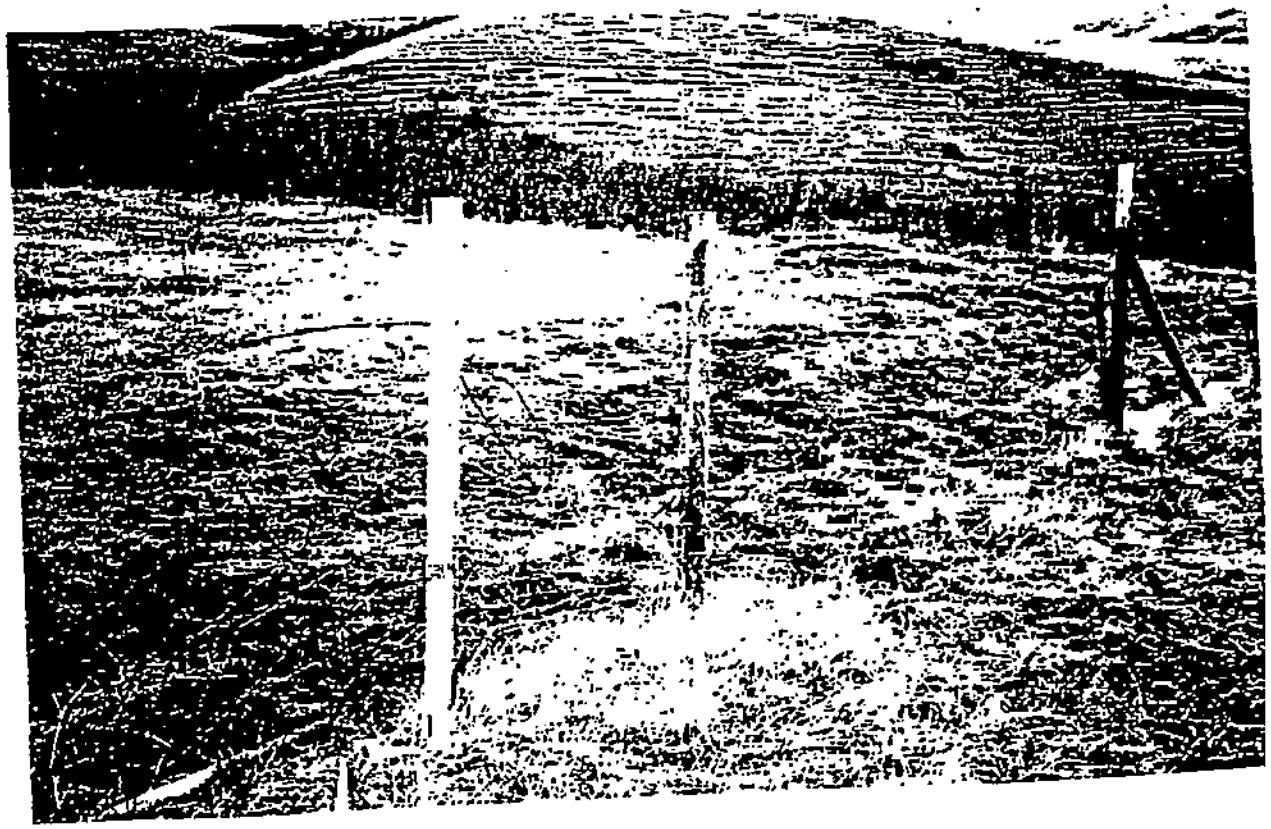
NOTE: This letter sent to [illegible] - B.C. Hydro giving [illegible] of ranch problems - [illegible] provided with [illegible] in this letter [illegible]

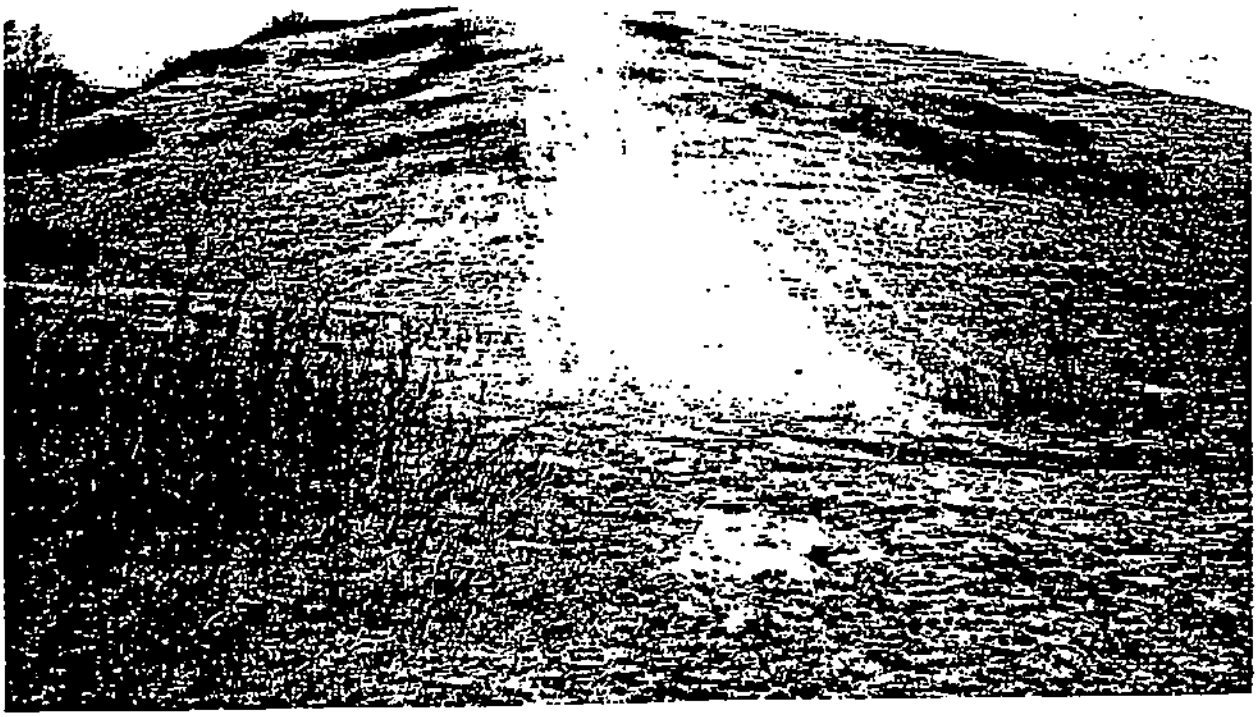
s.22

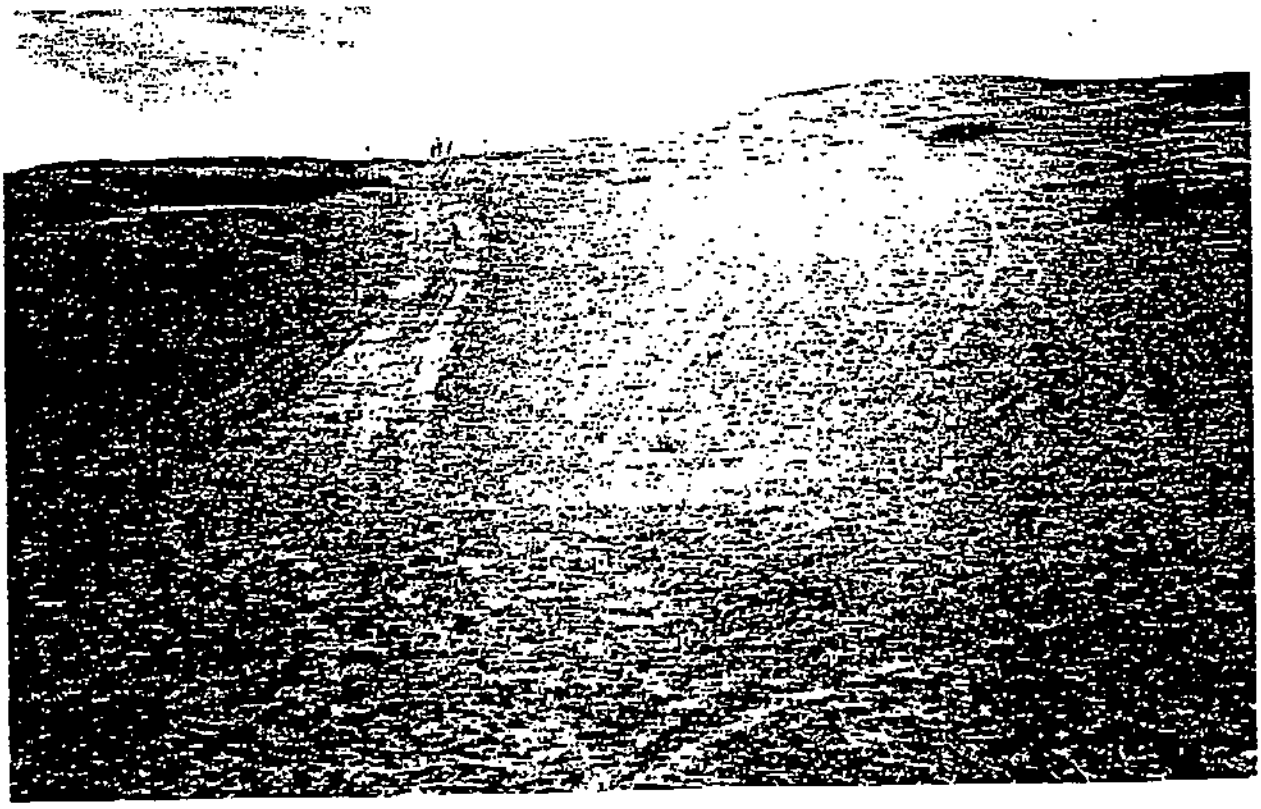




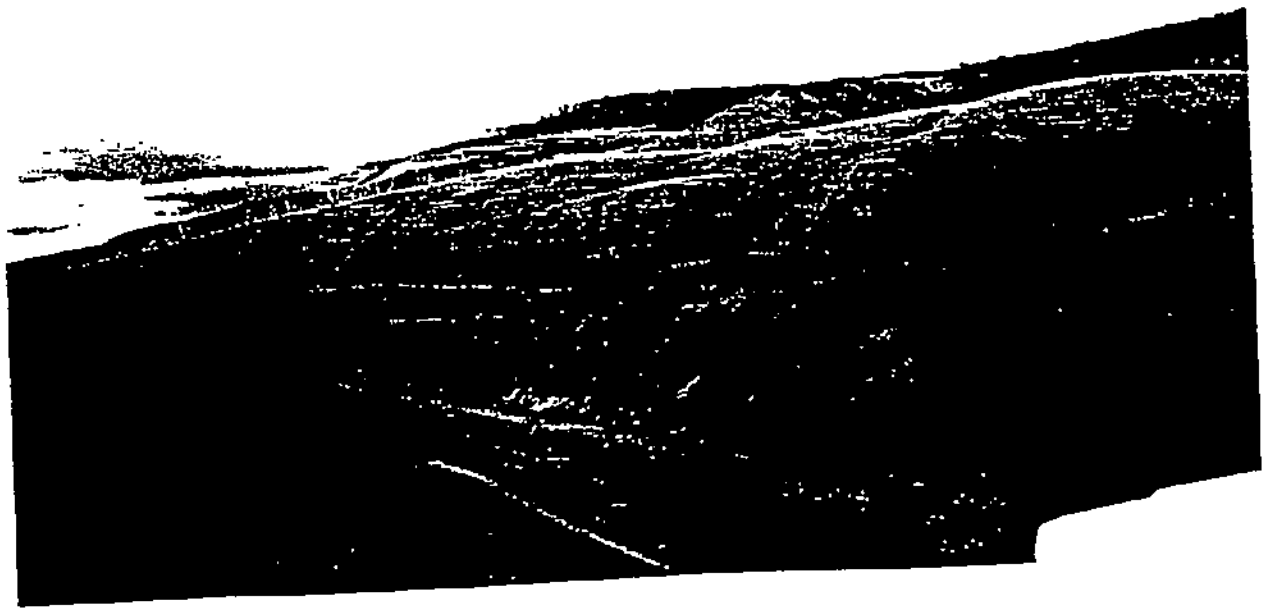


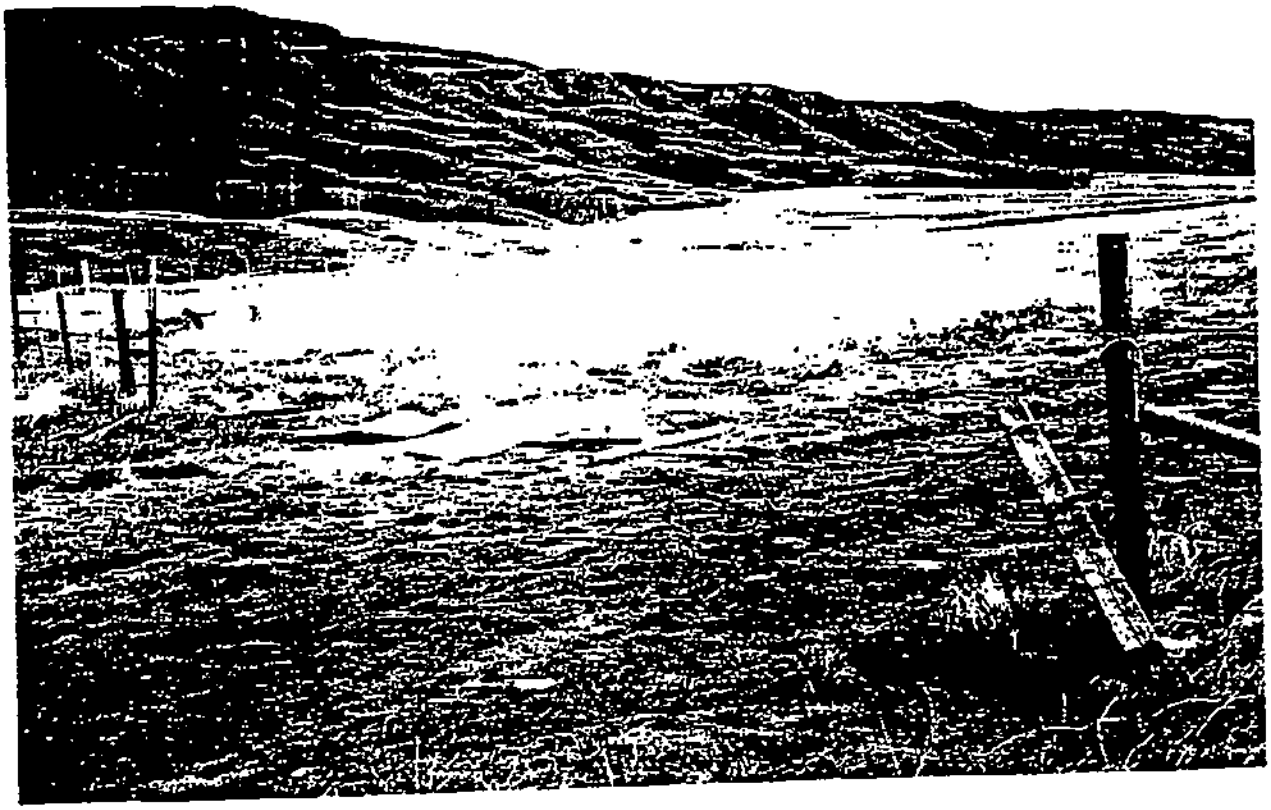












Reference: 2255/93

June 16, 1993

s.22

Thank you for your letter of May 28, 1993, concerning the proposed plans to extend Old Hudson Hope Road.

I have asked Ministry staff to provide me with further details about your concern. Once I have received their report, I will be able to respond fully to your letter. You may expect to hear from me again soon.

Yours sincerely,

ORIGINAL SIGNED BY

Art Charbonneau
Minister

Reference: 1881/93

June 29, 1993



Mr. Ben Knutson
Chairperson
Peace River Regional District
Post Office Box 810
Dawson Creek, British Columbia
V1G 4H8

Dear Mr. Knutson:

Thank you for your letter of May 27, 1993, concerning the Old Hudson Hope Road 119 and the controversy regarding public access.

At this time, the Ministry is taking no further action to remove the private gate or establish a surveyed right of way for access to Crown Lands beyond. The Ministry tried to help as requested by a few of the area residents, but clearly the majority do not wish to see the gate removed or public monies spent on an access. I understand that current access to Crown Lands beyond is available on foot or horseback along the township deletions.

Although there have been very polarized views by local users, I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

ORIGINAL SIGNED BY MINISTER

JUL 07 1993

Art Charbonneau
Minister

!bcc: Mr. Lawren Wagar, A/Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!SVarley, CU/LWagar/clc/4107c/Min.Log –4497– !

PEACE RIVER REGIONAL DISTRICT

Office of: The Chairman

May 27, 1993

Fax to: 356-2290

The Honourable Art Charbonneau
Minister of Transportation and Highways
Parliament Buildings,
Victoria, BC
V8V 1X4

Dear Mr. Minister:

Re: Proposed extension of Road 119 (Charlie Lake, B.C. area)

At a meeting held on May 27, 1993 the Board of the Peace River Regional District passed the following resolution in regard to a Ministry of Transportation and Highways proposal to extend Road 119.

MOVED, SECONDED and CARRIED

that the Honourable Art Charbonneau, Minister of Transportation and Highways be requested to hold the extension of Road 119 in abeyance until;

a) an explanation can be provided of why this road is being constructed during a time of budgetary restraint; and

b) an explanation of why private land is being considered for expropriation when there is an alternative route which is more economical and does not involve private land.

Yours truly,

Ben Knutson
Chairman

c.c. - M.L.A.'s - North and South Peace
- Mr. John Clarke, Ministry of Transportation and Highways, Fort St. John
- BC Agricultural Land Commission, Burnaby

PLEASE REPLY TO:
□ P.O. BOX 810, DAWSON CREEK, B.C. V1G 4H8, TELEPHONE (604) 782-5891 or ZENITH 2770, FAX (604) 782-2718
□ 9912 - 106 AVENUE, FORT ST. JOHN, B.C. V1J 2N9, TELEPHONE (604) 785-8084 or ZENITH 08922, FAX (604) 785-1125

Province of British Columbia

Ministry of Transportation and Highways

MEMORANDUM

Gwen Gordy
Regional Steno
Central/North East Region

June 7, 1993

North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

280-30

RE: MINISTERS' RESPONSE # CTS 001881
BEN KNUTSON - PEACE RIVER REGIONIAL DISTRICT

Suggested response would be:

Thank you for your letter of May 27th, 1993, regarding Road 119 in the Charlie Lake area. The Old Hudson's Hope Road #119 is considered public under Section 4 of the Highway Act and has been recorded as such for over twenty years in the District Records. Approximately 2 years ago a locked gate was erected near the top of the hill on this road and my Ministry started receiving several queries regarding this which have continued to date. The Ministry has attempted to have the gate removed, which has lead to the recent right of way project. This project will legalize the area of the gate as public right of way and the right of way for the existing Section 4 road.

To answer your two specific questions. Firstly, the Ministry is attempting to establish a right of way only for what is now considered public road via Section 4 of the Highway Act and to aid the Ministry of B. C. Lands, extend this right of way approximately 250 metres to access the Crown Land along the Peace River in an area which does not effect any present agricultural use. This right of way will also be on terrain suitable for future construction as necessary. The Ministry is not contemplating any road construction at this time with this project. The Ministry each year undertakes similar surveys and land acquisitions which forms part of the ongoing Ministry programs. I am advised by John Clark, the District Highways Manager for North Peace, that this is only one of several situations currently being dealt with in this district.

With respect to your second question. The Ministry is establishing a right of way for the existing road in its present location. This not only makes sense not to disrupt any other lands but due to the hillside situation other alignments would not be practical. Existing township deletions extending south In this area are not practical due to the steep topography to access the land along the Peace River without major realignments. Any major realignments of these would interfere with lands now used for agriculture.

...2

This project has been ongoing for some time now and at a point where negotiations will commence shortly. I am advised by my staff that there is only one family concerned with this project and the other parties involved have all consented to the project after several public meetings with the parties involved and Ministry staff. It is hoped that the remaining concerns can be worked through with those concerned and as such I am advising my staff to continue with this project at this time.

Thank you for taking the time to express the concerns from the Peace River Regional District.

Prepared by:

John P. Clark, District Highways Manager
North Peace District
June 6, 1993

Approved by:

Ministry of Transportation and Highways

FACSIMILE RECORD

Date June 7/93

File No.

TO: Gwen Gordy
Regional Exec

C/O

FAX No. PHONE No.

FROM: North Peace District
#300 - 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7

FAX No. 787-3279 PHONE No. 787-3237

ORIGINAL PAGES TO BE:
☐ FILED ☐ MAILED ☐ COURIERED ☐ OTHER (SPECIFY)

SUBJECT: Min Response

#1881 attached

1885 will be to you by 3PM. today.

PAGES: 3 (including this sheet)

Operators Signature

H-6 (91/07)

Ministry of Transportation and Highways
Correspondence Tracking System

June 3, 1993
10:40 AM

REFERRAL SLIP

CORRESPONDENT
First Name: Ben
Middle Name:
Surname: Knutson
Title: Chairperson
Organisation: Peace River Regional District
Address: P.O. Box 810

City: Dawson Creek
Province: British Columbia
Postal Code: V1G 4H8 Zipcode:
Country:
Electoral District: Peace River South
Issue:
Subject: Requests Min hold the extension of Old Hudson Hope Road 119, Peace River, until further clarification as to why works are being carried out.

CTS Log Number: 001881 93
Minister's Log Number: 4497
File Code: 280-30
Entered By: CBA

Date of Letter: 93/05/27
Date Received: 93/06/03
Date Completed: / /
Status: OP
Category: REG

Attitude:

REFERRED TO
Office Id: REGION 4 Office Description: Regional Director, Central North East
Surname: CARR
Remarks: Prepare response for Minister's signature.
Date Referred: 93/06/03

FAX MESSAGE
TO Mr. Carr
COMPANY Region 4
YOUR FAX NO.
OUR FAX NO. 387-6771
NO. OF PAGES 3
DATE 93/06/03

Note: Please Rush this correspondence through. Thank-you.

#1881

C.

JOHN:

Please provide draft by June 7/93. Thanks.

PEACE RIVER REGIONAL DISTRICT

RECEIVED
MAY 3 1 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

DATE: May 27, 1993

TIME:

** TELECOPY MESSAGE **

TO: The Honourable A. Charbonneau

FIRM: Min. of Transportation & Highways

Telecopier Phone Number: 356-2290

Business Phone Number:

FROM: Ben Knutson, Chairman
Peace River Regional District

NUMBER OF PAGES BEING SENT INCLUDING THIS SHEET: 2

COMMENTS: As per attached.

MINISTER OF TRANSPORTATION & HIGHWAYS
MAY 27 1993
4497
DRAFT REPLY ☒ FYI ☐ FILE ☐

CONFIDENTIAL: YES ___ NO ↘

URGENT: YES ↘ NO ___

If you do not receive all pages, or there is some problem with the message, please contact Suzanne at (604) 782-5891.

PLEASE REPLY TO:
☐ P.O. BOX 810, DAWSON CREEK, B.C. V1G 4H8. TELEPHONE (604) 782-5891 or ZENITH 2770. FAX (604) 782-2718
☐ 9912 - 100 AVENUE, FORT ST. JOHN, B.C. V1J 2N9. TELEPHONE (604) 785-8084 or ZENITH 08922. FAX (604) 785-1125

This project has been ongoing for some time now and at a point where negotiations will commence shortly. I am advised by my staff that there is only one family concerned with this project and the other parties involved have consented to the project after several public meetings with the parties involved and Ministry staff. It is hoped that the remaining concerns can be worked through with those concerned and as such I am advising my staff to continue with this project at this time.

Thank you for taking the time to express the concerns from the Peace River Regional District.

Prepared by: John Clark, District Highways Manager
North Peace District
June 7, 1993

Approved by: W. Carr, Regional Director
Central/North East Region
June 7, 1993

D R A F T

Reference: 1881/93

Peace River Regional District
P.O. Box 810
Dawson Creek, British Columbia
V1G 4H8

ATTENTION: Ben Knutson, Chairperson

Thank you for your letter of May 27, 1993, regarding Road 119 in the Charlie Lake Area. The Old Hudson's Hope Road #119 is considered public under Section 4 of the Highway Act and has been recorded as such for over twenty years in the District Records. Approximately two years ago a locked gate was erected near the top of the hill on this road and my Ministry started receiving several queries regarding this which have continued to date. The Ministry has attempted to have the gate removed, which has lead to the recent right of way project. This project will legalize the area of the gate as public right of way and the right of way for the existing Section 4 road.

To answer your two specific questions, the Ministry is attempting to establish a right of way only for what is now considered public road via Section 4 of the Highway Act and to aid the Ministry of Environment Lands and Parks extend this right of way approximately 250 metres to access the Crown Land along the Peace River in an area which does not effect any present agricultural use. This right of way will also be on terrain suitable for future construction as necessary. The Ministry is not contemplating any road construction at this time with this project. Each year the Ministry undertakes similar surveys and land acquisitions which forms part of the ongoing Ministry programs. I am advised by John Clark, the District Highways Manager for the North Peace District, that this is only one of several situations currently being dealt with in this district.

With respect to your second question. The Ministry is establishing a right of way for the existing road in its present location. This not only makes sense not to disrupt any other lands but due to the hillside situation other alignments would not be practical. Existing township deletions extending south in this area are not practical due to the steep topography to access the land along the Peace River without major realignments. Any major realignments of these would interfere with lands now used for agriculture.

/...2

Reference: 2196/93

June 29, 1993



Ms. Karen Goodings
Director
Electoral Area "B"
Peace River Regional District
Post Office Box 810
Dawson Creek, British Columbia
V1G 4H8

Dear Ms. Goodings:

Thank you for your letter of May 28, 1993, concerning the Old Hudson Hope Road 119 and the controversy regarding public access.

You will be pleased to know that, at this time, the Ministry is taking no further action to remove the private gate or establish a surveyed right of way for access to Crown Lands beyond. The Ministry tried to help as requested by a few of the area residents, but clearly the majority do not wish to see the gate removed or public monies spent on an access. I understand that current access to Crown Lands beyond is available on foot or horseback along the township deletions.

Although there have been very polarized views by local users, I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

ORIGINAL SIGNED BY MINISTER

JUL 07 1993

Art Charbonneau
Minister

Copy to: Honourable John Cashore
Minister of Environment, Lands and Parks
M.L.A., Coquitlam–Maillardville !–copy of incoming attached!

!bcc: Mr. Lawren Wagar, A/Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!SVarley, CU/LWagar/clc/4237c/Min.Log –4591– !

Province of
British Columbia

Ministry of
Transportation
and Highways

MEMORANDUM

Gwen Gordy
Regional Steno
Central/North East Region
213, 1011 - 4th Avenue
Prince George, BC
V2L 3H9

June 8, 1993
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

280-30

RE: MINISTERS RESPONSE #CTS 2196
KAREN GOODINGS

Thank you for your letter of May 28, 1993, concerning the Old Hudson Hope Road #119. With regards to your query of access, the Ministry considers the Old Hudson Hope Road public by virtue of Section 4 of the Highway Act. As such, access both legal and physical is required to all parcels of land as they are separate land titles. The dominion township deletions in the area, due to topography, do not serve this purpose. The Ministry of B.C. Lands has an obligation to obtain access to crown land and by a short extension of Road #119 this can be accomplished without effecting cultivated land. Ms. Patty Hebert has written the Ministry again on May 26th and I have attached a copy of that correspondence for your reference.

You have noted in your letter that the land owners do not want to restrict access. However, I am advised that on several occasions during the past two years since the gate was erected across the road, access has been restricted to a select few. The owners concerns over trespassers with A.T.V.'s should be controlled with fencing or A.T.V. area restrictions which the Ministry of Environment is responsible for. May I suggest you contact their office in Fort St. John at #200, 10003 - 110 Avenue.

Czar Resources, although currently having an agreement with the present landowners, require permanent access to their pipeline activities. We have confirmed this recently that their most desirable option is a public road over their current access arrangement. Both the Ministry of Forests and Ministry of B.C. Lands in Fort St. John have jurisdiction over this area and each have valid concerns regarding access to this area. The B.C. Land Commission is aware of this project, not only through discussions with Mr. John Clark, District Highways Manager for the North Peace, but have an application before them as well for relief from the Agricultural Land Reserve. The contact at the Land Commission is Mr. Everett Lew.

.../2

The intent of this project is to legalize a right of way for the existing road. This will satisfy the requirements of the Land Titles Act with respect to access to all parcels and as well allow us to remove the gate. As you have stated the owners do not wish to restrict access. I'm therefore advising my staff to proceed with this project.

Thank you for expressing your concerns.

Prepared by:

John P. Clark
District Highways Manager
North Peace District
June 8, 1993

Approved by:

Attachment - Correspondence t[s.22] t of May 26, 1993

Mr. Don MacSween
Chief Property Agent
Properties Branch
Ministry of Transportation and Highways
Headquarters

June 2, 1993
Regional Properties
#213 1011 Fourth Avenue
Prince George, B.C.
V2L 3H9

Telephone: 565-6472
Facsimile: 565-6065

Re: **Old Hope Road #119**

Please review the attached map of what is known as the Old Hope Road #119, located approximately 25 km. west of Fort St John in the North Peace District. This District is proposing to legalize the Ministry's tenure over the Old Hope Road. I have outlined the Road in green. Section 27 (adjoining the north side of the Peace River) is owned by the Province, B.C. Lands. There are various owners along the length of the road.

We are requesting that you proceed with historical research of the Ministry files to determine whether there is sufficient evidence to support a Section 4 claim to Ministry ownership of the travelled portion of the Road.

There have been a number of letters sent to our Minister expressing concerns about the project. Some of the affected landowners have hired legal counsel in anticipation of the right-of-way negotiations commencement. I would appreciate your prompt attention to this request and that you telephone or write me with your expected work schedule and estimated completion date.

Thank you for your consideration. If you have any questions or concerns, please contact the undersigned.

Steven Henderson
Property Agent

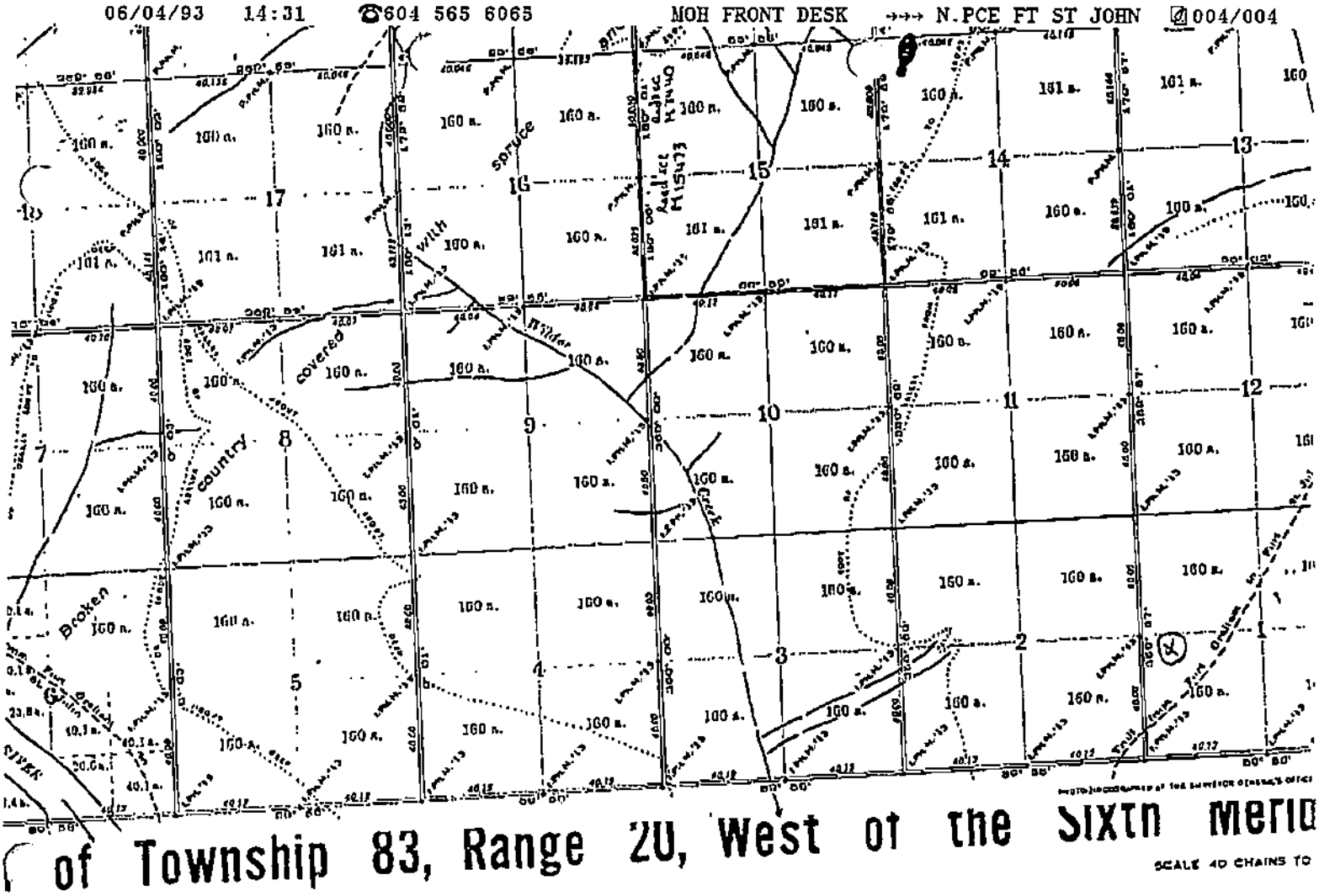
SH/nwh

cc Mr. John Clark, District Highways Manager, N
East Region

FEED FAX THIS END

FAX
To: JOHN CLARK
Dept.:
Fax No.:
No. of Pages: STEVE H.
From:
Date: June 4, 93
Company:
Fax No.:
Comments: FYI

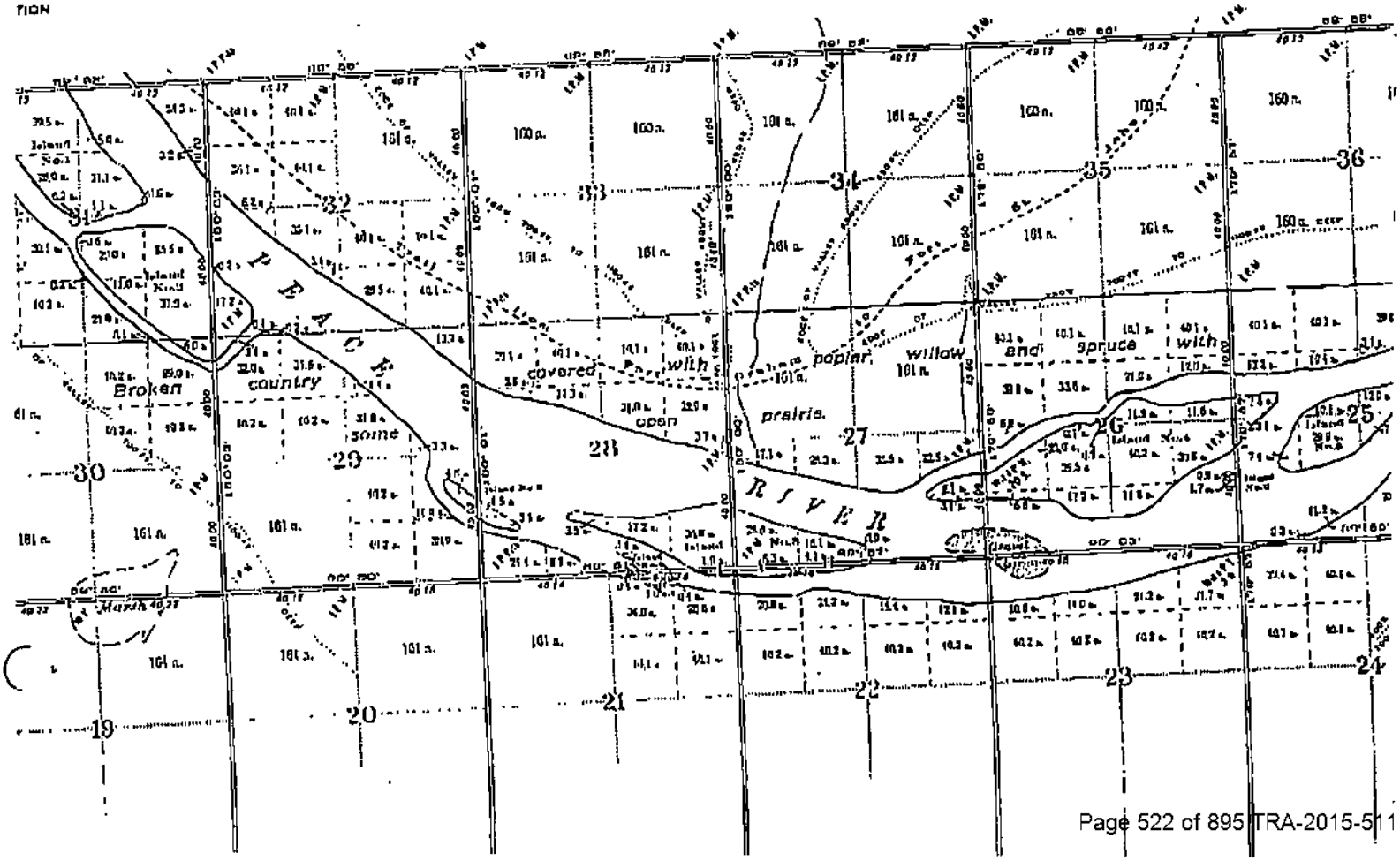
Post-it™ fax pad 7500E



of Township 83, Range 20, West of the Sixth Meri

SCALE 40 CHAINS TO

TION



Ministry of Transportation and Highways
Correspondence Tracking System

REFERRAL SLIP

June 1, 1993
10:42 AM

CORRESPONDENT
First Name:
Middle Name:
Surname:
Title:
Organization:
Address: s.22
City:
Province:
Postal Code:
Country:
Electoral District: Peace River North
Issue:
Subject: Property acquisition, undeveloped right of way. Opposed to Min opening Old Hudson Hope Rd 119. View money could be better spent elsewhere, Peace River, see 542/93.

CTS Log Number: 001855 93
Minister's Log Number: 4910
File Code: 280-30
Entered By: CBA

Date of Letter: 93/05/26
Date Received: 93/06/01
Date Completed: / /
Status: OP
Category: REG

Attitude:

REFERRED TO
Office Id: REGION 4 Office Description: Regional Director, Central North East
Date Referred: 93/06/01
Surname: CARR
Remarks: Prepare response for Minister's signature.

FAX MESSAGE

TO Mr. Carr
COMPANY Region 4
YOUR FAX NO.
OUR FAX NO. 387-6771
NO. OF PAGES 3
DATE 93/06/01
RE:

Note: Please Rush this correspondence

Thank-you.

CTS→ 1855

John:
Please make sure dept. ... sent signed by Please have ... response for me by ... 92. Thank

s.22

May 17, 1993



John Block
Dept. of Highways Manager
#300 - 10003 110 Avenue
Fort St John, B.C.
V1J 6M7

Dear Sir:

Re: Gate located on the old Hudson Hope road in the Dark Creek areas.

The road has been public access in the the past and we feel that it should be public access now.

As s.22 we feel we have the right to voice our opinion on the immediate removal of the gate.

Yours truly

s.22

Acknowledged by phone J.

380-30

Reference: 642/93

May 12, 1993



s.22

Thank you for your latest letter of February 19, 1993, concerning the Old Hudson's Hope Road 119.

The Ministry has an obligation to provide access to all private parcels of land and to lands beyond. The Ministry of Environment, Lands and Parks has an obligation to provide access to all crown land for the enjoyment of all. This Ministry considers the Old Hudson's Hope Road to be public by virtue of Section 4 of the Highway Act. Due to recent conflicts with a gate being erected on the road, along with complaints of trespassers entering onto private lands, this Ministry has chosen to legally establish a right of way to all parcels as well as lands beyond. In this situation the erection of the gate, as with public complaints, has prompted our action at this time.

In your letter you refer to the local highways department being pushed by Mr. Stan Gladysz, one of our District Highways Managers, to proceed with this project. I have checked into this matter and can assure you that the local district office is acting solely as a result of public calls and complaints to both this Ministry and the Ministry of Environment, Lands and Parks.

With respect to your question as to whether we are going to open roads to every parcel of crown land, the Ministry of Environment, Lands and Parks has an obligation to establish a road right of way to all parcels they create and to the crown lands beyond. Although a few have been missed in the past, it is in the public interest to ensure access to all land at time of subdivision. With respect to resolving the access issue of the Old Hudson's Hope Road, the costs of surveying and fencing are considered minimal to resolve this issue once and for all.

.../2

I am aware of the condition of the roads in Peace River and the funding for rehabilitation of the area roads is similar to the other districts in the north.

Regarding your last question with respect to roads and undeveloped right of ways, Ministry staff believe you are referring to the Dominion Township (66 feet wide) deletions for road purposes which you have in the Peace River block. When the original survey of the Township system was laid out in Peace River in the early 1900s, every two miles north and every one mile east or west, a deletion of 66 feet was left for access purposes. These were for the construction of future roads; however, sometimes due to terrain, particularly in the river valleys, construction of these is not always feasible. These deletions are referred to as road right of ways now, whether constructed or not.

I trust I have answered all your concerns and thank you for taking the time to write.

Yours sincerely,

ORIGINAL SIGNED BY MINISTER

MAY 12 1993
Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John!

!Mr. S.D. Gladysz, District Highways Manager!
!South Peace, Dawson Creek – copy of incoming attached.!

!SVarley, CU/JClark/MVCollins/rn/2872c/Min.Log –3605– !

Province of British Columbia

Ministry of Transportation and Highways

MEMORANDUM

Gwen Gordy
Regional Steno
Central/North East Region
Rm. 213, 1011 - 4th Avenue
Prince George, BC
V2L 3H9

June 8, 1993
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

280-30

RE: MINISTERS RESPONSE #CTS 2013
s.22

Suggested response would be:

Thank you for your letter dated May 28, 1993, concerning Road #119. The Ministry considers this road public by virtue of Section 4 of the Highway Act due to public funds being spent on maintenance several years ago. Even though maintenance has not continued regularly to this date, the Ministry still considers the road public. Original construction by other parties has no bearing in these situations. I am advised that when the local district office recently contacted Czar Resources, they indicated to the staff that the road is used on a regular basis and even though they have a key to the gate, they would prefer unrestricted access.

The issue of A.T.V.'s is one which should be handled in any area by the Ministry of Environment. Through a public process, they can create restrictions where A.T.V.'s may or may not be used. I recommend you contact the Fort St. John office for the Ministry of Environment at #200, 10003 - 110 Avenue concerning this matter. The Ministry has also offered to fence the proposed right of way as part of the land acquisition if the owners wish. This was also offered to assist with concerns regarding trespassers.

It is hoped that your concerns can be worked through with my staff so that this project may proceed. Your questions should be directed to Mr. John Clark, District Highways Manager at #300, 10003 - 110 Avenue, Fort St. John, BC, V1J 6M7, or 787-3237.

Thank you for contacting me on this matter.

Prepared by:

John P. Clark
District Highways Manager
North Peace District

Approved by:

RECEIVED
JUN - 2 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION & HIGHWAYS
T94
MAY 31 1993
4527
DRAFT REPLY ☒ FYI ☐ FILE ☐

s.22

May 28, 1993

Honourable Art Charbonneau,
The Minister of Transportation and Highways,
Room 28, Parliament Buildings,
Victoria, B.C. V8V 1X4

Dear Mr. Charbonneau:

s.22

s.22

s.22 (the 119 Road) was built by a former land owner to s.22 access his holdings. [illegible] a through road to Bear Flat was s.22 opened up by the s.22 who had s.22 s.22 With a car and big machinery they crossed our land without permission. This is all documented in my letters to the Dept. of Highways in 1982. I protested but Highways were noncommital.

In 1985 Czar Resources acquired a statuatory right of way to the Peace River over our land to build a [illegible] across the river. This was a private agreement. s.22 s.22 and agreed to improve our road (with gravel, etc.). Czar has no problem with the present situation - they have a key to the gate, but in general they service their well-head by helicopter on both sides of the river. So any need for access by Czar is a Highways' 'red herring'.

In the past ten years the situation with the public has steadily deteriorated. From berry pickers and picnickers, the road instead became used by A.T.V.'s and teenage partiers. Hence the locked gate.

s.22 We can't have A.T.V.'s tearing around harassing the stock and eroding the hillsides. The unique wildlife and vegetation of this river valley and of the islands of the Peace must be saved, and time is of the essence. Hikers and horseback riders are welcome

see 1367/93
(with Min)

and so are, for that matter, are any others with a peaceful reason for being there.

I have one question. How did our private road suddenly become a Section 4 Highways road?

