

Rosebery to Summit Lake Trail

*a submission from members of
Hills Recreation Society
Hills Nordic Ski Club
Friends of Bonanza Creek
Contact: Richard Allin (358-2355)*

December 1, 2000

Route description

This section of trail extends from the end of the Galena Trail in Rosebery to Summit Lake Class A provincial park. The entire length of the trail lies on the former CPR rail right-of-way from which track and ties were removed approximately 10 years ago. The trail runs right along the shoreline of Slocan Lake from Rosebery to Hills, and it closely follows Bonanza Creek from Hills to Summit Lake.

Legal status

It is our understanding that the former CPR right-of-way is now under the jurisdiction of the BC government. There are apparently a few property owners who have claims to the former right-of-way, but the vast majority of the length is undisputed.

Physical description and trail condition

The distinguishing feature of this trail section is its proximity to Slocan Lake and Bonanza Creek.

The Rosebery-Hills section is generally within 5 metres of the lake for its entire length. Water seepage and erosion is evident in several places along the steep cutbank and treed slope that separates the trail from Highway 6 which lies 30 to 50m above the trail.

As the trail passes the Bonanza Marsh at Hills, it climbs up from the lake elevation and passes alongside private property for about 1 km as it crosses Bonanza Road and skirts a Ministry of Highways gravel pit. A CPR culvert removal project just beyond the gravel pit has left a 10m deep by 10m wide cut in the trail that is difficult to negotiate except on foot.

From the gravel pit to Summit Lake, the trail closely follows Bonanza Creek, lying within 10m of the creek and within the creek's riparian zone for almost all of its length. The CPR has removed most of its culverts, but a number of small tributaries cross the trail through remaining culverts and small washouts before emptying into Bonanza Creek. One small bridge has recently been rebuilt over a plugged-culvert wash-out. Much of the area along this stretch of trail is wetland that is constantly in flux due to extensive beaver activity. Indeed, the trail itself is in danger of being undermined and washed out in many places, and it would require sensitive trail work to maintain its usefulness and to protect wildlife values.

Ecological Considerations

The overriding ecological consideration for this section of trail is its proximity to Slocan Lake and Bonanza Marsh and Creek. As described above, the trail is within the riparian zone of the lake and creek and generally within 5 metres of the water's edge for nearly its entire length.

Bonanza Marsh and Creek have both been recognized for their special status. Bonanza Marsh is one of few remaining natural wetlands in the West Kootenays; it is a nesting area for many native and migratory bird species, and contains some rare plants. Bonanza Creek was recognized in the 1980 Slocan Valley Development Guidelines as the most important Kokanee spawning creek in the Slocan Lake drainage. For the past two years, local residents have worked with Fisheries Renewal BC to assess the quality of kokanee habitat and the health of the Bonanza Creek population.

The creek and the wetlands along its length also provide habitat for many mammals and birds. Large mammals include elk and moose, grizzly and black bears, cougar and lynx, mule and white-tailed deer, and beavers. Birds include a wide range of woodland and wetland species as well as bald eagles, great blue herons, great-horned owls, pileated woodpeckers, and dippers within the creek itself.

New logging activity by Slocan Forest Products on the west side of Bonanza Creek has increased potential for negative impacts on the creek and marsh. A logging road has been built along the west side of Bonanza Creek, and several cutblocks have already been logged with many more scheduled for the next decade.

Historic and Present Uses

Prior to the removal of the CPR tracks, the train ran once or twice a week in its final decades along this route, mostly transporting poles and cedar shakes from Nakusp south to the main rail line. Remnants of this historic use remain, including a small station house north of Hunter Siding, and assorted spikes, washers and iron tie plates scattered along the trail.

For the past 25 years, the Hills Recreation Society has promoted appreciation of the special natural qualities of the trail, and its members have maintained it for use of residents and visitors. Regular uses include:

- access to the lake and creek for swimming and fishing
- mountain biking
- walking and jogging
- nature outings (individual, school groups, and clubs)
- horseback riding
- cross-country skiing

The cross-country ski trails are maintained mainly along the Bonanza Creek section. Snowfall is generally insufficient for skiing along Slocan Lake, but the ski trail is extended along the lake in good snowfall years. Because of these snow conditions, there has been no snowmobile use of the Slocan lakeshore section, although there is occasional use of the Bonanza section by local residents.

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Rosebery-Summit Lake Trail

page 3

Non-motorized recreational use of the Rosebery-Summit Lake railbed was well-established long before removal of the railroad tracks allowed for motorized recreational use. For decades prior to the track removal, the railbed was used for hiking, nature walks and beach access during the summer and for cross-country skiing during the winter. Since the track removal, there has been occasional use by motorcyclists, ATVers, and snowmobilers (Bonanza section only), and a few campers and woodcutters also use the right-of-way along the lakeshore. Even so, our estimates are that non-motorized user days outnumber motorized user days by about 100 to 1. (Estimate based upon 5-25 non-motorized users per day, year-round and only occasional motorized use.)

Recommendations

It is fair to say that most residents are content with the present use pattern of the Rosebery-Summit Lake trail. However, even the present, occasional motorized recreational use has met with some complaints from the larger group of non-motorized users, and a few property owners have objected to even non-motorized use of the trail past their properties.

Many users and nearby property owners are concerned over possible *increased* motorized activity. This is seen to be an unacceptable intrusion into sensitive wildlife habitat and a disruption to the generally quiet and slow-moving activities of non-motorized users. These people believe that motorized group or club activities would be incompatible with wildlife values and with non-motorized human uses on this trail section.

There is an existing, alternative off-highway route from Rosebery to Nakusp for motorized recreational use. This route, which is included in the BC Forest Service Recreation Site maps, uses the Wilson Creek and Fitzstubbbs Creek logging road network. It leaves highway 6 at Rosebery, passes several BC Forest Service recreation sites at Beaver, Little Wilson and Wilson Lakes, and rejoins Highway 6 at the north end of Box Lake.

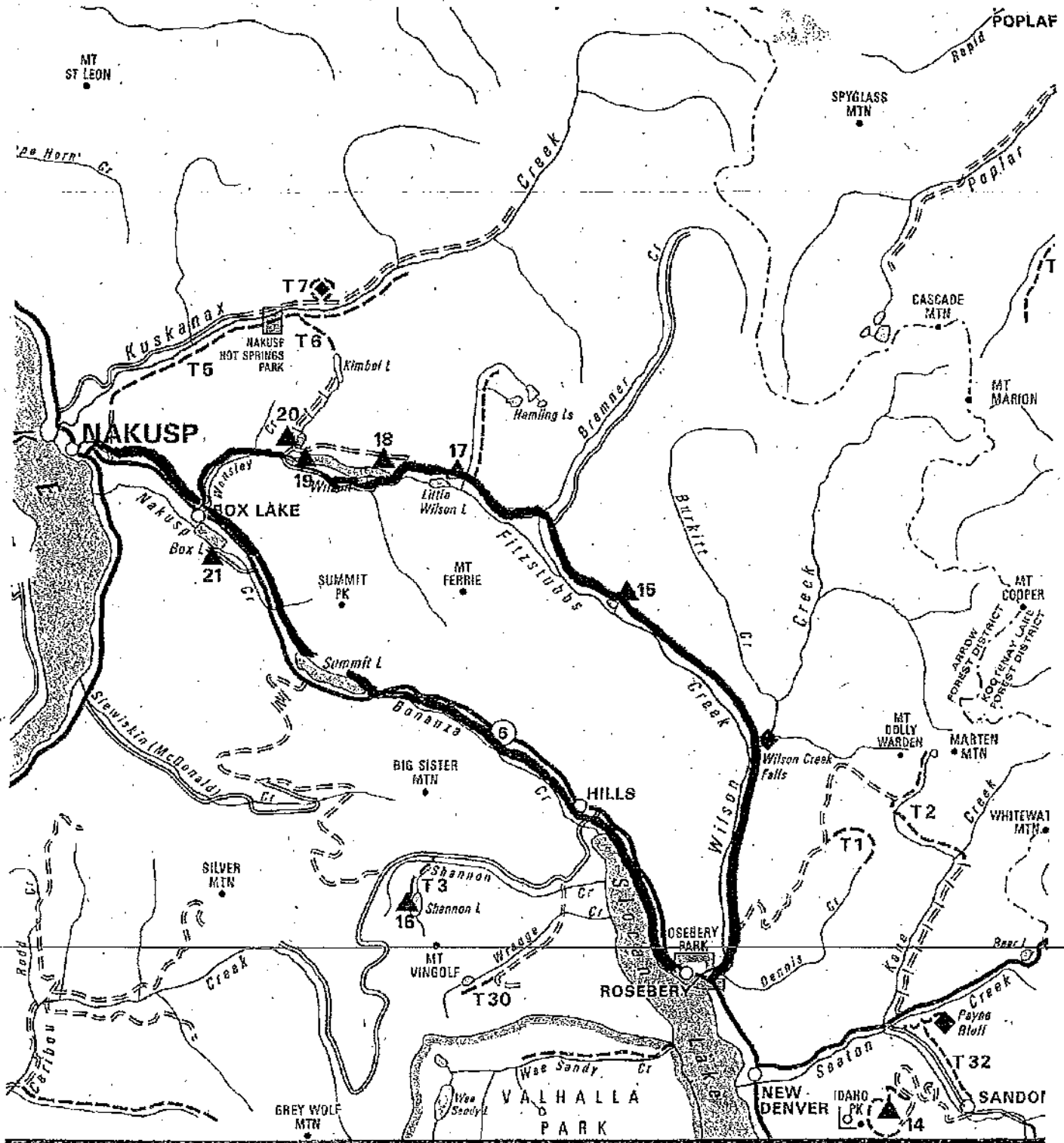
If motorized use was deemed appropriate on the Summit Lake to Nakusp section of the former CPR right-of-way, this could provide an off-highway link from Box Lake to Nakusp and to Summit Lake with possible connection to the extensive Slewiskin (McDonald) Creek logging road network. (See map on Page 4.) It is, however, outside our area of interest to comment on appropriate uses in this area.

We support the present non-motorized uses of the Rosebery-Summit Lake Trail with a recognition that protection of wildlife, water and other ecological values takes priority over human use.

We recommend strict limits on motorized activity along the Rosebery-Summit Lake trail.

We support an alternative off-highway route from Rosebery to Nakusp for motorized recreational use using the Wilson Creek and Fitzstubbbs Creek logging road network.

Given the very high fish and wildlife values along the Bonanza Creek and Marsh section and the extreme proximity of the trail to Slocan Lake and Bonanza Creek, we believe a detailed impact study is a necessary part of any proposed trail development or major increase in use in this section.



Rosebery to Summit Lake via CPR railbed



Rosebery to Summit Lake and Nakusp via logging roads and Summit Lake-Nakusp section of CPR railbed.



Regional District of Central Kootenay

Box 590, 202 Lakeside Drive
Nelson, BC V1L 5R4
web: www.rdck.bc.ca

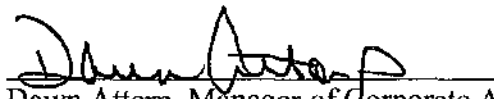
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BC Toll Free 1-800-268-7325
e-mail: info@rdck.bc.ca

REGIONAL DISTRICT OF CENTRAL KOOTENAY

I, Dawn Atorp, Manager of Corporate Administration, Regional District of Central Kootenay, being the duly appointed officer pursuant to Section 198 of the *Local Government Act*, hereby certify under seal of said Regional District, the following to be a true and correct copy of Resolution No. 548/08 as adopted by the Board of the Regional District of Central Kootenay at the meeting held June 26, 2008:

548/08 The Regional District of Central Kootenay make application for a Licence of Occupation respecting Crown Lands located between Rosebery/Three Forks and Summit Lake for inclusion in the linear park.

Dated at Nelson, B.C. this 2nd day of March, 2009.


Dawn Atorp, Manager of Corporate Administration
Regional District of Central Kootenay





Applying for a Crown Land Tenure

All applications must include completed application form, general location map, local detail map, appropriate fees and attachments as indicated below.

INFORMATION REGARDING APPLYING FOR CROWN LAND AVAILABLE AT
www.al.gov.bc.ca/clad/land_prog_services/programs.html

PART 1. NAME(S) AND MAILING ADDRESS

Applicant Name:
FULL LEGAL NAME of Individual(s), Company or Society,
Ministry or Government Agency Your File:
REGIONAL DISTRICT OF CENTRAL KOOTENAY

Contact Name for Company or Ministry Applicants:
RANDY MATHESON

Applicant Mailing Address:
202 LAKESIDE DRIVE
PO BOX 590
NELSON, BC. postal code V1L 5R4

Applicant Contact Numbers:
Phone: (250) 352-6665 Fax: (250) 352-9300
Applicant Email Address:
rdck@rdck.bc.ca or rmatheson@rdck.bc.ca

Are you an Agent submitting this application on behalf of your client?
 Yes No
Letter of Agency attached Yes No

Agent Name & Mailing Address:

_____ postal code _____

Agent Contact Numbers:
Phone: _____ Fax: _____
Agent Email Address:

For applications made by more than one individual: Joint Tenants or Tenants in Common
For your information: **Joint Tenants:** on the death of one tenant the interest passes to surviving tenant.
Tenants in Common: on the death of one tenant the interest passes to the beneficiaries of the estate.

BC Inc. #, BC Registration # or Society #: _____ **GST Registration #:** _____
Age: 19 or over Yes No **Canadian Citizen or Permanent Resident** Yes No

Do you hold another Crown land tenure? Yes No If yes, provide File Number: _____ Various Tenures

Period of Projected Use:
 Two years or less Two to five years Five to ten years Ten to thirty years More than thirty years

Application Type: new application replacement application – file number _____
 investigative permit application amendment application – file number _____

Proposed Use/Tenure Type: (e.g. powerline right of way, gravel quarry licence): Regional Park Trail

FOR OFFICE USE ONLY

(date/time received) Integrated Land Management Bureau Ministry of Agriculture & Lands MAR 4 2009 RECEIVED GRANBROOK, BC	File Number: <u>4404926</u>	Project Number:
	Disposition ID: <u>877130</u>	Client Number: <u>2379</u>



Community/Institutional Application Requirements List New Applications

The following requirements are part of the application and must be provided. Incomplete applications will be returned to the applicant.

- An application fee in the form of a cheque or money order made payable to Minister of Finance attached to the application package (see Fee-Schedule) GST Registration number is R107864738.
- A completed application for Crown Land form that identifies the application area.
- A Request for Sponsorship Letter (if applicable).
- A Certificate of Incorporation (if applicable).
- For *local governments or public service agencies*, a resolution of the municipal council, regional board or band council endorsing the application.
- For *community organizations*:
 - A certified copy of the Constitution and Bylaws indicating your organization has formed a non-profit organization and that the organization is entitled to hold land.
 - The Constitution and Bylaws must state that on winding-up and dissolution of the society that, after all debts have been paid or provision for payment has been made, the assets remaining shall be paid, transferred, or delivered to the Minister of Finance.
 - A copy of the latest Annual Report of your organization including the financial statement and the report of the directors to the members.
- A Development Plan that explains:
 - The nature of the proposed use;
 - The nature and location of all proposed improvements in relation to the application boundary;
 - Proposed development and operating schedule;
 - All other relevant details of the proposal.
- A written demonstration that land applied for under this policy is required for the intended use, and that suitable alternative land is not available.
- A copy of State of Title Certificate of the requested property (if applicable).
- A general location map (appropriate scale eg 1:250,000 or 1:50,000) showing the general location of the proposed operating area, and the location of access roads, watercourses, district lots and other major landmarks as reference points.
- A site plan (top view) (1:5,000 or 1:1,000) of the entire application area, drawn to scale with a north arrow, identifying the location of all improvements (buildings, structures, roads, powerlines, fences, etc.) in relation to the boundaries of the tenure area and other legal boundaries.
- A set of photos showing the nature of the Crown land in the area, especially the sites proposed for any development.
- If you have engaged an agent to act on your behalf, a letter authorizing the person to do so.

PART 2 (continued)

General Location of Crown land (i.e. distance from nearest community, Indian Reserve or significant geographic location such as a lake or mountain; location on a named road; etc.):

Rosebery to Summit Lake near New Denver, BC

Please provide a shape file if available.

Area in Hectares: 95.0 OR length (km/m): 28km width (km/m): _____

PART 3. LEGAL DESCRIPTION OR BOUNDARY DESCRIPTION

If surveyed, give legal description: as provided by the local Land Title Office (e.g., Lot 1 of Section 31, Township 12 W6M Kamloops Division of Yale District Plan 18411). A legal description is found in the Certificate of Title (CoT). A copy of the CoT must be attached to the application. A copy of your Registered Survey Plan, if available, will confirm the dimensions of the place of use.

Plan 603G District Lot 5391, Plan 603G District Lot 5392, Plan 603G District Lot 5393, Plan 603G District Lot 5394 except plan NEP20600, District Lot 389 (in red on PL DD19922) and District Lot 388 (in red on PI DD19921), as shown on the attached maps

If unsurveyed: enter description of unsurveyed Crown land and description of boundaries.