Myself and my family are not the only ones who oppose Highways taking over this road. We have no option but to fight it. s.22

s.22

s.22

Page 530 to/à Page 531

Withheld pursuant to/removed as

s.3

0147C

DRAFT

Reference: 1855/93

s.22

Thank you for your latest letter of May 26, 1993, concerning Road 119 and current controversy regarding public access. Please accept my apologies for the delay in replying to your last letter of February 19, 1993.

After further extensive review I can advise the Ministry is taking no further action at this time to have the private gate removed or to establish a surveyed right-of-way for access to Crown Lands beyond. While the Ministry was attempting to assist as requested by a few, clearly the majority do not wish to see the gate removed or public monies spent on such access. Current access to Crown Lands beyond is available on foot or horseback along the township deletions.

I trust that all parties will accept the Ministry's position on this matter. To-date there have been very polarized views by local users.

Thank you for expressing your concerns.

Prepared by: Lawren Wagar, A/Regional Director
Central/North East Region
June 17, 1993

280-

Reference: 1855/93

June 8, 1993

s.22

Thank you for your latest letter of May 26, 1993, concerning Road 119. Please accept my apologies for the delay in replying to your last letter of February 19, 1993.

With respect to the points in your letter. Firstly, with respect to the mandate of the Ministy of Environment, Lands and Parks, you do not state who you were speaking to; however, our contact which is the Regional Director of B.C. Lands in Fort St. John, Mr. Egon Weger, who advises that it is their Ministry's mandate to supply access to lands beyond. In this case to the Crown lands along the Peace River. This access is basically sought on a grade suitable for road construction when necessary. The existing dominion township right of way deletions in the area are considered too steep on their existing alignment.

Secondly, the Ministry has Road 119 recorded in the district road register and the portion of concern is considered Section 4 by virtue of the Highway Act. This register is available for viewing at the local district office in Fort St. John at 10003 - 110 Avenue.

Thirdly, public roads, crown lands and the Peace River are all for the enjoyment of the public. I appreciate your concerns with trespassers; however, the land owner must accept some responsibility in these instances too. The Ministry has offered to fence the proposed right of way as part of the land acquisition settlement if the owner wishes in an attempt to aid in solving this concern.

Fourthly, I can assure you that the local district office is acting on public complaints and inquiries as a result of the gate which was erected on the road. I do not feel it in the best public interest to provide a list of names to you at this time, but rather suggest you contact Mr. John Clark, District Highways Manager for the North Peace at 787-3237 or 10003 - 110 Avenue, Fort St. John, to review his files with you.

With respect to your Item 5, the Ministry budgets each year funds toward these types of right of way issues including acquisition, fencing, etc. The costs are considered part of the operational budget of the Ministry whereas funding for new construction is considered part of the capital construction budget. With respect to any fencing on this project, as previously stated, the item of fencing has been offered as part of any land acquisition. As a general rule fencing on side roads is maintained thereafter by the owner.

Lastly, with respect to funding for the north, I am sure if you contact Mr. John Clark, District Highways Manager, now that the budget for his area has been publicly announced, he would be pleased to review this year's program with you.

The Ministry has taken another look at this project due to yours and other written correspondence; however, I do not feel that establishing a right of way over any existing Section 4 road so that both the land owners and the public have a defined and legal access through the area should be of concern. My staff will therefore be proceeding with this project as previously advised.

Prepared by: John Clark, District Highways Manager
North Peace District
June 7, 1993

Approved by: Wayne Carr, Regional Director
Central/North East Region
June 8, 1993

0149C

D R A F T

Reference: 2523/93

s.22

Thank you for your letter of June 7, 1993, concerning Road 119 and current controversy regarding public access.

The Ministry is taking no further action to have the private gate removed or to establish a surveyed right-of-way for access to Crown Lands beyond. Clearly the majority do not wish to see the gate removed or public monies spent on such access. Current access to Crown Lands beyond is available on foot or horseback along the township deletions for recreational purposes.

I trust that any requirements for vehicular access can be accommodated locally by the gate owners.

Prepared by: Wayne Carr, Regional Director
Central/North East Region
June 28, 1993

DRAFT

Reference: 2255/93

s.22

Thank you for your letter concerning the Old Hudson Hope Road #119 and current controversy regarding public access.

At this time the Ministry is taking no further action to have the private gate removed or to establish a surveyed right-of-way for access to Crown Lands beyond. While the Ministry was attempting to assist as requested by a few, clearly the majority do not wish to see the gate removed or public monies spent on such access. Current access to Crown Lands beyond is available on foot or horseback along the township deletions.

I trust that all parties will accept the Ministry's position on this matter. To-date there have been very polarized views by local users.

Thank you for expressing your concerns.

Prepared by: Lawren Wagar, A/Regional Director
Central/North East Region
June 17, 1993



Reference: 1539/93
1988/93

June 29, 1993

Mrs. R.D. Darnall
Chairperson
Peace Valley Environmental Association
Fort St. John, British Columbia
V1J 4H6

Dear Mrs. Darnall:

Thank you for your letters of April 2, and May 27, 1993, concerning the Old Hudson Hope Road 119 and the controversy regarding public access. I regret the delay in responding to your letters, but this situation has been under review for some time.

You will be pleased to know that, at this time, the Ministry is taking no further action to remove the private gate or establish a surveyed right of way for access to Crown Lands beyond. The Ministry tried to help as requested by a few of the area residents, but clearly the majority do not wish to see the gate removed or public monies spent on an access. I understand that current access to Crown Lands beyond is available on foot or horseback along the township deletions.

Although there have been very polarized views by local users, I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

ORIGINAL SIGNED BY MINISTER

JUL 07 1993

Art Charbonneau
Minister

!bcc: Mr. Lawren Wagar, A/Regional Director!
!Central/North East, Prince George!
!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!
!SVarley, CU/LWagar/clc/3504c/Min.Log –4174 & 4506– !

s.22

RECEIVED
APR 19 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

April 2. 1993.

Mr. Art Charbonneau.
Minister of Transportation and Highways.
Room 28. Parliament Buildings.
Victoria. B. C..
V8X 1X4

Dear Mr. Charbonneau.

I have just written to Mr. Clark. District Highways Manager. in Fort St. John concerning:

Old Hudson s Hope Rd.
NW and NE 1/4 Section 27
TP 83. RG 20. W6M
Peace River District

The Peace Valley Environmental Association directors are concerned about this proposed access road to crown land.

We are concerned that this delicate ecosystem will be seriously damaged by the building of this project. Also. once the access is available we worry about the damage that will be done by ATVS. What provisions are there for an environmental assessment?

As we want people to enjoy the beauty of the Peace. we would fully support the access be limited to walkers on hiking trails and non-motorized vehicles.

Our annual meeting will be held the end of the month. I would appreciate hearing from you before then.

Thank you for your attention to this matter.

Yours sincerely.

Ruth Ann Darnall

Mrs. R. D. Darnall
Chairperson. P.V.E.A.

MINISTER OF TRANSPORTATION
& HIGHWAYS
TAH 41074
APR 15 1993
DRAFT REPLY ☒ FYI ☐ FILE

RECEIVED
JUN 1 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

s.22

May 27, 1993.

MINISTER OF TRANSPORTATION
& HIGHWAYS
T+H
MAY 28 1993
4506
DRAFT REPLY ☒ FYI ☐ FILE ☐

Mr. Art Charbonneau.
Minister of Transportation and Highways,
Victoria. B. C..

FAX: 356 - 2290

Dear Mr. Charbonneau.

re: Old Hudson's Hope Rd..
NW and NE 1/4 Section 27
TP 83 RG20.W6M
Peace River District

On April 2nd. I wrote to you concerning this proposed access road to crown land as chairperson of the Peace Valley Environmental Association.

When may I expect an answer to my question concerning environmental assessment?

* *

As a private citizen concerned about the proposed road, I would like to ask that you put development of this access on hold until further investigation proves that this project is really necessary. Can/ Will you do this?

It would seem to me that there are more worthy areas that would benefit by the monies which may be budgeted here. Is there a pressing reason why this road is being pushed now?

Thank you for yourprompt attention to this matter.

Yours sincerely.

s.22

Log # 1

see 1539/93

s.22

BRITISH COLUMBIA

File Number: 11050-40/Road 152,119

November 16, 1999

s.22

Re: Fences / Debris in Government Road Allowance

Dear Madam,

The Ministry of Transportation and Highways has informed you via letter on September 10, 1999 that obstructions of **any kind** within government road allowances are prohibited. The fence crossing the east boundary of Section 34, Township 83, Range 20, W6M must be removed immediately. If this obstruction is not removed within 30 days we will be forced to remove it and you will be billed accordingly.

Thank you for your immediate attention in this matter.

Bruce Mackay
District Highways Manager
North / South Peace Districts

cc- Cliff Thoveson

ATTACHED - 2 MAPS

Ministry of Transportation and Highways

North Peace District

Mailing Address:
300 - 10003 - 110 Avenue
Fort St. John, BC V1J 6M7
Telephone: (250) 787-3237
Facsimile: (250) 787-3279

Location Address:
300 - 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7

BRITISH COLUMBIA

File Number: 11050-40/Road 152

September 10, 1999

s.22

Re: Debris in Government Road Allowance (Section 26, Township 83, Range 20)

Dear Madam,

The Ministry of Transportation and Highways has received a complaint of an existing road allowance being obstructed adjacent to your property. We must notify you that obstructions of any kind within government road allowance are not permitted and therefore, request that you remove any blockage from within the road allowance.

If you have any questions regarding this matter please contact myself at (250) 787-3237 or (250) 784-2363.

Yours truly,

Bruce Mackay
District Highways Manager
North/South Peace Districts

Cc – Cliff Thoveson

Ministry of Transportation and Highways

North Peace District

Mailing Address:
300 - 10003 - 110 Avenue
Fort St. John, BC V1J 6M7
Telephone: (250) 787-3237
Facsimile: (250) 787-3279

Location Address:
300 - 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7

BRITISH COLUMBIA

File Number: 11050-40/Road 152,119

November 16, 1999

s.22

Re: Fences / Debris in Government Road Allowance

Dear Madam,

The Ministry of Transportation and Highways has informed you via letter on September 10, 1999 that obstructions of **any kind** within government road allowances are prohibited. The fence crossing the east boundary of Section 34, Township 83, Range 20, W6M must be removed immediately. If this obstruction is not removed within 30 days we will be forced to remove it and you will be billed accordingly.

Thank you for your immediate attention in this matter.

Bruce Mackay
District Highways Manager
North / South Peace Districts

cc- Cliff Thoveson

ATTACHED - 2 MAPS

Ministry of Transportation and Highways

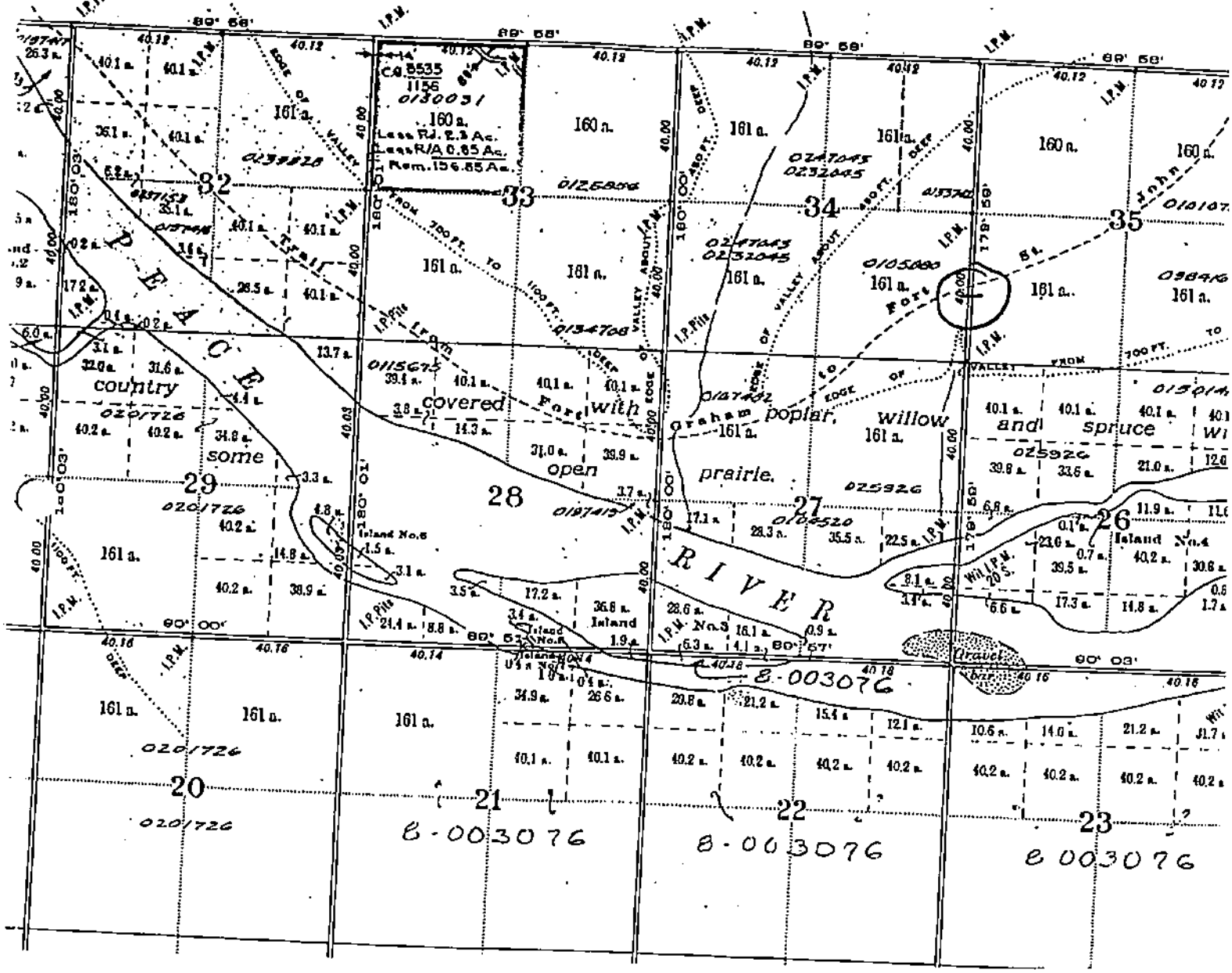
North Peace District

Mailing Address:
300 - 10003 - 110 Avenue
Fort St. John, BC V1J 6M7
Telephone: (250) 787-3237
Facsimile: (250) 787-3279

Location Address:
300 - 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7

BRITISH COLUMBIA

Township 83, Range 20, West of the Si



NORTH PEACE AIRPORT SERVICES
Box 6490
Fort St. John, BC
Canada, V1J 4H9
TEL: (250)787-0426
FAX: (250)785-6015

Fax Transmission

To: Bruce MacKay
Ministry of Highways

From: s.22

Date: June 22/99

Fax#: 1-250-784-2222

Pages: 11 INCLUDING THIS COVER SHEET

RE:

Comments:

Page 545 to/à Page 551

Withheld pursuant to/removed as

s.3

Province of
British Columbia

Ministry of
Environment,
Lands and Parks
BC LANDS

Fourth Floor
810 Blanshard Street
Victoria, British Columbia
V8V 1X4
Telephone: (604) 387-1288
Fax: (604) 387-5669

File: 12695-007-P002
280-030-P006
July 12, 1993

s.22

Dear s.22

The Honourable John Cashore, Minister of Environment, Lands and Parks has asked me to respond to your letter of May 29, 1993, regarding the Old Hudson's Hope Road.

There has been considerable discussion on the issue of ensuring access to the Peace River Valley along the 119 Road, locally known as the Old Hudson's Hope Road. In view of the concern expressed by yourself, the Ministry of Transportation and Highways and BC Lands are holding in abeyance further action at this time.

Should public interest require a continued review of this matter, I anticipate that a solution will be finalized by staff in Fort St. John.

Thank you for writing and expressing your interest.

Yours truly,

J. T. Hall
Executive Director
Lands Operations Division

Reference: 1855/93

June 29, 1993

s.22

Dear s.22

Thank you for your letter of May 26, 1993, concerning Road 119 and the controversy regarding public access. Please accept my apologies for the delay in replying to your last letter of February 19, 1993.

You will be pleased to know that, at this time, the Ministry is taking no further action to remove the private gate or establish a surveyed right of way for access to Crown Lands beyond. The Ministry tried to help as requested by a few of the area residents, but clearly the majority do not wish to see the gate removed or public monies spent on an access. I understand that current access to Crown Lands beyond is available on foot or horseback along the township deletions.

Although there have been very polarized views by local users, I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

Art Charbonneau
Minister

Copy to: Honourable John Cashore
Minister of Environment, Lands and Parks
M.L.A., Coquitlam-Maillardville

Province of British Columbia
Minister of Transportation and Highways
Parliament Buildings
Victoria, British Columbia
V8V 1X4

BRITISH COLUMBIA

Ministry of Transportation and Highways

Central/North East Region
213 - 1011 Fourth Avenue
Prince George, B. C.
V2L 3H9

FAX SHEET

File Number 0280-30 73285

Date 06/16/99

Number of Pages (including this sheet) 10

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This material may contain confidential or personal information which may be subject to the provisions of the *Freedom of Information and Protection of Privacy Act.*
If you receive this transmission in error, please notify us immediately by telephone. Thank you for your cooperation.

To **District Highways Manager, North Peace**

Ministry of Transportation & Highways, Fort St. John

Phone Number: (250) 787-3237 Fax Number: (250) 787-3279

From Kathleen Miller

Ministry of Transportation & Highways, Central/North East Region

Phone Number: 250-565-6478 Fax Number: 250-565-6165

Subject: Minister's Correspondence 73285 - S. Rouselle - Road 119

Material contained in this fax transmission may be confidential, and should be delivered only to the addressee. If all pages are not received, please call: (250) 565-6478

Original Pages To Be: ☐ Filed ☐ Mailed ☐ Couriered ☐ Other _____

Message:

Bruce
Please prepare a draft response and return it to this office via electronic mail by noon, June 27, 1999. Thank you.

Lenora

H-6 (96/07)

Operator's Signature

CU-Correspondence **Ministry of Transportation and Highways** Jun 14, 1999

Steven Rousselle
Society for the Preservation and Use of Historic Roads & Trails
s.22

Id Number: **73285**
Entered by: adaniels
Office: MIN-Minister
Batch:
File Number:
Date Written: Apr 27, 1999
Date Received: Jun 10, 1999
Acknowledged: 00/00/00
Response: 00/00/00
Date Closed: 00/00/00

Phone:
FAX:

Subject: Access to the Peace River Crown lands Closure of Public Road #119
: & Blocked Dominion Surveys Public Road Allowances Re: 71428
NOTE:

Addressed To: Minister
Letter Type: Letter
Corr Action: Minister-Draft

Issue: Access
Region: 4 - Central/North East
Elect Dist: Peace River North

Comments:

See the following correspondence:

Id#: 69925
Date Received:January 11, 1999
Date Written: January 5, 1999
Date Closed: March 3, 1999
Subject: Closure of public road #119 - North Peace River Hwys District

Id#: 71428
Date Received:April 13, 1999
Date Written: April 1, 1999
Date Closed: May 12, 1999
Subject: Closure of Public Road #119 - Peace River District

Id#: 68398
Date Received:October 13, 1998
Date Written: September 30, 1998
Date Closed: November 24, 1998
Subject: Closure of public road #119 - North Peace River Hwys District

Id#: 61273
Date Received:February 10, 1998
Date Written: February 5, 1998
Date Closed: April 16, 1998
Subject: Closure of public road 119

Id#: 63544
Date Received:May 26, 1998
Date Written: May 22, 1998
Date Closed: July 28, 1998
Subject: Access to Peace River & Crown lands

Reference: 71428

Steven Rousselle
Society for the Preservation and
Use of Historic Roads and Trails
s.22

Dear s.22

Re: Access to Peace River and Crown Lands

I am writing in response to your letter of April 1, 1999, requesting access to the Peace River and Crown Lands via Road 119. Thank you for providing the information on Society members, and snowmobile and ATV clubs interested in accessing this area.

Regarding your concerns about access for other road users, Ministry staff have completed a search for blocked Dominion survey Road Allowances. To date, no blocked rights-of-way have been located. Further, my Ministry has not received any indication from the oil and gas industry that any oil and gas company has been inconvenienced by blocked road allowances. With regard to my Ministry's plans to use existing gravel resources in this area, the federal Department of Fisheries and Oceans restricts development of riverbed deposits and the Agricultural Land Reserve protects deposits above the riverbed. Therefore, my Ministry has decided not to pursue these sources of aggregate at this time.

To reiterate, my Ministry has not changed its position since my previous reply. There is sufficient existing access in this area for public usage.

As for the management of highways operations, the current North/South Peace Highways District management structure allows my Ministry to effectively manage highway issues in the Peace area while providing good value the taxpayer. Therefore, there are no plans to change the management structure in the Peace area.

If you require further information Bruce Mackay, District Highways Manager, would be pleased to assist you. He can be reached at (250) 787-3237, or at 10003-110 Avenue, Fort St. John, British Columbia, V1J 6M7.

.../2

Thank you for taking the time to bring your concerns to my attention.

Sincerely,

Electronic Signature
May 12, 1999

Harry S. Lali
Minister

Copy to: Honourable Glen Clark
Premier and Minister Responsible for Youth
MLA, Vancouver-Kingsway - copy of incoming attached.

May 27/99

RECEIVED
MINISTER MINISTER'S OFFICE TRANSPORTATION & HIGHWAYS
JUN 10 1999
73285
DRAFT REPLY ☒ FYI ☐ FILE ☐

Harry S. Lali, Minister
Ministry of Transportation and Highways
Parliament Buildings
Victoria, B.C. V8V-1X4

Dear Minister;

Re: Access to the Peace River Crown Lands
Closure of Public Road #119
and Blocked Dominion Surveys Public Road Allowances
Ref. # 71428

Thank you for your letter dated May 12/99. The Society for the Preservation and Use of Historic Roads and Trails appreciated your efforts to have public access restored to the Peace River and Crown lands. This access is requested mostly for recreational use, and no public funds for maintenance is expected.

We enclose maps and photos showing blocked Dominion Surveys Road allowances. These road allowances and Public Road #119, have been blocked by the same land owner wanting to have these Crown lands and the Peace River Access for their own use. It also appears that your local Highways Management favours this same land owner, as your letter of May 12/99 notes that no blocked road allowances exist. These blocked road allowances are obvious from the road. That is one reason why we prefer not to deal with your local staff.

Road allowances that are blocked are shown on the attached photos and are noted as "A" and "B" on the attached map.

It is sad that the Ministry of Transportation and Highways no longer exercises its mandate to protect public access for public use.

With regard to gravel resources, your statement is also not correct. The gravel in question is on public land on benches well above the River, on the same level as gravel pits in Taylor and Cache Creek Highway 29 Area; on rocky ridge not suitable for Agriculture. At present your Ministry is hauling gravel an extra 30 km., wasting public funds and dumping black truck smoke into the air unnecessarily.

Yours truly,

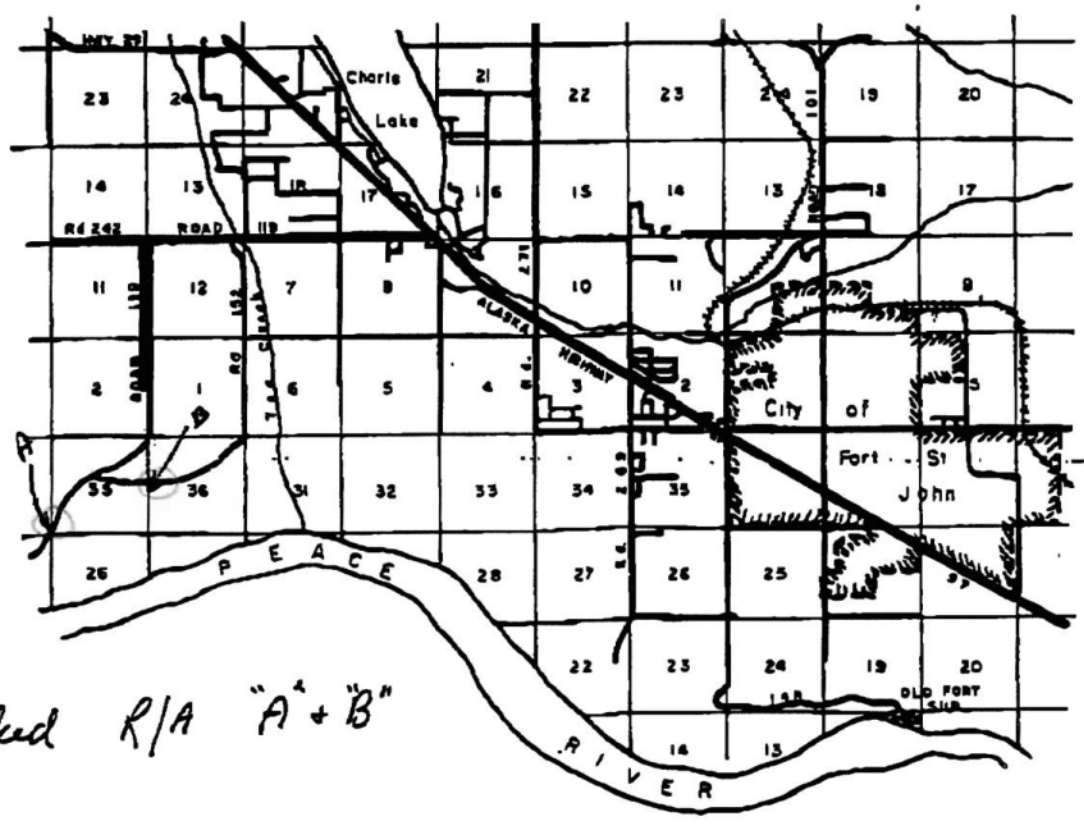
Steven Rousselle
Society for the Preservation and
Use of Historic Roads and Trails

s.22

RECEIVED
JUN 14 1999
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

cc B.C. Report News Magazine

@ 1.5km gate to north (trail)



Blocked R/A "A" + "B"

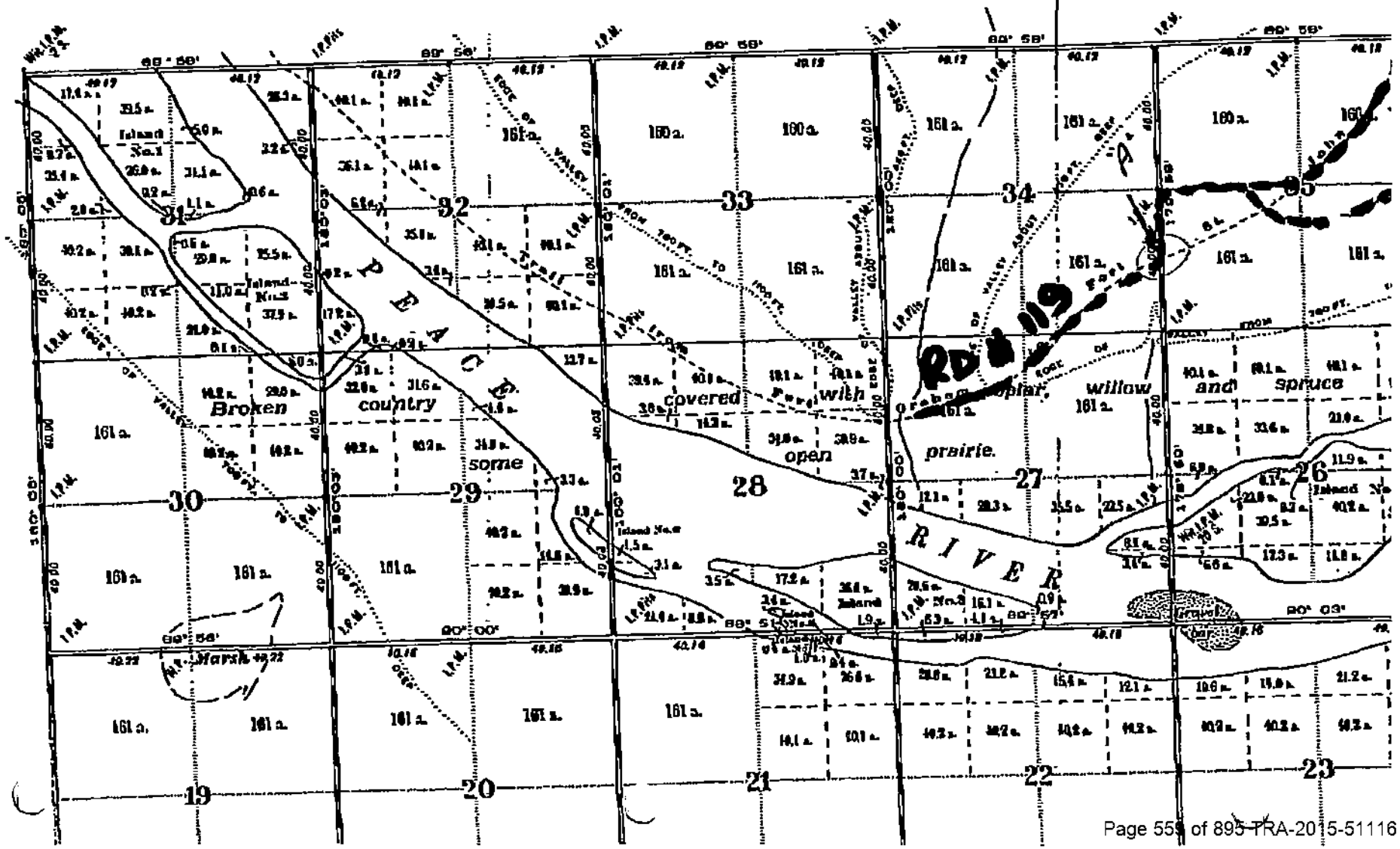
LOCATION PLAN n.t.s.

BRITISH COLUMBIA

Plan of Township 83, Range 20, West of the Six

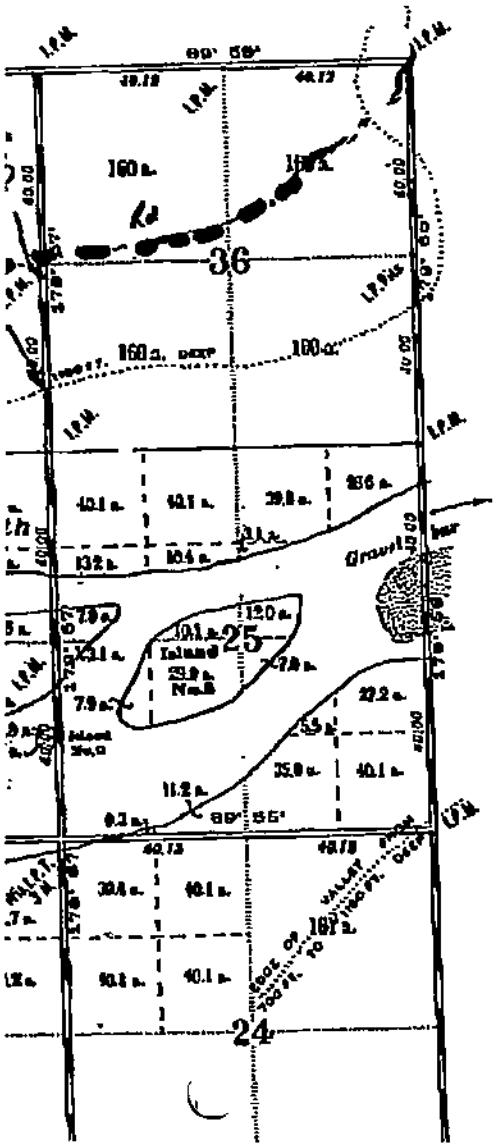
FIRST EDITION

2



th Meridian

SCALE 40 CHAINS TO AN INCH



MAR 3 1999

Reference: 69925

Steven Rousselle
Society for the Preservation and
Use of Historic Roads and Trails

s.22

Dear Steven Rousselle:

Re: Blocked Public Road Allowance

I am writing in response to your letter of January 5, 1999, regarding a blocked road allowance and my Ministry's obligation to protect roads. Please accept my apologies for the lateness of my reply.

Road allowances that are not in use for road purposes are occasionally fenced off or blocked. These road allowances remain public. They are surveyed and not subject to dispute. My Ministry will investigate and review the blockage of the Dominion Surveys Road Allowance.

My Ministry continues to protect roads defined in the District Road Registers. There are thousands of kilometres of old trails, roads and road allowances which have been abandoned, incorporated into farmland, changed or been reclaimed by nature. The exact location of many of these trails or roads is no longer accurately known. Re-establishing these roads is an expensive task and may be subject to dispute resolution through the courts. My Ministry can only incur these costs if it is believed to be clearly within the public interest. In the case of Public Road 119, my Ministry has determined that it is not in the public interest to pursue re-establishing this particular road. My Ministry's position has not changed since my reply to your earlier correspondence.

If you require further information Bruce Mackay, District Highways Manager, would be pleased to assist you. He can be reached at (250) 784-2363, or at 1201-103 Avenue, Dawson Creek, British Columbia, V1G 4J2.

09/04/13 .../2
✓ DRIVE TO THE END OF ROAD 119 BETWEEN SEC. 34/35 (TO MUDDY TO GO ANY FURTHER)
NO EVIDENCE OF Rd. ALL. BEING FENCED.
WILL TRY TO GO TO THE END THIS SUMMER

MINISTRY OF TRANSPORTATION
AND HIGHWAYS
RECEIVED
MAR 0 9 1999
1201 - 103 AVENUE
DAWSON CREEK, B.C.

Thank you for taking the time to write.

Sincerely,

ELECTRONIC
SIGNATURE

Harry S. Lali
Minister

Copy to: Honourable Glen Clark
Premier and Minister Responsible for Youth
MLA, Vancouver-Kingsway - copy of incoming attached.

bcc: District Highways Manager, South Peace, Dawson Creek

Kathleen Miller, Regional Director, Central/North East, Prince George

Prepared by: Bruce Mackay, DHM, South Peace District, (250) 787-3237
Approved by: Miles Webster, Regional Manager, Planning and Professional Services, C/NE

280-30

Date: DEC 1 1 1997



Reference: 3698/97
Min Log: 57189

Steven Rousselle
Society for the Preservation of Historic Roads and Trails

s.22

Dear Steven Rousselle:

Premier Glen Clark has asked me to respond to your letter received August 8, 1997, requesting the removal of a gate blocking Road No. 119. I apologize for the delayed response.

As you have stated, there is historical evidence that this road is a public road under Section Four of the *Highways Act*. This evidence, however, is contentious and subject to challenge through the courts.

My Ministry does not pursue the reopening of disputed Section Four roads unless the road is deemed to be within the public interest. In this case, while there is public interest in reopening the road to provide access to the Peace River for recreational purposes, there is also significant opposition. Further, there is alternate public access to the crown land along the river via existing right of way established by Dominion Survey, as well as by water. As such, my Ministry is not prepared to take any action to ensure additional public access at this time.

If you require further information, Bruce Mackay, District Highways Manager, would be pleased to assist you. He can be reached at (250) 787-3237, or at 10003-110 Avenue, Fort St. John, British Columbia, V1J 6M7.

.../2

FILE COPY

Thank you for writing. I regret my response cannot be more favorable at this time.

Yours sincerely,

DEC 1 1 1997

SIGNED BY

Lois Boone
Minister

Copy to: Honourable Glen Clark
Premier and Minister Responsible for Youth
M.L.A., Vancouver-Kingsway - copy of incoming attached.

Honourable Ujjal Dosanjh
Attorney General and Ministry Responsible for
Multiculturalism, Human Rights and Immigration
M.L.A., Vancouver-Kensington - copy of incoming attached.

bcc: Kathie Miller, Regional Director, Central/North East, Prince George

District Highways Manager, North Peace, Fort St. John

Prepared by: Bruce Mackay, District Highways Manager North Peace (250) 787-3237
Approved by: Kathleen Miller, Regional Director, Central/North East Region

Ministry of Transportation and Highways	FACSIMILE RECORD	Date: September 18, 1996 File No.: 44-20-119

TO: Lenora Fillion	FROM: North Peace Highways District #300, 10003 - 110 Avenue Fort St. John, BC V1J 6M7
C/O	C/O
FAX No. (604)565-6165 PHONE No. (604)565-6478	FAX No. (604)787-3279 PHONE No. (604)787-3237

ORIGINAL PAGES TO BE:
☐ FILED ☐ MAILED ☐ COURIERED ☐ OTHER (SPECIFY)

SUBJECT: Road 119

Lenora,

On May 7, 1996 a copy of a letter dated April 20, 1995(probably a typo, should be 1996) was faxed to this office. As the Cc's showed a copy to the Minister the office did not answer but awaited the Minister's correspondence request. No request appears to have been received from that office. On August 23, 1996 we received a follow up request from s.22 and after consultation with Steve Henderson we sent the attached reply.

I have attached several pieces of correspondence which were sent to various parties in April. Please have Bob call me once he has reviewed the material. Steve could probably provide s.22 some background also.

Bill Rose
A/District Highways Manager
North Peace District

H-6 (91/07)	PAGES: 9 (including this sheet)	Operator's Signature

Province of
British Columbia

Ministry of
Transportation
and Highways

North Peace Highways District
#300, 10003 - 110 Avenue
Fort St. John
British Columbia V1J 6M7
Phone: 787-3237
Fax: 787-3279

Seotember 13, 1996

File: 11000-01

Society for the Preservation and Use of Historic Roads and Trails

s.22

Attention: Jack Gladysz

Dear Mr. Gladysz:

Re: MoTH Position on Harrassed User of Roads and Trails

I apologize for the delay in answering your letter of April 20, 1996, with regards to the Ministry's position on harassed users of roads and trails.

Mrs. Sherry Eland is no longer with the North Peace Highway's District, and I am answering your letter on behalf of Bill Rose, Acting District Highways Manager.

The Ministry's position is to leave any disputes over gates or other obstructions with the local owners and area users. Should the users wish to determine if the road is public through the court system, the Ministry will supply any information it has through the Freedom of Information Guidelines.

I must also state that it is not this Ministry's mandate to ensure access to all deeded parcels of land, or to crown land, but to maintain public roads currently in service.

I hope this answers your question of the Ministry's position.

Sincerely,

Bruce Craig
District Technician

BC/hd

cc Bill Rose, A/DHM, North Peace District

Bruce

Society for the Preservation and Use of Historic Roads and Trails

s.22

August 23, 1996

Ministry of Transportation and Highways
#300 - 10003 - 110th Ave.
Fort St. John, B. C.
V1J 46M

Dear Mrs. Eland,

Re: Letter of April 20, 1996 (copy attached)

As of yet we have not received a reply to the above mentioned letter. Your earliest attention to this matter would be greatly appreciated.

Yours truly,

Jack Gladysz
Chairman

Society for the Preservation and Use of Historic Roads and Trails

s.22

April 20, 1995

Ministry of Transportation and Highways
#300 - 10003 - 110th Ave.
Fort St. John, B. C.
V1J 46M

Dear Mrs. Eland,

Re: Public Road #119, and American Road No. 125 Charlie Lake to Bear Flats (copy of Map Attached)

Please find copies of currant correspondence pertaining to an effort by the society represented by a membership exceeding 100, to be able to access public roads or trails without harassment or obstruction.

The members of the society are not asking for maintenance of these roads or trails as the need for this road consists of users such as: hikers, horse riders, cross country skiers, A.T.V. riders and general recreational users, that wish access to the Peace River and Crown lands.

Research shows that without question these roads are covered under Section 4 or Section 6 of the Highway Act. and "no interference of existing roads or trails at Crown Grant Time.".

Please advise what position the Ministry of Transportation and Highway will take when users of Public roads or Trails are harassed or are faced with obstructions which prevents free use or these roads or trails.

This Society is presently dealing with the above noted roads and trails, however we are also looking at member concerns in other areas, of the North and South Peace.

Your response would very much be appreciated.

Yours truly,

Jack Gladysz
Chairman

Dave Bateman
Treasurer

Steve Rousselle
Secetary

cc Minister of Transportation and Highways, Victoria
cc Minister of Crown Lands, Fort St. John
cc B. C. Hydro
cc Premier's Office, Victoria
cc MLA North Peace

Society for the Preservation and Use of Historic Roads and Trails

s.22

April 20, 1995

s.22

Dear Madam:

Re: Public Road No. 119 through lands SE 1/4, Twp. 83, Rge. 20, W6M

This Society, in an attempt, to restore unobstructed use of road No. 119 and the American Road. No. 125, providing access to the Peace River, Crown lands along lower Wilder Creek and Crown lands along the Peace River, towards Bear Flats, asks that you remove gates and barriers on your properties.

These roads are protected for public use by section 4 and 6 of the Highway Act and the crown grants "no interference with existing roads and trails" at crown grant time. This road, at one time part a trail, dates back to the 1920's and is covered by the above noted legal covenants. Furthermore, at the location of the large metal gate, this section of road had public funds expended on it, in the form of improvements and summer maintenance. We are not asking for improvements to this road as the need for this road consists of users such as: hikers, horse riders, cross country skiers, A.T.V. riders and general recreational users, that wish access to the Peace River and Crown lands. A portion of a map, dated 1936, is attached showing the Road in question.

Your action to remove gates, or response would be appreciated within 30 days. Thank you.

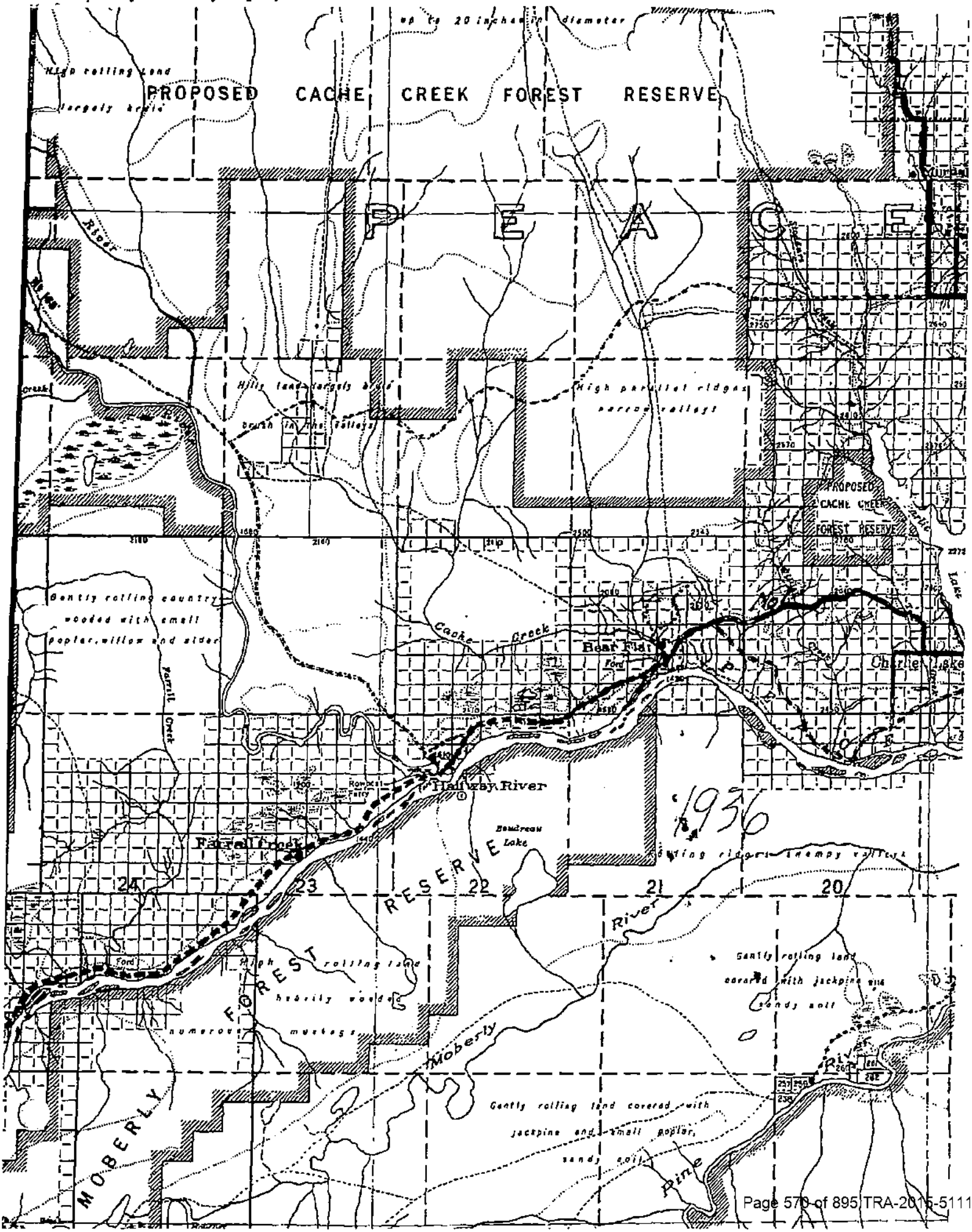
Yours truly,

Jack Gladysz
Chairman

Dave Bateman
Treasurer

Steve Rousselle
Secretary

cc Minister of Transportation and Highways, Fort St. John
cc Minister of Transportation and Highways, Victoria
cc Minister of Crown Lands, Fort St. John
cc B. C. Hydro
cc Premier's Office, Victoria
cc MLA North Peace


PROPOSED CACHE CREEK FOREST RESERVE
PEACE
High rolling land largely bush
up to 20 inches in diameter
Hilly land largely bush
High parallel ridges across valleys
Gently rolling country wooded with small poplar, willow and alder
Cache Creek
Bear River
Ford
Farrell Creek
Hudson Hope
Hudson Hope Ferry
Halfway River
Boudreau Lake
1936
RESERVE
FOREST
MOBERLY
Moberly River
High rolling land heavily wooded numerous muskegs
Gently rolling land covered with jackpine and small poplar, sandy soil
Gently rolling land covered with jackpine and sandy soil
Pine River
Charlie Lake
PROPOSED CACHE CREEK FOREST RESERVE
24
23
22
21
20

Society for the Preservation and Use of Historic Roads and Trails

s.22

April 20, 1995

s.22

Dear Madam/Sir:

Re: Public Road No. 119 through lands NW and NE 1/4 27, Twp. 83, Rge. 20 W6M

This Society, in an attempt, to restore unobstructed use of road No. 119 and the American Road. No. 125, providing access to the Peace River, Crown lands along lower Wilder Creek and Crown lands along the Peace River, towards Bear Flats, asks that you remove gates and barriers at you properties.