Instructions to Describe Unsurveyed Crown Land

- The point of commencement, for unsurveyed parcels, should be described in terms of an existing survey post (e.g., 18 metres west of the S.E. corner of the parcel) or a readily identifiable geographic feature (e.g., a prominent point of land or intersection of two roads) to enable accurate location of the parcel.
- Boundary lines of the area must be, as much as possible, astronomically true north, south, east and west so that a rectangular lot is formed.
- Where the topographic features of the area do not allow for rectangular boundary lines running true north, south, east and west, then boundaries will be permitted in other directions as long as they do not interfere with the orderly survey of other surrounding land.
- The side lines of small parcels fronting on lakes, rivers, tidal waters and on certain surveyed highways shall, where possible, be parallel to each other and perpendicular to the general trend of the features on which the small parcel fronts.
- The sidelines for unsurveyed foreshore shall, as a general rule, be laid out at right angles to the general trend of the shore. This may be varied to suit special conditions, but encroachment on the foreshore fronting adjoining lands shall be avoided. The outside or waterward boundary shall be a straight line or series of straight lines joining the outer ends of the side boundaries. On narrow bodies of water the outside boundary shall not normally extend beyond the near edge of the navigable channel.

1 hectare = 2.471 acres

1 metre = 3.281 feet

100 metres x 100 metres = 10,000 square metres or 1 hectare

ROSEBERY TO SUMMIT LAKE REGIONAL TRAIL DEVELOPMENT PLAN

BACKGROUND

In 1992 a Study was commissioned by the Ministry of Environment, Land and Parks and the Slocan Valley Economic Development Commission on a land use study on the abandoned railway between Rosebery and Three Forks.

This study was originally based on the Railway corridor from Nakusp to Rosebery and from Rosebery to Three Forks. Since the acquisition of Railway corridor from Nakusp to Rosebery was still being reviewed by the Province, the original corridor study was deferred and Rosebery to Three Forks was only included in the study.

In 1993 a License of Occupation was granted to the Regional District for the Rosebery to Three Forks Regional Trail (File #4401707 – License #342006).

The Regional District has been requested by the Hills Recreation Society to obtain tenure on the Railway Corridor from Rosebery to Summit Lake as a logical extension to the existing trail.

A submission prepared by the Hills Recreation Society and the Hills Nordic Ski Club dated December 1, 2000 is attached for your reference.

PROPOSED USE

The Regional District of Central Kootenay proposes to develop the Rosebery to Summit Lake Railway corridor as a Regional Trail, which will be a logical enhancement to the existing Rosebery to Three Forks Regional Trail.

As the site has been used for a number of unmanaged recreational activities it is in the best interests of the Community to have the Railway corridor managed effectively for the benefit of all residents.

To accomplish this objective the Regional District is interested in this property to include it into the Regional Parks plan, which will effectively ensure exclusive use of the property as a Regional Trail .

Wiekenkamp, Melissa M ILMB:EX

From: Melanie Hill [M.Hill@archercrm.ca]
Sent: Wednesday, December 16, 2009 3:59 PM
To: Wiekenkamp, Melissa M ILMB:EX
Subject: RE: Front Counter Referral Package 4404926
Attachments: Pre ARCH 4404926.pdf; image001.jpg

Please find attached the preliminary archaeological assessment report for the above mentioned file.

Thanks and please let me know if you have any questions.

Melanie Hill, B.A., RPCA
Manager, Cultural Heritage Remains



Archer CRM Partnership
www.archercrm.ca

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F: 1-877-525-6602
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Please, consider the environment before printing this e-mail.

From: Higham, Nicole M FOR:EX [mailto:Nicole.Higham@gov.bc.ca]
Sent: December 15, 2009 5:18 PM
To: Ridout, Brandy ALC:EX; Egan, Dianne J ENV:EX; ilmb; Reibin, Dan J TCA:EX; Christianson, Dean D FOR:EX; Rowan, Kim R TRAN:EX
Subject: Front Counter Referral Package

Referral: File: 4404926

Applicant – Regional District of Central Kootenay

On behalf of the Integrated Land Management Bureau please find attached the referral package for the above which contains information to assist you in the review.

<<4404926 Referral.docx>> <<4404926 Referral Pkg.pdf>>

Nicole Higham
Resource Clerk
Rocky Mountain Forest District
1902 Theatre Road
Cranbrook, BC V1C 7G1
Phone: (250) 426-1762
Fax: (250) 426-1777
email: Nicole.Higham@gov.bc.ca

Nicole Higham
Referral Clerk
FrontCounter BC
1902 Theatre Road
Cranbrook, BC V1C 7G1
Phone: (250) 426-1794
Fax: (250) 426-1767
email: Nicole.Higham@gov.bc.ca



Preliminary Archaeological Site Assessment Report

Compiler: Remi Farvacque, MSc, RPCA **Date In:** December 15, 2009
ILMB #: 4404926 **Date out:** December 16, 2009
Geographic Location: Between Rosebery and Summit Lake, in the vicinity of New Denver
Intended Land Use: Regional Park Trail
Area of review: ~95 ha **Location:** Land Water Mixed

Background Archaeological Information

Data Sources Used: RAAD Orthophoto TRIM Forest Cover Site forms & maps
 Archaeological Potential Model

Archeological sites in or within 100 m of subject area	Site	Type	Relative Significance	Potential for impact
	EaQI-001	Housepit, lithics	Unknown	Moderate
	EaQI-002	Shipwreck	Unknown	Low
	EaQI-005	Wagon road, lithics	Unknown	Moderate

- Appended documents**
- RAAD map of subject area
 - EaQI-001, 002 & 005 siteforms

Archaeological Potential Assessment

MODERATE LOW

- Comments**
- The subject area contains terrain features with a potential to contain protected archaeological remains.
 - The subject area contains timber with a potential for culturally modified trees protected by the HCA.

Identification of Archaeological Potential:

- A location is determined to have moderate to high archaeological potential if it displays one or a combination of the following attributes:
- It is a defined topographical rise on level terrain and/or is surrounded by a wetland (i.e., knolls, eskers, whalebacks);
 - Is adjacent to a significant change in slope (i.e., terrace edges, valley tops, ridges);
 - It is well-drained and relatively level;
 - A source of water lies in close proximity (i.e., lake, stream, mineral seep, seasonal water run, wetland complex);
 - It lies on a preferred path of travel between or adjacent to landscape features (i.e., edges of wetlands and terraces, ridge-tops);
 - It offers a view of wetlands and/or natural corridors (i.e., gullies, valleys, ridges);
 - If any of the above conditions may have existed in the past (i.e., abandoned terraces, paleo-drainages), but are not present today,
 - areas of old growth timber for CMT sites,
 - It is within 250 m of a known archaeological or traditional-use site or within 500 m of a known pack trail,
 - For applications in salt water, covers sand or cobbly tidal flats adjacent to flat ground that could contain canoe pull-outs, fish traps, clam beds, etc),
 - Abuts bedrock surfaces with a potential to host petroglyphs or pictographs, and;



- Upland erosion has a potential to displace archaeological remains into the area of the application

Note: while not exhaustive, this list of attributes has been used successfully by the compiler in past archaeological studies to identify archaeological sites in environments very similar to, or in close proximity to, those found in the development to be assessed).































































Recommendations Regarding Recorded Archaeological sites

- The location, significance, and potential for impact of recorded archaeological sites on or near the subject area should be verified, identified and determined by a qualified Archaeologist.

Recommendations Regarding the Potential for Unrecorded Archaeological sites

- At a minimum, a detailed Archaeological Overview Assessment (AOA) of the subject area should be completed by a qualified archaeologist, to determine the precise action(s) required to manage potential archaeological values of concern. If the archaeologist determines that further archaeological assessment work is not required, the archaeologist must forward a written statement to the proponent with a c.c. to the Archaeology and Registry Services Branch containing the reasons for eliminating this requirement.
- Information on qualified archaeological consultants may be obtained by contacting the B.C. Association of Professional Archaeologists through their website (www.bcapca.bc.ca). Archaeological consultants are also listed in the Yellow Pages.

If Is not the Intent of this Report to identify, evaluate, or comment on the presence or absence of Aboriginal Rights in the study area. Completion of this Report does not "abrogate or derogate from aboriginal treaty rights" (Heritage Conservation Act Sec. 8), and it was completed without prejudice to First Nations Treaty Negotiations, aboriginal rights or aboriginal title.

- Legend**
-  Boundary of the Land
 -  Water
 -  Wetland
 -  Forest
 -  Agriculture
 -  Roads
 -  Railways
 -  Other Structures
 -  Spot Heights
 -  Contours
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Scale

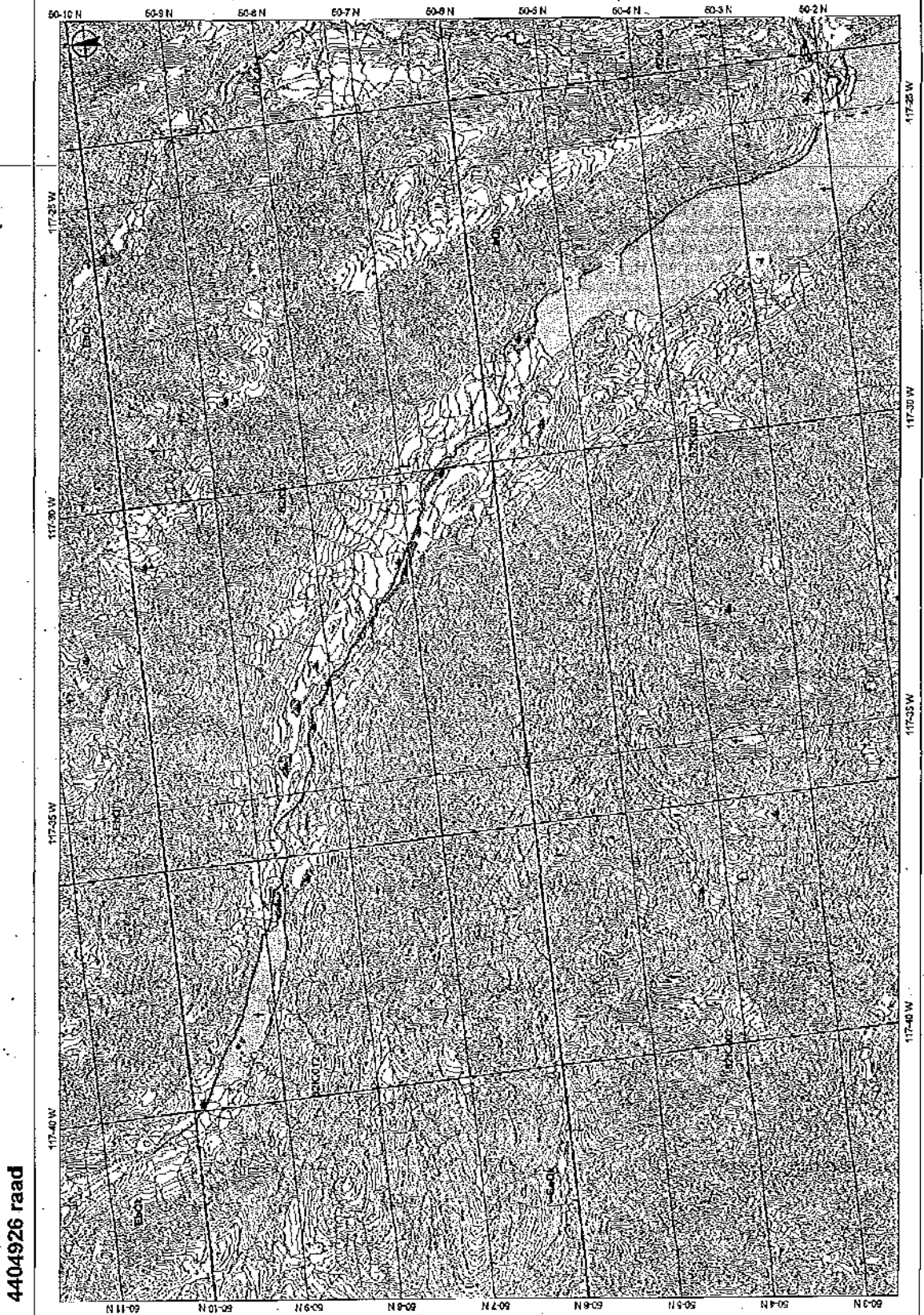
1:20000

2.00 km

Scale: 1:20000
 Printed: 15-Mar-2009 11:22:27 AM
 Date: 15-Mar-2009 11:22:27 AM

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Basic Site Report

Borden Number: EaQi-1

NTS Reference

Mapsheet Number
82K.003

Map Reference

Lat	Long	Easting	Northing	UTM Zone	Spatial Accuracy
50.075	-117.45	487810	5547051	11	1:20K

Location

Description

1980: On the eastern shore of Slocan Lake, 2.2 kilometer SE of Valhalla Resort at the head of the lake and 1.1 kilometer north by east from the mouth of Shannon Creek on the western shore of Slocan Lake; on the first and second terraces above the lake between the CP Railway and Highway 8.
2001: About 2.1 (AFD-2002-S2) to 2.2 (AFD 2001-S1) kilometers south of the north end of Slocan Lake, on the east shore of Slocan Lake.

Site Access

1980: From Nakusp or New Denver proceed along Highway 6 to a point about 4.0 kilometer south of the gas station in Mills or ca 5.3 kilometers north of Roseberry. A rough track or trail will lead northwesterly towards the lake at this point. Proceed 50 meters on foot down trail to site area, between railway and highway to the north end of the trail for about 160 meters along the terraces.

2001: AFD-2001-S2: Approach the community of Hills from New Denver (south) and turn left (west) onto the Bonanza Creek Road. Proceed down the road for 350 meters until you reach the abandoned railroad grade. Turn

left (south) onto the grade and proceed south for about 3.4 kilometers. Park on the grade and proceed east (upslope) for about 35 m. The site is located on an extinct beach overlooking the east shore of Slocan Lake.

2001: AFD-2001-S1, as above except changed to Turn left (south) onto the grade and proceed south for about 3.4 kilometers. Park on the grade and proceed east (upslope) for about 35 meters. The site is located on an extinct beach overlooking the east shore of Slocan Lake.

Typology

Typology

HISTORIC,Cultural Material,surface,refuse

HISTORIC,Habitation,multiple dwelling

PRECONTACT,Cultural Material,Subsurface,Lithics

PRECONTACT,Habitation Feature,Cultural Depression,Housepit

PRECONTACT,Subsistence Feature,Cultural Depression,Cache Pit

STR,

Site Dimensions

Length	Width
160	75

Environmental

Elevation (GIS): upper	Elevation (GIS): lower	Elevation (user): lower	Elevation (user): upper	Comments
557	541	556	556	Ca 10-20 meters above water line of Slocan Lake which is ca 15 meters to west.

Reference

Auth Title

Brolly, Richard,1980, Slocan Land Use Study

Handly, Martin,2001-080,

Basic Site Report**Borden Number: EaQi-2****NTS Reference****Mapsheet Number**

82K.003

Map Reference

Lat	Long	Easting	Northing	UTM Zone	Spatial Accuracy
50.034	-117.416	470187	5542449	11	1:20K

Location**Description.**

In bay under U-shaped dock, near the old railway transfer facility.

Site Access

Clear lake with stable water level. Visibility far superior to Kootenay and Arrow Lakes. The Slocan lies in shallow water at the old slip at Rosebury. Lake sometimes freezes in winter. Shore access.

Typology**Typology**

HISTORIC,Transportation,Marine,

HISTORIC,Transportation,Marine,sterne Wheeler

POSTCONTACT,Transportation,Marine,Shipwreck

STR,STR,STR,STR

Site Dimensions

Length	Width
20	15

Environmental

Elevation (GIS): upper	Elevation (GIS): lower	Elevation (user): lower	Elevation (user): upper	Comments
		536	536	Lake at 536 m, with the wreck -6 to -8 m below the surface.

Reference**Auth Title**

Basic Site Report

Borden Number: EaQi-5

NTS Reference

Mapsheet Number
82K.003

Map Reference

<i>Lat.</i>	<i>Long</i>	<i>Easting</i>	<i>Northing</i>	<i>UTM Zone</i>	<i>Spatial Accuracy</i>
50.083	-117.453	467626	5547932	11	Site Map (Rough)

Location

Description

About 1.2 kilometers south of the north end of Slocan Lake, east shore of Slocan Lake.

Site Access

Approach the community of Hills from New Denver (south) and turn left (west) onto the Bonanza Creek Road. proceed down the road for 350 meters until you reach the abandoned railway grade. Turn left (south) onto the grade and proceed south for about 2.5 kilometers. Park on the grade and proceed east (upslope) for about 25 meters. The site is located on an extinct beach overlooking the east shore of Slocan Lake; an abandoned horse logging trail runs along the eastern portion of the site.

Typology

Typology

HISTORIC, Transportation, Road, wagon road
PRECONTACT, Cultural Material, Subsurface, Lithics
STR.

Site Dimensions

<i>Length</i>	<i>Width</i>
10	5

Environmental

<i>Elevation (GIS): upper</i>	<i>Elevation (GIS): lower</i>	<i>Elevation (user): lower</i>	<i>Elevation (user): upper</i>	<i>Comments</i>
574	544	540	540	20 meters above Slocan Lake.

Reference

Auth Title

Handy, Martin, 2001-080,
Richards, Tom, Rousseau, Mike, 1987, Late Prehistoric Cultural Horizons on the Canadian Plateau

January 22, 2010

Open letter to the B.C. Authorizing Agency – ILMB File# 4404926

“Rosebery to Summit Lake - Non Multi-Use Again?”

Dear Sir and or Madam:

It has come to my attention that there is a tenure application for the section of old CPR rail grade from Rosebery to Summit lake, for the purpose of a regional park trail. As I do not have a copy of the application, I can not ascertain whether there are to be certain exclusions to the use of this corridor. If there is to be any exclusions of use by any group and/or individual, I have some points I would like to convey.