These roads are protected for public use by section 4 and 6 of the Highway Act and the crown grants "no interference with existing roads and trails" at crown grant time. This road, at one time was a trail, dates back to the 1920's and is covered by the above noted legal covenants. Furthermore, at the location of the large metal gate, this section of road had public funds expended on improvements and summer maintenance. We are not asking for improvements to this road as the need for this road consists of users such as: hikers, horse riders, cross country skiers, A.T.V. riders and general recreational users, that wish access to the Peace River and Crown lands. A portion of map, dated 1936 is attached showing the Road in question.

Your action to remove gates, or response would be appreciated within 30 days. Thank you.

Yours truly,

Jack Gladysz
Chairman

Dave Bateman
Treasurer

Steve Rousselle
Secretary

cc Minister of Transportation and Highways, Fort St. John
cc Minister of Transportation and Highways, Victoria
cc Minister of Crown Lands, Fort St. John
cc B. C. Hydro
cc Premier's Office, Victoria
cc MLA North Peace

Society for the Preservation and Use of Historic Roads and Trails

s.22

April 20, 1995

B. C. Hydro Property Div.
333 Dansmere
Vancouver B.C.
VCB-5R3

Dear Sirs:

Re: Public Road #119, and American Road No. 125 Along the Peace River, Wilder Creek to Bear Flats

This Society, which has a membership exceeding 100, asks that you clarify your position on public roads or trails, identified in Sec. 4 and Sec. 6 of the Highway Act, and Crown Grant protection, "no interference with existing roads and trails" at Crown Grant time.

We are not asking for improvements to this road as the need for this road consists of users such as: hikers, horse riders, cross country skiers, A.T.V. riders and general recreational users, that wish access to the Peace River and Crown lands.

Your clarification would be very much appreciated.

Yours truly,

Jack Gladysz
Chairman

Dave Bateman
Treasurer

Steve Rousselle
Secetary

cc Minister of Transportation and Highways, Fort St. John
cc Minister of Transportation and Highways, Victoria
cc Minister of Crown Lands, Fort St. John
cc Premier's Office, Victoria
cc MLA North Peace

Society for the Preservation and Use of Historic Roads and Trails

s.22

April 20, 1995

Ministry of Transportation and Highways
#300 - 10003 - 110th Ave.
Fort St. John, B. C.
V1J 46M

Dear Mrs. Eland,

Re: Public Road #119, and American Road No. 125 Charlie Lake to Bear Flats (copy of Map Attached)

Please find copies of currant correspondence pertaining to an effort by the society represented by a membership exceeding 100, to be able to access public roads or trails without harassment or obstruction.

The members of the society are not asking for maintenance of these roads or trails as the need for this road consists of users such as: hikers, horse riders, cross country skiers, A.T.V. riders and general recreational users, that wish access to the Peace River and Crown lands.

Research shows that without question these roads are covered under Section 4 or Section 6 of the Highway Act. and "no interference of existing roads or trails at Crown Grant Time.".

Please advise what position the Ministry of Transportation and Highway will take when users of Public roads or Trails are harassed or are faced with obstructions which prevents free use or these roads or trails.

This Society is presently dealing with the above noted roads and trails, however we are also looking at member concerns in other areas, of the North and South Peace.

Your response would very much be appreciated.

Yours truly,

Jack Gladysz
Chairman

Dave Bateman
Treasurer

Steve Rousselle
Secetary

cc Minister of Transportation and Highways, Victoria
cc Minister of Crown Lands, Fort St. John
cc B. C. Hydro
cc Premier's Office, Victoria
cc MLA North Peace

Province of British Columbia

Ministry of Transportation and Highways

North Peace Highways District
#300, 10003 - 110 Avenue
Fort St. John
British Columbia V1J 6M7
Phone: 787-3237
Fax: 787-3279

Seotember 13, 1996

File: 11000-01

Society for the Preservation and Use of Historic Roads and Trails

s.22

Attention: Jack Gladysz

Dear Mr. Gladysz:

Re: MoTH Position on Harrassed User of Roads and Trails

I apologize for the delay in answering your letter of April 20, 1996, with regards to the Ministry's position on harassed users of roads and trails.

Mrs. Sherry Eland is no longer with the North Peace Highway's District, and I am answering your letter on behalf of Bill Rose, Acting District Highways Manager.

The Ministry's position is to leave any disputes over gates or other obstructions with the local owners and area users. Should the users wish to determine if the road is public through the court system, the Ministry will supply any information it has through the Freedom of Information Guidelines.

I must also state that it is not this Ministry's mandate to ensure access to all deeded parcels of land, or to crown land, but to maintain public roads currently in service.

I hope this answers your question of the Ministry's position.

Sincerely,

Bruce Craig
District Technician

BC/hd

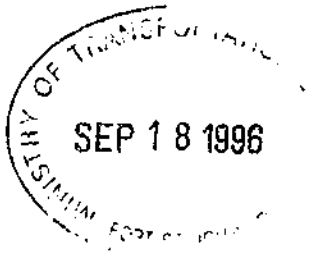
cc Bill Rose, A/DHM, North Peace District

0468c

Society for the Preservation and Use of Historic Public Roads

s.22

Sept. 10, 1996



Kathleen Miller
Regional Director
Regional office
Ministry of Transportation & Highways
#213 - 1011 Fourth Avenue
Prince George, B. C.
V2L 3H9

Re: Public Road No. 119 Charlie Lake to the Peace River and Wilder Creek

Further to previous correspondence and latest faxes dated May 7, 1996 at 1:07 pm and August 23, 1996 at 11:09 pm, to which no replies have been received, members of the Society for the Preservation and Use of Historic Roads and Trails propose to remove the obstruction on this Public Road, near the top of the Peace River Hill. This action will take place on or near the date of October 7.

We trust that the Ministry of Transportation and Highways will exercise their duty and have obstructions removed from a public road prior to that date so this protest action to protect the public "right" by our society will not be necessary.

Thank you.

Yours truly,

Jack Gladysz
President

Stephen Rousselle
Secretary

Don Hughes
Vice President

cc RCMP Fort St. John
cc Premier's Office, Victoria
cc Attorney General of BC
cc Alaska Highway News
cc MLA North Peace
cc Minister of Crown Lands
cc Highways, Fort St. John

SOCIETY ACT

CANADA
PROVINCE OF BRITISH COLUMBIA

I Hereby Certify *that* the documents annexed hereto and relating to **SOCIETY FOR THE PRESERVATION AND USE OF HISTORIC ROADS AND TRAILS** are true copies of the documents on file with the Registrar of Companies.

Issued under my hand and Seal of Office
at Victoria, British Columbia,
on May 8, 1996

JOHN S. POWELL
Registrar of Companies

Province of
British Columbia

Ministry of
Transportation
and Highways

#213 - 1011, Fourth Avenue
Prince George, B.C.
V2L 3H9
Telephone: 565-6478
Facsimile: 565-6165

COPY

11000-53/NP OHR

September 20, 1996

Society for the Preservation and Use of Historic Public Roads

s.22

SEP 2 4 1996

Dear Mr. Gladysz:

Re: **Public Road No. 119 Charlie Lake to the Peace River and Wilder Creek**

My apologies for you not receiving a response to your faxes dated May 7, 1996 and August 23, 1996.

Upon receipt of your most recent letter dated September 10, 1996, I contacted our Fort St. John District office to discuss your concerns with them. I understand they responded to your September 13, 1996 letter and advised you of our Ministry's position.

I must reaffirm that it is not this Ministry's mandate to ensure access to all deeded parcels of land, or to crown land, but to maintain public roads currently in service. Our position with respect to this issue continues to be that the road may be public under Section 4 but we do not have an interest at this time in pursuing having the road opened.

Yours truly,

Bob Corder
A/Regional Director
Central/North East Region

LF/

FILE COPY

MINISTRY OF TRANSPORTATION & HIGHWAYS

BRIEFING NOTE

REGION

4 - Central/North East

COMMUNITY

Fort St. John

TOPIC

Old Hudson Hope Road #119
Legalize R/W Section 4 Road

ELECTORAL DISTRICT

North Peace

ISSUE

The Ministry considers portions of the Old Hudson Hope Road #119 to be Section 4 by virtue of the Highway Act. This road accesses both private lands, a portion of a pipeline across the Peace River and by a requested extension of the right-of-way, some 250 meters would give access to a parcel of crown land and the Peace River. A gate was placed across the road approximately two years ago and since that time the Ministry and BC Lands have received several complaints and queries to have the road open. Ministry attempts to remove the gate have failed.

BACKGROUND

The Ministry considers the previously maintained portion of the Old Hudson Hope Road to be public by virtue of Section 4 of the Highway Act. We have not however, maintained the portion of road for several years down the hills to a farm field, the terminus of the Section 4 portion of the road. The road however, is record to this day in the District Road Register and previous employees for the Ministry will verify that maintenance took place when needed. BC Lands has requested the extension from the terminus some 250 metres to crown land to supply access to the crown land as part of their access mandate. Dominion township deletions in the area are not feasible for use as access due to topography without major realignments which would disrupt agricultural use of this land. Existing township deletions have also been fenced off restricting public access.

This entire project has been prompted by the placement of a gate across the road at the top of the hill by local land owners approximately two years ago in an attempt to prevent public users from crossing their fields beyond the terminus to reach crown land and the Peace River. In 1992, one family was locked in after driving down the hill and coming back to find the gate locked on them. In the fall of 1992, two men assaulted another who wanted access and was restricted. Several others have been turned away who want access to the crown land and Peace River hunting and fishing areas. Land owners have concerns over trespassers and the use of A.T. V.'s in the area. A review by the Minister's office has suggested that we attempt to have the gate removed but if unsuccessful, back off and leave the locals to resolve the dispute. No action to acquire right-of-way to access the crown land was to take place by this Ministry.

It should also be noted that s.22 have tried to link s.22 retired District Highways Manager, South Peace District (then not retired) to this project however, only his two brothers who own the land at the north end of the project have been involved.

...2

MINISTRY POSITION

Attempts to remove the gate peacefully have failed in the past two years. The District Highways Manager and Properties Agents have met with the land owners and all attempts to date to come to a peaceful solution seem to not be achievable. The Ministry position at this date is to leave any further disputes over the gate lie with the local owners and area residents. Should the locals wish to determine if the road is public through the court system, the Ministry will supply any information it has through the Freedom of Information guidelines. The Ministry considers the previously maintained portion of the road still public by virtue of Section 4 of the Highway Act. No action to acquire right-of-way to access crown land will be done by this Ministry as this is contrary to our mandate.

In addition, the Ombudsman's office is planning to review the entire situation to determine appropriate action amongst the parties. This is planned for June of 1994.

MINISTRY RECOMMENDATIONS

The Ministry should consider its position as follows:

1. Leave the gate as is for now, but consider further fencing and other improvements to relieve concerns.

2. Consider fencing the township deletion from the location where the gate exists now all the way to the crown land (about 3 kilometres), with appropriate signing, to allow public access by foot, horseback or A.T.V.'s (no other vehicles) only. This will alleviate most of the current public pressure.

3. If the gate is removed the Ministry would construct a turn-around at the end of the public portion (previously maintained) of the road, and assist in fencing to ensure that all users recognize that there is no public access to crown lands beyond.

4. The Ministry will make it clear to the Ministry of Crown Lands, residents and road users that it is NOT this Ministry's mandate to ensure access to all deeded parcels of land, or to crown land, but to maintain public roads currently in service. If others wish to turn over roads to this Ministry to be maintained then there are processes in place for accepting these. Only via subdivision approval procedures does this Ministry get involved in ensuring access to currently inaccessible parcels of land or crown land "beyond".

PREPARED BY

Sherry Eland, District Highways Manager, North Peace District

APPROVED BY

Kathleen Miller, Regional Director, Central/North East Region

DATE SUBMITTED	**DATE REVIEWED**
June 7, 1993	**March 15, 1996**

Request March 15, 1996 by District Highways Manager to delete and file.

FACSIMILE RECORD

BRITISH COLUMBIA

MINISTRY OF TRANSPORTATION & HIGHWAYS

DATE: 10-Sep-96

FILE #:

TO: **Bruce Craig**
District Technician
North Peace

FROM: **Heather Halliday**
Regional Property Clerk
PROPERTIES BRANCH
#213 - 1011, Fourth Ave.
Prince George, BC
V2L 3H9
PHONE: (604) 565-6472
FAX: (604) 565-4156

FAX#: **Old Hudson Hope Road**

SUBJECT: As requested.

NOTES:

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER THE PROVISIONS OF THE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT. If the reader of this message is not the intended recipient or an employee or agent responsible for delivering the message to the intended recipient, your are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us by mail. Thank you.

OF PAGES: 3 ☐ Original by mail

(including this one)

Package Subject: Old hudson's Hope Rd

Title: Old hudson's Hope Rd

MEMO FROM DAN DOYLE
ASSISTANT DEPUTY MINISTER OPS
MINISTRY OF TRANSPORTATION AND HIGHWAYS

TO : Wayne Carr

RE: Old Hudson's Hope Rd.

DATE: July 22, 1993

I spoke to s.22 last night on this issue as well as to the Minister's staff. The conclusion that I have arrived at is that we should take the position that the road may be public under section 4 but that we do not have an interest at this time in pursuing having the road opened. However, members of the public who wish to have the gate removed and the road opened are free to seek legal recourse to have that done. There has been a letter writing campaign asking for the road to be opened and we should answer the letter according to the above. Apparently s.22 s.22 has called the ombudsman so we may hear from that office. Initially, I had thought that we should contact the Omb to find out their position on this but I think our position is sound and we should wait to here from them.

Dan Doyle

cc Julia Bardos
Kent Macaulay
Sharon Varley

Sent by Wang Office July 22, 1993

Minister Charbonneau is in Ft. St. John next week to discuss this file. Reg. District has passed a new resolution. Steve will get a copy of resolution.

July 23/93 Spoke to Errol Nadeau (Ombudsmans Office) and indicated the Ministry's position (as above) after confirming with Wayne Carr. SH

Reference: 2254/93

June 29, 1993

s.22

Thank you for your letter of May 31, 1993, concerning the Old Hudson Hope Road 119 and the controversy regarding public access.

At this time, the Ministry is taking no further action to remove the private gate or establish a surveyed right of way for access to Crown Lands beyond. The Ministry tried to help as requested by a few of the area residents, but clearly the majority do not wish to see the gate removed or public monies spent on an access. I understand that current access to Crown Lands beyond is available on foot or horseback along the township deletions.

Although there have been very polarized views by local users, I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

ORIGINAL SIGNED BY MINISTER

JUL 07 1993

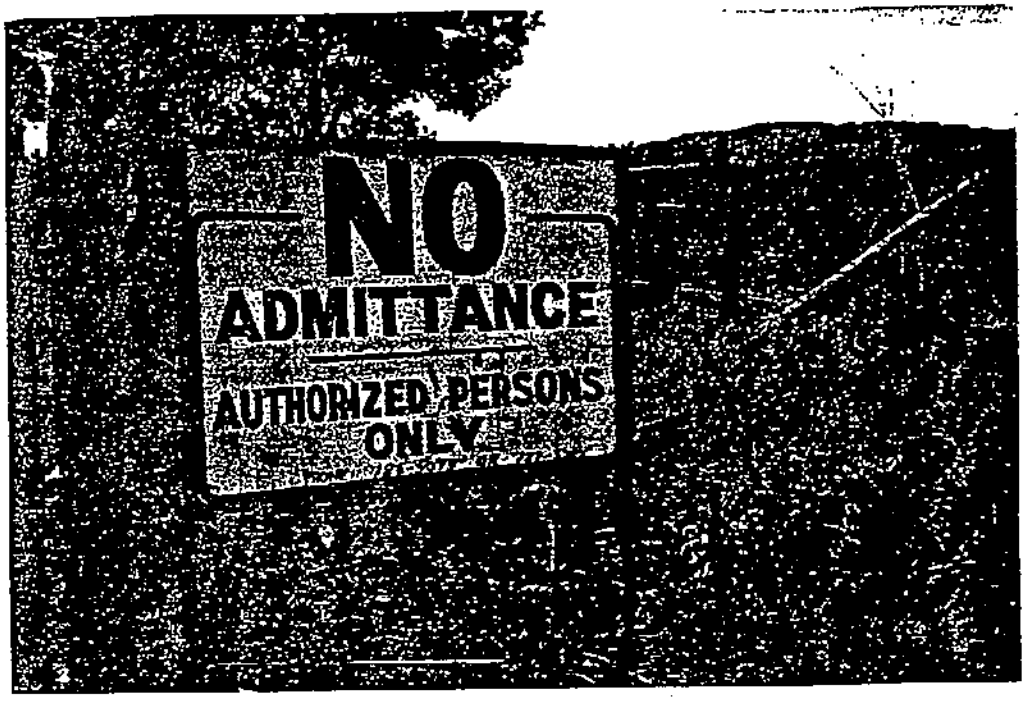
Art Charbonneau
Minister

MINISTRY OF TRANSPORTATION & HIGHWAYS
JUL 15 1993
REGIONAL OFFICE
PRINCE GEORGE, B.C.

!bcc: Mr. Lawren Wagar, A/Regional Director!
!Central/North East, Prince George!

!Mr. S.D. Gladysz, District Highways Manager!
!South Peace, Dawson Creek – copy of incoming attached.!

!SVarley, CU/LWagar/clc/4238c/Min.Log –4614– !


NO
ADMITTANCE
AUTHORIZED PERSONS
ONLY



Province of
British Columbia

Ministry of
Transportation
and Highways

North Peace Highways District
#300, 10003 - 110 Avenue
Fort St. John
British Columbia V1J 6M7
Phone: 787-3237
Fax: 787-3279

July 26, 1996

File: Roads 119, 275, 621A, 655B

To Whom It May Concern:

The Ministry of Transportation and Highways is currently updating road signs and names in some locations within the North Peace District.

This change is taking place for the following reasons:

- for the public's convenience in locating residences along this road,
- to provide a less confusing road signing arrangement within our District, and
- for the Ministry's ease in providing appropriate road signing in a more cost effective manner.

This is to advise you that the Ministry is in the process of extending the road name and number of **Road 655B - Hilltop Drive** to include **621A - Hilltop Road** and all of **Road 275 Carlson Road** that lies north of **Road 119 - Old Hope Road**.

If you have any comments or require further information please do not hesitate to call Mr. Cliff Thoveson, Area Manager Roads, at 787-3237 during regular office hours.

Yours truly,

C. Thoveson

Cliff Thoveson
Area Manager, Roads

/dp

PLENERT HIGSON

LAW CORPORATION

MINISTRY OF TRANSPORTATION & HIGHWAYS
MAY 2 7 1996
FORT ST. JOHN

Wa..ne Plenert, B.Th., B.A., LL.B.
Gary Higson, B.A., LL.B.
Robert N. Apps, B.A.,LL.B.

#201 - 1136 - 103rd Avenue,
Dawson Creek, B.C. V1G 2G7

Phone: (604) 782-9134
Fax: (604) 782-9135

Wednesday, May 22, 1996

Our File: 22670

Society for the Preservation and Use of
Historic Roads and Trails

s.22

Attention: Jack Gladysz, Chairman
Dave Bateman, Treasurer

Dear Sirs:

RE: Public Road No. 119 through lands NW and NE 1/4 27, Twp. 83, Rge. 20 W6M

Your letter of April 20, 1996 has now been forwarded to me. The points you raised are contentious and not accepted by my client.

Yours truly,

PLENERT HIGSON LAW CORPORATION

Per: WAYNE PLENERT

WP/lp
cc: Minister of Transportation and Highways, Fort St. John
cc: Minister of Transportation and Highways, Victoria
cc: Minister of Crown Lands, Fort St. John
cc: B.C. Hydro
cc: Premier's Office, Victoria
cc: MLA North Peace

Received 10/96

Society for the Preservation and Use of Historic Roads and Trails

s.22

April 20, 1995

s.22

Dear Madam/Sir:

Re: Public Road No. 119 through lands NW and NE 1/4 27, Twp. 83, Rge. 20 W6M

This Society, in an attempt, to restore unobstructed use of road No. 119 and the American Road. No. 125, providing access to the Peace River, Crown lands along lower Wilder Creek and Crown lands along the Peace River, towards Bear Flats, asks that you remove gates and barriers at you properties.

These roads are protected for public use by section 4 and 6 of the Highway Act and the crown grants "no interference with existing roads and trails" at crown grant time. This road, at one time was a trail, dates back to the 1920's and is covered by the above noted legal covenants. Furthermore, at the location of the large metal gate, this section of road had public funds expended on improvements and summer maintenance. We are not asking for improvements to this road as the need for this road consists of users such as: hikers, horse riders, cross country skiers, A.T.V. riders and general recreational users, that wish access to the Peace River and Crown lands. A portion of map, dated 1936 is attached showing the Road in question.

Your action to remove gates, or response would be appreciated within 30 days. Thank you.

Yours truly

Jack Gladysz
Chairman

Dave Bateman
Treasurer

Steve Rousselle
Secretary

cc Minister of Transportation and Highways, Fort St. John
cc Minister of Transportation and Highways, Victoria
cc Minister of Crown Lands, Fort St. John
cc B. C. Hydro
cc Premier's Office, Victoria
cc MLA North Peace

Dave / Bruce

PLENERT HIGSON

LAW CORPORATION

Wayne Plenert, B.Th., B.A., LL.B.
Gary Higson, B.A., LL.B.
Robert N. Apps, B.A., LL.B.

#201 - 1136 - 103rd Avenue,
Dawson Creek, B.C. V1G 2G7

Phone: (604) 782-9134
Fax: (604) 782-9135

MINISTRY OF TRANSPORTATION & HIGHWAYS
MAY 27 1996
FORT ST. JOHN, B.C.

Wednesday, May 22, 1996

Our File: 22670

Society for the Preservation and Use of
Historic Roads and Trails

s.22

Attention: Jack Gladysz, Chairman
Dave Bateman, Treasurer

Dear Sirs:

RE: Public Road No. 119 through lands NW and NE 1/4 27, Twp. 83, Rge. 20 W6M

Your letter of April 20, 1996 has now been forwarded to me. The points you raised are contentious and not accepted by my client.

Yours truly,

PLENERT HIGSON LAW CORPORATION

Per: WAYNE PLENERT

WP/lp
cc: Minister of Transportation and Highways, Fort St. John
cc: Minister of Transportation and Highways, Victoria
cc: Minister of Crown Lands, Fort St. John
cc: B.C. Hydro
cc: Premier's Office, Victoria
cc: MLA North Peace

Received 10/96

Society for the Preservation and Use of Historic Roads and Trails

s.22

April 20, 1995

s.22

Dear Madam/Sir:

Re: Public Road No. 119 through lands NW and NE 1/4 27, Twp. 83, Rge. 20 W6M

This Society, in an attempt, to restore unobstructed use of road No. 119 and the American Road. No. 125, providing access to the Peace River, Crown lands along lower Wilder Creek and Crown lands along the Peace River, towards Bear Flats, asks that you remove gates and barriers at you properties.

These roads are protected for public use by section 4 and 6 of the Highway Act and the crown grants "no interference with existing roads and trails" at crown grant time. This road, at one time was a trail, dates back to the 1920's and is covered by the above noted legal covenants. Furthermore, at the location of the large metal gate, this section of road had public funds expended on improvements and summer maintenance. We are not asking for improvements to this road as the need for this road consists of users such as: hikers, horse riders, cross country skiers, A.T.V. riders and general recreational users, that wish access to the Peace River and Crown lands. A portion of map, dated 1936 is attached showing the Road in question.

Your action to remove gates, or response would be appreciated within 30 days. Thank you.

Yours truly,

Jack Gladysz
Chairman

Dave Bateman
Treasurer

Steve Rousselle
Secretary

cc Minister of Transportation and Highways, Fort St. John
cc Minister of Transportation and Highways, Victoria
cc Minister of Crown Lands, Fort St. John
cc B. C. Hydro
cc Premier's Office, Victoria
cc MLA North Peace

Page 589 to/à Page 590

Withheld pursuant to/removed as

s.3

s.22

Office of the Premier of British Columbia
Victoria, B. C.

Dear Premier Harcourt

Re: locked gates on 125 and 119 Roads

This letter is a follow up to my letter dated February 19, 1994, as I have not yet received a reply.

Today I spoke with the local Ministry of Transportation and Highways Manager, Tony Bennet, as to the progress on the issue of the above mentioned gates. I was told that a public meeting will be held to discuss this issue.

I am extremely concerned that the Ministry is not enforcing the law. Would the Premier please explain to me why his government is allowing a very small group of people to escape legal action time and time again.

I wish to point out the Local District Manager has much documentation on file on these roads and correspondence dated in the late 1940's between Deputy Minister, A. L. Carruthers, District Engineer and W. R. Workman. In one such letter dated Oct 14, 1947, Deputy Minister, A. L. Carruthers, clearly states "he must understand, however, that the road is really a government road and that we granting no more compensation than what is warranted (sec 22) must on no account obstruct operations." In another letter from District Engineer, W. R. Workman to the Deputy Ministry, dated Oct. 23, 1947 Mr. Workman writes, "I have advised (sec 22) that the road know as the Tompkins Road is considered a government road."

I believe that these and other such letters, which I have obtained through the freedom of information act, clearly show that the road they are speaking of (known as the Tompkins Road) are clearly the roads in question and that the Deputy Minister of Highways of the day clearly states that they are government roads.

I would like to know what purpose a public meeting would serve in this particular road dispute. The laws are clear, the proof is overwhelming and why is this government continuing to show its reluctance to act and enforce the law.

I look forward to your immediate reply.

s.22

fc Tony Bennett, North Peace District Manager
Errol Nadeau, Ombudsman
Minister of Transportation and Highways
Wayne Carr, Regional Manager

PLENERT HIGSON

LAW CORPORATION

Wayne Plenert, B.Th., B.A., LL.B.
Gary Higson, B.A., LL.B.
David Clancy, LL.B.

#201 - 1136 - 103rd Avenue,
Dawson Creek, B.C. V1G 2G7

Phone: (604) 782-9134
Fax: (604) 782-9135

MINISTRY OF TRANSPORTATION & HIGHWAYS
FORT ST. JOHN
MAR 18 1994

Wednesday, March 16, 1994

Our File: 22670

Ministry of Transportation & Highways
#300, 10003 - 110th Avenue
FORT ST. JOHN, BC
V1J 6M7

ATTENTION: Mr. John P. Clark

Dear Sir:

RE: Road 119 - Old Hudson Hope Road

Since you and I last communicated, I understand that a decision has been made by the Agricultural Land Commission contrary to the plans you were trying to implement with respect to this land. I would appreciate hearing from you as to whether further attempts are going to be made by your Ministry to open up this area or if this matter is now resolved.

Yours truly,

PLENERT HIGSON

Per: WAYNE PLENERT

WP/pjb

cc: s.22

Page 593 to/à Page 595

Withheld pursuant to/removed as

s.3

Ministry of Transportation & Highways

#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

22-20-119
22-20-280

November 24, 1993

Plenert & Higson
Law Corporation
#201, 1136 - 103 Avenue
Dawson Creek, BC
V1G 2G7

Attention: Mr. Wayne Plenert

Dear Sir:

Re: ***Old Hudson Hope Road #119***
Your Client s.22

Further to our phone conversation of November 23, 1993, attached hereto is additional information from our files to substantiate our position that this road is public by virtue of Section 4 of the Highway Act. Please note that in the early years the Old Hudson Hope Road was called the LeFeuvre Road #119.

In light of this additional information now being shared with you, I would request that once reviewed, you and your client then advise myself of any further concerns so that we may investigate and hopefully resolve these. Your client's family may now be in a position to accept public road status and may wish to negotiate fencing, etc., to protect their private lands.

Should there still be concerns, I would request that these be provided in writing so that we can hopefully resolve them. Should it be necessary, the Ombudsman's office has agreed to facilitate a meeting of necessary partners at a later date.

I await your reply.

Yours truly,

John P. Clark
District Highways Manager

JPC/pq

Attachments

cc: W. Carr, Regional Director, Central/North East Region
E. Nadeau, Ombudsman Office

	TELEX/FACSIMILE RECORD	Date December 3, 1993 File No.
VIA: TELETYPE	RADIO	FACSIMILE

TO:	FROM:
DISTRICT HIGHWAYS MANGER	WAYNE CARR
NORTH PEACE	REGIONAL DIRECTOR
FORT ST. JOHN	CENTRAL/NORTH EAST REGION
FAX No. TELEX No.	FAX No. 565-6065 PHONE No. 565-6479

SUBJECT:
Minister's Correspondence 4279

Please prepare a draft response as soon as possible.

PAGES: 14 (including this sheet)	Lenora Fillion Operator's Signature

Ministry of Transportation and Highways
Correspondence Tracking System

Page: 1

November 30, 1993
3:38 PM

REFERRAL SLIP

CORRESPONDENT

First Name:
Middle Name:
Surname:
Title:
Organization:
Address: s.22

City:
Province:
Postal Code:
Country:
Electoral District: Peace River North

CTS Log Number: 006279 93
Minister's Log Number: 5964
File Code: 280-30
Entered By: CSC

Date of Letter: 93/11/05
Date Received: 93/11/30
Date Completed: / /
Status: OP
Category: REG

Issue:
Attitude:

Subject: Encloses ltr addressed to Min from lawyer re decision to open Old Hudson Hope Road, Charlie Lake. s.22

s.22 See 3367/93.

REFERRED TO

Office Id: REGION 6 Office Description: Regional Director, Central North East
Surname: CARR Date Referred: 93/11/30
Remarks: Please prepre draft response for Minister's signature and recurn to C.U. no later than Tues, Dec 7/93.

FAX MESSAGE

TO W CARR
COMPANY R 4
YOUR FAX NO. -
OUR FAX NO. 387-6771
NO. OF PAGES 13
DATE Nov 30/93
RE: CC

RECEIVED
NOV 29 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

s.22

November 6, 1993 Your reference: 3387/93

Honourable Jackie Pement
The Minister of Transportation and Highways
Room 28, Parliament Buildings
Victoria, BC
V8V 1X4

MINISTER OF TRANSPORTATION & HIGHWAYS
NOV 22 1993
15964
DRAFT REPLY ☑ FYI ☐ FILE ☐

Dear Ms. Pement

Upon the receipt of your letter dated October 21/93 I would like to ask you WHY?

s.22

s.22 So please tell me why you want me to open a gate that is on private land and that goes nowhere but to private property.

s.22

s.22 There has always been a gate on this road. s.22

s.22

Attached for you information is a letter our lawyer has written to the Ministry. If you would like further details on this issue please contact either him our myself.

What we are looking at here is the top of the hill versus the bottom of the hill. Why do you want to open up this privately owned hillside to be ravaged by some members of the public? Has anyone from your Ministry looked at our concerns - they sure have not been addressed! I would like to invite you to come and have a personal look at the situation here, then you could see for yourself the destruction that opening this road would cause.

s.22

see 3387/93

FLENERT
HIGSON
LAW CORPORATION

Wayne Flenert, B.Th., B.A., LL.B.
Gary Higson, B.A., LL.B.
David Clancy, LL.B.

#201 - 1136 - 103rd Avenue,
Dawson Creek, B.C. V1G 2G7

Phone: (604) 782-9134
Fax: (604) 782-9135

Wednesday, September 29, 1993

Our File: 22670

Ministry of Transportation & Highways
#300, 10003 - 110th Avenue
FORT ST. JOHN, BC
V1J 6M7

COPY

FOR YOUR INFORMATION

ATTENTION: Mr. John P. Clark

Dear Sir:

RE: Road 119 - Old Hudson Hope Road

Your letter of September 16, 1993 has been referred to me for a response. s.22 tells me that this gate is not on land that she owns. Therefore, your communication appears to have gone to the wrong party. She tells me, however, that the claim that you make for a public road would affect land of hers, and for that reason I am writing this letter.

I have received a copy of a letter from the Minister indicating that as of June 29, 1993, the Ministry was taking no further action to remove the private gate. Your letter gives no basis for the change in approach or policy of the Ministry. In view of the public policy issues involved, it would be appreciated if the basis for your letter could be disclosed.

Your letter suggests that only the land past the first gate might be considered public. Although my clients strongly dispute that, they appreciate the fact that your letter only deals with the land after the first gate, and not beyond any of the other gates. They appreciate what appears to be a concession that there is no public road at the point or beyond the second gate.

However, assuming that you concede that the maximum extent of your claim could only be up to the second gate, then the purpose of having this road declared public would be to have access to the middle of my client's property and for no other purpose. Either you have some designs on the middle of my client's property or you intend to use some other approach to extend the public at some further point. This then becomes a major land

PLENERT

HIGSON

Wednesday, September 29, 1993

p. 2

use dispute in which one of the parties is attempting to deal with it in a piecemeal fashion.

I have reviewed the history of this matter and your interpretation that there is evidence that this is a Section 4 road will be hotly contested.

I have reviewed letters that were written in 1982 complaining to the Ministry about what was happening on this land.

Also, the Affidavits that you have had prepared go far short of establishing that this is a Section 4 road.

Rather than go through all of the details at this time, I would invite you to reconsider the approach that your Ministry is taking and look to your motives and your purposes in taking such a position and take the "high road"!

Yours truly,

PLENERT HIGSON

Per: WAYNE PLENERT

WP/pjb

Reference: 3387/93

October 21, 1993

s.22

Thank you for your letter of August 24, 1993, addressed to my predecessor, requesting assistance in resolving the controversy regarding public access on Road 119 near Charlie Lake.

I appreciate your position on this matter. Ministry staff have been communicating with the office of the Ombudsman on this issue based on a complaint from a local citizen. The Ministry's position, which we hope will resolve this impasse, is that the gate be removed in order for others to use the public portion of the road. The Ministry will not be establishing a formal right of way or acquiring additional access to Crown Land and the Peace River.

Thank you for bringing your concerns to this Ministry's attention. I trust that this issue will soon resolve itself.

Yours sincerely,

ORIGINAL SIGNED BY MINISTER

OCT 28 1993

Jackie Pement
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!SVarley, CU/WCarr/cba/4981c/Min.Log -5287- !

4981c

SEP 2 4 1993

Ministry of Transportation and Highways
Correspondence Tracking System

August 30, 1993
12:14 PM

REFERRAL SLIP

CORRESPONDENT
First Name:
Middle Name:
Surname:
Title:
Organization:
Address: s.22

City:
Province:
Postal Code:
Country:
Electoral District: Peace River North
Issue:

CTS Log Number: 003387 93
Minister's Log Number: 5287
File Code: 280-30
Entered By: KMR

Date of Letter: 93/08/24
Date Received: 93/08/30
Date Completed: / /
Status: OP
Category: REG

Attitude:

Subject: Concerned that Min is reversing decision to open Old Hudson Hope Road. s.22 s.22, Charlie Lake. See 1855/93.

DUE DATE: 93/09/29

REFERRED TO
Office Id: REGION 4 Office Description: Regional Director, Central North East
Surname: CARR Date Referred: 93/08/30
Remarks: Please prepare draft response for Minister's signature.

FAX MESSAGE

TO Wayne Carr
COMPANY Region 4
YOUR FAX NO.
OUR FAX NO. 387-6771 ✓
NO. OF PAGES 6
DATE @ Aug. 30/93
RE: @

Reference: 3387/93

October 11, ~~1993~~ updated

s.22

Thank you for your letter of August 24, 1993, addressed to my predecessor, requesting assistance in resolving the controversy regarding public access on Road 119 near Charlie Lake.

I appreciate your position on this matter. Ministry staff have been communicating with the office of the Ombudsman on this issue based on a complaint from a local citizen. The Ministry's position, which we hope will resolve this impasse, is that the gate be removed in order for others to use the public portion of the road. The Ministry will not be establishing a formal right of way or acquiring additional access to Crown Land and the Peace River.

Thank you for bringing your concerns to this Ministry's attention. I trust that this issue will soon resolve itself.

Yours sincerely,

Jackie Pement
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!SVarley, CU/WCarr/cba/4981c/Min.Log –5287– !

Reference: 3387/93

October 1, 1993

redated

s.22

Thank you for your letter of August 24, 1993, addressed to my predecessor, requesting assistance in resolving the controversy regarding public access on Road 119 near Charlie Lake.

I appreciate your position on this matter. Ministry staff have been communicating with the office of the Ombudsman on this issue based on a complaint from a local citizen. The Ministry's position, which we hope will resolve this impasse, is that the gate be removed in order for others to use the public portion of the road. The Ministry will not be establishing a formal right of way or acquiring additional access to Crown Land and the Peace River.

Thank you for bringing your concerns to this Ministry's attention. I trust that this issue will soon resolve itself.

Yours sincerely,

Jackie Pement
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!SVarley, CU/WCarr/cba/4981c/Min.Log -5287- !

Page 606 to/à Page 609

Withheld pursuant to/removed as

s.3

Reference: 1855/93

June 29, 1993

s.22

Thank you for your letter of May 26, 1993, concerning Road 119 and the controversy regarding public access. Please accept my apologies for the delay in replying to your last letter of February 19, 1993.

You will be pleased to know that, at this time, the Ministry is taking no further action to remove the private gate or establish a surveyed right of way for access to Crown Lands beyond. The Ministry tried to help as requested by a few of the area residents, but clearly the majority do not wish to see the gate removed or public monies spent on an access. I understand that current access to Crown Lands beyond is available on foot or horseback along the township deletions.

Although there have been very polarized views by local users, I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

ORIGINAL SIGNED BY MINISTER

JUL 07 1993

Art Charbonneau
Minister

Copy to: Honourable John Cashore
Minister of Environment, Lands and Parks
M.L.A., Coquitlam-Maillardville !-copy of incoming attached!

!bcc: Mr. Lawren Wagar, A/Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

/:SVarley, CU/LWagar/clc/4099c/Min.Log –4510– !

Ministry of Transportation & Highways

#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

292-01
22-20-119

November 10, 1993

s.22

Re: ***Roads #119 and #125***

I wish to acknowledge your faxed letter dated November 3, 1993. Your further request for information on the above two roads is being processed through Freedom of Information.

Yours truly,

John P. Clark
District Highways Manager

JPC/pq

ATTENTION

JOHN CLARKE

NOV 3 1993

Page 613 to/à Page 616

Withheld pursuant to/removed as

s.3

Nov 2/93

MINISTRY OF TRANSPORTATION AND HIGHWAYS
NORTH PEACE DISTRICT
ISSUE PAPER

Region:
4

Community:
Fort St. John

Topic:
Old Hudson Hope Road #119
Legalize R/W of Section 4 Road

Electoral District:
North Peace

Issue:

The Ministry considers the Old Hudson Hope Road #119 to be Section 4 by virtue of the Highway Act. This road accesses both private lands, a pipeline across the Peace River and by a requested extension of the right of way, some 250 meters gives access to a parcel of crown land and the Peace River. A gate was placed across the road approximately two years ago and since that time the Ministry and BC Lands have received several complaints and queries to have the road open. Ministry attempts to remove the gate have failed. No improvements or reconstruction of this lower class road are contemplated at this time.

Background:

The Ministry considers the Old Hudson Hope Road to be public by virtue of Section 4 of the Highway Act. We have not however, maintained the portion of road for several years down the hills to the Peace River. The road however, is recorded to this day in the District Road Register and previous employees for the Ministry will verify that maintenance took place when needed. Due to the fact that separate titled parcels of land are accessed via this road, access to a pipeline across the Peace River is needed and a short extension of approximately 250 meters accesses the crown land along the Peace River, the Ministry cannot close its interest in providing access to all lands. The Ministry of BC Lands has requested the extension to supply access to the crown land as part of their access mandate. Dominion township deletions in the area are not feasible for use as access due to topography without major realignments which would disrupt agricultural use of this land. Existing township deletions have also been fenced off restricting public access.

This entire project has been prompted by the placement of a gate across the road at the top of the hill by local land owners approximately two years ago. Since that time however, the local district office and the local BC Lands office have received several complaints and queries to have the gate removed. In 1992, one family was locked in after driving down the hill and coming back to find the gate locked on them. In the fall of 1992, two men assaulted another who wanted access and was restricted. Several others have been turned away who want access to the crown land and Peace River

.../2

hunting and fishing areas. Land owners have concerns over trespassers and the use of A.T.V.'s in the area. When this project became more intense, I reviewed the district's action plan with the Regional Director who in turn reviewed it with Headquarters. The position taken was we were to proceed even if expropriation was necessary to resolve this issue. Since then a further review by the Minister's office has suggested that we attempt to have the gate removed but if unsuccessful, back off and leave the locals to resolve the dispute.

It should also be noted that s.22 have tried to link Stan Gladysz, District Highways Manager, South Peace District to this project however, only his two brothers who own the land at the north end of the project have been involved. This District is solely acting on public complaints and not personal interest.

Ministry Position

Attempts to remove the gate peacefully have failed in the past two years. The District Highways Manager and Properties Agents have met with the land owners and all attempts to date to come to a peaceful solution seem to not be achievable. The Ministry position at this date is to leave any further disputes over the gate lie with the local owners and area residents. Should the locals wish to determine if the road is public through the court system, the Ministry will supply any information it has through the Freedom of Information guidelines. The Ministry considers the road still public by virtue of Section 4 of the Highway Act.

Impact Summary:

This position of allowing the gate to remain on a public road could set a precedence for other area situations.

Ministry Recommendation:

One must consider that if we back down and allow the gate to remain, there are other similar issues not only in this district but throughout the Peace River area which would be jeopardized by any change in direction. The Ministry also has a mandate to ensure access to all deeded parcels of land and maintain its rights to Section 4 roads.

In this case however, since there is no residential access needed, only access to farmland and crownland beyond, the Ministry should reconsider its position as follows:

1. Leave the gate as is for now.

2. Advise the local residents who want the gate removed to proceed through court action to determine once and for all whether there is sufficient evidence to prove Section 4 status of the road and have the gate removed. the Ministry would assist through Freedom of Information with any information it has.

.../3

3. The Ministry would continue to state that as far as we are concerned the road is still public until determined otherwise but take no further action.

Prepared by:

John P. Clark
District Highways Manager
North Peace District
November 2, 1993

JPC/pq

Reference: 1367/93

June 29, 1993



Mr. Greg Cranston
Barrister and Solicitor
234 Abbott Street
Vancouver, British Columbia
V6B 2K8

Dear Mr. Cranston:

Thank you for your letter of March 23, 1993, concerning Road 119 and the controversy regarding public access. I regret the delay in responding, but this situation has been under review for some time.

At this time, the Ministry is taking no further action to remove the private gate or establish a surveyed right of way for access to Crown Lands beyond. The Ministry tried to help as requested by a few of the area residents, but clearly the majority do not wish to see the gate removed or public monies spent on an access. I understand that current access to Crown Lands beyond is available on foot or horseback along the township deletions.

Although there have been very polarized views by local users, I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

ORIGINAL SIGNED BY MINISTER

JUL 07 1993

Art Charbonneau
Minister

!bcc: Mr. Lawren Wagar, A/Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!SVarley, CU/LWagar/clc/3455c/Min.Log –3985– !

GREG CRANSTON
Barrister & Solicitor
(Also of the Yukon Bar)

RECEIVED
APR 1 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

234 ABBOTT STREET VANCOUVER, B.C. V6B 2K8 (604) 688 0495 FAX:688 0201

March 23, 1993

MINISTER OF TRANSPORTATION
& HIGHWAYS
TH 3985
MAR 26 1993
DRAFT REPLY ☒ FYI ☐ FILE ☐

Mr. Art Charbonneau
Minister of Transportation and Highways
Room 28, Parliament Buildings
Victoria, B.C.
V8V 1X4

Dear Sir:

Re: Old Hudson's Hope Road
NW and NE 1/4 Section 27, TP.83, RG.20, V6M, Peace River District

---

s.22 are long time residents of Fort St. John and own a large parcel of land near the Peace River. There is an existing right of way over a hill and through two pieces of property. This right of way is difficult to negotiate. There is a trail that goes through the two pieces of property to give them access. There is a very parcel of Crown land near the river. This land includes islands that are occasionally under water. I would respectfully submit that this land has minimal value to the public. However, a member of the Ministry staff has some interest in an adjoining property and it would be of great value to that land to have unfettered access across my client's property.

We can only believe that to be one of the main reasons why the ministry in Fort St. John is pushing for access. It seems a tremendous waste of public resources to survey and build a road through two parcels of land to access a very small and relatively worthless piece of Crown land. As I indicated, there is an existing and legal right of way and if the Crown wishes access, it can avail itself of that.

Granted, the access may be more difficult to use than a newly built road and some modifications might have to be made, but that is not my client's problem.

I am enclosing copies of a letter dated March 15, 1993 from John P. Clark, District Highways Manager to my clients, and my response to him. I cannot believe that this government has the money to waste on such a foolish project - or the spare time to alienate taxpayers/voters.

I believe that the Ministry ought not to be involved in this.

Yours very truly

Greg Cranston

GREG CRANSTON

Carr
Log # 1307/92

Reference: 2255/93

June 29, 1993



s.22

Thank you for your letter of May 28, 1993, concerning the Old Hudson Hope Road 119 and the controversy regarding public access.

You will be pleased to know that, at this time, the Ministry is taking no further action to remove the private gate or establish a surveyed right of way for access to Crown Lands beyond. The Ministry tried to help as requested by a few of the area residents, but clearly the majority do not wish to see the gate removed or public monies spent on an access. I understand that current access to Crown Lands beyond is available on foot or horseback along the township deletions.

Although there have been very polarized views by local users, I trust that all parties will accept the Ministry's position on this matter.

As you requested, I have returned all of your original correspondence. Thank you for expressing your concerns.

Yours sincerely,

ORIGINAL SIGNED BY MINISTER

JUL 07 1993

Art Charbonneau
Minister

Attachments

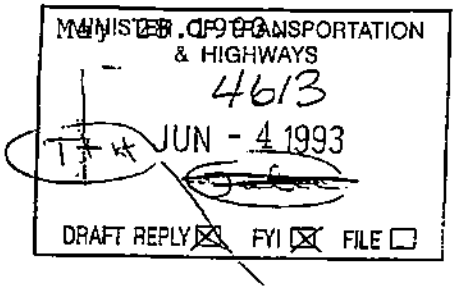
!bcc: Mr. Lawren Wagar, A/Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!C.U. – Return tc s.22 all 12 pages of his original correspondence.!

!SVarley, CU/LWagar/clc/4239c/Min.Log –4613– !

s.22



Mr Art Charbonneau,
Ministry of Highways,
Room 28,
Parliament Building,
Victoria B.C.

Dear Mr. Charbonneau:

I farm lands owned by the s.22 west of Charlie Lake, I have been plagued by vandals and on many occasions had my equipment damaged, also every year our fields have damage done by vehicles driven through the grain fields. Also livestock has been chased and one year a beef animal was butchered by persons unknown.

The s.22 and myself lock a gate, barring the public access to s.22 farm. This worked very well and the vandalism stopped.

Mr. John Clarke, Highways Manager, said that we must open this gate as he considered that road a class 4 road. This particular road was built by the land owners, not by the Ministry of Highways. There was old wagon roads in various places used in the early days by homesteaders and settlers, but this road in question. The s.22 s.22 s.22 They, s.22 came down through the s.22 and worked on s.22 private road with their D8 cat making a direct route to the hydro property which they rented.This action on the s.22 part was unnecessary as there was already legal access to the hydro property from the west through crown land and maintained by the Ministry of Highways. Also, s.22 were in direct violation of trespassing through the s.22 farm. The s.22 reluctantly allowed the s.22 to use that road, but only for their own use to access the hydro property.

John Clarke claims that a grader went down to the foot of the hill 10 years ago, once or twice, thus making that portion of the disputed road a class 4 road. That grader was in violation of the trespass act as well, as no permission was granted by the s.22 It is strange that a grader ever went down there as it has never gone down in the last 10 years. I wonder how s.22 ever influenced the Ministry to send a grader down there when they were renting the hydro property. There has never been a grader sent down since s.22 I now rent the Hydro farm and am content with accessing that property from the legal access from the west.

I want the s.22 gate kept locked which helps me a great deal. To make the private road of s.22 into a public road is completely out of the question, as any profitable farming operation would be impossible.

I have enclosed a couple of documents for your reference. Please acknowledge this letter and the documents enclosed. Please photo copy these documents and return the originals.

Sincerly s.22

s.22

Province of British Columbia

MEMORANDUM

s.22

FROM:
Land Title Office
130 Victoria St.
Prince George, B.C.

DATE:
October 16/81

N½ 4 sec 27 twp 83 Range 20 W6M

- [x] For Your Information
- [ ] Please Process
- [ ] Please O.K. and Return
- [ ] Return With More Details
- [ ] Please Discuss With Me
- [ ] Investigate and Report
- [ ] Per Your Request
- [ ] Please Answer
- [ ] For Your Signatur
- [ ] For Your File

Please be advised our records do not show any road allowances within the above noted property.

E. Paven per D Jardine

© Right-to-Window Envelope

Cst SMITH contacted the MINISTRY OF Lands who stated that although there was some confusion as to whether MEEK was allowed to lock a gate accessing an old road on his property; it is now clear that at this time the public can not legally access this road.

Cst P.D. SMITH. 41820
P.D Smith

NOTE: The above is a hand written statement by Constable Smith from the RCMP out of Ft St John. Sept 7th 1992.

s.22

s.22

Dear Madam:

I am writing this letter regarding agricultural property that we lease from B.C. Hydro. This property is situated on the Peace River, east from Highway 29, (Hudson Hope Highway), near Cache Creek. I have enclosed a map for your reference. We have been plagued by vandals and hunters who open up the gates to the fields and drive 4X4 trucks and motorbikes through the grain fields doing willful damage, the gates are left open so livestock can get in.

The damage last year from livestock getting into these fields and from these people driving through our seeded crops amounted to more than $2000.00.

This year we put a lock on the gate about a ½ mile west of the fields. The neighbor to the east adjoining the Hydro property s.22 keep their gates locked so there is no public entry possible to the Hydro property from that direction. s.22 are good neighbors and have gave us and Chris Windt from Hydro keys so we can get to the Hydro farm through their farm if we so desire. This arrangement has worked very well this year and the damage to crops has been kept to a minimum.

The Ministry of Highways have put up "No Through Road" signs near Highway 29 where the road takes off to the Hydro property from the west. They have also put up this same sign on the east end near the s.22 property. This has also helped to keep the traffic to a minimum.

Many hunters and undesireable people are saying that this is a through road and at one time was the Old Hudson Hope Road. This is not true as s.22

s.22

has been near or where it is today. Numerous pack horse trails and old wagon trails criss crossed the country gaining access to homesteads. Many of the homesteaders have long disappeared along with the trails leading to thier homesteads. These old trails were not gazetted.

In 1942, Tompkins Contracting operated a coal mine near Hudson Hope. They were selling and hauling coal to the U.S. Army during the building of the Alaska Highway. The s.22 at that time built and constructed this road east of Cache Creek off Highway 29 through to near Charlie Lake through what is now the Hydro and s.22 properties. Their intent was to avoid the steep hills of Cache Creek, Deep Creek, and Tea Creek which existed on the Hudson Hope Public Highway. Also, they wanted the Ministry of Highways to take over this road after they constructed it. The Department of Highways refused to take it over. There were other obstacles as some land owners and farmers refused access through their properties. As there wasn't any roads gazetted in that area and because the Ministry of Highways refusal to take this over as a public road, the whole project was abandoned. Much of the old roads and trails disappeared over the years.

A land owner who owned the Hydro property back in the 1950's, hired a cat and reconstructed part of the old Tompkins road for his own use east through s.22 property. He also built complete new sections of road.

Prior to Hydro buying the farm which used to be referred to as the Peace Valley, was owned by an American religious commune. This commune finally persuaded the Ministry of Highways to send a grader in from the west off Highway 29 to their building site and to do minimal repairs to that road. This road was then referred to as the American Road.

s.22 had access to their farm from the east through Charlie Lake. There was no connecting road between s.22 and the Hydro property. A few years ago, s.22 leased this Hydro farm. Then, without permission from s.22 entered the s.22 with a D8 cat and repaired and reconstructed an adjoining road through the s.22 property across Deep Creek to the Hydro farm. There was considerable disagreement between s.22 over this trespass. s.22 finally allowed s.22 to use this road only for thier own use, with the understanding that s.22 would keep the gates closed.

s.22 continually left the gates open and livestock getting into the fields was a constant problem. s.22 admitted to leaving the gates open and to cutting the wire on the fences. Consequently, there was a law suit between the s.22 There was also another one between s.22 s.22 As I mentioned before, the Gladysz's admitted to cutting the fences on the Hydro property and on the s.22 property. (Pictures enclosed.) The s.22 and have no reason to be down there. They are still causing trouble by cutting fences and locks as recently as this past September of 1997 which they admitted and were caught doing.

s.22 have been writing letters to various Government Departments as well as to Hydro, protesting the closure of this road. They have also got some of their friends to write letters camoflaging the fact that s.22 are behind all of this. s.22 who works for the Ministry of Highways in a supervisory position. s.22 s.22 has been using his power and position to support his s.22 in their action against s.22 and us. Also, the s.22 have a friend who works for the Ministry of Lands and Housing who uses his position and authority against us. B.C. Hydro is caught in the middle and have co-operated to the point of offering to install cattle guards in place of gates entering into the fields. This would eliminate the gates being left open and livestock entry at these points should be solved. This would not solve our biggest problem being s.22 the general public and hunters entering and driving through our crops doing willful damage and of course, vandalism.

s.22 s.22 We should be able to lock the gates to the fields, barring public entry.

s.22

s.22 Vandals could cause

s.22

We do have some insurances but if someone was hurt or poisoned, we could have a large liability law suit against us. We would like to keep the gates locked to the fields only. We don't have any objection to the general public gaining access to Hydro's property outside the fenced fields or to Crown lands which are accessable without driving through the fields.

I hope that you will study the facts that I have outlined and also discuss this with Chris Windt, Ranch Management Services for B.C. Hydro. Chris is familiar with these problems and could help a great deal I'm sure.

Sincerely,

s.22

NOTE: This letter sent to Jean Lacky - B.C. Hydro giving some history of road problems. Jean responded with acceptance in a note letter to

s.22

Page 629 to/à Page 631

Withheld pursuant to/removed as

s.3



Reference: 1539/93
1988/93

June 29, 1993

Mrs. R.D. Darnall
Chairperson
Peace Valley Environmental Association
Fort St. John, British Columbia
V1J 4H6

Dear Mrs. Darnall:

Thank you for your letters of April 2, and May 27, 1993, concerning the Old Hudson Hope Road 119 and the controversy regarding public access. I regret the delay in responding to your letters, but this situation has been under review for some time.

You will be pleased to know that, at this time, the Ministry is taking no further action to remove the private gate or establish a surveyed right of way for access to Crown Lands beyond. The Ministry tried to help as requested by a few of the area residents, but clearly the majority do not wish to see the gate removed or public monies spent on an access. I understand that current access to Crown Lands beyond is available on foot or horseback along the township deletions.

Although there have been very polarized views by local users, I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

ORIGINAL SIGNED BY MINISTER

JUL 07 1993

Art Charbonneau
Minister

!bcc: Mr. Lawren Wagar, A/Regional Director!
!Central/North East, Prince George!
!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!
!SVarley, CU/LWagar/clc/3504c/Min.Log –4174 & 4506– !

Box 6062.
Fort St. John. B.C..
V1J 4H6

RECEIVED
APR 19 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

April 2. 1993.

Mr. Art Charbonneau,
Minister of Transportation and Highways.
Room 28. Parliament Buildings.
Victoria. B. C..
V8X 1X4

Dear Mr. Charbonneau.

I have just written to Mr. Clark. District Highways Manager. in Fort St. John concerning:

Old Hudson s Hope Rd.
NW and NE 1/4 Section 27
TP 83. RG 20. W6M
Peace River District

The Peace Valley Environmental Association directors are concerned about this proposed access road to crown land.

We are concerned that this delicate ecosystem will be seriously damaged by the building of this project. Also. once the access is available we worry about the damage that will be done by ATVS. What provisions are there for an environmental assessment?

As we want people to enjoy the beauty of the Peace. we would fully support the access be limited to walkers on hiking trails and non-motorized vehicles.

Our annual meeting will be held the end of the month. I would appreciate hearing from you before then.

Thank you for your attention to this matter.

Yours sincerely.

Ruth Ann Darnall

Mrs. R. D. Darnall
Chairperson. P.V.E.A.

MINISTER OF TRANSPORTATION
& HIGHWAYS
TCH 41174
APR 15 1993
DRAFT REPLY ☒ FYI ☐ FILE ☐

Reference: 2013/93

June 29, 1993



s.22

Thank you for your letter of May 28, 1993, concerning the Old Hudson Hope Road 119 and the controversy regarding public access.

I appreciate your patience during the time it has taken to resolve this issue. You will be pleased to know that, at this time, the Ministry is taking no further action to remove the private gate or establish a surveyed right of way for access to Crown Lands beyond. The Ministry tried to help as requested by a few of the area residents, but clearly the majority do not wish to see the gate removed or public monies spent on an access. I understand that current access to Crown Lands beyond is available on foot or horseback along the township deletions.

Although there have been very polarized views by local users, I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

ORIGINAL SIGNED BY MINISTER

JUL 07 1993

Art Charbonneau
Minister

!bcc: Mr. Lawren Wagar, A/Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!SVarley, CU/LWagar/clc/4113c/Min.Log –4527– !

RECEIVED
JUN - 2 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION
& HIGHWAYS
TH
MAY 3 1 1993
4527
DRAFT REPLY ☒ FYI ☐ FILE ☐

s.22

May 28, 1993

Honourable Art Charbonneau,
The Minister of Transportation and Highways,
Room 28, Parliament Buildings,
Victoria, B.C. V8V 1X4

Dear Mr. Charbonneau;

s.22 through which the Ministry of Highways want to push a road.

s.22

s.22 .Because of the imminence of Site C and the flood reserve imposed (and still existing), we were pressed to get s.22

s.22

Our road (the 119 Road) was built by a former land owner to access his holdings. We improved it for our own use. s.22 s.22 a through road to Bear Flat was opened up by the s.22 who had rented the Hydro land to the west. With a cat and big machinery they crossed our land without permission. This is all documented in my letters to the Dept. of Highways in 1982. I protested but Highways were noncommital.

In 1985 Czar Resources acquired a statuatory right of way to the Peace River over our land to build a pipeline across the river. This was a private agreement. They paid us a nominal fee and agreed to improve our road (with gravel, etc.). Czar has no problem with the present situation - they have a key to the gate, but in general they service their well-head by helicopter on both sides of the river. So any need for access by Czar is a Highways' "red herring".

In the past ten years the situation with the public has steadily deteriorated. From berry pickers and picnickers, the road instead became used by A.T.V.'s and teenage partiers. Hence the locked gate.

s.22 We can't have A.T.V.'s tearing around harassing the stock and eroding the hillsides. The unique wildlife and vegetation of this river valley and of the islands of the Peace must be saved, and time is of the essence. Hikers and horseback riders are welcome

ref 1367/93

and so are, for that matter,are any others with a peaceful reason for being there.

I have one question. How did our private road suddenly become a Section 4 Highways road?

Myself and my family are not the only ones who oppose Highways taking over this road. We have no option but to fight it. s.22 s.22 But you have suddenly made it a 'can of worms'.

s.22

RECEIVED
JUN 1 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

s.22

May 27, 1993.

MINISTER OF TRANSPORTATION
& HIGHWAYS
T+H
MAY 28 1993
4506
DRAFT REPLY ☒ FYI ☐ FILE ☐

Mr. Art Charbonneau.
Minister of Transportation and Highways,
Victoria. B. C..

FAX: 356 - 2290

Dear Mr. Charbonneau.

re: Old Hudson's Hope Rd..
NW and NE 1/4 Section 27
TP 83 RG20.W6M
Peace River District

On April 2nd. I wrote to you concerning this proposed access road to crown land as chairperson of the Peace Valley Environmental Association.

When may I expect an answer to my question concerning environmental assessment?

* *

As a private citizen concerned about the proposed road, I would like to ask that you put development of this access on hold until further investigation proves that this project is really necessary. Can/ Will you do this?

It would seem to me that there are more worthy areas that would benefit by the monies which may be budgeted here. Is there a pressing reason why this road is being pushed now?

Thank you for yourprompt attention to this matter.

Yours sincerely,

Log # 1988/93

s.22

1539/93

Reference: 1881/93

June 29, 1993



Mr. Ben Knutson
Chairperson
Peace River Regional District
Post Office Box 810
Dawson Creek, British Columbia
V1G 4H8

Dear Mr. Knutson:

Thank you for your letter of May 27, 1993, concerning the Old Hudson Hope Road 119 and the controversy regarding public access.

At this time, the Ministry is taking no further action to remove the private gate or establish a surveyed right of way for access to Crown Lands beyond. The Ministry tried to help as requested by a few of the area residents, but clearly the majority do not wish to see the gate removed or public monies spent on an access. I understand that current access to Crown Lands beyond is available on foot or horseback along the township deletions.

Although there have been very polarized views by local users, I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

ORIGINAL SIGNED BY MINISTER

JUL 07 1993

Art Charbonneau
Minister

!bcc: Mr. Lawren Wagar, A/Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!SVarley, CU/LWagar/clc/4107c/Min.Log –4497– !

280-30

Reference: 2196/93

June 29, 1993



Ms. Karen Goodings
Director
Electoral Area "B"
Peace River Regional District
Post Office Box 810
Dawson Creek, British Columbia
V1G 4H8

Dear Ms. Goodings:

Thank you for your letter of May 28, 1993, concerning the Old Hudson Hope Road 119 and the controversy regarding public access.

You will be pleased to know that, at this time, the Ministry is taking no further action to remove the private gate or establish a surveyed right of way for access to Crown Lands beyond. The Ministry tried to help as requested by a few of the area residents, but clearly the majority do not wish to see the gate removed or public monies spent on an access. I understand that current access to Crown Lands beyond is available on foot or horseback along the township deletions.

Although there have been very polarized views by local users, I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

ORIGINAL SIGNED BY MINISTER

JUL 07 1993
Art Charbonneau
Minister

Copy to: Honourable John Cashore
Minister of Environment, Lands and Parks
M.L.A., Coquitlam–Maillardville !–copy of incoming attached!

!bcc: Mr. Lawren Wagar, A/Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!SVarley, CU/LWagar/clc/4237c/Min.Log –4591– !

Page 640 to/à Page 641

Withheld pursuant to/removed as

s.3

VS OFFICE Tuesday 93/06/29 04:08 pm 1 280-30

Package Subject: MINS. CORR.

Item Title: s.22

Attached are Minister's Correspondence for Wes McKnight (2524/93) and s.22 (2523).

Corinne

D R A F T

Reference: 2523/93

s.22

Thank you for your letter of June 7, 1993, concerning Road 119 and current controversy regarding public access.

The Ministry is taking no further action to have the private gate removed or to establish a surveyed right-of-way for access to Crown Lands beyond. Clearly the majority do not wish to see the gate removed or public monies spent on such access. Current access to Crown Lands beyond is available on foot or horseback along the township deletions for recreational purposes.

I trust that any requirements for vehicular access can be accommodated locally by the gate owners.

Prepared by: Wayne Carr, Regional Director
Central/North East Region
June 28, 1993

D R A F T

Reference: 2524/93

Wes McKnight, President
Upper Cache Creek Cattlemen's Association
Box 493
Charlie Lake, British Columbia
V0C 1H0

Thank you for your letter, concerning Road 119 and current controversy regarding public access. I regret the delay in responding but this situation has been under review for some time.

At this time the Ministry is taking no further action to have the private gate removed or to establish a surveyed right-of-way for access to Crown Lands beyond. While the Ministry was attempting to assist as requested by a few, clearly the majority do not wish to see the gate removed or public monies spent on such access. Current access to Crown Lands beyond is available on foot or horseback along the township deletions.

I trust that all parties will accept the Ministry's position on this matter. To-date there have been very polarized views by local users.

Thank you for expressing your concerns.

Prepared by: Lawren Wagar, Regional Manager,
Rehabilitation & Maintenance Services
Central/North East Region
June 23, 1993

Approved by: Wayne Carr, Regional Director
Central/North East Region
June

Province of British Columbia

Ministry of Transportation and Highways

MEMORANDUM

Gwen Gordy
Regional Steno
Central/North East Region
Rm. 213, 1011 - 4th Avenue
Prince George, BC
V2L 3H9

June 8, 1993
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

280-30

RE: MINISTERS RESPONSE #CTS 2014

s.22

Suggested response would be:

Thank you for your letter of May 26, 1993, concerning the right of way acquisition proposed for Road #119 (Old Hudson Hope Road).

With respect to the questions asked in your letter. Firstly, the Ministry as part of its Operational budget provides funding to deal with several right of way problems and acquisitions each year and I'm advised that in the North Peace District this is just one of a few being dealt with at this time. The Cache Creek road you refer to I assume is the Upper - Lower Cache Creek extension. This project is currently in the planning stage with final revisions being made to meet the concerns of the B.C. Land Commission. Once complete, construction will then take place accordingly.

Secondly the concerns of the effects on the Peace Hills with respect to the ecosystem have been considered. As only right of way definition and legalization is proposed, I do not consider this to be a problem.

Thirdly, the effects on any livestock operation will be dealt with as part of the right of way acquisition by one of my Ministrys' property agents. The Ministry has many road right of ways through cattle range land throughout the province and has considered the local needs in these cases.

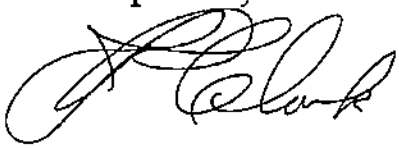
.../2

Fourthly, with respect to the public complaints the Ministry has received or for any other concerns, I suggest you contact Mr. John Clark, District Highways Manager for the North Peace at #300, 10003 - 110 Avenue, Fort St. John, BC, V1J 6M7 or call 787-3237. The concerns of all the public are being considered in this project as well as the mandates of both the Ministry of B.C. Lands and my Ministry to supply access.

By the legalizing of a right of way for what this Ministry now considers a Section 4 road by virtue of the Highways Act to private lands, the crown land and the Peace River, I consider that for all the citizens of British Columbia this will be in the best interest. I am therefore advising my staff to continue with this project at this time.

Thank you for taking the time to express your concerns.

Prepared by:



John P. Clark
District Highways Manager
North Peace District
June 7, 1993

Approved by:

Page 647 to/à Page 648

Withheld pursuant to/removed as

s.3

Ministry of Transportation and Highways
Correspondence Tracking System

June 4, 1993
11:56 AM

REFERRAL SLIP

CORRESPONDENT
First Name:
Middle Name:
Surname:
Title:
Organization:
Address:

City:
Province:
Postal Code:
Country:
Electoral District: Peace River North
Issue:
Subject: Concerns re proposed right of way acquisition of Old Hudson Hope Rd 119, see 1367/93, Peace River, see 2013/93.

s.22

CTS Log Number: 002014 93
Minister's Log Number: 4527
File Code: 280-30
Entered By: CBA

Date of Letter: 93/05/26
Date Received: 93/06/04
Date Completed: / /
Status: OP
Category: REG

Attitude:

REFERRED TO
Office Id: REGION 4 Office Description: Regional Director, Central North East
Surname: CARR
Remarks: Prepare response for Minister's signature.

Date Referred: 93/06/04

FAX MESSAGE
TO Mr. Carr
COMPANY Region 4
YOUR FAX NO.
OUR FAX NO. 387-6771
NO. OF PAGES 3
DATE 93/06/04
RE. #

#2014

John.

Please prepare draft response by June 8/93

Thanks

Gwen.

Province of British Columbia

Ministry of Transportation and Highways

MEMORANDUM

Gwen Gordy
Regional Steno
Central/North East Region
Rm. 213, 1011 - 4th Avenue
Prince George, BC
V2L 3H9

June 9, 1993
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

280-30

RE: MINISTERS' RESPONSE #CTS

s.22

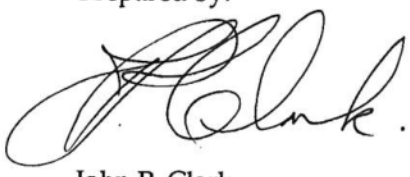
Suggested response would be:

Thank you for your letter of June 7, 1993, concerning Road #119 and your support to have the road reopened. I appreciate your comments and concerns, however I can assure you that over the past several months the District Highways Manager for the North Peace, Mr. John Clark, has been trying to resolve this issue. To this date, several meetings have taken place with the parties involved and the plans have been prepared for negotiation purposes to legalize the right of way for Road #119. An application is also before the BC Land Commission for exclusion from the Agricultural Land Reserve. Negotiations with effected land owners including yourself will commence shortly. The Ministry is proceeding as quickly as possible to resolve this issue.

With respect to Road #125, the American Road, the Ministry will be looking at this right of way issue once Road #119 is resolved. I'm advised that Mr. John Clark, District Highways Manager is aware of the concerns you have with access in this entire area.

Thank you for taking the time to both support this project and express your concerns.

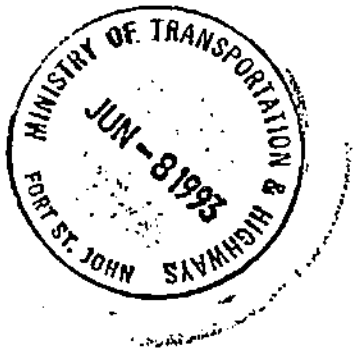
Prepared by:



John P. Clark
District Highways Manager
North Peace District
June 9, 1993

Approved by:

s.22



JUNE 7, 1993

MINISTER OF HIGHWAYS
VICTORIA, B. C.

Dear Sir:

RE: 119 ROAD (OLD HUDSON HOPE ROAD) FORT ST. JOHN, HIGHWAYS DISTRICT

It has been over 3 years since the locked gate appeared on the above mentioned road. This concerns me a great deal. Since my last letter written over two years ago a lot has happened at the gate. There has been continuing intimidation, violence, harassment and assault.

I have heard numerous complaints concerning the gate and the lock and I am sure the Ministry has heard many of these complaints. It is extremely disturbing how someone can barricade Road 119 with so little discouragement from the Ministry.

In the same area as Road 119 barricades have been erected on legally deleted road allowances. One by a barbed wire fence, another by set of stock corrals, and still in another instance there is a yard and out buildings. How can this be allowed to happen? Does the Ministry of Transportation and Highways have no power to stop such things from happening and if such things happen do they have no power to have such barricades removed?

Is it only coincidence that the family who is trying to stop the public from enjoying the beautiful Peace Valley is also the family who has a s.22 In the past few years an elk herd has been established on this side of the river in the very area in question. In this area there is also a large population of deer, some moose and bear. It would be very much too the benefit of this family to have solo access to this area. It was stated by the family in question that, "Pretty soon you will have to pay to go to the river." I feel the Ministry needs to protect the public from such land barrens who have only their own interests in mind.

I feel a very strong statement must be made which should includes new laws. The present laws are either not being enforced or they are inadequate to protect the rights of the public. Many other similar problems are assured to arise if these people are allowed to continue barricading public access.

Other people are listening and watching to what is going to happen with this road. At present the message they are getting is: keep the locks on, if they cut the locks off put a new one on, pretty soon people will tire of arguing about the access and the road will be closed to the public.

I feel a speedy conclusion must be brought to bare on this long outstanding issue before any more serious problems arise.

I would like an immediate update on what is happening with roads 119 and 125.

I have enclosed a copy of my first letter written in 1991.

Yours truly

s.22

cc Ministry of Highways (Fort St. John District)

s.22

AUGUST 10, 1991

MINISTER OF HIGHWAYS
VICTORIA, B. C.

DEAR SIR:

RE: 119 ROAD (OLD HUDSON HOPE ROAD) FORT ST. JOHN, HIGHWAYS DISTRICT

I AM FORCED TO WRITE THIS LETTER AS MY NUMEROUS PHONE CALLS TO THE LOCAL HIGHWAYS DEPARTMENT HAVE ACHIEVED NO VISIBLE RESULTS. I AM CONCERNED ABOUT LOCKED GATES ON A PORTION OF THE ABOVE MENTIONED ROAD. FOR SOME UNKNOWN REASON THE LOCAL HIGHWAY PERSONAL HAVE ALLOWED AND APPROVED OF LOCKS BEING PLACED ON SEVERAL GATES ON A PUBLIC ROAD THAT HAS BEEN USED BY NUMEROUS PEOPLE FOR GENERATIONS.

I WISH TO POINT OUT THAT THIS ROAD AT ONE POINT IN TIME WAS THE ONLY ROAD CONNECTING COMMUNITIES WEST OF FORT ST. JOHN ALONG THE PEACE RIVER TO FORT ST. JOHN. THIS ROAD WAS BUILT BY TAXPAYERS MONEY AND MAINTAINED WITH TAXPAYER MONEY FOR MANY YEARS. IT IS STILL USED BY THE PUBLIC BECAUSE OF THE SCENIC BEAUTY, HISTORICAL SIGNIFICANCE, AND AS AN ALTERNATE ROUTE TO HUDSON HOPE.

VERY RECENTLY I HAVE LEARNED THAT NOT ONLY ARE THE GATES LOCKED, BUT SOMEONE HAS BARRACKED THE ROAD IN WILDER CREEK WITH A BULLDOZER, TO EVEN MORE IMPEND THE PUBLICS RIGHT TO TRAVEL THIS ROAD. I STRONGLY FEEL THAT IN THIS DAY AND AGE THERE ARE ALTERNATIVES TO GATES WITH LOCKS. ON THE MARKET THERE ARE NUMEROUS TYPES OF GATES THAT ALLOW VEHICLES TO FREELY TRAVEL ROADS AS WELL AS KEEP LIVESTOCK AT BAY. AND I WOULD STRONGLY SUGGEST THAT THE LANDOWNER BE FORCED TO INSTALL THIS TYPE OF GATE.

UPON SPEAKING WITH ONE OF THE PEOPLE WHICH ARE ACTIVELY CAMPAIGNING TO CLOSE THIS ROAD. I WAS TOLD THAT HE COUNTED 53 CARS ON ONE SUNDAY AFTERNOON TRAVELING THIS ROAD AND HE COMMENTED THAT WHAT RIGHT DO THEY HAVE DOWN THERE. TO THAT I SAY THIS, "THEY HAVE EVERY RIGHT!"

I FIND IT EXTREMELY DISTURBING THAT THE MINISTRY OF HIGHWAYS IN THE AREA WOULD EVEN CONTEMPLATE THE CLOSURE OF SUCH A HISTORICAL ROAD. THIS PRACTICE OF LOCKS ON GATES ON PUBLIC ACCESS ROADS SEEMS TO BECOMING A WIDE SPREAD PRACTICE IN THIS HIGHWAYS DISTRICT.

YOUR QUICK ATTENTION TO THIS MATTER WILL BE APPRECIATED.

YOURS TRULY

s.22

CC MINISTRY OF HIGHWAYS, FORT ST. JOHN

Province of British Columbia

Ministry of Transportation and Highways

MEMORANDUM

Gwen Gordy
Regional Steno
Central/North East Region

June 7, 1993

North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

280-30

RE: MINISTERS' RESPONSE # CTS 001881
BEN KNUTSON - PEACE RIVER REGIONIAL DISTRICT

Suggested response would be:

Thank you for your letter of May 27th, 1993, regarding Road 119 in the Charlie Lake area. The Old Hudson's Hope Road #119 is considered public under Section 4 of the Highway Act and has been recorded as such for over twenty years in the District Records. Approximately 2 years ago a locked gate was erected near the top of the hill on this road and my Ministry started receiving several queries regarding this which have continued to date. The Ministry has attempted to have the gate removed, which has lead to the recent right of way project. This project will legalize the area of the gate as public right of way and the right of way for the existing Section 4 road.

To answer your two specific questions. Firstly, the Ministry is attempting to establish a right of way only for what is now considered public road via Section 4 of the Highway Act and to aid the Ministry of B. C. Lands, extend this right of way approximately 250 metres to access the Crown Land along the Peace River in an area which does not effect any present agricultural use. This right of way will also be on terrain suitable for future construction as necessary. The Ministry is not contemplating any road construction at this time with this project. The Ministry each year undertakes similar surveys and land acquisitions which forms part of the ongoing Ministry programs. I am advised by John Clark, the District Highways Manager for North Peace, that this is only one of several situations currently being dealt with in this district.

With respect to your second question. The Ministry is establishing a right of way for the existing road in its present location. This not only makes sense not to disrupt any other lands but due to the hillside situation other alignments would not be practical. Existing township deletions extending south In this area are not practical due to the steep topography to access the land along the Peace River without major realignments. Any major realignments of these would interfere with lands now used for agriculture.

...2

This project has been ongoing for some time now and at a point where negotiations will commence shortly. I am advised by my staff that there is only one family concerned with this project and the other parties involved have all consented to the project after several public meetings with the parties involved and Ministry staff. It is hoped that the remaining concerns can be worked through with those concerned and as such I am advising my staff to continue with this project at this time.

Thank you for taking the time to express the concerns from the Peace River Regional District.

Prepared by:

John P. Clark, District Highways Manager
North Peace District
June 6, 1993

Approved by:

PEACE RIVER REGIONAL DISTRICT

Office of: The Chairman

May 27, 1993

Fax to: 356-2290

The Honourable Art Charbonneau
Minister of Transportation and Highways
Parliament Buildings,
Victoria, BC
V8V 1X4

Dear Mr. Minister:

Re: Proposed extension of Road 119 (Charlie Lake, B.C. area)

At a meeting held on May 27, 1993 the Board of the Peace River Regional District passed the following resolution in regard to a Ministry of Transportation and Highways proposal to extend Road 119.

MOVED, SECONDED and CARRIED

that the Honourable Art Charbonneau, Minister of Transportation and Highways be requested to hold the extension of Road 119 in abeyance until;

a) an explanation can be provided of why this road is being constructed during a time of budgetary restraint; and

b) an explanation of why private land is being considered for expropriation when there is an alternative route which is more economical and does not involve private land.

Yours truly,

Ben Knutson
Chairman

c.c. - M.L.A.'s - North and South Peace
- Mr. John Clarke, Ministry of Transportation and Highways, Fort St. John
- BC Agricultural Land Commission, Burnaby

PLEASE REPLY TO:
□ P.O. BOX 810, DAWSON CREEK, B.C. V1G 4H0, TELEPHONE (604) 782-5891 or ZENITH 2770, FAX (604) 782-2718
□ 9915 - 108 AVENUE, FORT ST. JOHN, B.C. V1J 2N8, TELEPHONE (604) 785-8084 or ZENITH 08922, FAX (604) 785-1125

Ministry of Transportation and Highways
Correspondence Tracking System

June 3, 1993
10:40 AM

REFERRAL SLIP

CORRESPONDENT
First Name: Ben
Middle Name:
Surname: Knutson
Title: Chairperson
Organization: Peace River Regional District
Address: P.O. Box 810

City: Dawson Creek
Province: British Columbia
Postal Code: V1G 4H8 Zipcode:
Country:
Electoral District: Peace River South
Issue:
Subject: Requests Min hold the extension of Old Hudson Hope Road 119, Peace River, until further clarification as to why works are being carried out.

CTS Log Number: 001881 93
Minister's Log Number: 4497
File Code: 280-30
Entered By: CSA

Date of Letter: 93/05/27
Date Received: 93/06/03
Date Completed: / /
Status: OP
Category: REG

Attitude:

REFERRED TO
Office Id: REGION 4 Office Description: Regional Director, Central North East
Surname: CARR
Remarks: Prepare response for Minister's signature.

Date Referred: 93/06/03

FAX MESSAGE
TO Mr. Carr
COMPANY Region 4
YOUR FAX NO.
OUR FAX NO. 387-6771
NO. OF PAGES 3
DATE 93/06/03

Note: Please Rush this correspondence through. Thank-you.

#1881

C.

JOHN:

Please provide draft by June 7/93. Thank.

Gwen

Province of British Columbia

Ministry of Transportation and Highways

MEMORANDUM

Gwen Gordy
Regional Steno
Central/North East Region
213, 1011 - 4th Avenue
Prince George, BC
V2L 3H9

June 8, 1993
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

280-30

RE: MINISTERS RESPONSE #CTS 2196
KAREN GOODINGS

Thank you for your letter of May 28, 1993, concerning the Old Hudson Hope Road #119. With regards to your query of access, the Ministry considers the Old Hudson Hope Road public by virtue of Section 4 of the Highway Act. As such, access both legal and physical is required to all parcels of land as they are separate land titles. The dominion township deletions in the area, due to topography, do not serve this purpose. The Ministry of B.C. Lands has an obligation to obtain access to crown land and by a short extension of Road #119 this can be accomplished without effecting cultivated land. Ms. Patty Hebert has written the Ministry again on May 26th and I have attached a copy of that correspondence for your reference.

You have noted in your letter that the land owners do not want to restrict access. However, I am advised that on several occasions during the past two years since the gate was erected across the road, access has been restricted to a select few. The owners concerns over trespassers with A.T.V.'s should be controlled with fencing or A.T.V. area restrictions which the Ministry of Environment is responsible for. May I suggest you contact their office in Fort St. John at #200, 10003 - 110 Avenue.

Czar Resources, although currently having an agreement with the present landowners, require permanent access to their pipeline activities. We have confirmed this recently that their most desirable option is a public road over their current access arrangement. Both the Ministry of Forests and Ministry of B.C. Lands in Fort St. John have jurisdiction over this area and each have valid concerns regarding access to this area. The B.C. Land Commission is aware of this project, not only through discussions with Mr. John Clark, District Highways Manager for the North Peace, but have an application before them as well for relief from the Agricultural Land Reserve. The contact at the Land Commission is Mr. Everett Lew.

.../2

Province of British Columbia

Ministry of Transportation and Highways

MEMORANDUM

Gwen Gordy
Regional Steno
Central/North East Region
Rm. 213, 1011 - 4th Avenue
Prince George, BC
V2L 3H9

June 8, 1993
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

280-30

RE: MINISTERS RESPONSE #CTS 2013
s.22

Suggested response would be:

Thank you for your letter dated May 28, 1993, concerning Road #119. The Ministry considers this road public by virtue of Section 4 of the Highway Act due to public funds being spent on maintenance several years ago. Even though maintenance has not continued regularly to this date, the Ministry still considers the road public. Original construction by other parties has no bearing in these situations. I am advised that when the local district office recently contacted Czar Resources, they indicated to the staff that the road is used on a regular basis and even though they have a key to the gate, they would prefer unrestricted access.

The issue of A.T.V.'s is one which should be handled in any area by the Ministry of Environment. Through a public process, they can create restrictions where A.T.V.'s may or may not be used. I recommend you contact the Fort St. John office for the Ministry of Environment at #200, 10003 - 110 Avenue concerning this matter. The Ministry has also offered to fence the proposed right of way as part of the land acquisition if the owners wish. This was also offered to assist with concerns regarding trespassers.

It is hoped that your concerns can be worked through with my staff so that this project may proceed. Your questions should be directed to Mr. John Clark, District Highways Manager at #300, 10003 - 110 Avenue, Fort St. John, BC, V1J 6M7, or 787-3237.

Thank you for contacting me on this matter.

Prepared by:

John P. Clark
District Highways Manager
North Peace District

Approved by:

RECEIVED
JUN - 2 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION & HIGHWAYS
T94
MAY 3 1 1993
4527
DRAFT REPLY ☒ FYI ☐ FILE ☐

s.22

May 28, 1993

Honourable Art Charbonneau,
The Minister of Transportation and Highways,
Room 28, Parliament Buildings,
Victoria, B.C. V8V 1X4

Dear Mr. Charbonneau;

I am the landowner of Section N half 27. 83 .20. 6M through which the Ministry of Highways want to push a road.

s.22

s.22).Because of the
imminence of Site C and the flood reserve imposed (and still
s.22

s.22

Our road (the 119 Road) was built by a former land owner to access his holdings. We improved it for our own use. After my husband's death in 1980, a through road to Bear Flat was opened up by s.22 who had rented the Hydro land to the west. With a cat and big machinery they crossed our land without permission. This is all documented in my letters to the Dept. of Highways in 1982. I protested but Highways were noncommital.

In 1985 Csar Resources acquired a statuatory right of way to the Peace River over our land to build a pipeline across the river. This was a private agreement. They paid us a nominal fee and agreed to improve our road (with gravel, etc.). Csar has no problem with the present situation - they have a key to the gate, but in general they service their well-head by helicopter on both sides of the river. So any need for access by Csar is a Highways' "red herring".

In the past ten years the situation with the public has steadily deteriorated. From berry pickers and picnickers, the road instead became used by A.T.V.'s and teenage partiers. Hence the locked gate.

We bought this property for a stock operation. We can't have A.T.V.'s tearing around harassing the stock and eroding the hillsides. The unique wildlife and vegetation of this river valley and of the islands of the Peace must be saved, and time is of the essence. Hikers and horseback riders are welcome

see 1367/93
(with Min)

and we are, for that matter,are any others with a peaceful reason for being there.

I have one question. How did our private road suddenly become a Section 4 Highways road?

Myself and my family are not the only ones who oppose Highways taking over this road. We have no option but to fight it.I am in my 70's and want to turn this land over to my children.But you have suddenly made it a 'can of worms'.

s.22

Province of
British Columbia

Ministry of Transportation & Highways

...0, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

280-30
22-21-57
22-20A-152

August 25, 1993

s.22

Re: Access to South 1/2, Sec. 36, Tp. 83, Rge. 20, W6M

Thank you for your request on clarifying the Ministry's position on the obstructed access to the above. As mentioned in my letter to you dated June 21, 1993, the Crooks Road 152 which runs through Section 36, Tp. 83, Rge. 20, W6M is deemed public by Section 4 of the Highways Act. This road cannot be obstructed in any way and if it is then a Ministry of Transportation and Highways district representative will be responsible for handling a resolution. However, any accesses from this road will normally be private and any obstruction problems to these accesses shall be resolved by the concerned parties without M.O.T.H. involvement.

Request for removal of obstructions from these private accesses to the Ministry is advised only to confirm the legal location and making local authorities aware of a problem that may affect M.O.T.H. in the future. It is obvious that the problem be known to the landowner, and if he is not responsible for the access blockage and has approved your use of the access, then it is assumed that you have permission to remove the blockage.

I hope I have outlined our position to this matter and that resolution to this problem is without extreme hardship.

Please contact me at 787-3237 if you need further assistance.

Yours truly,

A.R. Edgar
Area Manager, Roads

ARE/hd

Recycled Paper

	TELEX/FACSIMILE RECORD	Date February 4, 1994 File No. 280-30
VIA: TELETYPE	RADIO	FACSIMILE

TO:	FROM:
DISTRICT HIGHWAYS MANGER	WAYNE CARR
NORTH PEACE	REGIONAL DIRECTOR
FORT ST. JOHN	CENTRAL/NORTH EAST REGION
FAX No. TELEX No.	FAX No. 565-6065 PHONE No. 565-6479

SUBJECT:
Minister's Correspondence-0466

Please prepare a draft response to me above noted Minister's Correspondence and fax it to this office prior to noon, February 8, 1994.

Thank you.

PAGES: 3 (including this sheet)	Lenora Fillion Operator's Signature

Ministry of Transportation and Highways
Correspondence Tracking System

Page: 26

February 4, 1994
11:36 AM

REFERRAL SLIP

CORRESPONDENT

First Name:
Middle Name:
Surname:
Title:
Organization:
Address: s.22

City:
Province:
Postal Code:
Country:
Electoral District: Peace River North

CTS Log Number: 500466 94
Minister's Log Number: 19720
File Code: 280-30
Entered By: CSC

Date of Letter: 94/01/18
Date Received: 94/02/04
Date Completed: / /
Status: OP
Category: REG

Issue:
Attitude:

Subject: Express further concerns re opening Road 119, Charlie Lake.
View monies should be spent on Beaton River Road instead.
See 4273/93.

REFERRED TO

Office Id: REGION 4 Office Description: Regional Director, Central North East
Surname: CARR Date Referred: 94/02/04
Remarks: Please prepare draft response for Minister's signature.