It was late 1999 into 2000 ^{s.22} dealing with the logistics of a fully-working, multi-use corridor. ^{s.22}

^{s.22} The process started November 15, 2000 at the school in New Denver with a large group of residents concerned about the future of this section of railway grade. This project was funded by the Ministry of Community Development, and headed by Hanne Smith Heintz. From this group there was a small “steering group” formed to come up with a workable solution to the problems associated with a Multi-Use trail. The group was headed by a paid individual, hired by the Ministry of Community Development, to collect meeting minutes, data gathered by group members, and to try keep the group moving in a realistic and positive direction. For the most part, the group functioned well, keeping in mind that there were some very strong view points from both sides of the fence.

To begin with, we needed to know, without a question, what condition the grade was in. ^{s.22}

^{s.22} This gave us an opportunity to understand that there were some problem areas that would need more attention than others in order to have the trail be safe for any and all forms of recreation users, and more specifically, how it could be used harmoniously. Once again this led to some vigorous and sometimes loud debate on how this could be achieved. In the end, all information gathered ended up with Ms. Heintz, with nothing changing. Fast forward...ten years have passed and the ground in question was used by all forms of recreation users.

My question has to be why would you give consideration to this application? Pressure? If so, from where? It has always been my opinion that as residents and tax payers of the area, we all should have the opportunity to share our rural back yard. Also, I have always said that the form of recreation you choose is no more or less important than someone else's.

Some other questions to consider:

- Since this grade travels through the ALR and borders many private properties, will there be a system to limit the spreading of seeds from noxious weeds? I know it happens now, but if tenure is granted, who is accepting the liability and maintenance of the trail?

- I know the Hills Nordic Club uses a snowmobile to pull a cross-country ski groomer. If this trail is to be non-motorized, are they still able to do what they need to, in order to keep their club moving forward?

- In the Jan. 13, 2010 issue of the Valley Voice, there was an article stating that a survey from the Hills Recreation Society concluded that the majority of residents were for joint use. If this is the case, why would you choose to change the rail grade's use?

- The community of Hills is the most affected. Will there be provisions for garbage handling, out-houses, fire control, and minimizing intrusions on bordering private property?

- Who will pay for ongoing trail maintenance? As a rule, ATV and snowmobile riders take on some of the burden of upkeep as a fun day or weekend for continued safe use of the area in question.

In closing I would like to see the rail grade stay as multi-use. Furthermore, it would be great if it could link up with the "old wagon road-CPR grade" from Kaslo. The Kaslo ATV club has done a great job on the trail from Kaslo to Fish Lake on Hwy 31A. We should also remember that this is a corridor that may in the future, be a way of moving resources, as it did in the past. IE:, natural gas, water, etc.

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Saturday, January 23, 2010 8:29 PM
To: ILMB, Cranbrook ILMB:EX
Subject: ILMB file #4404926

We've noticed that the rail trail from the North end of Summit Lake to Rosebery has been in year round use by an increasing number of bicyclists, walkers, runners, hikers, skiers, bird enthusiasts and other nature lovers in our s.22
s.22 I personally use the trail many times a week in the winter, and frequently in the other seasons, because it offers a Wilderness environment for fitness, solitude, and appreciation for the lives of the other creatures that share our existence. Beavers, for example, are according to study, the proverbial "canary in the coalmine" concerning quality drinking water.

As an example, the value of such a jewel can be compared in our Province to the sea-wall around Stanley Park. If the area does not receive protection from abuse, misuse, and resource extraction, it will be genocide for many creatures, and the loss of a very healthy way of life for us all here.

s.22

Donald, Jo-Ann ILMB:EX

From: do-not-reply@arfd.bc.ca
Sent: Saturday, January 23, 2010 2:11 PM
To: ILMB, Cranbrook ILMB:EX
Subject: Land Application Comments [File #4404926].

I am in full support of the RDCK's application for this tenure. Rail trails are very important to our community, both recreationally and economically.

s.22

Jan 23-2010

Natural Resource Officer
FrontCounter BC
1902 Theatre Road
Cranbrook BC
V1C 7G1

Integrated Land
Management Bureau
Ministry of Agriculture & Lands

RECEIVED
CRANBROOK, BC

ILMB file #4404926

We've noticed that the rail trail from the North end of Summit Lake to Rosebery has been in year round use by an increasing number of bicyclists, walkers, runners, hikers, skiers, bird enthusiasts and other nature lovers in our ^{s.22} I personally use the trail many times a week in the winter, and frequently in the other seasons, because it offers a Wilderness environment for fitness, solitude, and appreciation for the lives of the other creatures that share our existence. Beavers, for example, are according to study, the proverbial "canary in the coal mine" concerning quality drinking water.

The value of such a jewel can only be compared in our Province to the sea-wall around Stanley Park. If the area does not receive protection from abuse, misuse, and resource extraction, it will be genocide for many creatures, and the loss of a very healthy way of life for us all here.

s.22

Integrated Land
Management Bureau
Ministry of Agriculture & Lands

JAN 27 2010

RECEIVED
CRANBROOK, BC

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Friday, January 22, 2010 9:04 AM
To: ILMB, Cranbrook ILMB:EX
Subject: Rosebery to Summit Lake Regional Trail Application...

I would like to state my opposition to Application 4404926 from the Hills Recreation Society regarding the Rosebery to Summit Lake Trail Development Application.

It's fine that one group of people seem to think they should be allowed to remove rail trails and other seldom used off-road trails from the use of the general population so they can essentially have personal use of the wilderness, but it is not O.K. that our elected representatives or their department workers should agree to capitulate to these people. This particular rail-bed trail is a multi-use corridor for all terrain vehicles, hikers, mountain bikers, cross-country skiers, etc. but, once again, a group of people are trying to remove motorized vehicles from the trail. Once and for all, please try to represent all the people of the province instead of a special interest group.

The flimsy excuse that this should be a park corridor is just that, a flimsy excuse. The government already has the power to prevent logging along creek beds, etc. and we would like you to keep watersheds near creeks and rivers off limits to logging. However it is completely unnecessary to create a corridor-like park for this purpose. Most common sense individuals can see that the athletic left is using this ploy to create another playground for themselves. Naturally people who are not physically fit will be excluded once more from these personal playgrounds. Try to remember that people who are not athletic might also want to use these trails to take their families or themselves into pristine areas of our province. Many people who grew up in this area are no longer able to access this trail without mechanical help. However, they still vote and pay taxes.

Don't be bullied. You are not working to represent an elite group of people...you are there to represent all of us. The trail should remain multi-use.

Yours truly,

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Wednesday, January 20, 2010 8:34 PM
To: ILMB, Cranbrook ILMB:EX
Subject: Rosebery to Summit Lake trail development plan

Natural Resources Officer,

We would like to state our opposition to application 4404926 from the Hills Rec. Society. This old rail bed has been an issue for at least 10 years now and the local people will not accept this tenure application, as there are too many different ideas about what should be done with the rail bed. The application is very unspecific about what will happen, other than it would become a park, which means no motorized use of the trail, which is unacceptable to us. This would exclude older people who can ride an atv, but are unable to walk or hike longer distances. As well, we are having more and more of our back roads taken away from us, like Enterprise Creek where the creek has actually been diverted down the main road for 100 feet and the road is now closed. I hear that in the summer of 2010, the bridge up Silverton creek will be removed as well. We do not have a lot of things to do here in the Slocan, and the more the back country is closed off to people, the more it forces youth to find other things to do - like sit around and smoke dope, instead of going out with their parents or grandparents into the mountains. This is unfortunately another act by a small group to control more land locally. We have 3 very big parks in this area now and some more small ones, we do not need any more here. If you review the history of the groups that have tried to work out a solution for this, you will find that there was never any sort of conclusion, as there is no agreement on the different issues regarding this rail bed. Some of us have spent many hours trying to work this out without any progress. We feel that since there is no agreement, this should be left, as is, until such time that an agreement can be reached regarding this rail bed.

Sincerely,

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Wednesday, January 20, 2010 5:24 PM
To: ILMB, Cranbrook ILMB:EX
Subject: Hills to Summit Lake Tenure Application 4404926

It's fine that one group of people seem to think they should be allowed to remove rail trails and other seldom used off-road trails from the use of the general population so they can essentially have personal use of the wilderness, but it is not O.K. that our elected representatives or their department workers should agree to capitulate to these people. This particular rail-bed trail is a multi-use corridor for all terrain vehicles, hikers, mountain bikers, cross-country skiers, etc. but, once again, a group of people are trying to remove motorized vehicles from the trail. Once and for all, please try to represent all the people of the province instead of a special interest group.

The flimsey excuse that this should be a park corridor is just that, a flimsey excuse. The government already has the power to prevent logging along creek beds, etc. and we would like you to keep watersheds near creeks and rivers off limits to logging. However it is completely unnecessary to create a corridor-like park for this purpose. Most common sense individuals can see that the athletic left is using this ploy to create another playground for themselves. Naturally people who are not physically fit will be excluded once more from these personal playgrounds. Try to remember that people who are not athletic might also want to use these trails to take their families or themselves into pristine areas of our province. Many people who grew up in this area are no longer able to access this trail without mechanical help. However, they still vote and pay taxes.

Don't be bullied. You are not working to represent an elite group of people...you are there to represent all of us. The trail should remain multi-use.

Yours truly,

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Wednesday, January 20, 2010 10:30 AM
To: ILMB, Cranbrook ILMB:EX
Subject: Application 4404926 Hills Rec. Society

I am opposed to the above noted application; my opposition is based on a number of issues that seem to live on year after year. The corridor created by the old CP Rail line created a tremendous opportunity for "ALL" the people of the Slocan Valley. Unfortunately it has become an opportunity for a select few, the self serving nature of the special interest groups that work tirelessly to advance their interests at the expense of others must stop.

I am convinced that this application is the first step in restricting the use and access to the trail, even if not stated at this time. The continued deception and misleading statements made by the groups like the Hills Rec. Society make it impossible to trust or believe that their intentions are in any way honorable. The facts are that when a group of any kind endeavors to advance their interests over other affected groups disputes occur. I am one of the normally silent majority, that promote the open use of this trail. Allow the user to determine the type of travel, for myself that might include, walking, motorized wheel chair or scooter, skiing, horse back, ATV, snow mobile, bicycle, let that be my chose.

In closing again I am opposed to the Hills Rec. Society application 4404926.

s.22

Donald, Jo-Ann ILMB:EX

From: do-not-reply@arfd.bc.ca
Sent: Wednesday, January 20, 2010 10:24 AM
To: ILMB, Cranbrook ILMB:EX
Subject: Land Application Comments [File #4404926].

Natural Resources Officer,

We would like to state our opposition to application 4404926 from the Hills Rec. Society. This old rail bed has been an issue for at least 10 years now and the local people will not accept this tenure application, as there are too many different ideas about what should be done with the rail bed. The application is very unspecific about what will happen, other than it would become a park, which means no motorized use of the trail, which is unacceptable to us. This would exclude older people who can ride an atv, but are unable to walk or hike longer distances. As well, we are having more and more of our back roads taken away from us, like Enterprise Creek where the creek has actually been diverted down the main road for 100 feet and the road is now closed. I hear that in the summer of 2010, the bridge up Silverton creek will be removed as well. We do not have a lot of things to do here in the Slocan, and the more the back country is closed off to people, the more it forces you!

People want to find other things to do - like sit around and smoke dope, instead of going out with their parents or grandparents into the mountains. This is unfortunately another act by a small group to control more land locally. We have 3 very big parks in this area now and some more small ones, we do not need any more here. If you review the history of the groups that have tried to work out a solution for this, you will find that there was never any sort of conclusion, as there is no agreement on the different issues regarding this rail bed. Some of us have spent many hours trying to work this out without any progress. We feel that since there is no agreement, this should be left, as is, until such time that an agreement can be reached regarding this rail bed. Having looked at the map for this proposal you have neglected to deal with the portions of the rail bed that are PRIVATE PROPERTY. Only those portions of the rail bed that have a caveat listed against the property title !

are for general use. The Rail bed is not all general public use.

Stop trying to take away our rights and freedoms to access the public portion of the trails as we want. I believe that with the Area H North OCP still in the process, nothing should be considered or done, and only public meetings should be held for issues of this nature and not sliding in through the back door. Believe it or not some of the people affected (those of us who like at Summit Lake) are not included in your mail outs as our mailings address is Nakusp. WE have been promised many, many times that we will be informed, but to no such luck. We do not have access to the 358 new letter either. We have just as much voice as the rest of Area H North and a right to be informed BY YOU. Please consider us a part of the bigger picture.

Thanks,

s.22

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Tuesday, January 19, 2010 3:10 PM
To: ILMB, Cranbrook ILMB:EX
Subject: Application 4404926

Natural Resources Officer,

I would like to state my opposition to Application 4404926 from the Hills Recreation Society.

The old rail bed between Slocan and Nakusp has been an issue for approximately 10 years and the local people are not willing to accept this application. There are many different ideas about what should be done and I would like to see a public process in place so everyone has input into the final decision. If this application is successful, it would mean that no motorized vehicles would be able to use it and I, of many, am not able to walk great distances due to medical reasons and only get to see our beautiful country by using my all-terrain vehicle (ATV). I realize that, as is the case in every walk of life, there are those who abuse and therefore give a bad name to motorized means of using the trail.

There seems to be more and more of our country taken away from us. Enterprise Creek has been diverted down the main road for 100 feet so is no longer accessible; I have heard that a plan is in place to remove the bridge up Silverton Creek so that would no longer be accessible if that happens. We already have three very big parks in this area along with a few smaller ones and it is my belief that we do not need more parks.

I cannot stress enough how strongly I feel that more public input is necessary before any decision is made regarding this old rail bed. I am, therefore, requesting that this application not be approved until some agreement has been reached between all parties.

Thank you for your consideration of my input.

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Monday, January 18, 2010 8:58 PM
To: ILMB, Cranbrook ILMB:EX
Subject: tenure application 4404926

Natural Resources Officer,

We would like to state our opposition to application 4404926 from the Hills Rec. Society. This old rail bed has been an issue for at least 10 years now and the local people will not accept this tenure application, as there are too many different ideas about what should be done with the rail bed. The application is very unspecific about what will happen, other than it would become a park, which means no motorized use of the trail, which is unacceptable to us. This would exclude older people who can ride an atv, but are unable to walk or hike longer distances. As well, we are having more and more of our back roads taken away from us, like Enterprise Creek where the creek has actually been diverted down the main road for 100 feet and the road is now closed. I hear that in the summer of 2010, the bridge up Silverton creek will be removed as well. We do not have a lot of things to do here in the Slocan, and the more the back country is closed off to people, the more it forces youth to find other things to do - like sit around and smoke dope, instead of going out with their parents or grandparents into the mountains. This is unfortunately another act by a small group to control more land locally. We have 3 very big parks in this area now and some more small ones, we do not need any more here. If you review the history of the groups that have tried to work out a solution for this, you will find that there was never any sort of conclusion, as there is no agreement on the different issues regarding this rail bed. Some of us have spent many hours trying to work this out without any progress. We feel that since there is no agreement, this should be left, as is, until such time that an agreement can be reached regarding this rail bed.

Sincerely,

s.22

FEB 08 2010

RECEIVED
CRANBROOK, BC

February 4, 2010

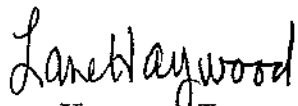
Natural Resource Officer
FrontCounter BC
1902 Theatre Rd.
Cranbrook, BC V1C 7G1

To Whom It May Concern:

The Slocan Lake Stewardship Society is a local non-profit group currently representing more than sixty individuals and other like-minded organizations. Our mandate includes protecting the stream and tributaries flowing into Slocan Lake. The proposed Rosebery to Summit Lake regional park trail parallels the lake and passes over and is adjacent to the tributaries and streams that feed the lake. We as a society strongly support the Regional District of Central Kootenay's application to take jurisdiction over the old CPR bed between Rosebery and Summit Lake to create a regional park trail.

Thank you for your consideration in this matter. You have our enthusiastic support.

Sincerely,


Lane Haywood, Treasurer
Slocan Lake Stewardship Society
Box 322
New Denver, BC V0G 1S0
slocanlakestewardship@xplornet.ca

cc: RDCK chair, Gary Wright

Donald, Jo-Ann ILMB:EX

From: ^{s.22}
Sent: Saturday, February 6, 2010 3:35 PM
To: ILMB, Cranbrook ILMB:EX
Subject: file 4404926: regional park trail

Hello

I would like to add my support to the RDCK's application for a tenure on the strip of Crown land between Rosebery and Summit Lake.

I have bicycled this stretch of rail grade as well as the piece between Three Forks and New Denver (the Galena Trail). The RDCK has, in my opinion, done a superb job of enhancing the Galena Trail into a first class riding/walking trail and major recreational attraction, and so have a proven record of being good stewards.

The right-of-way between Rosebery and Summit Lake is very scenic and an interesting route. It will integrate well with the existing recreational trail, and the future Three Forks to Kaslo trail. Further, being along the north Slocan Lake lakeshore, it will mean that this irreplaceable asset will remain available for public enjoyment.

This is a wonderful opportunity for recreation for the region and the province and deserves full support.