FAX MESSAGE
TO WAYNE CARR
COMPANY REGION 4
NO. OF PAGES 2
DATE Feb 4/94
FROM

RECEIVED
FEB 1 1994
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

s.22

January 18, 1994 Your reference: 4279/93

Honourable Jackie Pement
The Minister of Transportation and Highways
Room 28, Parliament Buildings
Victoria, BC
V8V 1X4

MINISTER OF TRANSPORTATION & HIGHWAYS
JAN 2 6 1994
19720
DRAFT REPLY ☑ FYI ☐ FILE ☐

Dear Ms. Pement:

Thank you for your letter of December 29, 1993. I would like to make one point clear. Road 119 is not the old Hudson Hope Road. The old Hudson Hope Road is in the area of the present 277P road. This is 7.5 km from our farm.

My lawyer is presently contacting Mr. John Clark but once again I will advise you that we do not get any co-operation from the local office. There is a conflict of interest and you do not seem to want to acknowledge it. Someone in the Dept. is pulling some strings and they are trying to open this road no matter what. How can you justify the expense? The people in this area that are waiting for roads (Cecil Lake Residents) can not believe that you can open up a road to nowhere yet leave them endangering their lives every time they travel to Fort St. John over the Beaton Hill.

I would like to think that you would review both sides of this issue and not be influenced by Department personnel who are out for personal gain. Have you read any of our letters? The road you are trying to open up was built by the land owner to access his land. It was done at his cost - not public money.

s.22

Ref 4279/93.

Corr'd
Log #966/93

Page 666 to/à Page 670

Withheld pursuant to/removed as

s.3

Ernie Napeau. Ombudsman.

CHRIS [illegible] RC [illegible]

s.22

Wayne Plenert 782-9134

s.22

JEAN KEARNY (Reg Dist) 785-3245

PHIL COVE (Reg Dist 785-8084

ARTHUR HADLAND BEALE 787-3566

s.22

s.22

Lauren Wagar MOTH 565-6977

Dennis Culling MOTH 565-8237

Meeting: RE - Road 119 Fort St. John Area.

- June 14, 1994
- ON SITE 9:00 - 10:30 A.M
- MOTH OFFICE 11:00 A.M - 12:10 P.M

Dwayne Sollman - N.R.S - Grader man At Time of Maintenance on Site But Not At MOTH OFFICE

Page 672 to/à Page 674

Withheld pursuant to/removed as

s.3

Ministry of Transportation and Highways

FACSIMILE RECORD

Date May 25/94

File No.

TO: Lauren Wagar
A/Regional Director
C/NE Region
Prince George, B.C

C/O

FROM: North Peace District
#300 - 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7

FAX No. 565-6065 PHONE No.

FAX No. 787-3279 PHONE No. 787-3237

ORIGINAL PAGES TO BE:
☑ FILED ☐ MAILED ☐ COURIERED ☐ OTHER (SPECIFY)

SUBJECT: OLD Hudson Hope Road # 119
June 14 94 Meeting

For your info and files.

PAGES: 4 (including this sheet)

Tony Bonn

Operators Signature

H-6 (91/07)

Ministry of Transportation and Highways

FACSIMILE RECORD

Date May 17, 1994

File No.

TO: Ernie Nadeau
Ombudsman Officer
First Floor, 8 Bastion Square
Victoria, B.C.
C/O

FROM: North Peace District
#300 - 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Tony Bennett

FAX No. 387-0198 PHONE No. 387-5855

FAX No. 787-3279 PHONE No. 787-3237

ORIGINAL PAGES TO BE:
☑ FILED ☐ MAILED ☐ COURIERED ☐ OTHER (SPECIFY)

SUBJECT: Road # 119, Old Hudson's Hope Road.
Site Meeting.

The following is a letter from Peace River Regional District

Could You Please include Them on Your List ~~of~~ ~~A~~. For information of the Meeting (Tentative June 14, 1994)

I have also informed Mr. Dennis Culing, M.O.T.H. of Meeting. He will notify Canada Operation and Both will Attend.

Thanks

A. M. Bennett
A/Dhm

PAGES: 3 (including this sheet)

Tony Bennett
Operators Signature

H-6 (9107)

PEACE RIVER REGIONAL DISTRICT



Office of: Administration

May 10, 1994

Mr. A. N. Bennett
Assistant District Highways Manager
Ministry of Transportation & Highways
#300, 10003 - 110 Avenue
Fort St. John, B.C.
V1J 6M7

Dear Mr. Bennett:

Re: Road #119, Old Hudson's Hope Road

I refer to your April 18th letter addressed to Mr. Wayne Plenert, of Plenert Higson Law Corporation in Dawson Creek.

In your letter you note that the Ministry has requested the Ombudsman's Office to attend a meeting in Fort St. John with the Ministry and stakeholders in the second week of June.

Would you please be sure to let us know of the meeting time and location as we have been involved in this matter at various times.

Thank you very much.

Sincerely yours,

Phil Cove
Deputy Administrator

PC/dlp

A:\Letter\Bennett.pc[c]

PLEASE REPLY TO:
☒ P.O. BOX 810, DAWSON CREEK, B.C. V1G 4H8, TELEPHONE (604) 782-5891 or ZENITH 2770, FAX (604) 782-2718
☐ 9912 - 106 AVENUE, FORT ST. JOHN, B.C. V1J 2N9, TELEPHONE (604) 785-8084 or ZENITH 08922, FAX (604) 785-1125

Page 678 to/à Page 679

Withheld pursuant to/removed as

s.3

TRANSPORTATION & HIGHWAYS
-2 1994

Honourable Mike Harcourt
Premier

Reference: 1123/94
Your File: 58534

March 31, 1994

Thank you for the memorandum of March 1, 1994, from Ms. Juliana Ko, requesting a draft reply t(s.22 regarding Roads 125 and 119 near Charlie Lake. I suggest the following reply:

> Thank you for your letter of February 19, 1994, regarding locked gates on Roads 125 and 119 near Charlie Lake.
>
> I am advised that this issue is being reviewed by the Ministry of Transportation and Highways, as well as the Office of the Ombudsman. I understand that the roads you refer to appear to be public by Section 4 of the Highway Act; however, there is no public road access to Crown lands beyond the limit of Road 119. In addition, there is no public road connection between Road 119 and Road 125.
>
> While the public's right to access the public portions of these roads is ensured by the Highway Act, it is not clear what benefit can be gained if the roads do not provide access to Crown Land or connect for through traffic.

.../2

I trust the reviews being done will provide an acceptable solution to this situation. I understand that the Ombudsman's office has been asked to mediate a resolution between the parties when snow is off the site.

MAR 3 0 1994

SIGNED BY

Jackie Pement
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. Tony Bennett, A/District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!SVarley, CU/LWagar/cba/6478c/Min.Log –21373– !

Page 682

Withheld pursuant to/removed as

s.3

PLENERT HIGSON

LAW CORPORATION

Wayne Plenert, B.Th., B.A., LL.B.
Gary Higson, B.A., LL.B.
David Clancy, LL.B.

#201 - 1136 - 103rd Avenue,
Dawson Creek, B.C. V1G 2G7

Phone: (604) 782-9134
Fax: (604) 782-9135

MINISTRY OF TRANSPORTATION & HIGHWAYS
APR 29 1994
FORT ST. JOHN

Tuesday, April 26, 1994

Our File: 22670

Ministry of Transportation & Highways
#300, 10003 - 110th Avenue
FORT ST. JOHN, BC
V1J 6M7

ATTENTION: Mr. A.N. Bennett

Dear Sir:

RE: Alleged Road 119 - Old Hudson Hope Road

Thank you for your letter of April 18, 1994. I have forwarded a copy on to the people that I represent. I am presently scheduled to be in a trial in Dawson Creek during the week of June the 6th, 1994. At present, I would be able to make myself available during the week of June the 13th, 1994. I look forward to hearing from you.

Yours truly,

PLENERT HIGSON

Per: WAYNE PLENERT

WP/pjb

cc: s.22

Page 684

Withheld pursuant to/removed as

s.3

Ministry of Transportation and Highways,
Correspondence Tracking System

June 4, 1993
11:56 AM

REFERRAL SLIP

CORRESPONDENT
First Name:
Middle Name:
Surname:
Title:
Organization:
Address:
City:
Province:
Postal Code:
Country:
Electoral District: Peace River North
Issue:
Subject: Opposed to Hwys taking over Old Hudson Hope Road 119, Peace River, see 1367/93 & 2014/93.

s.22

CTS Log Number: 002013 93
~~Minister's Log Number: 4527~~
File Code: 280-30
Entered By: CBA

Date of Letter: 93/05/28
Date Received: 93/06/04
Date Completed: / /
Status: OP
Category: REG

Attitude:

REFERRED TO
Office Id: REGION 4 Office Description: Regional Director, Central North East
Date Referred: 93/06/04
Surname: CARR
Remarks: Prepare response for Minister's signature.

FAX MESSAGE
TO Mr. Carr
COMPANY Boogaard
YOUR FAX NO.
OUR FAX NO. 387-6771
NO. OF PAGES 3
DATE 93/06/04
RE:

#2013

John:
Please prepare draft by
June 8/93
Thank
Gerry

The intent of this project is to legalize a right of way for the existing road. This will satisfy the requirements of the Land Titles Act with respect to access to all parcels and as well allow us to remove the gate. As you have stated the owners do not wish to restrict access. I'm therefore advising my staff to proceed with this project.

Thank you for expressing your concerns.

Prepared by:

John P. Clark
District Highways Manager
North Peace District
June 8, 1993

Approved by:

Attachment - Correspondence to s.22 of May 26, 1993

Province of British Columbia

Ministry of Transportation and Highways

MEMORANDUM

Gwen Gordy
Regional Stenographer
Central/Northeast Region

June 7, 1993
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

280-30

RE: MINISTER'S RESPONSE CTS 1855 - s.22

Suggested response would be:

Thank you for your latest letter of May 26, 1993, concerning Road 119. Firstly, please accept my apologies for the delay in replying to your last letter of February 19, 1993.

With respect to the points in your letter. Firstly, with respect to the mandate of the Ministry of Environment, Lands and Parks, you do not state who you were speaking to; however, our contact which is the Regional Director of B.C. Lands in Fort St. John, Mr. Egon Weger, who advises that it is their Ministry's mandate to supply access to lands beyond. In this case to the Crown lands along the Peace River. This access is basically sought on a grade suitable for road construction when necessary. The existing dominion township right of way deletions in the area are considered too steep on their existing alignment.

Secondly, the Ministry has Road 119 recorded in the district road register and the portion of concern is considered Section 4 by virtue of the Highway Act. This register is available for viewing at the local district office in Fort St. John at 10003 - 110 Avenue.

Thirdly, public roads, crown lands and the Peace River are all for the enjoyment of the public. I appreciate your concerns with trespassers; however, the land owner must accept some responsibility in these instances too. The Ministry has offered to fence the proposed right of way as part of the land acquisition settlement if the owner wishes it as an attempt to aid in solving this concern.

.../2

Fourthly, I can assure you that the local district office is acting on public complaints and inquiries as a result of the gate which was erected on the road. I do not feel it in the best public interest to provide a list of names to you at this time, but rather suggest you contact Mr. John Clark, District Highways Manager for the North Peace, at 787-3237 or 10003 - 110 Avenue, Fort St. John, to review his file with you.

With respect to your Item 5, the Ministry budgets each year funds toward these types of right of way issues including acquisition, fencing, etc. These costs are considered part of the operational budget of the Ministry whereas funding for new construction is considered part of the capital construction budget. At present, funding has only been limited in the area of new or capital construction. With respect to any fencing on this project, as previously stated, the item of fencing has been offered as part of any land acquisition. As a general rule fencing on side roads is maintained thereafter by the owner.

Lastly, with respect to funding for the north. I'm sure if you contact Mr. John Clark, District Highways Manager, now that the budget for his area has been publicly announced, he would be pleased to review this year's program with you.

The Ministry has taken another look at this project due to yours and other written correspondence; however, I do not feel that establishing a right of way over any existing Section 4 road so that both the land owners and the public have a defined and legal access through the area should be of such concern. My staff will therefore be proceeding with this project as previously advised.

Prepared by:

John P. Clark
District Highways Manager
North Peace District
June 6, 1993

Approved by:

JPC/hb

Page 689 to/à Page 690

Withheld pursuant to/removed as

s.3

PEACE RIVER REGIONAL DISTRICT

MINISTER OF TRANSPORTATION & HIGHWAYS
4591
JUN - 3 1993
DRAFT REPLY ☒ FILE ☐

May 28, 1993

The Honourable Art Charbonneau
Minister of Transportation
and Highways
Parliament Buildings
Victoria, BC
V8V 1X4

Dear Mr. Charbonneau:

It has come to my attention that there is a proposal by the local Department of Highways to extend the road commonly referred to as the Old Hudson's Hope Road #119 to access a very small parcel of Crown Land.

In a letter from you to s.22 dated May 12, 1993, you state "your Ministry has an obligation to provide access to all private parcels of land and to land beyond". Further, you state "The Ministry of Environment, Lands and Parks has an obligation to provide access to all Crown Land for the enjoyment of all". The access to this parcel of Crown Land could be obtained without expropriating private land.

The concerned land owners do not want to restrict access. They have not attempted to stop people from walking or riding horseback in this pristine like area, but they do want to reduce the obvious travesty that comes from the public who like the challenge of climbing hills with ATV's or four wheel drive pickups. As well, there are some of our local people who prefer an out-of-the-way party spot.

RECEIVED
JUN - 7 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

see 642/93
1855/93

Canv
Log #2196/93

PLEASE REPLY TO:
☐ P.O. BOX 810, DAWSON CREEK, B.C. V1G 4N8, TELEPHONE (604) 782-5891 or ZENITH 2770, FAX (604) 782-2718

280-30

D R A F T

Reference: 2013/93

s.22

Thank you for your letter dated May 28, 1993, concerning Road #119. The Ministry considers this road public by virtue of Section 4 of the Highway Act due to public funds being spent on maintenance several years ago. Even though maintenance has not continued regularly to this date, the Ministry still considers the road public. Original construction by other parties has no bearing in these situations. I am advised that when the local district office recently contacted Czar Resources, they indicated to the staff that the road is used on a regular basis and even though they have a key to the gate, they would prefer unrestricted access.

The issue of A.T.V.'s is one which should be handled in any area by the Ministry of Environment. Through a public process, they can create restrictions where A.T.V.'s may or may not be used. I recommend you contact the Fort St. John office for the Ministry of Environment at 200, 10003 - 110 Avenue concerning this matter. The Ministry has also offered to fence the proposed right of way as part of the land acquisition if the owners wish. This was also offered to assist with concerns regarding trespassers.

It is hoped that your concerns can be worked through with my staff so that this project may proceed. Your questions should be directed to Mr. John Clark, District Highways Manager at 300, 10003 - 110 Avenue, Fort St. John, B.C. V1J 6M7 or 787-3237.

Thank you for contacting me on this matter.

Prepared by: John P. Clark, District Highways Manager
North Peace District
June 8, 1993

Approved by: W. Carr, Regional Director
Central/North East Region
June 8, 1993

D R A F T

Reference: 2014/93

s.22

Thank you for your letter of May 26, 1993, concerning the right of way acquisition proposed for Road #119 (Old Hudson Hope Road).

With respect to the questions asked in your letter. Firstly, the Ministry as part of its Operational budget provides funding to deal with several right of way problems and acquisitions each year and I am advised that in the North Peace District this is just one of a few being dealt with at this time. The Cache Creek road you refer to I assume is the Upper-Lower Cache Creek extension. This project is currently in the planning stage with final revisions being made to meet the concerns of the B.C. Land Commission. Once complete, construction will then take place accordingly.

Secondly, the concerns of the effects on the Peace Hills with respect to the ecosystem have been considered. As only right of way definition and legalization is proposed, I do not consider this to be a problem.

Thirdly, the effects on any livestock operation will be dealt with as part of the right of way acquisition by one of my Ministry's property agents. The Ministry has many road right of ways through cattle range land throughout the province and has considered the local needs in these cases.

Fourthly, with respect to the public complaints the Ministry has received or for any other concerns, I suggest you contact Mr. John Clark, District Highways Manager of the North Peace at 300, 10003 - 110 Avenue, Fort St. John, B.C. V1J 6M7 or call 787-3237. The concerns of all the public are being considered in this project as well as the mandates of both the Ministry of B.C. Lands and my Ministry to supply access.

By the legalizing of a right of way for what this Ministry now considers a Section 4 road by virtue of the Highways Act to private lands, the crown land and the Peace River, I consider that for all the citizens of British Columbia this will be in the best interest. I am therefore advising my staff to continue with this project at this time.

Thank you for taking the time to express your concerns.

Prepared by: John Clark, District Highways Manager
North Peace District
June 8, 1993

Approved by: Wayne Carr, Regional Director
Central/North East Region
June 8, 1993

DRAFT

Reference: 1881/93

Peace River Regional District
P.O. Box 810
Dawson Creek, British Columbia
V1G 4H8

ATTENTION: Ben Knutson, Chairperson

Thank you for your letter of May 27, 1993, regarding Road 119 in the Charlie lake Area. The Old Hudson's Hope Road #119 is considered public under Section 4 of the Highway Act and has been recorded as such for over twenty years in the District Records. Approximately two years ago a locked gate was erected near the top of the hill on this road and my Ministry started receiving several queries regarding this which have continued to date. The Ministry has attempted to have the gate removed, which has lead to the recent right of way project. This project will legalize the area of the gate as public right of way and the right of way for the existing Section 4 road.

To answer your two specific questions, the Ministry is attempting to establish a right of way only for what is now considered public road via Section 4 of the Highway Act and to aid the Ministry of Environment Lands and Parks extend this right of way approximately 250 metres to access the Crown Land along the Peace River in an area which does not effect any present agricultural use. This right of way will also be on terrain suitable for future construction as necessary. The Ministry is not contemplating any road construction at this time with this project. Each year the Ministry undertakes similar surveys and land acquisitions which forms part of the ongoing Ministry programs. I am advised by John Clark, the District Highways Manager for the North Peace District, that this is only one of several situations currently being dealt with in this district.

With respect to your second question. The Ministry is establishing a right of way for the existing road in its present location. This not only makes sense not to disrupt any other lands but due to the hillside situation other alignments would not be practical. Existing township deletions extending south in this area are not practical due to the steep topography to access the land along the Peace River without major realignments. Any major realignments of these would interfere with lands now used for agriculture.

/...2

This project has been ongoing for some time now and at a point where negotiations will commence shortly. I am advised by my staff that there is only one family concerned with this project and the other parties involved have consented to the project after several public meetings with the parties involved and Ministry staff. It is hoped that the remaining concerns can be worked through with those concerned and as such I am advising my staff to continue with this project at this time.

Thank you for taking the time to express the concerns from the Peace River Regional District.

Prepared by: John Clark, District Highways Manager
North Peace District
June 7, 1993

Approved by: W. Carr, Regional Director
Central/North East Region
June 7, 1993

280-30

Reference: 1855/93

June 8, 1993

s.22

Thank you for your latest letter of May 26, 1993, concerning Road 119. Please accept my apologies for the delay in replying to your last letter of February 19, 1993.

With respect to the points in your letter. Firstly, with respect to the mandate of the Ministy of Environment, Lands and Parks, you do not state who you were speaking to; however, our contact which is the Regional Director of B.C. Lands in Fort St. John, Mr. Egon Weger, who advises that it is their Ministry's mandate to supply access to lands beyond. In this case to the Crown lands along the Peace River. This access is basically sought on a grade suitable for road construction when necessary. The existing dominion township right of way deletions in the area are considered too steep on their existing alignment.

Secondly, the Ministry has Road 119 recorded in the district road register and the portion of concern is considered Section 4 by virtue of the Highway Act. This register is available for viewing at the local district office in Fort St. John at 10003 - 110 Avenue.

Thirdly, public roads, crown lands and the Peace River are all for the enjoyment of the public. I appreciate your concerns with trespassers; however, the land owner must accept some responsibility in these instances too. The Ministry has offered to fence the proposed right of way as part of the land acquisition settlement if the owner wishes in an attempt to aid in solving this concern.

Fourthly, I can assure you that the local district office is acting on public complaints and inquiries as a result of the gate which was erected on the road. I do not feel it in the best public interest to provide a list of names to you at this time, but rather suggest you contact Mr. John Clark, District Highways Manager for the North Peace at 787-3237 or 10003 - 110 Avenue, Fort St. John, to review his files with you.

With respect to your Item 5, the Ministry budgets each year funds toward these types of right of way issues including acquisition, fencing, etc. The costs are considered part of the operational budget of the Ministry whereas funding for new construction is considered part of the capital construction budget. With respect to any fencing on this project, as previously stated, the item of fencing has been offered as part of any land acquisition. As a general rule fencing on side roads is maintained thereafter by the owner.

Lastly, with respect to funding for the north, I am sure if you contact Mr. John Clark, District Highways Manager, now that the budget for his area has been publicly announced, he would be pleased to review this year's program with you.

The Ministry has taken another look at this project due to yours and other written correspondence; however, I do not feel that establishing a right of way over any existing Section 4 road so that both the land owners and the public have a defined and legal access through the area should be of concern. My staff will therefore be proceeding with this project as previously advised.

Prepared by: John Clark, District Highways Manager
North Peace District
June 7, 1993

Approved by: Wayne Carr, Regional Director
Central/North East Region
June 8, 1993

D R A F T

Reference: 1857/93 280-30

s.22

Thank you for the letter of May 16, 1993, following our earlier telephone conversation. The correspondence you attached from J.T. Hall of the Ministry of Environment, Lands and Parks clearly describes the requirement for public access. As a result Ministry staff are committed to proceed with this project in order to satisfy the needs of the general public.

Regarding vandalism and the gates you refer to s.22 appropriately installed a gate on his own property at his driveway access. The other gate you mentioned blocked the road know as the Old Hope Road, inappropriately denying public access. Your concerns regarding vandalism should be brought to the attention of your local RCMP detachment.

I trust I have answered your concerns and thank you for taking the time to call and write.

Prepared by: W. Carr, Regional Director
Central/North East Region
June 2, 1993

**Sharon - checked in the Fort St. John telephone book - spelling should be Leahy not Lealry

280-30

Reference: 642/93

May 12, 1993



s.22

Thank you for your latest letter of February 19, 1993, concerning the Old Hudson's Hope Road 119.

The Ministry has an obligation to provide access to all private parcels of land and to lands beyond. The Ministry of Environment, Lands and Parks has an obligation to provide access to all crown land for the enjoyment of all. This Ministry considers the Old Hudson's Hope Road to be public by virtue of Section 4 of the Highway Act. Due to recent conflicts with a gate being erected on the road, along with complaints of trespassers entering onto private lands, this Ministry has chosen to legally establish a right of way to all parcels as well as lands beyond. In this situation the erection of the gate, as with public complaints, has prompted our action at this time.

In your letter you refer to the local highways department being pushed by Mr. Stan Gladysz, one of our District Highways Managers, to proceed with this project. I have checked into this matter and can assure you that the local district office is acting solely as a result of public calls and complaints to both this Ministry and the Ministry of Environment, Lands and Parks.

With respect to your question as to whether we are going to open roads to every parcel of crown land, the Ministry of Environment, Lands and Parks has an obligation to establish a road right of way to all parcels they create and to the crown lands beyond. Although a few have been missed in the past, it is in the public interest to ensure access to all land at time of subdivision. With respect to resolving the access issue of the Old Hudson's Hope Road, the costs of surveying and fencing are considered minimal to resolve this issue once and for all.

.../2

I am aware of the condition of the roads in Peace River and the funding for rehabilitation of the area roads is similar to the other districts in the north.

Regarding your last question with respect to roads and undeveloped right of ways, Ministry staff believe you are referring to the Dominion Township (66 feet wide) deletions for road purposes which you have in the Peace River block. When the original survey of the Township system was laid out in Peace River in the early 1900s, every two miles north and every one mile east or west, a deletion of 66 feet was left for access purposes. These were for the construction of future roads; however, sometimes due to terrain, particularly in the river valleys, construction of these is not always feasible. These deletions are referred to as road right of ways now, whether constructed or not.

I trust I have answered all your concerns and thank you for taking the time to write.

Yours sincerely,

ORIGINAL SIGNED BY MINISTER

MAY 12 1993
Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John!

!Mr. S.D. Gladysz, District Highways Manager!
!South Peace, Dawson Creek – copy of incoming attached.!

!SVarley, CU/JClark/MVCollins/rn/2872c/Min.Log –3605– !

Reference: 592/93

May 6, 1993



s.22

Dear Ms. s.22

Thank you for your letter of February 13, 1993, concerning the Old Hudson Hope Road 119.

The Ministry is attempting to establish a legally surveyed right of way for what is now considered to be a public road via Section 4 of the Highway Act. This project has been escalated by the placement of a gate on the road in the past, which has caused undue hardship for the public to use the road. The Ministry, therefore, wants to ensure unrestricted passage for all the public by defining a legal right of way and removing the gate. This road not only serves the crown land, as you mentioned, but under the terms of the Land Title Act provides access to the private parcels of land north of the crown land. The Ministry has a mandate to ensure that private parcels of land, as well as lands beyond, are all served via legal access. The Old Hudson's Hope Road will also serve as access to Peace River, which has been requested by local residents.

The access points, namely at Old Fort and Taylor, are both open to public use and are some 10 to 15 miles away from the Old Hudson's Hope Road access. These accesses you mention do not provide access to crown land or private parcels in the area of the Old Hudson's Hope Road, nor do any of the dominion survey right of ways provide access. Thus, we have chosen to keep the present alignment and grade of the Old Hudson's Hope Road down to the crown land at Peace River to serve all concerns in this area.

.../2

With respect to the two other projects you mentioned namely, the Beatton River Crossing and Highway 29, both these are considered priorities with the Ministry. However, the scheduling of these projects remains dependent on available funding.

Thank you for taking the time to express your concerns.

Yours sincerely,

ORIGINAL SIGNED BY MINISTER

MAY 18 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John!

!SVarley, CU/JClark/rn /2865c/Min.Log –3555– !

Item Subject: MINS. CORR.

280-30

D R A F T

Reference: 1367/93

s.22

Thank you for your letter of March 23, 1993 concerning the Old Hudson's Hope Road. The road in question across your clients' property is a public highway pursuant to Section 4 of the Highway Act. The placement of a gate on this road has prompted my staff to resolve this issue of defining a right-of-way and remove the gate to supply access to all parcels including lands beyond, which is the Corwnland at the Peace River. This is one of my Ministry's mandates and responsibilities.

With regards to your comments that someone locally from within the Ministry has a direct interest in this project, I can assure you, these are unjustified. The District Highways Manager, Mr. John Clark in Fort St. John is solely acting on requests from the general public and those received through the Ministry of BC Lands.

As the completion of this project will not only supply physical vehicular access to all parcels of land without further disruption to the hillside or cultivated lands below, I believe that this will satisfy the majority of the public concerns in this situation.

Should you have any further concerns directed from your client, I suggest you contact the District Highways Manager for the North Peace, Mr. John Clark at 787-3237 or at #300 10003 110 Avenue, Fort St. John, British Columbia, V1J 6M7.

Thank you for taking the time to contact me on this matter.

Prepared by: John Clark, District Highways Manager

North Peace District
April 28, 1993

Approved by: Wayne Carr, Regional Director
Central/North East Region
April 29, 1993

Item Subject: MIN. CORR.

28/30

D R A F T

Reference: 0642-93

s.22

Thank you for your latest letter of February 19, 1993, concerning the Old Hudson's Hope Road #119. The Ministry has an obligation to provide access to all private parcels of land and to lands beyond. The Ministry for BC Lands has an obligation to provide access to all crown land for the enjoyment of all and not just a restricted chosen few. This Ministry considers the Old Hudson's Hope Road to be public by virtue of Section 4 of the Highway Act. Due to recent conflicts with a gate being erected on the road, along with complaints of trespassers entering onto private lands, this Ministry has chosen to legally establish a right-of-way to all parcels as well as lands beyond. In this situation the erection of the gate, as with public complaints, has prompted our action at this time.

In your letter you refer to the local highways department being pushed by a "Highways Official". I have checked into this matter and can assure you that the local district office is acting solely as a result of public calls and complaints to both this Ministry and the Ministry of BC Lands. My staff is now committed to proceed with this project in order to satisfy the needs of the general public.

With respect to your question as to whether we are going to open roads to every parcel of crown land, the Ministry of BC Lands has an obligation to provide a road right-of-way to all parcels they create and to the crown lands beyond. Although a few have been missed in the past, it is in the government's best interest to ensure access to all land is provided for the general public. With respect to resolving the access issue of the Old Hudson's Hope Road, the costs of surveying and fencing are considered minimal to resolve this issue once and for all.

I am aware of the condition of the roads in the Peace River

and when the budget is announced, I am sure you will find that the funding for rehabilitation of the area roads is similar to the other districts in the north.

/...2

DRAFT

280/30

Reference: 592-93

s.22

Thank you for your letter of February 13, 1993, concerning the Old Hudson Hope Road #119.

The Ministry is attempting to establish a legally surveyed right-of-way for what is now considered to be a public road via Section 4 of the Highway Act. This project has been escalated by the placement of a gate on the road in the past, which has caused considerable undue hardship for the public to use the road. The Ministry therefore wants to ensure unrestricted passage for all the public by defining a legal right-of-way and removal of the gate. This road not only serves the crown land, as you mentioned, but under the terms of the Land Title Act provides access to the private parcels of land north of the crown land. The Ministry has a mandate to ensure that private parcels of land, as well as lands beyond, are all served via legal access. The Old Hudson's Hope road will also serve as access to the Peace River which has been requested by local residents.

The access points, namely at Old Fort and Taylor, are both open to public use and are some 10 to 15 miles away from the Old Hudson's Hope Road Access. These accesses you mention do not provide access to crown land or private parcels in the area of the Old Hundson's Hope Road nor do any of the dominion survey right-of-ways provide physical and vehicular access due to the steep topography. The Ministry has therefore chosen to stay with the present alignment and grade of the Old Hudson's Hope Road down to the crown land at the Peace River to serve all concerns in this area.

With respect to the two other projects you mentioned namely; the Beatton River Crossing and Highway 29. Both these are considered priorities with the Ministry; however, the scheduling of these remains dependent on available funding. At this time only a few of the Ministry's highest priorities are proposed to be funded in 1993/94 and our ability to proceed will be determined when government's budget is announced.

Thank you for taking the time to express your concerns.

Prepared by: John Clark, District Highways Manager

North Peace District
April 23, 1993

Approved by: W. Carr, Regional Director
Central/North East Region
April 26, 1993

Province of
British Columbia

MEMORANDUM

Gwen Gordy
Regional Steno
Central/Northeast

April 23, 1993
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

280-30

RE: MINISTER'S RESPONSE #3605
s.22 - REWRITE

Suggested response would be:

Thank you for your latest letter of February 19, 1993 concerning the Old Hudson's Hope Road 119. The Ministry has an obligation to provide access to all private parcels of land and to lands beyond. The Ministry for BC Lands has an obligation to provide access to all crown land for the enjoyment of all and not just a restricted chosen few. This Ministry considers the Old Hudson's Hope Road to be public by virtue of Section 4 of the Highway Act. Due to recent conflicts with a gate being erected on the road, along with complaints of trespassers entering onto private lands, this Ministry has chosen to legally establish a right-of-way to all parcels as well as lands beyond. In this situation the erection of the gate, as with public complaints, has prompted our action at this time.

In your letter you refer to the local highways department being pushed by a "Highways Official". I have checked into this matter and can assure you that the local district office is acting solely as a result of public calls and complaints to both this Ministry and the Ministry of BC Lands. My staff are now committed to proceed with this project in order to satisfy the needs of the general public.

With respect to your question as to whether we are going to open roads to every parcel of crown land. The Ministry of BC Lands has an obligation to delete a road right-of-way to all parcels they create and to the crown lands beyond. Although a few have been missed in the past, it is in the government's best interest to ensure access to all land is provided for the general public. With respect to resolving the access issue of the Old Hudson's Hope Road, the costs of surveying and fencing are considered minimal to resolve this issue once and for all.

I am aware of the condition of the roads in the Peace River and when the budget is announced, I'm sure you will find that the funding for rehabilitation of the area roads is similar to the other districts in the north.

.../2

Province of
British Columbia

MEMORANDUM

Gwen Gordy, Regional Steno
Central/North East Region
#213, 1011 - 4th Avenue
Prince George, BC

April 23, 1993
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7

280-30

RE: MINISTERS RESPONSE
s.22
REWRITE REFERENCE: 592-93

Suggested response would be:

Thank you for your letter of February 13, 1993, concerning the Old Hudson's Hope Road #119.

The Ministry is attempting to establish a legally surveyed right-of-way for what is now considered to be a public road via Section 4 of the Highway Act. This project has been escalated by the placement of a gate on the road in the past, which has caused considerable undue hardship for the public to use the road. The Ministry therefore wants to ensure unrestricted passage for all the public by defining a legal right-of-way and removal of the gate. This road not only serves the crown land, as you mentioned, but under the terms of the Land Title Act provides access to the private parcels of land north of the crown land. The Ministry has a mandate to ensure that private parcels of land, as well as lands beyond, are all served via legal access. The Old Hudson's Hope road will also serve as access to the Peace River which has been requested by local residents.

The access points, namely at Old Fort and Taylor, are both open to public use and are some 10 to 15 miles away from the Old Hudson's Hope Road Access. These accesses you mention do not provide access to the crown land or private parcels in the area of the Old Hudson's Hope Road nor do any of the dominion survey rights-of-way provide physical and vehicular access due to the steep topography. The Ministry has therefore chosen to stay with the present alignment and grade of the Old Hudson's Hope Road down to the crown land at the Peace River to serve all concerns in this area.

With respect to the two other projects you mentioned namely; the Beatton River Crossing and Highway 29. Both these are considered priorities with the Ministry; however, the scheduling of these remains dependent on available funding. At this time only a few of the Ministry's highest priorities are proposed to be funded in 1993/94 and our ability to proceed will be determined when government's budget is announced.

.../2

Thank you for taking the time to express your concerns.

Prepared by:

John P. Clark, District Highways Manager
North Peace District
April 23, 1993

Approved by:

Province of British Columbia

MEMORANDUM

Gwen Gordy, Regional Steno
Central/North East Region
#213, 1011 - 4th Avenue
Prince George, BC

April 22, 1993
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7

250-30

RE: MINISTERS RESPONSE #1367 - 93

s.22

Suggested response would be:

Thank you for your letter of March 23, 1993, concerning the Old Hudson's Hope Road. The road in question across your clients' property is a public highway pursuant to Section 4 of the Highway Act. The placement of a gate on this road has prompted my staff to resolve this issue of defining a right-of-way and remove the gate to supply access to all parcels including lands beyond, which is the Crownland at the Peace River. This is one of my Ministry's mandates and responsibilities.

With regards to your comments that someone locally from within the Ministry has a direct interest in this project, I can assure you, these are unjustified. The District Highways Manager, Mr. John Clark in Fort St. John is solely acting on requests from the general public and those received through the Ministry of BC Lands.

As the completion of this project will not only supply physical vehicular access to all parcels of land without further disruption to the hillside or cultivated lands below, I believe that this will satisfy the majority of the public concerns in this situation.

Should you have any further concerns directed from your client, I suggest you contact the District Highways Manager for the North Peace, Mr. John Clark at 787-3237 or at #300, 10003 - 110 Avenue, Fort St. John, BC.

Thank you for taking the time to contact me on this matter.

Prepared by:

John P. Clark, District Highways Manager
North Peace District
April 23, 1993

Approved by:

Page 714

Withheld pursuant to/removed as

s.3

Ministry of Transportation & Highways

#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

22-20-119

October 18, 1993

Plenert Higson Law Corp.
#201 - 1136 - 103rd Avenue
Dawson Creek, BC
V1G 2G7

Attention: Wayne Plenert

Dear Sir:

Re: Road #119 Old Hudson Hope Road

I wish to acknowledge your letter of September 29, 1993, on behalf of s.22 s.22

Once the situation is further reviewed, a reply will be forwarded to you with respect to the information and comments in your letter.

Yours truly,

John P. Clark
District Highways Manager

JPC/pq

PLENERT HIGSON

LAW CORPORATION

Wayne Plenert, B.Th., B.A., LL.B.
Gary Higson, B.A., LL.B.
David Clancy, LL.B.

#201 - 1136 - 103rd Avenue,
Dawson Creek, B.C. V1G 2G7

Phone: (604) 782-9134
Fax: (604) 782-9135

MINISTRY OF TRANSPORTATION & HIGHWAYS
OCT - 1 1993
FORT ST. JOHN

Wednesday, September 29, 1993

Our File: 22670

Ministry of Transportation & Highways
#300, 10003 - 110th Avenue
FORT ST. JOHN, BC
V1J 6M7

ATTENTION: Mr. John P. Clark

Dear Sir:

RE: Road 119 - Old Hudson Hope Road

Your letter of September 16, 1993 has been referred to me for a response. s.22 tells me that this gate is not on land that she owns. Therefore, your communication appears to have gone to the wrong party. She tells me, however, that the claim that you make for a public road would affect land of hers, and for that reason I am writing this letter.

I have received a copy of a letter from the Minister indicating that as of June 29, 1993, the Ministry was taking no further action to remove the private gate. Your letter gives no basis for the change in approach or policy of the Ministry. In view of the public policy issues involved, it would be appreciated if the basis for your letter could be disclosed.

Your letter suggests that only the land past the first gate might be considered public. Although my clients strongly dispute that, they appreciate the fact that your letter only deals with the land after the first gate, and not beyond any of the other gates. They appreciate what appears to be a concession that there is no public road at the point or beyond the second gate.

However, assuming that you concede that the maximum extent of your claim could only be up to the second gate, then the purpose of having this road declared public would be to have access to the middle of my client's property and for no other purpose. Either you have some designs on the middle of my client's property or you intend to use some other approach to extend the public at some further point. This then becomes a major land

use dispute in which one of the parties is attempting to deal with it in a piecemeal fashion.

I have reviewed the history of this matter and your interpretation that there is evidence that this is a Section 4 road will be hotly contested.

I have reviewed letters that were written in 1982 complaining to the Ministry about what was happening on this land.

Also, the Affidavits that you have had prepared go far short of establishing that this is a Section 4 road.

Rather than go through all of the details at this time, I would invite you to reconsider the approach that your Ministry is taking and look to your motives and your purposes in taking such a position and take the "high road"!

Yours truly,

PLENERT HIGSON



Per: WAYNE PLENERT

WP/pjb

Page 718 to/à Page 724

Withheld pursuant to/removed as

s.14

Ministry of Transportation and Highways

FACSIMILE RECORD

Date MAR. 8/94

File No.

TO: LENORA FILLION

C/NE REGION.

C/O

FROM: North Peace District

#300 - 10003 - 110 Avenue

Fort St. John, BC

V1J 6M7

FAX No. 565-6165 PHONE No.

FAX No. 787-3279 PHONE No. 787-3237

ORIGINAL PAGES TO BE:

☐ FILED ☐ MAILED ☐ COURIERED ☐ OTHER (SPECIFY)

SUBJECT: OLD HUDSON HOPE ROAD #119
(LAST/CURRENT "ISSUE PAPER")

LENORA,

JOHN CLARK ASKED ME TO SEND THE ATTACHED.

I HOPE IT'S WHAT YOU NEED.

PLEASE CALL IF YOU REQUIRE FURTHER ASSISTANCE.

MAR. 8/94
TONY
FYI & THEN
FILE 13.
Allan.

3601

REGARDS.

Allan.

PAGES: 4 (including this sheet)

A.R. EDGAR, AREA MGR.

Operators Signature

H-6 (91/07)

MINISTRY OF TRANSPORTATION & HIGHWAYS

ISSUE PAPER

REGION

4 - Central/North East

COMMUNITY

Fort St. John

TOPIC

Old Hudson Hope Road #119
Legalize R/W of Section 4 Road

ELECTORAL DISTRICT

North Peace

ISSUE

The Ministry considers portions of the Old Hudson Hope Road #119 to be Section 4 by virtue of the Highway Act. This road accesses both private lands, a portion of a pipeline across the Peace River and by a requested extension of the right-of-way, some 250 meters would give access to a parcel of crown land and the Peace River. A gate was placed across the road approximately two years ago and since that time the Ministry and BC Lands have received several complaints and queries to have the road open. Ministry attempts to remove the gate have failed. No improvements or reconstruction of this lower class road are contemplated at this time.

BACKGROUND

The Ministry considers the previously maintained portion of the Old Hudson Hope Road to be public by virtue of Section 4 of the Highway Act. We have not however, maintained the portion of road for several years down the hills to the Peace River. The road however, is record to this day in the District Road Register and previous employees for the Ministry will verify that maintenance took place when needed. The Ministry of BC Lands has requested the extension to supply access to the crown land as part of their access mandate. Dominion township deletions in the area are not feasible for use as access due to topography without major realignments which would disrupt agricultural use of this land. Existing township deletions have also been fenced off restricting public access.

This entire project has been prompted by the placement of a gate across the road at the top of the hill by local land owners approximately two years ago. Since that time however, the local district office and the local BC Lands office have received several complaints and queries to have the gate removed. In 1992, one family was locked in after driving down the hill and coming back to find the gate locked on them. In the fall of 1992, two men assaulted another who wanted access and was restricted. Several others have been turned away who want access to the crown land and Peace River hunting and fishing areas. Land owners have concerns over trespassers and the use of A.T.V.'s in the area. When this project became more intense, I reviewed the district's action plan with the Regional Director who in turn reviewed it with Headquarters. The position taken was we were to proceed even if expropriation was necessary to resolve this issue. Since then a further review by the Minister's office has suggested that we attempt to have the gate removed but if unsuccessful, back off and leave the locals to resolve the dispute. No action to acquire right-of-way to access the crown land was to take place by this Ministry.

It should also be noted that s.22 have tried to link s.22 District Highways Manager, South Peace District to this project however, only s.22 have been involved. This District is solely acting on public complaints and not personal interest.

MINISTRY POSITION

Attempts to remove the gate peacefully have failed in the past two years. The District Highways Manager and Properties Agents have met with the land owners and all attempts to date to come to a peaceful solution seem to not be achievable. The Ministry position at this date is to leave any further disputes over the gate lie with the local owners and area residents. Should the locals wish to determine if the road is public through the court system, the Ministry will supply any information it has through the Freedom of Information guidelines. The Ministry considers the previously maintained portion of the road still public by virtue of Section 4 of the Highway Act. No action to acquire right-of-way to access crown land will be done by this Ministry as this is contrary to our mandate.

IMPACT SUMMARY

This position of allowing the gate to remain on a public road could set a precedence for other area situations.

MINISTRY RECOMMENDATION

One must consider that if we back down and allow the gate to remain, there are other similar issues not only in this district but throughout the Peace River area which would be jeopardized by any change in direction.

In this case however, since there is no residential access needed, only access to farmland and crownland beyond, the Ministry should reconsider its position as follows:

1. Leave the gate as is for now, but consider further fencing and other improvements to relieve concerns.

2. Consider fencing the township deletion from the location where the gate exists now all the way to the crown land (about 3 kilometres), with appropriate signing, to allow public access by foot, horseback or A.T.V.'s (no other vehicles) only. This will alleviate most of the current public pressure.

3. Advise the local residents who want the gate removed to proceed through court action to determine once and for all whether there is sufficient evidence to prove Section 4 status of the road and have the gate removed. The Minstry would assist through Freedom of Information with any information it has. The Ministry would continue to state that as far as we are concerned the road is still public, in part, until determined otherwise but take no further action.

4. If the gate is removed the Ministry would construct a turn-around at the end of the public portion (previously maintained) of the road, and assist in fencing to ensure that all users recognize that there is no public access to crown lands beyond.

5. The Ministry will make it clear to the Ministry of Crown Land, residents and road users that it is NOT this Ministry's mandate to ensure access to all deeded parcels of land, or to crown land, but to maintain public roads currently in service. If others wish to turn over roads to this Ministry to be maintained then there are processes in place for accepting these. Only via subdivision approval procedures does this Ministry get involved in ensuring access to currently inaccessible parcels of land or crown land "beyond".

PREPARED BY
John P. Clark
District Highways Manager
North Peace District

Lawren Wagar
Regional Manager, Rehab. & Maint. Services
Central/North East Region
November 3, 1993

DATE SUBMITTED
June 7, 1993

DATE REVISED
November 3, 1993

D R A F T

Reference: 3387/93

s.22

Thank you for your letter of August 24, 1993, requesting assistance in resolving the controversy regarding public access on Road 119 near Charlie Lake.

Ministry officials have been communicating with the office of the Ombudsman on this issue based on a complaint from a local citizen. The Ministry position, which we hope will resolve this impasse, is that the gate be removed in order for others to use the public portion of the road. The Ministry will not be establishing formal right-of-way or acquiring addition access to Crown Land and the Peace River beyond.

Thank you for bringing your concerns to my attention. I trust that this issue will soon resolve itself.

Prepared by: Wayne Carr, Regional Director
Central/North East Region
September 16, 1993

7 80-30

DRAFT

Reference: 3398/93

s.22

Thank you for your letter of August 9, 1993, requesting assistance in resolving the controversy regarding public access on Road 119 near Charlie Lake.

Ministry officials have been communicating with the office of the Ombudsman on this issue based on a complaint from a local citizen. The Ministry position, which we hope will resolve this impasse, is that the gate be removed in order for others to use the public portion of the road. The Ministry will not be establishing formal right-of-way or acquiring addition access to Crown Land and the Peace River beyond. Regarding your additional request for access to Bear Flats, the Ministry is reviewing access issues in the area.

Thank you for bringing your concerns to my attention. I trust that this issue will soon resolve itself.

Prepared by: Wayne Carr, Regional Director
Central/North East Region
September 7, 1993

VS OFFICE Tuesday 93/09/21 01:51 pm 1

Package Subject: s.22 3387

Item Title: s.22 ; 3387

280.30

To follow - draft sent to Victoria for s.22 3387/93

Gwen

Reference: 3037/93

August 27, 1993

s.22

Thank you for your letter of July 16, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

J.B.
ORIGINAL SIGNED BY ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4629c/Min.Log –5019– !

s.22

RECEIVED
JUL 29 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION & HIGHWAYS
JUL 26 1993
5619
DRAFT REPLY ☒ cy ☐ FILE ☐

Minister of Highways
Victoria, B. C.

Dear Sir:

I am very concerned about the locked gate on 119 Road in the Fort St. John Highways District. This gate has been locked for the last three years and on numerous occasion our family has been reassured that the gate would be removed. s.22

s.22

s.22 It is societies right to travel a public road without harassment and abuse. It is time for your ministry to insure that the public can freely travel this and any other public road without impediment.

Due to the length of time this matter has been drawn out your immediate attention would be greatly appreciated.

s.22

c.c. Regional District, Attention Phil Cove
Richard Neufeld, Peace River North MLA
John Clark, Fort St. John Highways
Egon Weger, Crown Lands

Reference: 3074/93

August 27, 1993

s.22

Thank you for your letter of July 23, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

JB
ORIGINAL SIGNED BY ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!
!copy of incoming attached.!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/LWagar/WCarr/JBardos/clc/4648c/Min.Log –5065– !

MINISTER OF TRANSPORTATIO
& HIGHWAYS
JUL 29 1993
5065
DRAFT REPLY ☒ FYI ☐ FILE ☐

s.22

RECEIVED
AUG 0 4 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

Mr. Art Charbonneau,
Minister of Highways,
Provincial Legislature,
Victoria, B.C.

Dear Mr. Charbonneau,

We are opposed to the placing of a gate on what is known as the Old Hope Road (also known as Road 119) at a point about 4 miles west of the Alaska Highway.

The present road west of the gate provides a wonderful view of the Peace River valley as well as a nearby wildlife viewing point s.22

s.22 The road also leads to Deep Creek, which provides for an easy-to-follow avenue to the Peace River s.22

s.22

To us the Old Hope Road represents the freedom to enjoy the bountifulness of the Peace River valley. **Do not allow a gate to prevent our access to this beautiful part of the river.** Let us continue to enjoy what we will never take for granted. Our right to experience the beauty of the Peace.

Sincerely,

s.22

Reference: 3097/93

August 31, 1993

Mr. Dwayne Dancy
Northland Trail Balzers
Snowmobile Club
Post Office Box 218
Charlie Lake, British Columbia
V0C 1H0

Dear Mr. Dancy:

Thank you for your recent letter concerning Road 119 and Road 125 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

J.B.
ORIGINAL SIGNED BY ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4772c/Min.Log –5104– !

MINISTER OF TRANSPORTATION & HIGHWAYS
5104
AUG 0 4 1993
MOTH
DRAFT REPLY ☑ FYI ☐

Dwayne Dancy
NORTHLAND TRAIL BLAZERS
SNOWMOBILE CLUB

s.22

Art Charvonneau
Ministy of Transportation
Parliment Buildings
Victoria, B.C.

RECEIVED
AUG 0 6 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

Dear Sir:

Our club has concerns of road #119 and #125 closures. This access has been used for many years as a haritage trail known as the TEE CREEK trail. We have used it for many years for Club activities, such as our annual SNOWARAMA RIDE which we raise money for B.C.Lions Society for Disabled children.

It was great to use this trail to have access to all the Crown Land back there, and also to bring in new visitors on snowmobiles to show them all the abundance of wildlife in the area. We have enjoyed this pleasure. It is a beautiful valley to appreciate in the winter to summer months. There is very few places like this that a person can enjoy the use of on a recrational point. We are not asking much, but just to encourage your support to keep this Heritage site and trail open for the future.

Yours truly
Dwayne Dancy
Public Relations
Northland Trail Blazers
Snowmobile Club

cc : Ron Larroy,B.C. Snowmobile Federation

MINISTRY OF TRANSPORTATION & HIGHWAYS
SEP -3 1993
FORT ST. JOHN

Reference: 3029/93

August 27, 1993

s.22

Thank you for your letter of July 19, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

AUG 27 1993

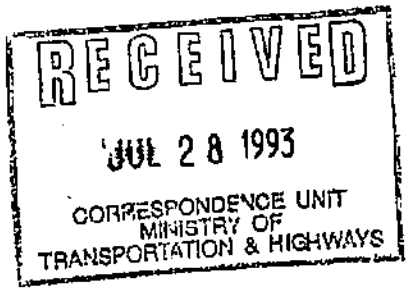
ORIGINAL SIGNED BY J.B. ~~MINISTER~~

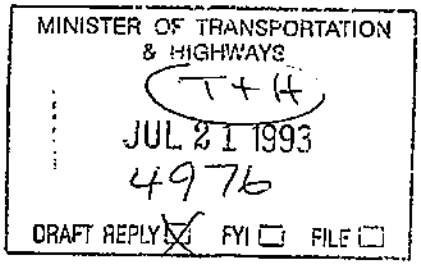
Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4616c/Min.Log –4976– !





Date: Mon Jul 19 14:54:20 MST 1993
Content-Length: 558

To whom it may concern:

In regards to Road # 119 and Road # 125:

This road is a public road and leads to the flats above the Peace River. I don't think it is right for any one individual to take it upon themselves to lock the public out. This road may lead to his fields but it also leads to some of the most beautiful scenic country in the Peace Area. This is a very enjoyable area both in the summer and winter seasons. I personally use this road and am concerned about what happens to it.

A concerned citizen:

s.22

3009 # 3029/9

MINISTRY OF TRANSPORTATION & HIGHWAYS
SEP - 3 1993
FORT ST. JOHN

Reference: 3274/93

August 27, 1993

s.22

This letter is further to my letter of August 17, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

J.B.
ORIGINAL SIGNED BY ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John– copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/cba/4725c/Min.Log –no log– !

Thank you for your letters of June 7, July 16 and July 23, 1993 concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to ~~re~~ establish a surveyed right of way for access to Crown lands beyond. However, Ministry staff will be asking for the private gate to be removed since the road at that location is a public highway pursuant to Section 4 of the Highway Act.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

SHARON

Minister's reply for a group of letters currently held by Correspondence Unit - please prep asap

Page 741 of 895 TRA-2015-51116

Reference: 3034/93

August 27, 1993

Mr. K.G. Miller
PetroTec Controls Inc.
10911 Alaska Road
Fort St. John, British Columbia
V1J 5P4

Dear Mr. Miller:

Thank you for your letter of July 19, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

J.B.
ORIGINAL SIGNED BY ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4621c/Min.Log –4978– !

MINISTER OF TRANSPORTATION & HIGHWAYS
T+H
JUL 21 1993
4978
DRAFT REPLY [X] FYI [ ] FILE [ ]

July 19, 1993

RECEIVED
JUL 28 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

PETROTEC CONTROLS INC
10911 Alaska Road, Fort St. John, B.C. V1J 5P4
Tel.: (604) 785-2849 Fax: (604) 785-5056

Minister of Highways
28 Parliament Buildings
Victoria, B.C.
V8V 1X4

Dear Sir:

We are very concerned and outraged about the possible closed of 119 Road, in the district.

No one should have the right to restrict the public the use of crown land, private property yes, but not crown land.

This closure will make it impossible to access the banks of the Peace River which are being enjoyed by people of all ages for cross country skiing, hiking, 4-Wheel touring, snowmobiling, etc..

Please review this matter as it is important to the rights of the people of this area.

Thank you,

K.G. Miller.

KGM/deg

CCTT # 3034/93
dgj

Reference: 3026/93

August 27, 1993

s.22

Thank you for your letter of July 16, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely, J.B.

ORIGINAL SIGNED BY ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4608c/Min.Log –4972– !

MINISTER TRANSPORTATION & HIGHWAYS
T+H
193
s.22
FILE

REGISTERED RECOMMANDÉ
Canada Post Corporation - Société canadienne des postes
RN 019 295 851 CA
RN 019 295 851 CA
RN 019 295 851 CA

July 16, 1993

RECEIVED
JUL 28 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

Mr. Art Charbonneau
Minister of Highways
Victoria, BC

Dear Mr. Charbonneau,

Re: Road 119 & Road 125

It has just come to my attenion via CKNL Radio that these roads will remain closed due to the public's lack of interest. Needless to say this is very upsetting - "Lack of Interest". Several months ago we were assured by the Ministry of Highways that the road would be upgraded to give the public access to the river and crown lands so we naturally assumed that this was being done. Why has this been overruled by politicians who disregard our local Highway Ministries opinions and decisions.

We did not ask for the road to be upgraded (that was a Ministry of Highways decision). We just want the use of this legal road to give us access to the Peace River and crown lands in the Peace River valley.

After enduring this illegal act ("THE BARRICADING OF A LEGAL ROAD") for many years, we finally thought that the laws of the land would be upheld and would allow us the use of this legal Section 4 Road only to find that once again the perpetrators of this illegal act are to be pacified. Why do these perpatrators have to be pacified.

Why do these perpetrators have the power to get away with this illegal act without any consequenses!!!! WHY ARE THESE PEOPLE ABOVE THE LAW!!!! I THINK IT IS TIME TO FIND OUT.

OH YES, There are some people that were given keys to the gate at the blockaded road, "ISN'T THAT SPECIAL." I can only presume that this gives these perpatrators a sense of power... to have "Joe Q Public" grovel at their feet to be allowed access to use and crown land that rightfully belongs to the public.

If this ever got out in the "real world", we would all be the laughing stock of the country because certain individuals have been above the law.

This beautiful Peace River Valley has no public access between Taylor and Hudson Hope....Why?!!!! Because the right of ways and roads have been blocked by certain people who selfishly want these areas to themselves.

THESE ARE EXAMPLES OF RECENT HEADLINES IN THE NEWS-

- Clayoquot Sound Blockaders arrested!!!
- Native Arrested for Blockading Road on their Land!!!

Roads are being blocked illegally (ie. Road 119 & Road 125) in our Peace River area and nothing is being done about it.

Basically this whole issue is very simple....

Disregarding opinions such as these

- Nobody has any business down there....
- there will be vandalism....
- etc. etc.

Blockading a Legal Section 4 Road is against the law. Why isn't this law being enforced??!!!!

It is time now for us to let our voices be heard and to stand up for our rights and we are doing this!!!!

No one person has the right to block a Legal Section 4 Road, this can only be done by our judicial system.

It is time to open this road!!!!!!!!!!!

Yours truly.

s.22

s.22

Reference: 3035/93

August 27, 1993

s.22

Thank you for your letter of July 16, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

ORIGINAL SIGNED BY J.B. ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4622c/Min.Log –5012– !

RECEIVED
JUL 29 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION
& HIGHWAYS
T+H
JUL 26 1993
5012
DRAFT REPLY [X] FYI [ ] FILE [ ]

s.22

July 16, 1993

Minister of Highways
Victoria, B. C.

Dear Sir:

I have traveled roads 119 and 125 since 1940 and am extremely unhappy that I can no longer go for a ride on this beautiful scenic road because of locked gates. s.22
s.22 So I am fully aware that public funds have been used on this road.

s.22

Also included in these was the s.22 which is now strongly opposed to the use of this road.

s.22

s.22 I was not in any way stopped from travelling this road because we all knew it was a public road, not PRIVATE because we helped pay for it.

s.22

s.22 Many residents from Fort St. John also enjoyed berry picking and picnicking without hassles.

Myself and many s.22 have also enjoyed berry picking, picnicing, swimming on the crown land parcel in question and at that time no one questioned whether we have a right to be there. The road was even grated for easier access in those years.

s.22

s.22 and find it totally disgraceful that I can no longer freely enjoy the beauty of this area, due to people who came long after I did.

I don't understand how a single family can gain from so much tax payers money that was used to build and maintain this road over the years.

When I came to this country I thought it stood for rights and freedom. Was I wrong?!!!! Does the news release on July 15 mean I can no longer travel this public road as is my RIGHT?

s.22

s.22

Reference: 3027/93

August 27, 1993

s.22

Thank you for your recent letter concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

ORIGINAL SIGNED BY J.B. ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4614c/Min.Log –5005– !

RECEIVED
JUL 27 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION
& HIGHWAYS
T+H
JUL 23 1993
5005
DRAFT REPLY ☒ FYI ☐ FILE ☐

Dear Minister of Highways:

I am writting to you about the
concern of the 119 and 125 Road.
The cause for me writting is I
herd the ad on the local radio that
it was no longer accerable because
of the gate. s.22

s.22

s.22

s.22

s.22

We can not go part the GATE!!!. 2 may not know much about the law, but 2 thought a public road can't be blocaded by any means of a blocade, am 2 not right?. Now take this into consideration, you cannot let one person get away with a gate on a public road, it's ~~NO~~ N or All !!!.

s.22

2 would greatly apperciate it if you would remove of this Blocade off the road so myself and many other

people would be able to enjoy the beautiful valley.

Respectfully yours

s.22

Reference: 3036/93

August 27, 1993

s.22

Thank you for your recent letter concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

J.B.

ORIGINAL SIGNED BY ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4624c/Min.Log –5020– !

RECEIVED
JUL 29 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

s.22

MINISTER OF TRANSPORTA
& HIGHWAYS
T+H
JUL 26 1993
5020
DRAFT REPLY ☒ FYI ☐ FILE

Minister of Highways
Victoria, B. C.

Dear Sir:

Re: Road 119 and 125 Fort St. John District

s.22

s.22 The view was tremendous (s.22 had a lot of fun. I have also travelled this public road s.22 just to enjoy the beautiful view. Now due to locked gates this is no longer possible.

s.22

I would like to see an immediate removal of the locked gates.

Thank you.

s.22

c.c. John Clark, Fort St. John Highways District

CM # 3036/93

Reference: 3032/93

August 27, 1993

s.22

Thank you for your letter of July 19, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

AUG 27 1993

ORIGINAL SIGNED BY MINISTER

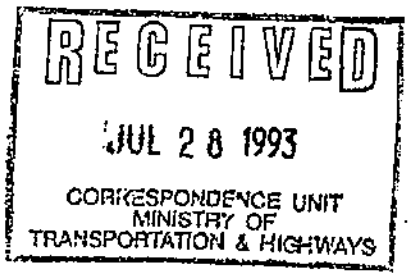
Art Charbonneau
Minister

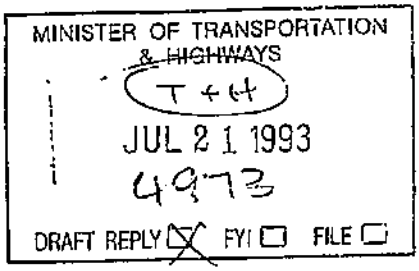
1C

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4619c/Min.Log –4973– !





Date: Mon Jul 19 14:54:20 MST 1993
Content-Length: 558

To whom it may concern:

In regards to Road # 119 and Road # 125:

This road is a public road and leads to the flats above the Peace River. I don't think it is right for any one individual to take it upon themselves lock the public out. This road may lead to his fields but it also leads tc some of the most beautiful scenic country in the Peace Area. This is a very enjoyable area both in the summer and winter seasons. I personally use thi road and am concerned about what happens to it.

A concerned citi[illegible]

s.22

Reference: 3030/93
3031/93

August 27, 1993

s.22

Thank you for your letters of July 19, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

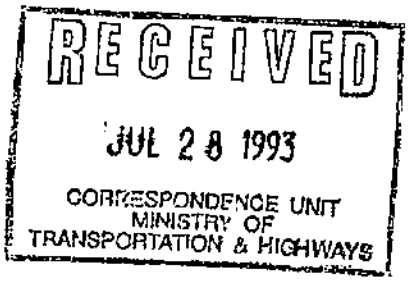
AUG 27 1993 J.B.
ORIGINAL SIGNED BY ~~MINISTER~~

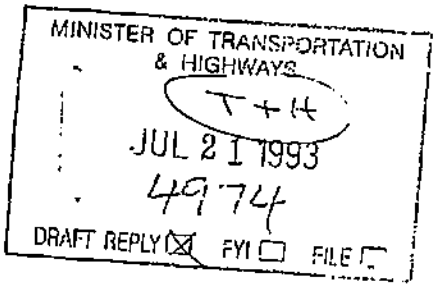
Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4617c/Min.Log –4975, 4974– !





Date: Mon Jul 19 14:54:20 MST 1993
Content-Length: 558

To whom it may concern:

In regards to Road # 119 and Road # 125:

This road is a public road and leads to the flats above the Peace River. I don't think it is right for any one individual to take it upon themselves t lock the public out. This road may lead to his fields but it also leads to some of the most beautiful scenic country in the Peace Area. This is a very enjoyable area both in the summer and winter seasons. I personally use this road and am concerned about what happens to it.

A concerned citizen:

s.22

RECEIVED
JUL 28 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION
& HIGHWAYS
JUL 21 1993
4975
DRAFT REPLY ☒ FYI ☐ FILE ☐

Date: Mon Jul 19 14:54:20 MST 1993
Content-Length: 558

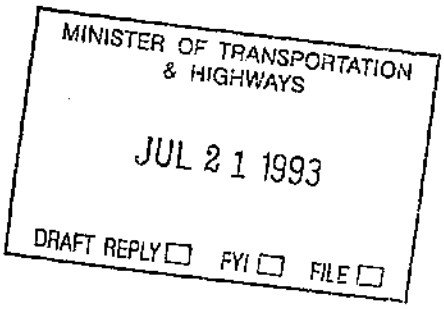
To whom it may concern:

In regards to Road # 119 and Road # 125:

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A concerned citizen:

s.22



Date: Mon Jul 19 14:54:20 MST 1993
Content-Length: 558

To whom it may concern:

In regards to Road # 119 and Road # 125:

This road is a public road and leads to the flats above the Peace River. I don't think it is right for any one individual to take it upon themselves to lock the public out. This road may lead to his fields but it also leads to some of the most beautiful scenic country in the Peace Area. This is a very enjoyable area both in the summer and winter seasons. I personally use this road and am concerned about what happens to it.

A concerned citizen

s.22

Reference: 2973/93

August 27, 1993

s.22

Thank you for your letter of July 16, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

J.B.

ORIGINAL SIGNED BY ~~MINISTER~~

AUG 27 1993

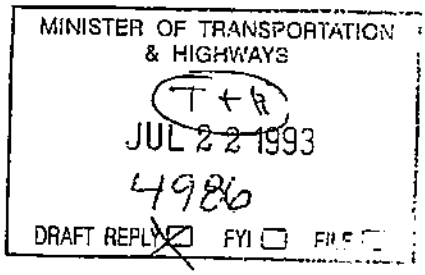
Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4634c/Min.Log –4986– !

s.22



July 16, 1993

Minister of Highways
Victoria, B. C.

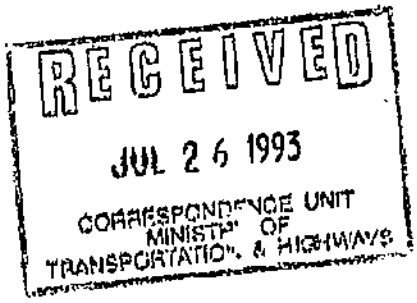
Dear Sir:

This is in regards to a news release on CKNL yesterday about Road 119 and Road 125. In no way do I want money spent on this road, but I want to have the locked gates removed. s.22

s.22

We want the gates and locks removed so we can travel the road.

s.22



Carr

Reference: 2971/93

August 27, 1993

s.22

Thank you for your letter of July 19, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

J.B.
ORIGINAL SIGNED BY MINISTER

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4631c/Min.Log –4982– !

s.22

MINISTER OF TRANSPORTATION & HIGHWAYS
T + H
JUL 22 1993
4982
DRAFT REPLY ☒ FYI ☐ FILE ☐

July 19/93

RECEIVED
JUL 26 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

Art Charbonneau
Minster of Highways
Victoria B.C.

Dear Sir:

In regards to closeing the old Hudson Hope road (Road 119) I never went to the meeting as I never new anything about it. But I would cetianly like to see it left open for the public It is a lovely place to go trail riding

s.22

It is also a very nice scenic drive to take visitors out of town There isn't very many of these places left anymore.

Yours truly

s.22

s.22



Reference: 2987/93

August 27, 1993

s.22

Thank you for your letter of July 20, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

J.B.
ORIGINAL SIGNED BY ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4637c/Min.Log –4997– !

s.22

RECEIVED
JUL 26 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION
& HIGHWAYS
T + H
JUL 23 1993
4997
DRAFT REPLY ☒ FYI ☐ FILE ☐

July 20, 1993

Dear Minister of Highways:

Re: 119 Road and 125 Road (Old Hudson's Hope Road - Fort St. John District

s.22

Therefore, I was shocked to hear the ad on the local radio station regarding the closure of the above Roads to the public. Just recently I was informed that this matter was settled and that the gates would be removed from 125 Road. Is there some trickery being practiced? - it appears that there is an elusiveness on the part of the local government (Peace River Assessment District) the provincial government and the lobbyists for the road closure. How often will this come to issue?? Will it come to issue without the taxpayers knowledge??

These road are public roads and have been public roads. I recall vividly that many of the local landowners would work on the road during the summer with whatever farm equipment was available, in lieu of taxes. I would also suggest to you that since that time many of our tax dollars have gone towards maintenance of this road.

Further, many tax dollars have gone towards justifying the building of the dam in this area and further tax dollars have gone into funding an organization to defend the public's interest, all in order to preserve the beauty of this Valley. However, it seems that there is no access to this valley from Taylor to the Halfway. Could it be at least two land owners have their homes built on or very near a road allowance? Could it further be that a certain land owner wants to create a guide and outfitting type of community amidst an area suitable for recreation?

Many questions remain unanswered. My questions to you are:

1.) **How often will this issue re-surface once a decision is formed?**
2.) **Will the taxpayer be suitably informed if and when it does?**
3.) **How can you justify closure of this road?**

Please reply.

Yours truly,

s.22

Reference: 2523/93
3008/93
3009/93
3010/93

August 27, 1993

s.22

Thank you for your letters of June 7, July 16 and July 23, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

AUG 27 1993 J.B
ORIGINAL SIGNED BY ~~MINISTER~~

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George – copy of incoming attached.!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!SVarley, CU/WCarr/JBardos/clc/4260c/Min.Log –4680 & 4971 & 5010 & 5018– !

s.22

RECEIVED
JUL 29 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION
& HIGHWAYS
TH
JUL 26 1993
5018
DRAFT REPLY X

July 16, 1993

Minister of Highways
Victoria, B. C.

Dear Sir:

Re: Road 119 and Road 125

Once again I am forced to write about this locked PUBLIC road. From a news release yesterday on our local radio station we were informed that no public money would be spent on the expansion of the road. A letter from your office to the Regional Board states that the locks will not be removed. NO PUBLIC INTEREST! s.22 I think not. I am concerned that a few land owners can barricade a PUBLIC ROAD FOR THREE YEARS AND GET ANY WITH IT. I am concerned for the rights of the public, not just myself. If I did this I surely would be fined.

Local Land Owners were consulted. I THINK NOT. s.22
s.22 We were not consulted.

We do not wish ANY money to be spent on the road, all we want is the right to travel a PUBLIC road as we have done in the past. If the land owners want fences, then the government is not responsible for these fences, they are.

You should be aware that s.22 farmed the Peace Valley for seven years and there were no problems with the road. The public was allowed to freely travel the road as was their right. You treat people with respect and you get respect. We had no damage from the general public while we were farming this land. WHY NOW!

Your office told me that it is a public road, therefore you are responsible to have all locked gates removed, so I can once again travel freely from the Fort St. John side of the road out to the Hudson Hope Road, whether it be on 125 Road or 119 Road.

You would be a very irresponsible minister if you do not properly investigate this matter. You must listen to all parties concerned about this matter. I demand the locks be removed immediately.

s.22

3010/9

Page 770 to/à Page 772

Withheld pursuant to/removed as

s.3

s.22

RECEIVED
JUL 28 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION
& HIGHWAYS
T + H
JUL 21 1993
4971
DRAFT REPLY ☒ FYI ☐ FILE ☐

July 16, 1993

Minister of Highways
Victoria, B. C.

Dear Sir:

I would like to respond to a letter by yourself on June 29, 1993 to Ben Knutson.

I would really like to know how the minister can state that the majority do not wish to have the gate removed. Who is this majority? I have people calling and coming to my door on a regular basis asking why this public road is blocked. We were told at the February 16 meeting that large numbers of people (a minimum of 50) have phoned local ministries with their complaint and many have written. Letters were not being written of late because we were lead to believe that due process was being followed. (see attached letter)

Were you given false information? NO PUBLIC meeting was held. The meeting the s.22 called public to the local regional representative which was held February 16, 1993 was in fact a closed meeting by invitation only. They saw fit not to follow these guidelines. We told other concerned citizens that this was a CLOSED meeting of property owners who had land on the road in question. Please see attached letter from your office in Prince George.

Were you led to believe that this a family feud, s.22 using his political ties to push the removal of the gate through? We were informed of this misinformation by Karen Goodings on the evening of June 15, 1993. You should examine s.22 record very carefully. He has had no influence on what is happening at ALL and he has never used his position for any personal gain.

Were you aware that most of the people in support of the gates staying have only personal gain in mind, not the publics? As stated in an earlier letter there is now elk in the area that would no longer be accessible to the public, only by s.22 How coincidental that this locked gate appeared at the time the elk began establishing themselves in the area. Another fact is that strong advocates of this gate remaining are also barricading or attempting to barricade other roads in this area? Please check this fact with your local ministries.

Are you aware that allegated vandalism and other property damage is a policing matter, not a matter for the Minister of Transportation and Highways?

I suggest that the government is trying to protect the rights of the majority. Maybe you should consult with local ministries before making a decision of this magnitude. The situation is being watched in all province is a pro[illegible] Are you advocating the closing of all section 4 [illegible] Are you aware that [illegible]

Log # 3008/9

it? Does your letter of June 29 mean that this section 4 road can be barricaded?

I demand that Chapter 167 of the Highway Act part 1, clause 4 (1) and 4 (2) referring to section 4 roads and Chapter 167, part 2 referring to protection of highways be enforced NOW. We have been extremely patient in this matter, but with your recent letter we now have to demand action. We are not going to accept your recent letter, based on non-facts and much misinformation close down a road we have a RIGHT to travel. ACTION MUST BE IMMEDIATE.

s.22

Province of
British Columbia

Ministry of
Transportation
and Highways

Regional Properties
#213-1011 4th Avenue
Prince George, BC
V2L 3H9

Telephone: 565-6472
Facsimile: 565-6065/7278

REGISTERED MAIL

R7147, R7148, R7146,
PS68739, PS68741, PS68735
PS68738, PS68740, PS68734
PS68736
North Peace

February 2, 1993

s.22

s.22

RE: OLD HOPE ROAD #119

Further to our recent meeting to discuss the right-of-way acquisition project on the Old Hope Road, please be advised that the Ministry of Transportation and Highways will be hosting a project information meeting:

DATE: TUESDAY, FEBRUARY 16, 1993
TIME: 7:00 p.m.
PLACE: PIONEER INN (MOBERLY ROOM)

Representatives from the Ministry of Highways, the Ministry of Environment, Lands and Parks, and BC Hydro have been invited. Some of your neighbors have been invited and the others who have not, will be informed at separate meetings. The purpose of this meeting is to discuss the scope of the project and to build upon the discussions of the January 19th meeting.

Following are the topics and issues that arose from the January 19th and January 20th meetings held with all land owners who may be affected by the project:

- discussion of Phase I of project; to provide public access to Crown Lands, and Phase II of project; to provide public access through BC Hydro lands to land-locked Crown Land parcels, over what is known as American Road. Currently, there is no proposal to connect the two road rights-of-way.

/...2

- discussion of the methodology of acquiring lands for road right-of-way; i.e. the preparation of legal plans and acquisition plans, appraisal of interests, and the negotiation of compensation for purchase of the right-of-way. The Ministry intends to fence the right-of-way to establish the public-private boundaries.

- discussion of the future effects of providing access for the public. Questions arose over the restriction of the public use of the Crown Lands; by containing vehicles in a parking area and the types of vehicles which could be allowed in the area. Environment has been asked to advise the Ministry of Transportation after considering this question.

- discussion of closing and consolidating unusable and unneeded 66 feet statutory road allowances, into existing titles as part of the negotiations. This may provide comfort to the Agriculture Land Commission, in evaluating the Ministry submission to approve the project. Further, the Ministry and surveyor will inspect the area and determine if the alignment can be placed out of cultivated areas.

I have outlined topics for discussion at the Tuesday meeting:

a) scope of the project;
b) persons involved;
c) extent of the activities necessary to complete;
d) scheduling.

Thank you for your cooperation. If you have any questions or concerns please contact the undersigned.

Yours truly,

Steven Henderson
Property Agent
Central North/East Region

SH/dm

cc Mr. John Clark, District Highways Manager, North Peace
Mr. Chris Windt, BC Hydro,
Mr. Dave Landry, BC Lands
Mr. Brian Churchill, BC Environment
Mr. Mike Waberski, Waberski & Darrow

Province of
British Columbia

Ministry of
Transportation
and Highways

#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
787-3237

R7147, R7148, R7146
PS68739, PS68741, PS68735
PS68738, PS68740, PS68734
PS68736
North Peace

March 3, 1993

s.22

Dear s.22

RE: OLD HOPE ROAD #119
NW 1/4 SEC. 35, TP. 83, RGE. 20

Further to our recent meeting of February 16, 1993, the Ministry has considered the various items and concerns discussed at that time. These include A.T.V. restrictions, some kind of a restricted barrier to replace the gate that presently exists, and use of the township deletions to provide alternate access to the Crownland. I have also considered the request to block Road #152 as well. None of these have, after further review, proven viable and therefore leaves the Ministry in only one position, which is to have Mr. Mike Waberski, of Waberski Darrow B.C.L.S., proceed with the initial survey of the Old Hudson Hope Road #119 as we have previously outlined to you in our meetings. Mr. Waberski will be proceeding very shortly and by way of a copy of this letter, be advised to contact you before entry onto your land.

We will require land for the right-of-way from the above noted parcel. A property agent will contact you to discuss the methods which are available to the Ministry of Transportation & Highways to acquire right-of-way. An independent appraisal report will be completed. An offer of compensation for the transfer of land will be presented to the owner and negotiations will be entered to reach an amicable agreement.

.../2

Recycled Paper

Section 3 of the Expropriation Act, S.B.C. 1987, Chapter 23, provides an option for a property owner to agree to transfer or dedicate land to an expropriating authority without compensation when agreement cannot be reached on the compensation to be paid. An advance payment would be made in accordance with Section 19 of the Act. Compensation for the land could then be determined by the Expropriation Compensation Board.

If neither of these settlement options is acceptable to you, the only remaining method by which the Ministry of Transportation and Highways may acquire the right-of-way is through expropriation.

We hope that an amicable settlement can be reached for the acquisition of the required right-of-way from your property.

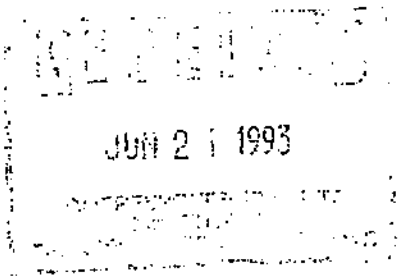
Yours truly,

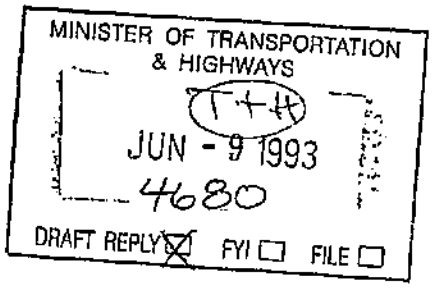
John P. Clark
District Highways Manager

JPC/pq

cc: Mr. M. Waberski, Waberski Darrow, Fort St. John, BC
Michelle Garvock, Regional Properties Agent, Prince George, BC

s.22





JUNE ", 1993

MINISTER OF HIGHWAYS
VICTORIA, B. C.

Dear Sir:

RE: 119 ROAD (OLD HUDSON HOPE ROAD) FORT ST. JOHN, HIGHWAYS DISTRICT

It has been over 3 years since the locked gate appeared on the above mentioned road. This concerns me a great deal. Since my last letter written over two years ago a lot has happened at the gate. There has been continuing intimidation, violence, harassment and assault.

I have heard numerous complaints concerning the gate and the lock and I am sure the Ministry has heard many of these complaints. It is extremely disturbing how someone can barricade Road 119 with so little discouragement from the Ministry.

In the same area as Road 119 barricades have been erected on legally deeded road allowances. One by a barbed wire fence, another by set of stock corrals, and still in another instance there is a yard and out buildings. How can this be allowed to happen? Does the Ministry of Transportation and Highways have the power to stop such things from happening and if such things happen do they have no power to have such barricades removed?

Is it only coincidence that the family who is trying to stop the public from enjoying the beautiful Peace Valley is also the family who has s.22 In the past few years an elk herd has been established on this side of the river in the very area in question. In this area there is also a large population of deer, some moose and bear. It would be very much too the benefit of this family to have sole access to this area. It was stated by the family in question that, "People would have to pay to go to the river". I feel the Ministry needs to protect the public from such land grabbers who have only money as their interests in mind.

I feel a very strong statement must be made which should includes new laws. The present laws are either not being enforced or they are inadequate to protect the rights of the public. Many other similar problems are assured to arise if these people are allowed to continue barricading public access.

Other people are listening and watching what is going to happen with this road. As present they see that they are getting to keep the locks, if they cut the locks off a new one on, pretty soon people will tire of arguing about the issues and the road will be closed to the public.

I sincerely hope that you will be able to do something on this long outstanding problem before further problems arise.

I would like an immediate update on what is happening with roads 119 and 123.

I have enclosed a copy of my first letter written in 1991.

s.22

cc Ministry of Highways (Fort St. John District)

s.22

AUGUST 10, 1991

MINISTER OF HIGHWAYS
VICTORIA, B. C.

re req # 6093-11-19

DEAR SIR:

RE: 119 ROAD (OLD HUDSON HOPE ROAD) FORT ST. JOHN, HIGHWAYS DISTRICT

I AM FORCED TO WRITE THIS LETTER AS MY NUMEROUS PHONE CALLS TO THE LOCAL HIGHWAYS DEPARTMENT HAVE ACHIEVED NO VISIBLE RESULTS. I AM CONCERNED ABOUT LOCKED GATES ON A PORTION OF THE ABOVE MENTIONED ROAD. FOR SOME UNKNOWN REASON THE LOCAL HIGHWAY PERSONAL HAVE ALLOWED AND APPROVED OF LOCKS BEING PLACED ON SEVERAL GATES ON A PUBLIC ROAD THAT HAS BEEN USED BY NUMEROUS PEOPLE FOR GENERATIONS.

I WISH TO POINT OUT THAT THIS ROAD AT ONE POINT IN TIME WAS THE ONLY ROAD CONNECTING COMMUNITIES WEST OF FORT ST. JOHN ALONG THE PEACE RIVER TO FORT ST. JOHN. THIS ROAD WAS BUILT BY TAXPAYERS MONEY AND MAINTAINED WITH TAXPAYER MONEY FOR MANY YEARS. IT IS STILL USED BY THE PUBLIC BECAUSE OF THE SCENIC BEAUTY, HISTORICAL SIGNIFICANCE, AND AS AN ALTERNATE ROUTE TO HUDSON HOPE.

VERY RECENTLY I HAVE LEARNED THAT NOT ONLY ARE THE GATES LOCKED, BUT SOMEONE HAS BARRACKED THE ROAD IN WILDER CREEK WITH A BULLDOZER, TO EVEN MORE IMPEND THE PUBLICS RIGHT TO TRAVEL THIS ROAD. I STRONGLY FEEL THAT IN THIS DAY AND AGE THERE ARE ALTERNATIVES TO GATES WITH LOCKS. ON THE MARKET THERE ARE NUMEROUS TYPES OF GATES THAT ALLOW VEHICLES TO FREELY TRAVEL ROADS AS WELL AS KEEP LIVESTOCK AT BAY. AND I WOULD STRONGLY SUGGEST THAT THE LANDOWNER BE FORCED TO INSTALL THIS TYPE OF GATE.

UPON SPEAKING WITH ONE OF THE PEOPLE WHICH ARE ACTIVELY CAMPAIGNING TO CLOSE THIS ROAD. I WAS TOLD THAT HE COUNTED 53 CARS ON ONE SUNDAY AFTERNOON TRAVELING THIS ROAD AND HE COMMENTED THAT WHAT RIGHT DO THEY HAVE DOWN THERE. TO THAT I SAY THIS, "THEY HAVE EVERY RIGHT!"

I FIND IT EXTREMELY DISTURBING THAT THE MINISTRY OF HIGHWAYS IN THE AREA WOULD EVEN CONTEMPLATE THE CLOSURE OF SUCH A HISTORICAL ROAD. THIS PRACTICE OF LOCKS ON GATES ON PUBLIC ACCESS ROADS SEEMS TO BECOMING A WIDE SPREAD PRACTICE IN THIS HIGHWAYS DISTRICT.

YOUR QUICK ATTENTION TO THIS MATTER WILL BE APPRECIATED.

YOURS TRULY

s.22

CC MINISTRY OF HIGHWAYS, FORT ST. JOHN

Page 782 to/à Page 790

Withheld pursuant to/removed as

s.3



Reference: 3262/93

August 31, 1993

Mr. Ben Knutson
Chairperson
Peace River Regional District
Post Office Box 810
Dawson Creek, British Columbia
V1G 4H8

Dear Mr. Knutson:

Thank you for your letter of July 30, 1993, requesting further assistance in resolving the controversy regarding public access on Road 119 near Charlie Lake.

Ministry officials have been communicating with the office of the Ombudsman on this issue based on a complaint from a local citizen. I understand that the Ombudsman's office will be communicating recommendations to the complaining citizens.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Again, thank you for sharing your concerns with me.

Yours sincerely,

ORIGINAL SIGNED BY J.B. ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/LWagar/cba/4753c/Min.Log –5140 & 5222– !

PEACE RIVER REGIONAL DISTRICT

Office of the Chairman

RECEIVED
AUG 11 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION
& HIGHWAYS
TH 5140
AUG 06 1993
DRAFT REPLY ☑ FYI ☐ FILE ☐

July 30, 1993

The Honourable Art Charbonneau
Minister of Transportation and Highways
Room 028, Parliament Buildings
VICTORIA, B.C.
V8V 1X4

Dear Mr. Charbonneau:

Re: Proposed Extension of Road 119 (Charlie Lake, B.C. area)

At its meeting on July 22nd the Regional Board met with citizens regarding Road 119. As you are aware, there has been considerable correspondence and discussion about this road. It is the Board's recommendation that mediation is the best process, and that your office consider using the experience of the Ombudsman to obtain an unbiased objective view.

We look forward to receiving your comments on the Board's recommendation.

Yours truly,

Ben Knutson
Chairman

BK:jf

cc: - Mr. Neufeld, MLA Peace River North
- Mr. Jack Weisgerber, MLA Peace River South
- Mr. John Clarke, Ministry of Transportation & Highways, Fort St. John
- BC Agricultural Land Commission, Burnaby

PLEASE REPLY TO:
☐ P.O. BOX 810, DAWSON CREEK, B.C. V1G 4H8, TELEPHONE (604) 782-5891 or ZENITH 2770, FAX (604) 782-2718
☐ 9912 - 106 AVENUE, FORT ST. JOHN, B.C. V1J 2N9, TELEPHONE (604) 785-8084 or ZENITH 08922, FAX (604) 785-1125

Recycled Paper



Reference: 3271/93

August 31, 1993

s.22

Thank you for your letter and petition of July 29, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

AUG 3 0 1993 J.B.
ORIGINAL SIGNED BY ~~MINISTER~~

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4774c/Min.Log –5165– !

RECEIVED
93
E UNIT
F
HIGHWAYS

MINISTER OF TRANSPORTATION
& HIGHWAYS
TH 5165
AUG 0 3 1993
DRAFT REPLY ☑ FYI ☐ FILE ☐

s.22

July 29, 1993

Minister of Transportation and Highways
Parliament Buildings
Victoria, B. C.

Hon. Art Charbonneau

Re: Road 119 and 125 - access to crown as well as a through road to Highway 29

It has been brought to my attention by your letter to Ben Knutson dated June 29, 1993 that this issue is not being resolved because of lack of interest of the public. I assure you there is a genuine interest in access to crown and the through road for the purpose of scenery, hunting, fishing, hiking, camping, horseback riding, to name a few. I am enclosing a petition as proof of the public's genuine interest in using these roads.

s.22

SECURITY
REGISTERED
R
SÉCURITÉ
RECOMMANDÉ

C.C. Egon Wiegen
John Clarke

We, as concerned citizens, wish to use Road 119 and 125 (Old Hope Road) as access to the Peace River, Crown Lands as well as through road to Highway 29.

F.S.J.
F.S.J.
F.S.J.

Reference: 3033/93

August 27, 1993

s.22

Thank you for your letter of July 16, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

ORIGINAL SIGNED BY J.B. ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4620c/Min.Log –No Number– !

s.22

July 16, 93

Dear Sir:

I am writing in regards to the 119 rd, in the Charlie Lake area, that the Government has decided they are not going to do anything with. We the residence of Charlie Lake and area would like to see this road opened. There are gates accross this road now, which are locked, therefore we are not able to have access to the area. This is a scenic route which is nice to take out of town friends & relatives for a drive to see wild life and to take pictures, if we could have access.

Sincerely

s.22

RECEIVED
JUL 28 93
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

LOU 3053
COPY

To: Allan Edgar CEN/NOR PEACE
From: Dan Doyle Security: General
Subject. Old Hudson's Hope Road Date Received: 93/08/13

Allan, thanks for the info. That gives me a clear idea where the local elected officials are coming from and the listing will be helpful.

Wayne

---------- Reply ----------

To: Dan Doyle From: Allan Edgar
Subject: Old Hudson's Hope Road Date Sent: 93/08/12

Wayne,
I'm currently researching this data and will have something to you by Monday,August 16/93.
My contact with both the Regional District and MLA Neufeld has indicated they will not support either position. They realize you would like their views on how the public interest is best served but suggest that it's up to the user's to resolve the issue. I'm currently compiling a list indicating road user's names & their views based on letters & petitions we have received.
Unfortunately summer vacation has taken its toll on District staff and processing is slow but active. I did not call MLA Weisgerber as he has not indicated involvement or interest to this date.
Regards,
A Edgar,
N Peace Dist

---------- Original Memo ----------

To: Allan Edgar From: Dan Doyle
Subject: Old Hudson's Hope Road Date Sent: 93/08/12

Allan, thanks for the fax showing the Regional District support of closure. I understand that the Regional District has since reversed their position on this since the beginning of July, or at least have indicated they wished they had not taken a position on the matter. I do not need their official position on this, but a verbal indication of what they think the public interest is now,i.e., should the gate remain locked or should it be removed in the public interest. Perhaps you could just ask this question of Ben Knutsen or Karen Goodings via telephone.

Also, for Richard Neufled and Jack Weisgerber, a verbal answer to the same question is all that is required. My understanding is that they had previously had the view that the public interest was best served by the closed gate but that they have now received representations from members of the public which may now indicate that the general public interest is best served by removing the gate.
I need to receive this info before Aug. 17.

Wayne

Ministry of Transportation and Highways

FACSIMILE RECORD

Date August 13, 1993

File No. ~~22-280-30~~ 22-20A-119. OLD HOPE RD. FILE.

TO: Wayne Carr
A/ADM - OPS
Victoria, BC

C/O

FAX No. 387-6431 PHONE No.

FROM: North Peace District
#300 - 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7

FAX No. 787-3279 PHONE No. 787-3237

ORIGINAL PAGES TO BE:
☐ FILED ☐ MAILED ☐ COURIERED ☐ OTHER (SPECIFY)

SUBJECT: OLD HUDSON'S HOPE ROAD #119/125 LOCKED GATE

Further to my Wang office to you dated August 12, 1993, please find attached MLA Neufeld's response to his position on the above and a list of names of which this district is in receipt of letters supporting their views on the locked gate. Of the 110 letters received 11 indicate the locked gate should remain in place and 99 express removal of the gate. In review of the letters it is noticed that individual letters and petition names include several members of the same family. Please advise if I can forward a copy to MLA Neufeld and Peace River Regional District. We hope this assists the Ministry in a fair resolution process.