Sincerely,

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Saturday, February 6, 2010 6:56 PM
To: ILMB, Cranbrook ILMB:EX
Subject: application #4404926

To whom it may concern

Feb 06,2010

Please treat this letter as my opposition to the above mentioned application from the Hills Rec society..s.22

s.22

s.22

s.22

s.22

I believe that there is not enough thought given to the seniors of our province whose only access to these areas is in the form of motorized transport such as ATVs,,this application smacks of that discrimination.For your information the average age of the Nakusp club is over 60 years of age, however as I raise those points lets not forget the youth of our province whom we also want to experience the benefits of our outdoors, this is being recognized by the Ministry of Evironment by thier formulation of the youth hunter program.On the one hand we are trying to encourage access to our outdoors yet on the other hand we have special interests groups that are trying to limit the access to these outdoors I don't believe it is in our citizens best interests to be limiting our access to the outdoors by approving applications such as these,. In my opinion this application should be rejected until there is a consensus by all parties involved as to what should be done with the arca in question and in the meantime leave it as it is,, "full access by everyone" eg Hikers,Mountain Bikers, ATVs, etc.. thank you for your attention to this matter,,

yours truly

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Saturday, February 6, 2010 10:24 PM
To: ILMB, Cranbrook ILMB:EX
Subject: ILMB File Number 4404926

To the Natural Resource Officer ..

Re: ILMB File Number 4404926

With regard to the application made by the Regional District of Central Kootenay on behalf of the Integrated Land Management Bureau, Kootenay Region for a Nominal Rent Tenure for the purpose of a regional park trail situated on Provincial Crown Land between Roseberry and Summit Lake near New Denver I wish to express my support of the application.

s.22 and enjoy the access to the old rail trail. A regional park trail is vital to the preservation of this historical route, will extend an existing trail that is well used by locals and visitors and could well bring economic gain to the valley. A trail from Kaslo to Summit Lake will be a great asset to the community, to enable ski, cycling or hiking. The Slocan Valley is a historical gem that the provincial government can preserve and this regional park trail is a step in the right direction.

Please include my comments with regard to this application.

Yours faithfully,

s.22

--
email address soon to change - use s.22
No large attachments

s.22

February 2, 2010

Integrated Land
Management Bureau
Ministry of Agriculture & Lands

FEB 04 2010

RECEIVED
CRANBROOK, BC

Natural Resource Officer
FrontCounter BC
1902 Theatre Rd.
Cranbrook, BC V1C 7G1

To Whom It May Concern:

We are excited about the prospect of the historic CPR corridor between Rosebery and Summit Lake becoming a regional park trail. Lane often x-country skis on this beautiful trail and last year encountered a mother moose and her calf along the river north of Hills. In the wildest section, nearer Summit Lake, there are sometimes cougar tracks.

The prospect of the trail connecting with the existing Galena Trail is positive for our communities in many ways, environmentally and as an asset in promoting low-impact tourism.

Thank you for your consideration in this matter. You have our enthusiastic support.

Sincerely,

s.22

cc: RDCK chair, Gary Wright

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Thursday, February 4, 2010 10:15 PM
To: ILMB, Cranbrook ILMB:EX
Subject: FW: submission regarding file number 4404926

AuthorizingAgency.Cranbrook@gov.bc.ca

I am writing in reply to the application for the disposition of crown land. The application is being made by the Regional District of Central Kootenay on behalf of the ILMB (Kootenay region) for a nominal rent tenure for the purpose of a regional trail park between Summit Lake and Roseberry B.C. Application number 4404926

I am writing in opposition to this application for several reasons as outlines below:

1. The current rail bed from Summit Lake to Roseberry is currently being used as a multi use trail and I feel is successful at this. I have used the trail for Hiking, biking, horseback riding, ATViing and Snowmobiling and I feel that all users have been very curteous and use the trail very well together.
2. I am worried that an application to turn it into a park is from a very vocal but small group that want to restrict its use to non motorized only.
3. The notion that the current trail is being used more by non motorized users more than motorized or mounted users I don't feel is a correct summary of the situation. As a user it has been my experience that it is used more by ATV's, Snowmobiles and Horses. Has anyone ever done a true study where users are counted? Most of this trail is quite isolated and not near any large town, it actually takes some fitness level and considerable amount of time to get to most of this trail from either Nakusp or New Denver. How many people truly spend a whole day walking or using a bicycle. Also most bicycles use the highway system as the rail bed is a bit rocky and difficult for bicycles
4. Making this strip of rail bed into a park will not make the maintenance of the trail better! With the downsizing of the park service, current parks are right now not being maintained as well as they should. Why do we want to add another park we cant afford to maintain. Currently the rail bed is being maintained by ATV ers who keep the trail clear and safe. They do this without asking for any money and they do this on their own time. As an example of decreased funding for current parks one only has to look at the walking trail on the far side of Slocan Lake. There have been recent blow downs with no maintenance and clean up done. The trail is now quite dangerous to use
5. Without the use of the Old rail bed the current horseback riders would need to use the current higway system to access back country trails in the area. This would make a very dangerous situation for these riders. It is illegal for ATV's using the highway .
6. I really fear we will loose the multi use ability for this corridor and I dont believe it makes it safer.in fact right now it is the current non motorized users that cause me the most problem as a horseback rider. Motorized users for a large majority of the time are extremely careful and mindful of other users

In Short I am worried that this application is a thinly veiled attempt by a small vocal group to decrease access to the old rail bed to motorized and horseback use. There has already been a precedent set on the "three forks" portion of the old rail bed and the slocan Valley portion which are limited to non motorized use already. I do not feel however that this would be desirable for the summit lake to Roseberry portion and I speak against this application.

FEB 03 2010

RECEIVED
CRANBROOK, BC

s.22

February 1, 2010

Natural Resources Officer
Front Counter BC
1902 Theatre Road
Cranbrook BC
VIC 7G1
Application # 4404926

Dear Officer:

My wife and I are supporters and regular users of the Slocan Valley Rail Trail from Slocan to Winlaw. Having cycled on many trails across Canada last summer and around BC the previous year, we feel this section of trail is world class. It features a well maintained surface with Slocan River views and a resident population of Trumpeter and Tundra Swans at the Walter Clough Wildlife Sanctuary.

On January 30, 2010, we skied from Hills to Summit Lake and found this section of rail bed equally appealing. It features isolation from Hwy 6 and parallels Bonanza Creek with many beaver dams, moose and large cat prints. Unfortunately, this unique trail does not have linear park status and is quite overgrown in places.

We support and recommend that the Rosebery to Summit Lake section of rail bed be designated a non-motorized linear park for the benefit of local residents and visitors. This too, could be world class with proper designation and funding.

Sincerely,

s.22

FEB 03 2010

RECEIVED
CRANBROOK, BC

s.22

TO: Jo-Ann Donald
Natural Resource Officer
Integrated Land Management Bureau
Front Counter BC
1902 Theatre Road
Cranbrook BC V1C 7G 1
1-250-426-1775
joann.donald@gov.bc.ca

RE: Application File #4404926

Jo-Ann Donald, Natural Resource Officer:

My whole family, including myself, accesses the old CPR rail grade regularly for a variety of recreational purposes including; horseback riding, ATV'ing, walking, snowmobiling and skiing. We also use the rail bed as a link to the back country that with more and more restricted access is getting small.

s.22

Even before the tracks were removed, he and his friends used it on motorbikes to stay connected. (Such is rural life)

s.22

I am aware that the RDCK has been told by the majority over and over this trail must be for all to use, including motorized. The fact the RDCK included Richard Allan's HRS submission of 2000 with the application, can only mean the process has once again been hijacked by a minority special interest group.

The application at present has their trail and as long as they continue to exclude motorized use; there will be no access granted by me. In my opinion, the only way you should grant this application, is with the following stipulations:

s.22

- o Fair deal with land owners reached
- o Trail must remain open to ALL
- o Management plan addressing, noxious weeds, speed limits, litter, pets, etc.
- o No commercial usage

If these stipulations can not be attached, than you must say no to the trail application.

Sincerely,

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Tuesday, February 2, 2010 6:46 PM
To: ILMB, Cranbrook ILMB:EX
Subject: Front Counter BC - ILMB #4404926

Dear Sirs:

s.22
s.22 it is my pleasure to provide this letter of support for the proposed expansion of the Galena Trail between Rosebery and Summit Lake.

s.22 and I see firsthand how much the trail is used by both local residents and tourists alike. I have heard many comments from visitors, both young and old, about how impressive the trail is and what beautiful scenery we have. I have even heard people state that they decided to stay a couple of extra days in the area to take in the trail and beaches. An expansion of the trail would benefit the area even more, with visitors staying longer and in turn spending more money in our community.

New Denver and area needs to build on their tourism potential and the expansion of the Galena trail would be an excellent project for the region to once again undertake.