Regards,

A.R. Edgar
A/District Highways Manager

0384

H-6 (91/07)

PAGES: 6 (including this sheet)

Operators Signature

RI RD NEUFELD, M.L.A.
(CE RIVER NORTH)
BOX 6008
FORT ST. JOHN, B.C.
V1J 4H6
TELEPHONE: (604) 787-9466
FAX: (604) 787-3277

LEGISLATIVE ASSEMBLY
PROVINCE OF BRITISH COLUMBIA

SOCIAL CREDIT CAUCUS
PARLIAMENT BUILDINGS
VICTORIA, B.C.
V8V 1X4
356-6700

MINISTRY OF TRANSPORTATION & HIGHWAYS
FORT ST. JOHN

August 12, 1993

Mr. A.R. Edgar, A/District Manager
North Peace District
Ministry of Transportation and Highways
#300, 100003 - 110th Avenue
Fort St. John, BC
V1J 6M7

Dear Mr. Edgar:

Re: OLD HUDSON'S HOPE ROAD 119/125 LOCKED GATE

This letter will confirm our discussion yesterday on the telephone.

1. If it is the Ministry's wish to re-visit this issue, I would suggest it is imperative that the public be able to respond, either by public meetings or have the issue referred to the Ombudsman for resolution.

2. To request the position of the local politicians would only lead to the aggravation of the issue.

3. For my information, would you please supply my office with copies of correspondence whether to open the gate or close the gate. As I stated, my office has received four letters and one telephone call in regards to the latest decision to leave the gate locked.

I hope the suggestions will help in bringing a final decision for all concerned.

Sincerely,

Dorene Callison

for Richard Neufeld, MLA
Peace River North

RPN/dgc

cc: Dan Doyle, Assistant Deputy Minister
W. Carr, A/Assistant Deputy Minister
L. Wagar, Regional Manager, Operations

	DATE	NAME & ADDRESS	REMOVE	REMAIN	COMMENTS
1	7/7/83			X	KEEP LIVESTOCK IN (5 CORRESPENCE)
2	15/10/91		X		PUBLIC RIGHT TO ROAD - SCENIC (6 CORS)
3	30/10/91			X	CONTROL VANDALISM
4	7/11/91			x	LANDOWNERS BUILT/PRIVATE MAINT (3 COR)
5	25/06/92		X		GATE IS ILLEGAL - 3 CORRESPONDENCE
6	Sep-92		X		LOCKED IN
7	Sep-92		X		ACCESS TO RIVER FOR BOATS
8	9/10/92		X		PUBLIC ACCESS TO LANDS BEYOND
9	28/05/93			X	VANDALISM
10	13/11/92		X		RIVER ACCESS, HUNTING, CAMPING
11	26/05/93			X	VANDALISM, ATV'S,
12	26/05/93			X	CAN BE ACCESSED BY FOOT/HORSE (4 CORR)
13	13/05/93			X	VANDALISM - (3 CORRESPONDENCE)
14	18/05/93		X		PUBLIC RIGHT TO ACCESS
15	18/05/93		X		PUBLIC RIGHT TO ACCESS
16	4/6/93			X	VANDALSIM, DAMAGE TO FIELDS
17	3/6/93	s.22		X	DAMAGE FROM ATV'S, VEHICLES
18	2/4/93			X	DAMAGE FROM ATV'S, PRESERVE BEAUTY (2)
19	15/07/93		X		ACCESS TO RIVER
20	15/07/93		X		ACCESS
21	19/07/93		X		RIGHT TO ACCESS
22	19/07/93		X		RIGHT TO ACCESS
23	13/02/93			X	WASTE MONEY ON ACCESS
24	17/07/93		X		RECREATION, MOVE FARM EQUIP
25	17/07/93		X		RECREATION, MOVE FARM EQUIP
26	17/07/93		X		RECREATION, MOVE FARM EQUIP
27	17/07/93		X		RECREATION, MOVE FARM EQUIP
28	17/07/93		X		RECREATION, MOVE EQUIP, PUBLIC
29	17/07/93		X		HERITAGE
30	16/07/93		X		RIGHT TO PUBLIC ROAD
31	16/07/93		X		RIGHT TO PUBLIC ROAD
32	19/07/93		X		SCENIC - TOURISTS

	DATE	NAME & ADDRESS	REMOVE	REMAIN	COMMENTS
33	23/07/93		X		RECREATION, BEAUTY, PUBLIC ROAD
34	21/07/93		X		RECREATION, BEAUTY, TOURISM
35	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
36	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
37	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
38	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
39	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
40	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
41	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
42	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
43	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
44	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
45	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
46	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
47	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
48	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
49	29/07/93	s.22	X		PETITION - SCENERY, HUNTING, FISHING
50	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
51	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
52	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
53	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
54	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
55	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
56	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
57	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
58	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
59	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
60	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
61	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
62	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
63	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
64	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING

	DATE	NAME & ADDRESS	REMOVE	REMAIN	COMMENTS
65	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
66	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
67	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
68	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
69	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
70	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
71	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
72	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
73	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
74	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
75	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
76	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
77	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
78	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
79	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
80	29/07/93	s.22	X		PETITION - SCENERY, HUNTING, FISHING
81	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
82	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
83	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
84	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
85	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
86	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
87	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
88	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
89	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
90	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
91	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
92	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
93	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
94	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
95	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
96	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING

	DATE	NAME & ADDRESS	REMOVE	REMAIN	COMMENTS
97	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
98	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
99	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
100	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
101	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
102	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
103	29/07/93	s.22	X		PETITION - SCENERY, HUNTING, FISHING
104	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
105	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
106	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
107	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
108	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
109	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING
110	29/07/93		X		PETITION - SCENERY, HUNTING, FISHING

Ministry of Transportation and Highways

FACSIMILE RECORD

Date AUG. 12/93.

File No. 22-280-30

TO: W. CARR, A/ADM-OPS.
VICTORIA.

C/O

FAX No. PHONE No.

FROM: North Peace District
#300 - 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7

FAX No. 787-3279 PHONE No. 787-3237

ORIGINAL PAGES TO BE:
☐ FILED ☐ MAILED ☐ COURIERED ☐ OTHER (SPECIFY)

SUBJECT: OLD HUDSON'S HOPE ROAD #119
LOCKED GATE

WAYNE,

I SPOKE WITH MR. NEUFELD TODAY ABOUT HIS OFFICIAL POSITION ON THIS MATTER. HE INFORMS ME, HE WILL NOT COMMIT HIMSELF ONE WAY OR THE OTHER. HE SUPPORTS THE REGIONAL DISTRICT'S POINT OF VIEW THAT THE USER'S SHOULD RESOLVE THE ISSUE THEMSELVES THROUGH A PUBLIC FORUM OR MEETING. HE DID HAVE RESERVATIONS ON GETTING THE OMBUDSMAN INVOLVED. HE FEELS THE MAGNITUDE OF THIS ISSUE IS BLOWN OUT OF PROPORTION.

HE TOLD ~~him~~ ME HE'S ASKED JOHN FOR A LIST OF NAMES OF PEOPLE IN FAVOUR & AGAINST HAVING THE LOCKED GATE TO DETERMINE THE TRUE NUMBERS & IDENTIFY THE SCOPE OF THIS ISSUE, BUT HAS YET TO RECEIVE A RESPONSE. I TOLD HIM THAT I WOULD SUPPLY HIM WITH A LIST. ATTACHED IS A COPY OF THAT LIST FOR YOUR REFERENCE. THE DISTRICT WILL UPDATE THIS LIST AS WE RECEIVE ANY FUTURE CORRESPONDENCE.

I HOPE THIS ASSISTS THE MINISTRY IN RESOLVING THIS ISSUE ONCE & FOR ALL. THE DISTRICT IS ANXIOUS TO SPEND THE ENERGY ON MORE IMPORTANT ISSUES.

This was never faxed see later correspondence faxed Aug. 13/93.

REGARDS.

PAGES: _____ (including this sheet)

Operators Signature

H-6 (91/07)

PEACE RIVER REGIONAL DISTRICT

HWY. DIST. FILE: 22-280-30

Office of the Chairman

August 11, 1993

BY FAX

Mr. A.R. Edgar
A/District Highways Manager
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, B.C.
V1J 6M7

Dear Mr. Edgar:

Re: OLD HUDSON'S HOPE ROAD 119/125 LOCKED GATE

Thank you for your letter of today's date.

Please find enclosed a copy of my letter of July 30, 1993 to the Honourable Art Charbonneau. My official position, and that of the Board, continues to be that mediation by the Ombudsman would be the best process to find a solution to this problem. I note from the 1992 Annual Report of the Ombudsman, at pages 96/97, that the Ombudsman's office has experience in negotiating successful resolutions in this type of situation.

Yours truly,

Ben Knutson
Chairman

BK:bc

cc: W. Carr, A/Assistant Deputy Minister, Victoria
L. Wagar, Regional Manager Operations, Prince George

DIST. FILE 280-30

PLEASE REPLY TO:
□ P.O. BOX 810, DAWSON CREEK, B.C. V1G 4H8, TELEPHONE (604) 782-5891 or ZENITH 2770, FAX (604) 782-2718
□ 9912 - 106 AVENUE, FORT ST. JOHN, B.C. V1J 2N9, TELEPHONE (604) 785-8084 or ZENITH 08922, FAX (604) 785-1125

HWY. DIST. FILE : 22-280-30

PEACE RIVER REGIONAL DISTRICT

Office of: The Chairman

May 27, 1993

Fax to: 356-2290

The Honourable Art Charbonneau
Minister of Transportation and Highways
Parliament Buildings,
Victoria, BC
V8V 1X4

Dear Mr. Minister:

Re: Proposed extension of Road 119 (Charlie Lake, B.C. area)

At a meeting held on May 27, 1993 the Board of the Peace River Regional District passed the following resolution in regard to a Ministry of Transportation and Highways proposal to extend Road 119.

MOVED, SECONDED and CARRIED

that the Honourable Art Charbonneau, Minister of Transportation and Highways be requested to hold the extension of Road 119 in abeyance until;

a) an explanation can be provided of why this road is being constructed during a time of budgetary restraint; and

b) an explanation of why private land is being considered for expropriation when there is an alternative route which is more economical and does not involve private land.

Yours truly,

Ben Knutson
Chairman

c.c. - M.L.A.'s - North and South Peace
- Mr. John Clarke, Ministry of Transportation and Highways, Fort St. John
- BC Agricultural Land Commission, Burnaby

PLEASE REPLY TO:
P.O. BOX 810, DAWSON CREEK, B.C. V1G 4H8, TELEPHONE (604) 782-5891 or ZENITH 2770, FAX (604) 782-2718

file copy.

PEACE RIVER REGIONAL DISTRICT

21-57

HWY. DIST. FILE: 22-280-30

OFFICE OF: Chairman

MINISTRY OF TRANSPORTATION & HIGHWAYS
JUL - 8 1993
FORT ST. JOHN

Your File No. 26-W-93-28286
Our File No. 93/51

July 5, 1993

Mr. K.B. Miller, General Manager
BC Land Commission
Rm. 133, 4900 Canada Way
Burnaby, BC
V5G 4K6

Dear Mr. Miller:

Re: Application pursuant to BC Regulations #313/78 - Road #119

Thank you for the opportunity to respond to the referenced BC Regulation #313/78 application that proposes to provide "an established right-of-way over Road #119".

In a letter dated June 8, 1993 from Mr. John Clark, District Highways Manager, to your office, Mr. Clark states that "this road is considered a Section 4 by virtue of the Highways Act and that the Ministry is only establishing a right-of-way to legalize what is there". The Regional District wishes to point out that this may not be entirely correct.

In past correspondence and meetings regarding this proposed right-of way it has been noted by affected land owners that this is not an existing right-of-way, but rather this proposal would directly disrupt existing farm operations, including a private farm yard, grazing pasture and cultivated land.

Further, in May 1993, the Peace River Regional District wrote to the Minister of Transportation and Highway, to request that the proposed extension to Road #119 be held in abeyance until;

a) an explanation be provided of why this road is being constructed during a time of budgetary restraints; and

b) an explanation of why private land is being considered for expropriation when there is an alternative route which is more economical and it does not involve private land.

To date, these explanations have not been answered.

PLEASE REPLY TO:
□ P.O. BOX 810, DAWSON CREEK, B.C. V1G 4H8, TELEPHONE (604) 782-5891 or ZENITH 2770, FAX (604) 782-2718
□ 9912 - 106 AVENUE, FORT ST. JOHN, B.C. V1J 2N9, TELEPHONE (604) 785-8084 or ZENITH 08922, FAX (604) 785-1125

This proposed road right-of-way traverses private land, resulting in disruption to and a permanent loss of prime agricultural land. (Class 1 and 2 - Canada Land Inventory Soils)

The Regional District strongly urges the Provincial Agricultural Land Commission to refuse this proposed BC Regs. 313/78 application or consider it only after such time that the above noted questions are answered.

Yours truly,

Ben Knutson
Chairman

/dk

c.c. Mr. John Clark, Ministry of Transportation and Highways, Fort St. John, BC
Honourable Art Charbonneau, Minister of Transportation and Highways, Victoria, BC
Mr. Egon Wegar, Ministry of Environment, Lands and Parks, Fort St. John, BC
s.22
s.22

Page 810 to/à Page 811

Withheld pursuant to/removed as

s.3

Province of British Columbia

Ministry of Transportation and Highways

MEMORANDUM

MEMO TO FILE

August 18, 1993
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

22-20B-119
22-280-30

In a telephone conversation today with acting ADM/Hwys Ops., Wayne Carr, it was suggested I contact MLA Richard Neufeld's office by phone and advise him of the Ministry's current position. Currently the Ministry is in receipt of 110 letters/petitions regarding the topic of the locked gate on the Old Hope Road #119 (s.22 conflict). Eleven people indicate the locked gate should remain in place and 99 people express desire to remove the gate. The Ministry has reviewed this issue and will not proceed to establish a surveyed right of way for access to crown lands beyond. The road is public by virtue of Section 4 of the Highway Act on both sides of the locked gate location. The Ministry is requesting removal of the locked gate. The gate owners will be contacted and asked to remove the gate and notification explaining our Ministry's position and action will be directed to all concerned parties.

It was suggested not to contact the Regional District but the Ombudsman office will be notified of our Ministry's position.

A.R. Edgar
A/District Highways Manager

ARE/pq

AUG. 19/93.
- MLA NEUFELD ADVISED TODAY @ 1:00 P.M.
- LEFT MESSAGE ON ANSWERING MACHINE

D R A F T

Reference: 3262/93

Peace River Regional District
P.O. Box 810
Dawson Creek, British Columbia
V1G 4H8

Attention: Ben Knutson, Chairperson

Thank you for your letter of July 30, 1993 requesting further assistance in resolving the controversy regarding public access on Road 119 near Charlie Lake.

Ministry officials have been communicating with the office of the Ombudsman on this issue based on a complaint from a local citizen. The Ministry position, which we hope will resolve this impasse, is that the gate be removed in order for others to use the public portion of the road. The Ministry will not be establishing formal right-of-way or acquiring additional access to Crown Land and the Peace River beyond.

I trust that this issue will soon resolve itself. The Ombudsman's office will be communicating recommendations to the complaining citizen.

Prepared by: Lawren Wagar, A/Regional Director
Central/North East Region
August 18, 1993

**Sharon: Please be sure John Clark receives a copy of the Minister's reply. Thanks Gwen.

Ministry of Transportation & Highways

#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

22-20A-119
22-20A-125
22-280-30

August 11, 1993

"Hand Delivered"

The Honourable Richard Neufeld, M.L.A.
Peace River North
10028 - 103 Avenue
Fort St. John, BC
V1J 2H5

Dear Mr. Neufeld:

Re: OLD HUDSON'S HOPE ROAD 119/125 LOCKED GATE

Area landowners have placed a gate on the Old Hudson's Hope Road approximately four kilometres from the end of this public road s.22 dispute). This portion of road is considered Section 4 under the Highway Act by the Ministry. The road serves as access to private land, crownland and the Peace River. The Ministry has been pressured for some time to legalize a route to the River and remove the gate. The Old Hudson's Hope Road provides the only physical access, due to topography, within at least ten miles in either direction to the river area.

At that point in time the majority of requests from road users was to keep the gate in place and locked so the Ministry took no action to have the gate removed and while the road may be public by virtue of Section 4 of the Highway Act, the Ministry did not have an interest in pursuing having the road opened.

Recently we have received considerable correspondence to support removing this road gate and allow unrestricted access to the area primarily for recreational purposes.

We would like to ask your assistance in this matter by providing this office with your official position on this issue.

.../2

Our executive will be meeting very soon to discuss this matter and we would appreciate a response by Monday, August 16, 1993, at the very latest.

I apologize for such short notice and hope you can accommodate this request.

Yours sincerely,

A.R. Edgar
A/District Highways Manager
North Peace District

ARE/pq

cc: W. Carr, A/Assistant Deputy Minister, Victoria
L. Wagar, Regional Manager Operations, Prince George

Ministry of Transportation & Highways

#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

22-20A-119
22-20A-125
22-280-30

August 11, 1993

"Hand Delivered"

Mr. B. Knutson, Chairman
Peace River Regional District
9912 - 106 Avenue
Fort St. John, BC
V1J 2N9

Dear Mr. Knutson:

Re: OLD HUDSON'S HOPE ROAD 119/125 LOCKED GATE

Area landowners have placed a gate on the Old Hudson's Hope Road approximately four kilometres from the end of this public road s.22 dispute). This portion of road is considered Section 4 under the Highway Act by the Ministry. The road serves as access to private land, crownland and the Peace River. The Ministry has been pressured for some time to legalize a route to the River and remove the gate. The Old Hudson's Hope Road provides the only physical access, due to topography, within at least ten miles in either direction to the river area.

At that point in time the majority of requests from road users was to keep the gate in place and locked so the Ministry took no action to have the gate removed and while the road may be public by virtue of Section 4 of the Highway Act, the Ministry did not have an interest in pursuing having the road opened.

Recently we have received considerable correspondence to support removing this road gate and allow unrestricted access to the area primarily for recreational purposes.

We would like to ask your assistance in this matter by providing this office with your official position on this issue.

.../2

Our executive will be meeting very soon to discuss this matter and we would appreciate a response by Monday, August 16, 1993, at the very latest.

I apologize for such short notice and hope you can accommodate this request.

Yours sincerely,

A.R. Edgar
A/District Highways Manager
North Peace District

ARE/pq

cc: W. Carr, A/Assistant Deputy Minister, Victoria
L. Wagar, Regional Manager Operations, Prince George

280-30

Reference: 2524/93

August 10, 1993



Mr. Wes McKnight
President
Upper Cache Creek Cattlemen's Association
Post Office Box 493
Charlie Lake, British Columbia
V0C 1H0

Dear Mr. McKnight:

Thank you for your letter of June 2, 1993, concerning Road 119 and the controversy regarding public access. I regret the delay in responding, but this situation has been under review for some time.

You will be pleased to know that, at this time, the Ministry is taking no further action to have the private gate removed or to establish a surveyed right of way for access to crown lands beyond. While the Ministry was attempting to assist, as requested by a few, clearly the majority do not wish to see the gate removed or public monies spent on such access. Current access to crown lands beyond is available on foot or horseback along the township deletions.

Although there have been very polarized views by local users, I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

AUG 04 1993

ORIGINAL SIGNED BY MINISTER

Art Charbonneau
Minister

Copy to: Honourable John Cashore
Minister of Environment, Lands and Parks
M.L.A., Coquitlam–Maillardville !–copy of incoming attached!
!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!
!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!
!KCollins, CU/LWagar/clc/4261c/Min.Log –4681– !

280-30 FILE

s.22



August 9, 1993

Ministry of Transportation & Highways
Parliament Buildings
Victoria, BC

ATTENTION: JOHN CLARK

Dear Sir:

I am writing in reference to access to Crown Land and river frontage on the Peace River. I have made several attempts to use Road #119 to gain this access only to find locked and barred gates preventing such passage.

I would also like to see the availability of access to Bear Flats via this route. I believe in the past, this route was used and as a resident living in this immediate area and as a tax payer, I should be able to have this access for recreation and/or other purposes.

I therefore, request your looking into this matter and advising me at your earliest convenience.

I look forward to your response regarding the above matter.

Respectfully yours,

s.22

s.22

Aug. 18/93.
Response will be sent from Victoria.

cc: Mr. Art Charboneau
Minister of Highways
300-10003-110 Avenue
Fort St. John, BC V1J 6M7

Minister of Environment,
Lands and Parks
220-9900-100 Avenue
Fort St. John, BC V1J 5S7

TO FILE: 22780-30



s.22

July 29, 1993

Minister of Transportation and Highways
Parliament Buildings
Victoria, B. C.

Hon. Art Charbonneau

Re: Road 119 and 125 - access to crown as well as a through road to Highway 29

It has been brought to my attention by your letter to Ben Knutson dated June 29, 1993 that this issue is not being resolved because of lack of interest of the public. I assure you there is a genuine interest in access to crown and the through road for the purpose of scenery, hunting, fishing, hiking, camping, horseback riding, to name a few. I am enclosing a petition as proof of the public's genuine interest in using these roads.

s.22

C.C. Egon Wiege
John Clarke

To File
22-250-30

We, as concerned citizens, wish to use Road 119 and 125 (Old Hope Road) as access to the Peace River, Crown Lands as well as through road to Highway 29.

F.S.J.
F.S.J.
F.S.J.

Miles Malmgren	Fort St. John
Todd Powell	Fort St. John
Gordon Bahm	Charlie Lake B.C.
Bill Reimer	Fort St John
Chad Cadieux	Charlie Lake
A Nuefeld	Charlie Lake B.C.
Kevin Epp	Ft St John
Pam Bahm	Charlie Lake B.C.
Brent Ellis	F. S. J.
Michelle Cadieux	charlie Lake. B.C
Glen Herman	CHARLIE LAKE, B.C.
Rick Peterson	Charlie Lake B.C
[illegible]	Ft St. John
[illegible]	CHARLIE LAKE
[illegible]	Charlie Lake B.
Margaret Bahm	Charlie Lake B.C
[illegible]	Charlie Lake B.C.
Michael Ronald	Charlie Lake B.C.
Jerry Reimer	Ft St John, B.C.
Ken Hessing	Charlie Lake BC
[illegible]	F.S.J. B.C.
Todd Cadieux	Charlie Lake BC

Bruce Nygaard	Charlie Lake
Judy Nygaard	" "
Jim Morrison	Fort St John
Brian Horvath	Fort St John
Ralf Martini	Charlie Lake
David Fox	Charlie Lk B.C.
Dan Rousselle	Charlie Lake B.C
Jim Lawson	Mile 60 Alaska Hyway
Ryan Parelli	Charlie Lake
Joseph Kizlo	Charlie Lake
Tony Lobo	Charlie Lake
Todd Burkholder	charlie lake
Mrs. G. Gladys	Charlie Lake B.C.
Carey Ostaway	Charlie Lake V3C.
Jim Grant	Charlie Lake B.C.
Dawn Gladys	Charlie Lake, BC.
Wendee Gilmour	Charlie Lake BC.
Norman McKenzie	Fort Nelson BC
Janet Abbott	Charlie Lake BC

Package Subject: DRAFT OLD HUDSON'S H.RD.

Item Title: DRAFT FOR ALL O.H.H. ROAD

Allan:

We will be using the draft for s.22 #2523 as a base letter for all correspondence dealing with the request to open Old Hudson's Hope Road. As you can see there are now more than what we had. I have not received the original requests 3026 - 3038 and will not be getting them until the Minister's reply comes back.

Gwen

AUG. 5/93

JOHN,
FOR YOUR INFO THEN
TO DIST. FILE 280-30

Package Subject: DRAFT OLD HUDSON'S H.RD.

Item Title: DRAFT BASE LETTER

Sharon:

The draft that was put together by Dan and Wayne for s.22 2523 is to be used for all Mins. Corrs. asking for Road 119 (Old Hudson's Hope Road) to be opened.

Mins. Corrs. numbers and names so far:

2971 -
2973 -
2974 -
2977 -
2978 - s.22
2979 -
2980 -
2981 -
2987 -

3026 -
3027 -
3028 -
3029 -
3030 - s.22
3031 -
3032 -
3033 -
3034 -

3035 -
3036 - s.22
3037 -
3038 -

There may be special issues in certain correspondence that will need addressing that the basic letter will not cover. If so and you need more input let me know.

Thanks

gwen

D R A F T

Reference: 2523/93

s.22

Thank you for your letter of June 7, 1993, concerning Road 119 and current controversy regarding public access.

The Ministry is taking no further action to have the private gate removed or to establish a surveyed right-of-way for access to crown lands beyond. While the road may be public by virtue of Section 4 of the Highway Act, the Ministry does not have an interest in pursuing having the road opened at this time. However, members of the public who wish to have the gate removed are free to seek legal recourse to have that done.

I trust that any of your requirements for vehicular access can be accommodated locally by the gate owners.

Prepared by: Wayne Carr, Regional Director
Central/North East Region
June 28, 1993

Revised by: Wayne Carr - July 28/93

VS OFFICE Thursday 93/07/29 02:07 pm 1

Package Subject: rewrite - 2523

Item Title. 2523 - s.22

Hwy. Dist. file: 22-20A-119 (LOCKED GATE PEEK PROPERTY)
280-30

Carolyn:

To follow is the rewrite you request for 2523 - s.22

Gwen

D R A F T

Reference: 2523/93

s.22

Thank you for your letter of June 7, 1993, concerning Road 119 and current controversy regarding public access.

The Ministry is taking no further action to have the private gate removed or to establish a surveyed right-of-way for access to crown lands beyond. While the road may be public by virtue of Section 4 of the Highway Act, the Ministry does not have an interest in pursuing having the road opened at this time. However, members of the public who wish to have the gate removed are free to seek legal recourse to have that done.

I trust that any of your requirements for vehicular access can be accommodated locally by the gate owners.

Prepared by: Wayne Carr, Regional Director
Central/North East Region
June 28, 1993

Revised by: Wayne Carr - July 28/93

Ministry of Transportation & Highways

#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

22-20A-119
280-30

July 29, 1993

s.22

Dear M s.22

Re: GATE ON OLD HUDSON HOPE ROAD #119

Thank you for your letter of July 27, 1993, concerning the private locked gate at the above and I apologize for not keeping you updated on the situation.

The Ministry has received numerous letters from other local users describing their perspective on this issue and so I'm able to appreciate the varying points of view.

The Ministry is taking no further action to have the private gate removed or to establish a surveyed right of way for access to crown lands beyond. While the road may be public by virtue of Section 4 of the Highway Act, the Ministry does not have an interest in pursuing having the road opened at this time. However, members of the public who wish to have the gate removed are free to seek legal recourse to have that done.

I trust that any of your requirements for vehicular access can be accommodated locally by the gate owners.

Yours truly,

A.R. Edgar, A/District Highway Manager
for
John P. Clark

ARE/pq

Province of British Columbia

Ministry of Transportation and Highways

MEMORANDUM

Gwen Gordy, Regional Steno
Central/North East Region
#213, 1011 - 4th Avenue
Prince George, BC
V2L 3H9

July 29, 1993
North Peace District
#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

280-30

Re: MINISTERS RESPONSE

#2987	s.22	**- July 20, 1993***
#2971	s.22	**- July 19, 1993***
#2973	s.22	**- July 16, 1993***
#2974	s.22	**- July 19, 1993***
#2977	s.22	**- July 21, 1993***
#2978	s.22	**- July 17, 1993***
#2979	s.22	**- July 17, 1993***
#2980	s.22	**- July 17, 1993***
#2981	s.22	**- July 17, 1993***

Suggested response would be:

Thank you for your letter of July (*above date*), 1993, concerning the Old Hudson Hope Road #119/125 and the controversy regarding public access.

The Ministry has received numerous letters from other local users describing their perspective on this issue and so I'm able to appreciate the varying points of view.

The Ministry is taking no further action to have the private gate removed. While the road may be public by virtue of Section 4 of the Highway Act, the Ministry does not have an interest in pursuing having the road opened at this time.

Thank you for bringing your concerns to my personal attention.

Prepared by:

A.R. Edgar
Area Manager Roads
North Peace District

District approval by:

John P. Clark
District Highways Manager

Regional Approval by:

ARE/pq

Mr. Art Charbonneau
Minister of Transportation and Highways
Parliament Buildings
Victoria B.C.
V8V 1X4

Dear Mr. Charbonneau:

Re: Proposed new road through Peck property

Upon request from a group of community residents, I attended a meeting where the road in question was being discussed.

I was extremely upset with this proposal for a number of reasons, which I will discuss in the following paragraphs.

First, in this time of economic restraint and budget cutting, expenditures on this unnecessary and unwanted road are ludicrous.

Second, as we have been told by your ministry, there is no money to finish projects that have already been initiated, ie Beatton River Crossing, and Upper & Lower Cache connection, how can you justify this project? Furthermore we have been asked to plan new projects on a priority basis. This project has not been a part of any community plan that I am aware of.

SENT BY:ARCTIC FISH & FOOD ; 6- 2-93 ; 1:19PM ; 7875299- 8045562290:# 2
Page 831 of 895 TRA-2015-51116

Third, if proposed road were to be completed to allow motor vehicle traffic to the area, it will destroy the cattle operation on this land as well as force the ~~finest~~ wildlife to move elsewhere.

Finally if the concern of the ministry is to provide access to this area, a short extension of the existing road on the existing road allowance would allow foot access, which would protect the environment as well as give the public an undisturbed habitat to enjoy.

Thank you for your attention to this matter.
I look forward to your prompt reply.

Yours Truly
Wes McKnight
President Upper Cache
Creek Cattlemens Assoc.
Box 493
Charlie Lake, B.C.
V0C 1H0

cc Peace River Regional Dist
Minister of Environment
B.C. Land Commission
Peace River M.L.A. R. Neufeld

SENT BY:FAX 1 ; 5- 2-93 ; 1:20PM ; 7873299→ 6043562290:# 3

Package Subject: Old hudson's Hope Rd

Item Title: Old hudson's Hope Rd

MEMO FROM DAN DOYLE
ASSISTANT DEPUTY MINISTER OPS
MINISTRY OF TRANSPORTATION AND HIGHWAYS

TO : Wayne Carr

RE: Old Hudson's Hope Rd.

DATE: July 22, 1993

I spoke to s.22 last night on this issue as well as to the Minister's staff. The conclusion that I have arrived at is that we should take the position that the road may be public under section 4 but that we do not have an interest at this time in pursuing having the road opened. However, members of the public who wish to have the gate removed and the road opened are free to seek legal recourse to have that done. There has been a letter writing campaign asking for the road to be opened and we should answer the letter according to the above. Apparently s.22 s.22 has called the ombudsman so we may hear from that office. Initially, I had thought that we should contact the Omb to find out their position on this but I think our position is sound and we should wait to here from them.

Dan Doyle

cc Julia Bardos
Kent Macaulay
Sharon Varley

Sent by Wang Office July 22, 1993

Old Hope file

C.C. OLE/BRUCE DENIS TO JOHN. RETURN

Page 834 to/à Page 836

Withheld pursuant to/removed as

s.3

Ministry of Transportation and Highways
Correspondence Tracking System

Page: 2

July 28, 1993
10:28 AM

REFERRAL SLIP

CORRESPONDENT
First Name:
Middle Name:
Surname:
Title:
Organization:
Address: s.22

City:
Province:
Postal Code:
Country:
Electoral District: Peace River North

CTS Log Number: 002987 93
Minister's Log Number: 4997
File Code: 280-30
Entered By: KMR

Date of Letter: 93/07/20
Date Received: 93/07/28
Date Completed: / /
Status: OP
Category: REG

Issue:
Attitude:
Subject: Concerns re proposed closure of 119 and 125 Road (Old Hudson Hope road) Questions why Min did not inform public, Fort St. John.

REFERRED TO
Office Id: REGION 4 Office Description: Regional Director, Central North East
Surname: CARR
Date Referred: 93/07/28
Remarks: Please prepare draft response for Minister's signature.

FAX MESSAGE
TO Wayne Carr
COMPANY Region 4
YOUR FAX NO.
OUR FAX NO. 387-6071
NO. OF PAGES 2
DATE July 28/93
RE:

Wayne:
Please provide draft response by Aug. 5/93
Thanks
Jim

RECEIVED
JUL 26 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION
& HIGHWAYS
JUL 28 1993
4997
DRAFT REPLY ☒ FYI ☐ FILE ☐

s.22

July 20, 1993

Dear Minister of Highways:

Re: 119 Road and 125 Road (Old Hudson's Hope Road - Fort St. John District

s.22

Therefore, I was shocked to hear the ad on the local radio station regarding the closure of the above Roads to the public. Just recently I was informed that this matter was settled and that the gates would be removed from 125 Road. Is there some trickery being practiced? - it appears that there is an elusiveness on the part of the local government (Peace River Assessment District) the provincial government and the lobbyists for the road closure. How often will this come to issue?? Will it come to issue without the taxpayers knowledge??

These road are public roads and have been public roads. I recall vividly that many of the local landowners would work on the road during the summer with whatever farm equipment was available, in lieu of taxes. I would also suggest to you that since that time many of our tax dollars have gone towards maintenance of this road.

Further, many tax dollars have gone towards justifying the building of the dam in this area and further tax dollars have gone into funding an organization to defend the public's interest, all in order to preserve the beauty of this Valley. However, it seems that there is no access to this valley from Taylor to the Halfway. Could it be at least two land owners have their homes built on or very near a road allowance? Could it further be that a certain land owner wants to create a guide and outfitting type of community amidst an area suitable for recreation?

Many questions remain unanswered. My questions to you are:

1.) **How often will this issue re-surface once a decision is formed?**
2.) **Will the taxpayer be suitably informed if and when it does?**
3.) **How can you justify closure of this road?**

Please reply.

s.22

Ministry of Transportation and Highways
Correspondence Tracking System

July 27, 1993
3:41 PM

REFERRAL SLIP

CORRESPONDENT
First Name:
Middle Name:
Surname:
Title:
Organization: s.22
Address:
City:
Province:
Postal Code:
Country:
Electoral District: Peace River North
Issue:
Subject: Asks Min to consider keeping Old Hudson Hope Road open. View residents and tourists use road as scenic drive and trail ride.

CTS Log Number: 002971 93
Minister's Log Number: 4982
File Code: 280-30
Entered By: KMR

Date of Letter: 93/07/19
Date Received: 93/07/27
Date Completed: / /
Status: OP
Category: REG

Attitude:

REFERRED TO
Office Id: REGION 4 Office Description: Regional Director, Central North East
Surname: CARR
Remarks: Please prepare draft response for Minister's signature.

Date Referred: 93/07/27

FAX MESSAGE
TO Wayne Carr
COMPANY Region 4
YOUR FAX NO. ___
OUR FAX NO. 387-6711
NO. OF PAGES 2
DATE July 28/93
RE: ___

Please provide draft response by Aug. 6/93
Thanks

Allan:
Included in the package are
2971-
2973
2974-
2977-
2978
2979
2980
2981

s.22

MINISTER OF TRANSPORTATION & HIGHWAYS
T+H
JUL 22 1993
4982
DRAFT REPLY ☒ FYI ☐ FILE ☐

s.22

July 19/93

RECEIVED
JUL 26 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

Art Charbonneau
Minstee of Highways
Victoria B.C.

Dear Sir:

In regards to closeing the old Hudson Hope road (Road 119) I never went to the meeting as I never new anything about it. But I would cetianly like to see it left open for the public It is a lovely place to go trail riding which we do lots of. It is also a very nice scenic drive to take visitors out of town There isn't very many of these places left anymore.

Yours truly

s.22

s.22

Ministry of Transportation and Highways
Correspondence Tracking System

July 27, 1993
2:26 PM

REFERRAL SLIP

CORRESPONDENT
First Name:
Middle Name:
Surname:
Title:
Organization:
Address: s.22

City:
Province:
Postal Code:
Country:
Electoral District: Peace River North

CTS Log Number: 002973 93
Minister's Log Number: 4986
File Code: 280-30
Entered By: KMR

Date of Letter: 93/07/16
Date Received: 93/07/27
Date Completed: / /
Status: OP
Category: REG

Issue:
Attitude:
Subject: Opposed to Min supplying funds for upgrading of Road 119 and Road 125. Request Min remove locks on gates in order to allow public use of the road, Charlie Lake.

REFERRED TO
Office Id: REGION 4 Office Description: Regional Director, Central North East
Surname: CARR Date Referred: 93/07/27
Remarks: Please prepare draft response for Minister's signature.

FAX MESSAGE
TO Wayne Carr
COMPANY Region 4
YOUR FAX NO.
OUR FAX NO. 387-6771
NO. OF PAGES 2
DATE July 28/93
RE: Re:

Attn:
Included in the package - #

s.22

MINISTER OF TRANSPORTATION & HIGHWAYS
JUL 22 1993
4986
DRAFT REPLY ☒ FYI ☐ FILE ☐

July 16, 1993

Minister of Highways
Victoria, B. C.

Dear Sir:

This is in regards to a news release on CKNL yesterday about Road 119 and Road 125. In no way do I want money spent on this road, but I want to have the locked gates removed. In the past my s.22 have traveled this PUBLIC road s.22 s.22 and we wish to continue using our right to travel a public road when we wish.

We want the gates and locks removed so we can travel the road.

s.22

RECEIVED
JUL 26 1993
CORRESPONDENCE UNIT
MINISTRY OF TRANSPORTATION & HIGHWAYS

Ministry of Transportation and Highways
Correspondence Tracking System

Page: 1

July 27, 1993
2:26 PM

REFERRAL SLIP

CORRESPONDENT
First Name:
Middle Name:
Surname:
Title:
Organization:
Address: s.22

City:
Province:
Postal Code:
Country:
Electoral District: Peace River North
Issue:
Subject: Opposed to the proposed closing of Old Hudson Hope Road. View road contains heritage that should remain open for public use, Charlie Lake.

CTS Log Number: 002974 93
Minister's Log Number: 4984
File Code: 280-30
Entered By: KMR

Date of Letter: 93/07/19
Date Received: 93/07/27
Date Completed: / /
Status: OP
Category: REG

Attitude:

REFERRED TO
Office Id: REGION 4 Office Description: Regional Director, Central North East
Surname: CARR Date Referred: 93/07/27
Remarks: Please prepare draft response for Minister's signature.

FAX MESSAGE
TO Wayne Carr
COMPANY Region 4
YOUR FAX NO.
OUR FAX NO. 387-6711
NO. OF PAGES 2
DATE July 28 93
RE: Q

MINISTER OF TRANSPORTATION & HIGHWAYS
JUL 22 1993
4984
DRAFT REPLY ☒ FYI ☐ FILE ☐

s.22

RECEIVED
JUL 26 1993
CORRESPONDENCE UNIT
MINISTRY OF TRANSPORTATION & HIGHWAYS

July 19, 1993

Dear Sir,

s.22

s.22

s.22 dam married year
which I got older and I want
to show my Children the original
Hudson Hope road. If it is closed
because of some people who want
it to themselves how am I going
to show my children this heritage
road.

[illegible]

s.22

Ministry of Transportation and Highways
Correspondence Tracking System

Page: 6

July 27, 1993
3:37 PM

REFERRAL SLIP

CORRESPONDENT
First Name:
Middle Name:
Surname:
Title:
Organization:
Address: s.22

City:
Province:
Postal Code:
Country:
Electoral District: Peace River North
Issue:
Subject: Opposed to proposed road closure of 119 and 125 Roads, Fort St. James, Charlie Lake area. Also concerned that MoTH did not allow public to have input in decision.

CTS Log Number: 002977 93
Minister's Log Number: 4993
File Code: 280-30
Entered By: KMR

Date of Letter: 93/07/21
Date Received: 93/07/27
Date Completed: / /
Status: OP
Category: REG

Attitude:

REFERRED TO
Office Id: REGION 4 Office Description: Regional Director, Central North East
Surname: CARR
Remarks: Please prepare draft response for Minister's signature.

Date Referred: 93/07/27

FAX MESSAGE

TO Wayne Carr
COMPANY Region 4
YOUR FAX NO.
OUR FAX NO. 3976771
NO. OF PAGES 2
DATE July 28/93
RE: P.

MINISTRY OF TRANSPORTATION & HIGHWAYS
JUL 23 1993
4993
DRAFT REPLY

July 21/93

RECEIVED
JUL 26 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

RI

s.22

I'am writing in concern about possible closures of Roads 119 and 125. I personally would perfer these two roads be kept open,as they lead to public domain or crown land. We as a family personally use them for trail rides and access to the crown land for.family outings,if these two roads are closed off it will be vertualy impossible to get access. We will not be the only ones affected by this closure, there are a large number of people,familys and clubs, who use these roads,such as a trail riding club, skidooing,all terain vecihles etc... There are also a couple of farm familys that move farm equipment over them to get to some of the fields and leased land. These same couples allow all the above mentioned access across their land to all the above people,even when they have crops on the land,as long as we stay to the edges and don't tramp down said crops. Access across their land gives us access to crown land but without these two roads being open we will have no access at all to any of these lands. So being please consider the effect this have on the above mentioned people,clubs and farmer's recreation and businesses. I hope you will take this all into account and find it is in the best interest to keep these routes open.Also as a note of interest there is no maintenance cost to the parts of the roads that are to be shut off,also I personally don't expect any.

Thank You.

s.22

I Am Also not impressed with

s.22 and our Local Dept OF Highway

For ALLowing This Closure without

To Happen with out public Input.

What Happened [redacted] To The Public

Process To Close Roads..

s.22

Ministry of Transportation and Highways
Correspondence Tracking System

July 27, 1993
3:37 PM

REFERRAL SLIP

CORRESPONDENT
First Name
Middle Name
Surname
Title
Organization
Address s.22
City
Province
Postal Code
Country.
Electoral District: Peace River North

CTS Log Number: 002978 93
Minister's Log Number: 4994
File Code: 280-30
Entered By: KMR
Date of Letter: 93/07/17
Date Received: 93/07/27
Date Completed: / /
Status: OP
Category: REG

Issue:
Attitude:
Subject: Opposed to proposed road closure of 119 and 125 Roads, Fort St. James, Charlie Lake area.

JOHN

REFERRED TO
Office Id: REGION 4 Office Description: Regional Director, Central North East
Surname: CARR Date Referred: 93/07/27
Remarks: Please prepare draft response for Minister's signature.

FAX MESSAGE

TO Wayne Carr
COMPANY Region 4
YOUR FAX NO. ____
OUR FAX NO. 387-6771
NO. OF PAGES 4
DATE July 28/93
RE: ____

RECEIVED
JUL 27 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION
& HIGHWAYS
T++
JUL 23 1993
4994

s.22

To Whom It May Concern.

I'am writing in concern about possible closures of Roads 119 and 125. I personally would perfer these two roads be kept open,as they lead to public domain or crown land. We as a family personally use them for trail rides and access to the crown land for family outings,if these two roads are closed off it will be vertualy impossible to get access. We will not be the only ones affected by this closure, there are a large number of people,familys and clubs, who use these roads,such as a trail riding club, skidooing,all terain vecihles etc... There are also a couple of farm familys that move farm equipment over them to get to some of the fields and leased land. These same couples allow all the above mentioned access across their land to all the above people,even when they have crops on the land,as long as we stay to the edges and don't tramp down said crops. Access across their land gives us access to crown land but without these two roads being open we will have no access at all to any of these lands. So being please consider the effect this have on the above mentioned people,clubs and farmer's recreation and businesses. I hope you will take this all into account and find it is in the best interest to keep these routes open.Also as a note of interest there is no maintenance cost to the parts of the roads that are to be shut off,also i personally don't expect any.

Thank You.

s.22

Corr 2978/93

Ministry of Transportation and Highways
Correspondence Tracking System

July 27, 1993
3:37 PM

REFERRAL SLIP

CORRESPONDENT
First Name
Middle Name
Surname
Title
Organization
Address s.22
City
Province
Postal Code
Country:
Electoral District: Peace River North

CTS Log Number: 002979 93
Minister's Log Number: 4995
File Code: 280-30
Entered By: KMR
Date of Letter: 93/07/17
Date Received: 93/07/27
Date Completed: / /
Status: OP
Category: REG

Issue:
Attitude:
Subject: Opposed to proposed road closure of 119 and 125 Roads, Fort St. James, Charlie Lake area.

JOHN

DUE DATE: 93/08/26

REFERRED TO
Office Id: REGION 4 Office Description: Regional Director, Central North East
Surname: CARR Date Referred: 93/07/27
Remarks: Please prepare draft response for Minister's signature.

RECEIVED
JUL 27 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION
& HIGHWAYS
JUL 28 1993
4995
DRAFT REPLY ☒ FYI ☐ FILE ☐

Box 348

July 17/93

s.22

To Whom It May Concern.

I'am writing in concern about possible closures of Roads 119 and 125. I personally would perfer these two roads be kept open,as they lead to public domain or crown land. We as a family personally use them for trail rides and access to the crown land for family outings,if these two roads are closed off it will be vertualy impossible to get access. We will not be the only ones affected by this closure, there are a large number of people,familys and clubs, who use these roads,such as a trail riding club, skidooing,all terain vecihles etc... There are also a couple of farm familys that move farm equipment over them to get to some of the fields and leased land. These same couples allow all the above mentioned access across their land to all the above people,even when they have crops on the land,as long as we stay to the edges and don't tramp down said crops. Access across their land gives us access to crown land but without these two roads being open we will have no access at all to any of these lands. So being please consider the effect this have on the above mentioned people,clubs and farmer's recreation and businesses. I hope you will take this all into account and find it is in the best interest to keep these routes open.Also as a note of interest there is no maintenance cost to the parts of the roads that are to be shut off,also i personally don't expect any.

s.22

Ministry of Transportation and Highways
Correspondence Tracking System

July 27, 1993
3:37 PM

REFERRAL SLIP

CORRESPONDENT
First Name
Middle Name
Surname
Title
Organization s.22
Address
City
Province
Postal Code
Country:
Electoral District: Peace River North
Issue:
Subject: Opposed to proposed road closure of 119 and 125 Roads, Fort St. James, Charlie Lake area.

JOHN

CTS Log Number: 002980 93
Minister's Log Number: 4996
File Code: 280-30
Entered By: KMR

Date of Letter: 93/07/17
Date Received: 93/07/27
Date Completed: / /
Status: OP
Category: REG

Attitude:

REFERRED TO
Office Id: REGION 4 Office Description: Regional Director, Central North East
Surname: CARR
Remarks: Please prepare draft response for Minister's signature.
Date Referred: 93/07/27

FAX MESSAGE

TO Wayne Carr
COMPANY Region 4
YOUR FAX NO. ____
OUR FAX NO. 387-6771
NO. OF PAGES 4
DATE July 28/93
RE: ____

RECEIVED
JUL 27 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION & HIGHWAYS
T+C
JUL 23 1993
4996
DRAFT REPLY ☒ FYI ☐ FILE ☐

July 17/93

s.22

To Whom It May Concern.

I'am writing in concern about posaible closures of Roads 119 and 125. I personally would perfer these two roads be kept open,as they lead to public domain or crown land. We as a family personally use them for trail rides and access to the crown land for family outings,if these two roads are closed off it will be vertualy impossible to get access. We will not be the only ones affected by this closure, there are a large number of people,familys and clubs, who use these roads,such as a trail riding club, skidooing,all terain vecihles etc... There are also a couple of farm familys that move farm equipment over them to get to some of the fields and leased land. These same couples allow all the above mentioned access across their land to all the above people,even when they have crops on the land,as long as we stay to the edges and don't tramp down said crops. Access across their land gives us access to crown land but without these two roads being open we will have no access at all to any of these lands. So being please consider the effect this have on the above mentioned people,clubs and farmer's recreation and businesses. I hope you will take this all into account and find it is in the best interest to keep these routes open.Also as a note of interest there is no maintenance cost to the parts of the roads that are to be shut off,also I personally don't expect any.

Thank You

s.22

C.U.
When packaging
to Min,
send attn. Robin

Ministry of Transportation and Highways
Correspondence Tracking System

July 27, 1993
3:37 PM

REFERRAL SLIP

CORRESPONDENT
First Name:
Middle Name:
Surname:
Title:
Organization:
Address: s.22
City:
Province:
Postal Code:
Country:
Electoral District: Peace River North
Issue:
Subject: Opposed to proposed road closure of 119 and 125 Roads, Fort St. James, Charlie Lake area.
JOHN

CTS Log Number: 002981 93
Minister's Log Number: 4996
File Code: 280-30
Entered By: KMR

Date of Letter: 93/07/17
Date Received: 93/07/27
Date Completed: / /
Status: OP
Category: REG

Attitude:

DUE DATE: 93/08/26

REFERRED TO
Office Id: REGION 4 Office Description: Regional Director, Central North East
Surname: CARR Date Referred: 93/07/27
Remarks: Please prepare draft response for Minister's signature.

RECEIVED
JUL 27 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION
& HIGHWAYS
T+H
JUL 23 1993
4996
DRAFT REPLY ☒ FYI ☐ FILE ☐

July 17/93

s.22

To Whom It May Concern.

I'am writing in concern about possible closures of Roads 119 and 125. I personally would perfer these two roads be kept open,as they lead to public domain or crown land. We as a family personally use them for trail rides and access to the crown land for family outings,if these two roads are closed off it will be vertualy impossible to get access. We will not be the only ones affected by this closure, there are a large number of people,familys and clubs, who use these roads,such as a trail riding club, skidooing,all terain vecihles etc... There are also a couple of farm familys that move farm equipment over them to get to some of the fields and leased land. These same couples allow all the above mentioned access across their land to all the above people,even when they have crops on the land,as long as we stay to the edges and don't tramp down said crops. Access across their land gives us access to crown land but without these two roads being open we will have no access at all to any of these lands. So being please consider the effect this have on the above mentioned people,clubs and farmer's recreation and businesses. I hope you will take this all into account and find it is in the best interest to keep these routes open.Also as a note of interest there is no maintenance cost to the parts of the roads that are to be shut off,also i personally don't expect any.

Thank You.

s.22

Corr 28/7/93

Reference: 1857/93

July 9, 1993



s.22

Thank you for your letter of May 28, 1993, concerning the Old Hudson Hope Road 119 and the controversy regarding public access.

You will be pleased to know that, at this time, the Ministry is taking no further action to remove the private gate or establish a surveyed right of way for access to Crown Lands beyond. The Ministry tried to help as requested by a few of the area residents, but clearly the majority do not wish to see the gate removed or public monies spent on an access. I understand that current access to Crown Lands beyond is available on foot or horseback along the township deletions.

Although there have been very polarized views by local users, I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

ORIGINAL SIGNED BY MINISTER

JUL 09 1993

Julia Bardos
Ministerial Assistant

!bcc: Mr. Lawren Wagar, A/Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!SVarley, CU/LWagar/clc/4044c/Min.Log –4498– !

Province of
British Columbia

Ministry of
Environment,
Lands and Parks
BC LANDS

Fourth Floor
810 Blanshard Street
Victoria, British Columbia
V8V 1X4
Telephone: (604) 387-1288
Fax: (604) 387-5669

File: 12695-007-P002
March 5, 1993

s.22

The Honourable John Cashore, Minister of Environment, Lands and Parks has asked me to respond to your letter of February 10, 1993, regarding the "Old Hope Road".

Since you enclosed a copy of the invitation to the February 16, 1993 meeting sent to Mr. Volker Kroecher, I assume that you are aware of the operational concerns which were discussed at that meeting.

The public concern is not one of road development or maintenance but one of access to Crown lands. The problem arose when the route known as the "Old Hope Road" was gated and blocked about two years ago. Keys were provided to some people and to Czar Resources who use the road for regular maintenance of their pipeline which crosses the Peace River. Although the public believed the road to be a public thoroughfare, the Old Hope Road was never surveyed or identified on the Crown grants or the land title of the three quarter sections concerned.

One of the mandates of BC Lands is to ensure public access to Crown lands beyond private lands. Coincidently, the Ministry of Transportation and Highways have a mandate to provide access to the boundary of the last surveyed parcel served by a road system. In this case, the lands on the Peace Hills are a 1915 Soldier's Grant. About two-thirds of the road beyond the gate has to be acquired to access the Northwest 1/4 of Section 27, Township 23, Range 20, West of the Sixth Meridian. Acquisition of the remaining third would complete the road right of way to Crown land.

.../2

Printed on Recycled Paper

The Ministry of Transportation and Highways' intention to fence the route as stated in the letter you enclosed emanated from their discussions with the effected land owner.

This ministry has requested the acquisition of the existing Old Hope Road as a right of way as the most logical and economical way of meeting the access needs. The acquisition process falls within the mandate of the Ministry of Transportation and Highways.

Thank you for expressing your concerns. The Regional Director in Fort St. John, Egon Weger, (787-3411) would be pleased to meet with you and answer any further questions you may have.

Yours truly,

J. T. Hall
Executive Director
Lands Operations Division

Province of
British Columbia

Ministry of
Transportation
and Highways

Regional Properties
#213-1011 4th Avenue
Prince George, BC
V2L 3H9

Telephone: 565-6472
Facsimile: 565-6065/7278

REGISTERED MAIL

R7147, R7148, R7146,
PS68739, PS68741, PS68735
PS68738, PS68740, PS68734
PS68736
North Peace

February 2, 1993

RE: OLD HOPE ROAD #119

Further to our recent meeting to discuss the right-of-way acquisition project on the Old Hope Road, please be advised that the Ministry of Transportation and Highways will be hosting a project information meeting:

DATE: TUESDAY, FEBRUARY 16, 1993
TIME: 7:00 p.m.
PLACE: PIONEER INN (MOBERLY ROOM)

Representatives from the Ministry of Highways, the Ministry of Environment, Lands and Parks, and BC Hydro have been invited. Some of your neighbors have been invited and the others who have not, will be informed at separate meetings. The purpose of this meeting is to discuss the scope of the project and to build upon the discussions of the January 19th meeting.

Following are the topics and issues that arose from the January 19th and January 20th meetings held with all land owners who may be affected by the project:

- discussion of Phase I of project; to provide public access to Crown Lands, and Phase II of project; to provide public access through BC Hydro lands to land-locked Crown Land parcels, over what is known as American Road. Currently, there is no proposal to connect the two road rights-of-way.

/...2

- discussion of the methodology of acquiring lands for road right-of-way; i.e. the preparation of legal plans and acquisition plans, appraisal of interests, and the negotiation of compensation for purchase of the right-of-way. The Ministry intends to fence the right-of-way to establish the public-private boundaries.

- discussion of the future effects of providing access for the public. Questions arose over the restriction of the public use of the Crown Lands; by containing vehicles in a parking area and the types of vehicles which could be allowed in the area. Environment has been asked to advise the Ministry of Transportation after considering this question.

- discussion of closing and consolidating unusable and unneeded 66 feet statutory road allowances, into existing titles as part of the negotiations. This may provide comfort to the Agriculture Land Commission, in evaluating the Ministry submission to approve the project. Further, the Ministry and surveyor will inspect the area and determine if the alignment can be placed out of cultivated areas.

I have outlined topics for discussion at the Tuesday meeting:

a) scope of the project;
b) persons involved;
c) extent of the activities necessary to complete;
d) scheduling.

Thank you for your cooperation. If you have any questions or concerns please contact the undersigned.

Yours truly,

Steven Henderson
Property Agent
Central North/East Region

SH/dm

cc Mr. John Clark, District Highways Manager, North Peace
Mr. Chris Windt, BC Hydro,
Mr. Dave Landry, BC Lands
Mr. Brian Churchill, BC Environment
Mr. Mike Waberski, Waberski & Darrow

280-30

Reference: 1855/93

June 29, 1993



s.22

Thank you for your letter of May 26, 1993, concerning Road 119 and the controversy regarding public access. Please accept my apologies for the delay in replying to your last letter of February 19, 1993.

You will be pleased to know that, at this time, the Ministry is taking no further action to remove the private gate or establish a surveyed right of way for access to Crown Lands beyond. The Ministry tried to help as requested by a few of the area residents, but clearly the majority do not wish to see the gate removed or public monies spent on an access. I understand that current access to Crown Lands beyond is available on foot or horseback along the township deletions.

Although there have been very polarized views by local users, I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

ORIGINAL SIGNED BY MINISTER

JUL 07 1993

Art Charbonneau
Minister

Copy to: Honourable John Cashore
Minister of Environment, Lands and Parks
M.L.A., Coquitlam–Maillardville !–copy of incoming attached!

!bcc: Mr. Lawren Wagar, A/Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!SVarley, CU/LWagar/clc/4099c/Min.Log –4510– !

Page 861 to/à Page 863

Withheld pursuant to/removed as

s.3

MINISTRY OF TRANSPORTATION
SEP - 3
FORT ST. JOHN

Reference: 2980/93
2981/93
3028/93

August 27, 1993

s.22

Thank you for your letters of July 17, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

J.B.
ORIGINAL SIGNED BY ~~MINISTER~~

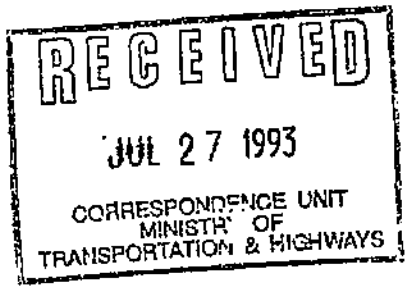
AUG 27 1993

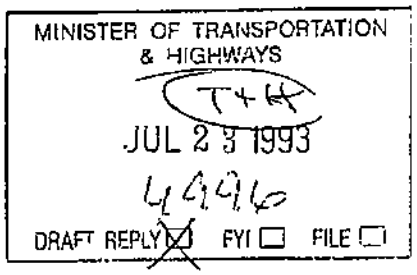
Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4635c/Min.Log –4996, 5031– !





July 17/93

s.22

To Whom It May Concern.

I'am writing in concern about possible closures of Roads 119 and 125. I personally would perfer these two roads be kept open,as they lead to public domain or crown land. We as a family personally use them for trail rides and access to the crown land for family outings,if these two roads are closed off it will be vertualy impossible to get access. We will not be the only ones affected by this closure, there are a large number of people,familys and clubs, who use these roads,such as a trail riding club, skidooing,all terain vecihles etc... There are also a couple of farm familys that move farm equipment over them to get to some of the fields and leased land. These same couples allow all the above mentioned access across their land to all the above people,even when they have crops on the land,as long as we stay to the edges and don't tramp down said crops. Access across their land gives us access to crown land but without these two roads being open we will have no access at all to any of these lands. So being please consider the effect this have on the above mentioned people,clubs and farmer's recreation and businesses. I hope you will take this all into account and find it is in the best interest to keep these routes open.Also as a note of interest there is no maintenance cost to the parts of the roads that are to be shut off,also i personally don't expect any.

Thank You.

s.22

MINISTER OF TRANSPORTATION
& HIGHWAYS
T+H
JUL 27 1993
5031
DRAFT REPLY ☒ FYI ☐ FILE ☐

July 17/93

s.22

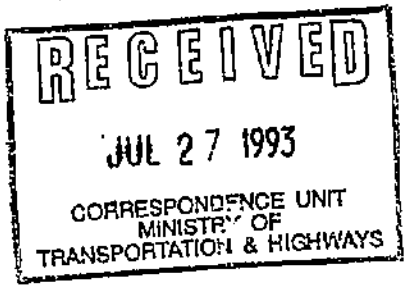
To Whom It May Concern.

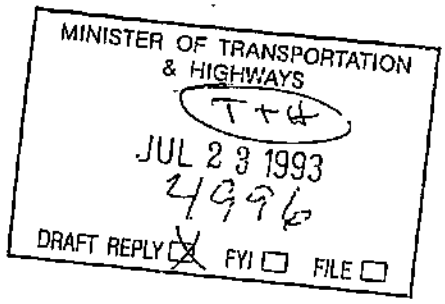
I'am writing in concern about possible closures of Roads 119 and 125. I personally would perfer these two roads be kept open,as they lead to public domain or crown land. We as a family personally use them for trail rides and access to the crown land for family outings,if these two roads are closed off it will be vertualy impossible to get access. We will not be the only ones affected by this closure, there are a large number of people,familys and clubs, who use these roads,such as a trail riding club, skidooing,all terain vecihles etc... There are also a couple of farm familys that move farm equipment over them to get to some of the fields and leased land. These same couples allow all the above mentioned access across their land to all the above people,even when they have crops on the land,as long as we stay to the edges and don't tramp down said crops. Access across their land gives us access to crown land but without these two roads being open we will have no access at all to any of these lands. So being please consider the effect this have on the above mentioned people,clubs and farmer's recreation and businesses. I hope you will take this all into account and find it is in the best interest to keep these routes open.Also as a note of interest there is no maintenance cost to the parts of the roads that are to be shut off,also i personally don't expect any.

s.22

RECEIVED
JUL 29 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

* no return address! - Ground Delivery.





July 17/93

s.22

To Whom It May Concern.

I'am writing in concern about possible closures of Roads 119 and 125. I personally would perfer these two roads be kept open,as they lead to public domain or crown land. We as a family personally use them for trail rides and access to the crown land for family outings,if these two roads are closed off it will be vertualy impossible to get access. We will not be the only ones affected by this closure, there are a large number of people,familys and clubs, who use these roads,such as a trail riding club, skidooing,all terain vecihles etc... There are also a couple of farm familys that move farm equipment over them to get to some of the fields and leased land. These same couples allow all the above mentioned access across their land to all the above people,even when they have crops on the land,as long as we stay to the edges and don't tramp down said crops. Access across their land gives us access to crown land but without these two roads being open we will have no access at all to any of these lands. So being please consider the effect this have on the above mentioned people,clubs and farmer's recreation and businesses. I hope you will take this all into account and find it is in the best interest to keep these routes open.Also as a note of interest there is no maintenance cost to the parts of the roads that are to be shut off,also i personally don't expect any.

s.22

No address on envelope

Reference: 3066/93

August 27, 1993

s.22

Thank you for your letter of July 16, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

ORIGINAL SIGNED BY J.C. ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!
!copy of incoming attached.!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/LWagar/WCarr/clc/4647c/Min.Log –5060– !

MINISTER OF TRANSPORTATION & HIGHWAYS

T + H

JUL 28 1993

5060

DRAFT REPLY ☒ FYI ☐ FILE ☐

s.22

July 16/93

RECEIVED

AUG 04 1993

CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

Hn. A. Charbonneau,
Minister of Transportation

Dear Sir:

I wish to protest the blocking of Rd. 119 & 125. As a concerned citizen I feel it is our right to have the road kept open as it is source of recreation for hikers & horseback riders. Visitors can view some of our scenic spots.

A concerned citizen,

s.22

s.22

Carr 39

Reference: 2974/93

August 27, 1993

s.22

Thank you for your letter of July 19, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

J.B.

ORIGINAL SIGNED BY ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4632c/Min.Log –4984– !

MINISTER OF TRANSPORTATION
& HIGHWAYS
T+H
JUL 22 1993
4984
DRAFT REPLY ☒ FYI ☐ FILE ☐

s.22

RECEIVED
JUL 26 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

July 19, 1993

Dear Sir,

s.22

s.22

I am worried for which at last older and I want to show my children the original Hudson Hope Road. If it is closed because of some people who want it to themselves then I am a young to show my children this heritage road.

Yours sincerely

s.22

MINISTRY OF TRANSPORTATION & HIGHWAYS
SEP - 3 1993
FORT ST. JOHN

Reference: 2977/93

August 27, 1993

s.22

Thank you for your letter of July 21, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

J.C.
ORIGINAL SIGNED BY ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4633c/Min.Log –4993– !

MINISTRY OF TRANSPORTATION & HIGHWAYS
JUL 23 1993
4993

July 21/93

RI

RECEIVED
JUL 26 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

s.22

I'am writing in concern about possible closures of Roads 119 and 125. I personally would perfer these two roads be kept open,as they lead to public domain or crown land. We as a family personally use them for trail rides and access to the crown land for family outings,if these two roads are closed off it will be vertualy impossible to get access. We will not be the only ones affected by this closure, there are a large number of people,familys and clubs, who use these roads,such as a trail riding club, skidooing,all terain vecihles etc... There are also a couple of farm familys that move farm equipment over them to get to some of the fields and leased land. These same couples allow all the above mentioned access across their land to all the above people,even when they have crops on the land,as long as we stay to the edges and don't tramp down said crops. Access across their land gives us access to crown land but without these two roads being open we will have no access at all to any of these lands. So being please consider the effect this have on the above mentioned people,clubs and farmer's recreation and businesses. I hope you will take this all into account and find it is in the best interest to keep these routes open.Also as a note of interest there is no maintenance cost to the parts of the roads that are to be shut off,also i personally don't expect any.

Thank You.

s.22

I Am ALSO not impressed with

s.22 "And our Local Dept OF Highways

FOR ALLowing This CLOSURE WiThout

To Happen WiTh OUT PuBLic Input.

WHAT HAppened [redacted] TO The PuBLic

PROCESS TO CLOSE Roads..

s.22

MINISTRY OF TRANSPORTATION & HIGHWAYS
SEP - 31993
FORT ST. JOHN

Reference: 3078/93

August 27, 1993

Mr. Chris Cleaveley
Barrister and Solicitor
Walsh Cleaveley Fus
9940 – 104 Avenue
Fort St. John, British Columbia
V1J 2K3

Dear Mr. Cleaveley:

Thank you for your letter of July 26, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

J.B.
ORIGINAL SIGNED BY ~~MINISTER~~

AUG 27 1993

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!
!copy of incoming attached.!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/LWagar/WCarr/JBardos/clc/4646c/Min.Log –5055– !

WALSH · CLEAVELEY FUS

BARRISTERS AND SOLICITORS

PATRICK D. WALSH, B. A., LL.B.
CHRIS D. CLEAVELEY, B. A., LL.B.
MARY N. FUS, B. A., LL.B.

9940 - 104TH AVENUE
FORT ST. JOHN, B. C.
V1J 2K3
PHONE (604) 785-4477
FAX NO.(604) 785-1467

MINISTER OF TRANSPORTATION & HIGHWAYS
JUL 28 1993
5055
DRAFT REPLY ☒ FYI ☐ FILE ☐

July 26, 1993

RECEIVED
AUG 04 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

Honourable Art Charbonneau
Ministry of Transportation
and Highways
Parliament Buildings
Victoria, B.C.
V8V 1X4

Dear Mr. Minister:

RE: ROAD 119 - CHARLIE LAKE, B.C.

I am writing to you to express my concerns regarding the blocking of Road 119.

s.22

s.22

s.22 The sentiments of the majority in attendance are that the gate should be removed and if needed public monies spent on access.

During the course of the meeting Chairman Knutson said,"I regret that the Regional District got involved. We did not receive all the information possible." It is my opinion that your office did not receive all the necessary information prior to your letter of June 29, 1993. Clearly the majority do wish to see the gate removed and if needed public monies spent on access.

Chairman Knutson reported that you are going to be in this area on July 30, 1993. We would like an opportunity to express our views to you on this subject.

Yours very truly,

PER: CHRIS CLEAVELEY

CDC/cdm

Acc 1881/93

Corr 29

Reference: 2978/93
2979/93

August 27, 1993

s.22

Thank you for your letters of July 17, 1993, concerning Road 119 and the current controversy regarding public access.

I have reviewed the public access issues and can confirm that the Ministry is taking no further action to establish a surveyed right of way for access to Crown Lands beyond. The Ministry will make an attempt to have the gate removed, but if that fails, the Ministry will take no further action.

I trust that all parties will accept the Ministry's position on this matter.

Thank you for expressing your concerns.

Yours sincerely,

J.B.
ORIGINAL SIGNED BY ~~MINISTER~~

AUG 27 1993

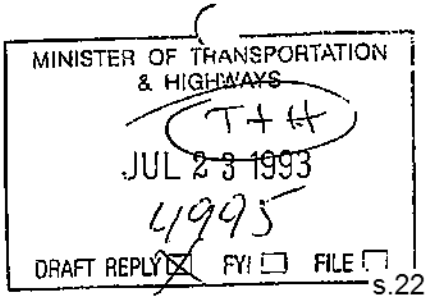
Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/JBardos/clc/4636c/Min.Log –4994, 4995– !





s.22

July 17/93
s.22

To Whom It May Concern.

I'am writing in concern about possible closures of Roads 119 and 125. I personally would perfer these two roads be kept open,as they lead to public domain or crown land. We as a family personally use them for trail rides and access to the crown land for family outings,if these two roads are closed off it will be vertualy impossible to get access. We will not be the only ones affected by this closure, there are a large number of people,familys and clubs, who use these roads,such as a trail riding club, skidooing,all terain vecihles etc... There are also a couple of farm familys that move farm equipment over them to get to some of the fields and leased land. These same couples allow all the above mentioned access across their land to all the above people,even when they have crops on the land,as long as we stay to the edges and don't tramp down said crops. Access across their land gives us access to crown land but without these two roads being open we will have no access at all to any of these lands. So being please consider the effect this have on the above mentioned people,clubs and farmer's recreation and businesses. I hope you will take this all into account and find it is in the best interest to keep these routes open.Also as a note of interest there is no maintenance cost to the parts of the roads that are to be shut off,also i personally don't expect any.

s.22

Carl

RECEIVED
JUL 27 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION
& HIGHWAYS
T+H
JUL 23 1993
4994
DRAFT REPLY ☐ EVL ☐ FILE ☐

s.22

July 17/93

s.22

To Whom It May Concern.

I'am writing in concern about possible closures of Roads 119 and 125. I personally would perfer these two roads be kept open,as they lead to public domain or crown land. We as a family personally use them for trail rides and access to the crown land for family outings,if these two roads are closed off it will be vertualy impossible to get access. We will not be the only ones affected by this closure, there are a large number of people,familys and clubs, who use these roads,such as a trail riding club, skidooing,all terain vecihles etc... There are also a couple of farm familys that move farm equipment over them to get to some of the fields and leased land. These same couples allow all the above mentioned access across their land to all the above people,even when they have crops on the land,as long as we stay to the edges and don't tramp down said crops. Access across their land gives us access to crown land but without these two roads being open we will have no access at all to any of these lands. So being please consider the effect this have on the above mentioned people,clubs and farmer's recreation and businesses. I hope you will take this all into account and find it is in the best interest to keep these routes open.Also as a note of interest there is no maintenance cost to the parts of the roads that are to be shut off,also i personally don't expect any.

Thank You.

s.22

Province of
British Columbia

OFFICE OF THE
MINISTER

Ministry of
Transportation
and Highways
MINISTER RESPONSIBLE FOR ~~BC FERRIES~~
BC RAIL ~~AND BC TRANSIT~~

Parliament Buildings
Victoria
British Columbia
V8V 1X4

Reference: 4000/91

December 13, 1991

s.22

Thank you for your recent letter expressing your concerns regarding locked gates on the old Hudson Hope Road.

I, too, was concerned upon learning about the situation to which you describe. Ministry staff have arranged to meet with personnel from the Ministry of Environment, Lands and Parks to determine the status of the road in question and the legalities involved with the removal of the gate.

I urge you to keep in touch with Mr. John Clark, the District Highways Manager, for further developments. Mr. Clark can be reached at 787–3237 or at 10716 – 100 Avenue, Fort St. John, British Columbia, V1J 1Z3.

Thank you for bringing your concerns to my attention.

Yours sincerely,

Art Charbonneau
Minister

Copy to: Honourable John Cashore
Minister of Environment, Lands and Parks

Recycled Paper

→ Copy in Old Hudson Hope Rd file
→ ✓ 1 in general files

Reference: 3038/93

August 17, 1993



s.22

Thank you for your letter of July 17, 1993, concerning Road 119 and the current controversy regarding public access.

I have asked Ministry staff to provide me with further details about your concern. I have also asked for a review of public interests represented to me earlier by local elected officials. Once I have received this information, I will be able to respond fully to your letter. You may expect to hear from me again soon.

Thank you for taking the time to write.

Yours sincerely,

AUG 12 1993

ORIGINAL SIGNED BY MINISTER

Art Charbonneau
Minister

!bcc: Mr. Wayne Carr, Regional Director!
!Central/North East, Prince George!

!Mr. John Clark, District Highways Manager!
!North Peace, Fort St. John – copy of incoming attached.!

!KCollins, CU/WCarr/clc/4630c/Min.Log –5011– !

RECEIVED
JUL 29 1993
CORRESPONDENCE UNIT
MINISTRY OF
TRANSPORTATION & HIGHWAYS

MINISTER OF TRANSPORTATION
& HIGHWAYS
T+H
JUL 26 1993
5011
DRAFT REPLY ☒ FYI ☐ FILE ☐

s.22

July 17, 1993

Minister of Transportation and Highways
Victoira B. C.

Dear Mr. Charbonneau,

I find the locked gates on roads 119 and 125 unacceptable. In your letter to Ben Knutson dated June 29, 1993 you state that "the majority do not wish to see the gate removed," I would really be interested in knowing how you arrived at such a conclusion. Was an advertised public meeting held? You are making a very broad statement. Can you verify it?

I have on file a letter dated Dec. 13. 1991 signed by YOU which tells s.22 to keep in touch with Mr. John Clark regarding this matter. I have enclosed this letter just in case your office has no record of it. We have followed your advice, but like a good politician your word does not seem to be very trust worthy, because in our last conversation with Mr. Clark the matter was being resolved. Why do you have local offices to deal with these types of matters if you have no intention of respecting their judgements? Is this not a waste of taxpayers money?

I had phoned both Mr. Henderson and Mr. Clark to voice my disgust about why a private invitation meeting, February 16, was allowed to take place with uninvited guests. They told me that they felt the same and the meeting should not have continued. These phone calls took place Feb. 17. None of the objectives of that meeting were met. Another example of wasted taxpayers money, your staff from the various ministries were not there out of the goodness of their hearts. They were being PAID. As well, taxpayers money was used to pay for the room.

I wish to point out that s.22 (which farms over 12 sections of land in the North Peace much which is in the area in question) farmed the Peace Valley Ranch for 7 years and s.22 I made sure that a road was always in place even through cultivated fields. It was to our benefit to work these roads when we were seeding, but immediately following our seeding the roads were once again reestablished. We had absolutely NO problem with vandalism or property damage in that time. At that time we used the forementioned roads for access to the Peace Valley Ranch, owned by B. C. Hydro. When this land once again comes up for public tender we may wish to bid on them and we again will require this access. s.22 spent countless thousands of dollars for maintenance of the roads in question for our use and all those who chose to drive this scenic historic road. At no time did we tell anyone they could not travel the road because we had fixed it at s.22 We fixed ditches, we removed dirt and rock slides because we required an excellent road surface. We even hired graters s.22 because highways did not have the time to fix the road when we most needed it. If you wish to verify this fact you can contact B. C. Hydro Property Division Site C.

Carr #30 Log

Czar Resources must have interest in this public road because a 10 inch natural gas pipeline crosses the valley with a valve station which must be serviced. If the road remains locked are the government prepared to spent money on township deletions so they have access. Another example of irresponsible government waste, especially when the survey of the existing road is already completed by the ministry. These road have been in existence for over 50 years and much taxpayers money has already been spent. You can confirm this fact through your local ministry.

It came to my attention that the greatest expense of the legalization of the tenor on this road is the fencing. Since when is the government responsible for fencing. s.22 MUST build my OWN fences at s.22 hen I wish to keep people out or livestock in. I do not demand taxpayers money to build my fences and I feel no one else should receive taxpayers money for fencing.

I think it is time you as minister took some time a LISTENED to your regional offices, which have facts not innuendoes.

I would like to see a responsible and just conclusion to this matter. Everyone has a RIGHT to travel a public road.

s.22

10716 - 100 Avenue
Fort St. John, BC
V1J 1Z3
Phone: 787-3237

Road 152A
Road 125

October 21, 1991

REGISTERED MAIL

s.22

Dear Sir:

Re: Gate and Blockage of Roads 152A-125 (Old Hudson Hope Road)

Further to your visit to this office regarding the gates you placed on Road 152A and Road 125, as indicated on accompanying map, and our discussions at that time. We have now confirmed with Lands Branch and as well further verified our records that this is a public road. We have also received numerous complaints about your gates and the fact that at times they are locked.

I therefore have no alternative but to insist that you remove the gates by November 10, 1991, or the Ministry will have to take appropriate action and have the gates removed.

We also have had reports of a blockage placed by yourself at or near Wilder Creek. If this is the case, it is to be removed and the road restored to its original shape and in passable condition.

Yours truly,

John P. Clark
District Highways Manager

JPC/hb
cc: Crown Lands, Fort St. John
s.22

10716 - 100 Avenue
Fort St. John, BC
V1J 1Z3
Phone: 787-3237

Road 152A
Road 125

October 21, 1991

REGISTERED MAIL

s.22

Dear Sir:

Re: Gate and Blockage of Roads 152A-125 (Old Hudson Hope Road)

Further to your visit to this office regarding the gates you placed on Road 152A and Road 125, as indicated on accompanying map, and our discussions at that time. We have now confirmed with Lands Branch and as well further verified our records that this is a public road. We have also received numerous complaints about your gates and the fact that at times they are locked.

I therefore have no alternative but to insist that you remove the gates by November 10, 1991, or the Ministry will have to take appropriate action and have the gates removed.

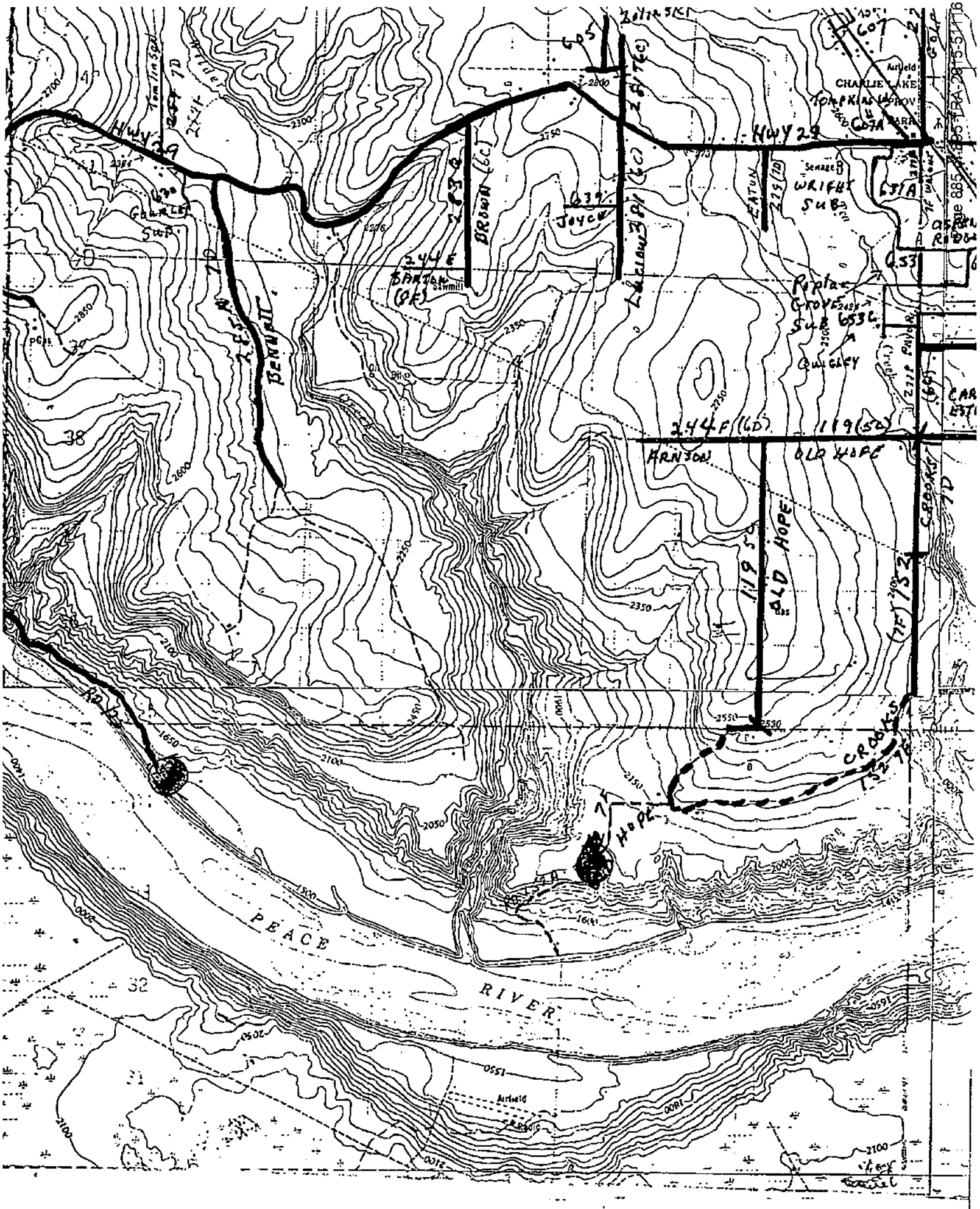
We also have had reports of a blockage placed by yourself at or near Wilder Creek. If this is the case, it is to be removed and the road restored to its original shape and in passable condition.

Yours truly,

John P. Clark
District Highways Manager

JPC/hb
cc: Crown Lands, Fort St. John

s.22


HWY 29
HWY 29
Airfield
CHARLIE LAKE
Tompkins Prov
Gas
Airfield
Gravel
Gravel
Gravel

#300, 10003 - 110 Ave.
Fort St. John, BC
V1J 6M7
Phone: 787-3237

20-A

December 9, 1992

Delivered by Hand

B. C. Hydro
Ranch Management Service
Vancouver, BC

Attention: Mr. Chris Windt

Dear Sir:

RE: ACCESS VS. CONSOLIDATION OF PROPERTIES
BEAR FLATS AREA - FORT ST. JOHN

With reference to our conversations the past while, the Ministry of Transportation and Highways are prepared to look at a proposal that allows B. C. Hydro to consolidate their properties in the area Sections 32, 33, 34, Township 83, Range 28, W6M. The Ministry when legalizing the right-of-way for the #125 American Road would only consider the proportion of road to the West to include access to B. C. Hydro's newly consolidated parcel and any crown land or other lands which would require access under the terms of the Land Title Act. The balance of the original American Road through Hydro lands to and across Wilder Creek would not be defined as road right-of-way.

Mr. Egon Weger, Regional Manager for the Ministry of Crown Lands is also in agreement to pursuing this proposal.

I trust the above will clarify our position once the Ministry has funding to proceed with the survey of the American Road. I would suggest that B. C. Hydro contact the writer once they are in a position to proceed.

Yours truly,

John P. Clark
District Highways Manager

JPC/pq

cc: Mr. Egon Weger, Crown Lands, Fort St. John
Steve Henderson, Property Agent, Central/North East Region

Ministry of Transportation & Highways

#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

22-20A-119
22-20A-125
22-280-30

August 11, 1993

"Hand Delivered"

Mr. B. Knutson, Chairman
Peace River Regional District
9912 - 106 Avenue
Fort St. John, BC
V1J 2N9

Dear Mr. Knutson:

Re: OLD HUDSON'S HOPE ROAD 119/125 LOCKED GATE

Area landowners have placed a gate on the Old Hudson's Hope Road approximately four kilometres from the end of this public road s.22 dispute). This portion of road is considered Section 4 under the Highway Act by the Ministry. The road serves as access to private land, crownland and the Peace River. The Ministry has been pressured for some time to legalize a route to the River and remove the gate. The Old Hudson's Hope Road provides the only physical access, due to topography, within at least ten miles in either direction to the river area.

At that point in time the majority of requests from road users was to keep the gate in place and locked so the Ministry took no action to have the gate removed and while the road may be public by virtue of Section 4 of the Highway Act, the Ministry did not have an interest in pursuing having the road opened.

Recently we have received considerable correspondence to support removing this road gate and allow unrestricted access to the area primarily for recreational purposes.

We would like to ask your assistance in this matter by providing this office with your official position on this issue.

.../2

Our executive will be meeting very soon to discuss this matter and we would appreciate a response by Monday, August 16, 1993, at the very latest.

I apologize for such short notice and hope you can accommodate this request.

Yours sincerely,

A.R. Edgar
A/District Highways Manager
North Peace District

ARE/pq

cc: W. Carr, A/Assistant Deputy Minister, Victoria
L. Wagar, Regional Manager Operations, Prince George

Ministry of Transportation & Highways

#300, 10003 - 110 Avenue
Fort St. John, BC
V1J 6M7
Phone: 787-3237

22-20A-119
22-20A-125
22-280-30

August 11, 1993

"Hand Delivered"

The Honourable Richard Neufeld, M.L.A.
Peace River North
10028 - 103 Avenue
Fort St. John, BC
V1J 2H5

Dear Mr. Neufeld:

Re: OLD HUDSON'S HOPE ROAD 119/125 LOCKED GATE

Area landowners have placed a gate on the Old Hudson's Hope Road approximately four kilometres from the end of this public road s.22 dispute). This portion of road is considered Section 4 under the Highway Act by the Ministry. The road serves as access to private land, crownland and the Peace River. The Ministry has been pressured for some time to legalize a route to the River and remove the gate. The Old Hudson's Hope Road provides the only physical access, due to topography, within at least ten miles in either direction to the river area.

At that point in time the majority of requests from road users was to keep the gate in place and locked so the Ministry took no action to have the gate removed and while the road may be public by virtue of Section 4 of the Highway Act, the Ministry did not have an interest in pursuing having the road opened.

Recently we have received considerable correspondence to support removing this road gate and allow unrestricted access to the area primarily for recreational purposes.

We would like to ask your assistance in this matter by providing this office with your official position on this issue.

.../2

Our executive will be meeting very soon to discuss this matter and we would appreciate a response by Monday, August 16, 1993, at the very latest.

I apologize for such short notice and hope you can accommodate this request.

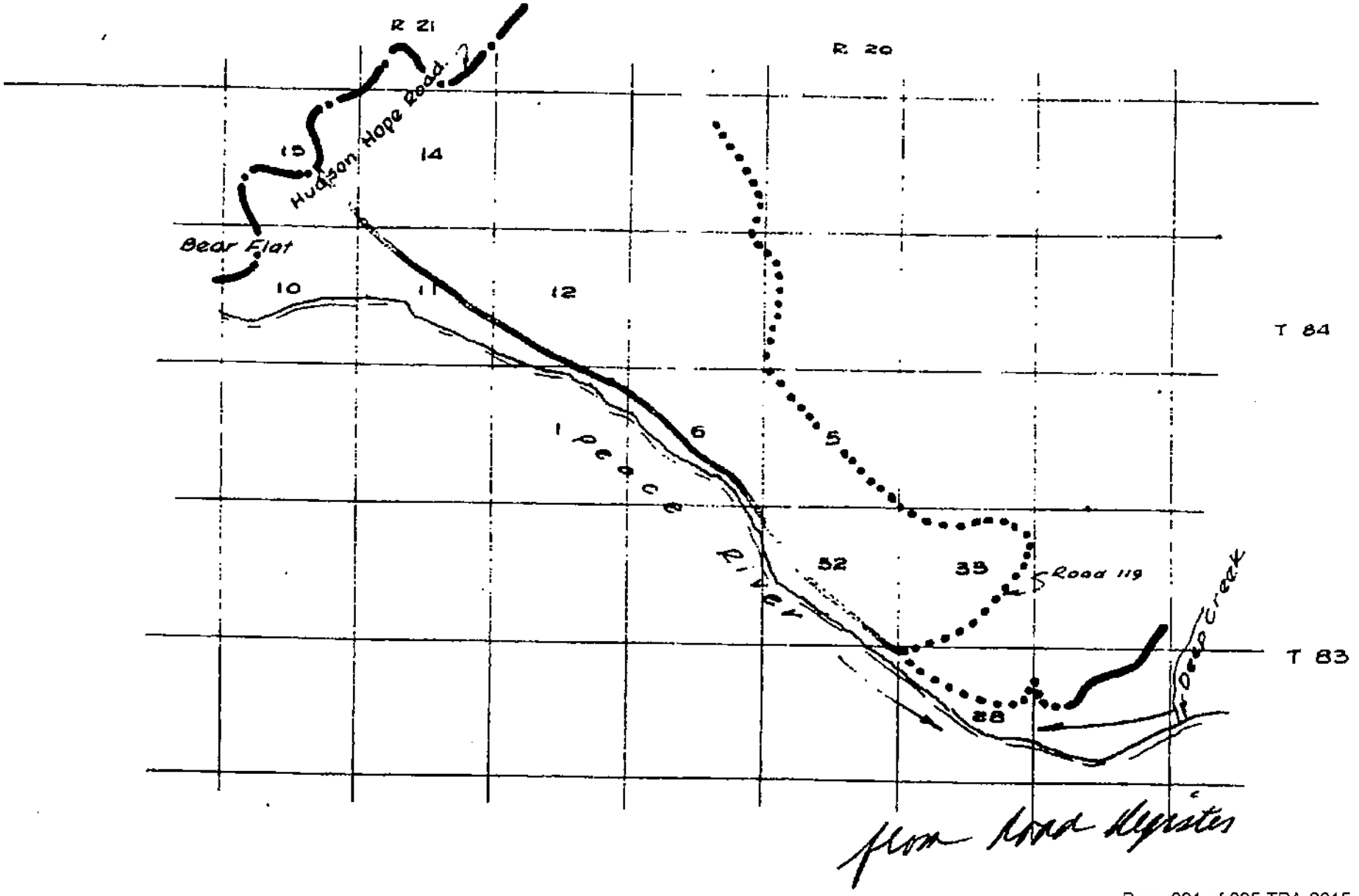
Yours sincerely,

A.R. Edgar
A/District Highways Manager
North Peace District

ARE/pq

cc: W. Carr, A/Assistant Deputy Minister, Victoria
L. Wagar, Regional Manager Operations, Prince George

RD. 125


R 21
R 20
Hudson Hope Road
Bear Flat
15
14
10
11
12
6
5
52
35
28
T 84
T 83
Road 119
Road Creek
from road logistics

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Withheld pursuant to/removed as

s.3