Sincerely,

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Tuesday, February 2, 2010 3:26 PM
To: ILMB, Cranbrook ILMB:EX
Subject: rail bed from Roseberry to Summit Lake

importance: High

Natural Resources Officer,

We would like to state our opposition to application 4404926 from the Hills Rec. Society. This old rail bed has been an issue for at least 10 years now and the local people will not accept this tenure application, as there are too many different ideas about what should be done with the rail bed. The application is very unspecific about what will happen, other than it would become a park, which means no motorized use of the trail, which is unacceptable to us. s.22

s.22 There aren't many areas that are so perfectly suited for horseback riding! The rail bed serves a perfect means to areas for snowmobiling that allow us to not have to trailer to. As well this would exclude older people who can ride an atv, but are unable to walk or hike longer distances. As well, we are having more and more of our back roads taken away from us, like Enterprise Creek where the creek has actually been diverted down the main road for 100 feet and the road is now closed. I hear that in the summer of 2010, the bridge up Silverton creek will be removed as well. This is unfortunately another act by a small group to control more land locally. We have 3 very big parks in this area now and some more small ones, we do not need any more here. If you review the history of the groups that have tried to work out a solution for this, you will find that there was never any sort of conclusion, as there is no agreement on the different issues regarding this rail bed. Some of us have spent many hours trying to work this out without any progress. We feel that since there is no agreement, this should be left, as is, until such time that an agreement can be reached regarding this rail bed.

Sincerely,

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Tuesday, February 2, 2010 8:41 AM
To: ILMB, Cranbrook ILMB:EX
Subject: To: natural resource officer, ILMB file #4404926

Just a few comments regarding ILMB file #4404926. The proposed regional park trail from Roseberry to Summit Lake.

I, for one, would like to see this trail remain open to motorized use.

s.22

s.22

I have never heard any negative comments from any hikers, horseback riders, etc. about my using the trail in this way.

I just feel it would be used by more of the general public by keeping it open to motorized use.

At the very least, keep the section from the north end of Summit lake to the Highway 6 crossing (at the south end of Summit lake) open to motorized use, providing access to the back side of the lake.

s.22

Donald, Jo-Ann ILMB:EX

From: do-not-reply@arfd.bc.ca
Sent: Tuesday, February 2, 2010 8:24 AM
To: ILMB, Cranbrook ILMB:EX
Subject: Land Application Comments [File #4404926].

My whole family, including myself, access the old CPR rail grade regularly for a variety of recreational purposes including; horseback riding, ATV'ing, walking, snowmobiling and skiing. We also use the rail bed as a link to the back country that with more and more restricted access is getting small. s.22

s.22 Even before the tracks were removed, he and his friends used it on motorbikes to stay connected. (Such is rural life) I am aware that the RDCK has been told by the majority over and over this trail must be for all to use, including motorized. The fact the RDCK included Richard Allan's HRS submission of 2000 with this application, can only mean the process has once again been hijacked by a minority special interest group. The application at present has their trail s.22 and as long as they continue to exclude motorized use; there will be no access granted by me. In my opinion, the only way you should grant this application, is with the following stipulations: 1) Fair deal with land owners reached, 2) Trail must remain open to all, 3) Management plan addressing, noxious weeds, speed limits, litter, pets, etc. and 4) No commercial usage.

If these stipulation can not be attached, then you must say no to the trail application.

s.22

s.22

COPY

Kay Schweitzer

From: s.22
Sent: February 2, 2010 5:46 PM
To: 'AuthorizingAgency.Cranbrook@gov.bc.ca'
Subject: Front Counter BC - ILMB #4404926

*original sent
Feb 2 by
email*

Dear Sirs:

s.22
s.22
It is my pleasure to provide this letter of support for the
proposed expansion of the Galena Trail between Rosebery and Summit Lake.

s.22
and I see
firsthand how much the trail is used by both local residents and tourists alike. I have heard many comments from
visitors, both young and old, about how impressive the trail is and what beautiful scenery we have. I have even heard
people state that they decided to stay a couple of extra days in the area to take in the trail and beaches. An expansion
of the trail would benefit the area even more, with visitors staying longer and in turn spending more money in our
community.

New Denver and area needs to build on their tourism potential and the expansion of the Galena trail would be an
excellent project for the region to once again undertake.

s.22

Integrated Land
Management Bureau
Ministry of Agriculture & Lands
FEB 16 2010
RECEIVED
CRANBROOK, BC

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Monday, February 1, 2010 10:16 AM
To: ILMB, Cranbrook ILMB:EX
Subject: app #4404926 Rosebery - Summit Lake park trail

February 1, 2010

Natural Resources Officer
FrontCounter BC
1902 Theatre Road
Cranbrook, BC V1C 7G1

To whom it concerns.

s.22 and writing in support of the application #4404926 to allow the transfer of Provincial Crown Land along the northeast shore of Slocan Lake to the RDCK for a regional park trail. The old rail bed between Rosebery and Summit Lake is currently being used as a favoured trail among locals and visitors. In any season, one can find people of all ages enjoying this trail for walking, mountain biking, wildlife viewing, skiing, and riding quads. It's a wonderful recreational resource for our local communities and the larger region.

Thank you,

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Monday, February 1, 2010 10:30 PM
To: ILMB, Cranbrook ILMB:EX
Subject: Rosebery to Summit Lake rail trail

I wish to endorse the proposed Reseberry-Summit Lake rail trail. Certainly noone today would build such a trail, but we have the good fortune that the CPR did the work for us over 100 years ago. This is a legacy that should not be lost. I have hiked, biked and cross-country skied on this trail for years. The trail offers spectacular views of the Valhalla Provincial Park as it travels along the Slocan Lake, then enters a delightful valley following the Bonanza Creek before reaching scenic Summit Lake. Wild life abounds along this trail. Currently areas of this trail have been washed out by mud slides and it is quickly growing shut with alders and conifers. Now is a perfect time to rescue and preserve this wonderful asset.

Respectfully yours,

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Sunday, January 31, 2010 6:10 PM
To: ILMB, Cranbrook ILMB:EX
Subject: 4404926

I am in opposition to the above noted application. s.22
s.22 and never in that time have I endeavored to restrict
the use of these corridors to anyone.
The individuals that use the current trail are for the most part respectful s.22
s.22 There are some however that do not respect the trail or the other
users, no, they are not the motorized group, but more specifically skiers and hikers that
leave garbage or use the trail as a washroom.

At the time the rail was removed s.22

s.22

s.22

s.22 The use issue was clarified by the Deputy
Minister of the time, and I was assured that motorized use would not be restricted.

That being said the Government should reject the application and leave the corridor open
to the general public.

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Saturday, January 30, 2010 7:34 AM
To: ILMB, Cranbrook ILMB:EX
Subject: ILBM File 4404926

I would like to voice my support for the creation of the linear park from Summit lake to Rosebery
I am aware that there is a controversy regarding it being accessible to non motorized transportation only
I would like to point out that there are many hundreds of miles of back country roads and trails open for motorized use
At this time the only non motorized trail in the area is the Galena which extends from this proposed trail to three forks
I would therefore suggest that the new trail from summit lake to Rosebery be a non motorized format
This would enhance the natural experience of the trail and still leave by far the majority of the area accessible to
motorized recreation

Thank you for your consideration

s.22

Say Happy New Year with Messenger for Mobile. [See more.](#)

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Saturday, January 30, 2010 11:52 PM
To: ILMB, Cranbrook ILMB:EX
Subject: Opposition of the application #4404926 from Hills Rec. Society

Natural Resources Officer

We would like to state our opposition to application 4404926 from the Hills Rec. Society. This old rail bed has been an issue for at least 10 years now and the local people will not accept this tenure application, as there are too many different ideas about what should be done with the rail bed. The application is very unspecific about what will happen, other than it would become a park, which means no motorized use of the trail, which is unacceptable to us. This would exclude older people who can ride an atv, but are unable to walk or hike longer distances. As well, we are having more and more of our back roads taken away from us, like Enterprise Creek where the creek has actually been diverted down the main road for 100 feet and the road is now closed. I hear that in the summer of 2010, the bridge up Silverton creek will be removed as well. We do not have a lot of things to do here in the Slocan, and the more the back country is closed off to people, the more it forces youth to find other things to do - like sit around and smoke dope, instead of going out with their parents or grandparents into the mountains. This is unfortunately another act by a small group to control more land locally. We have 3 very big parks in this area now and some more small ones, we do not need any more here. If you review the history of the groups that have tried to work out a solution for this, you will find that there was never any sort of conclusion, as there is no agreement on the different issues regarding this rail bed. Some of us have spent many hours trying to work this out without any progress. We feel that since there is no agreement, this should be left, as is, until such time that an agreement can be reached regarding this rail bed.

Sincerely

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Thursday, January 28, 2010 9:06 PM
To: ILMB, Cranbrook ILMB:EX
Subject: Fw: Opposition to Application 4404926

Importance: High

Natural Resources Officer,

We would like to state our opposition to application 4404926 from the Hills Rec. Society. This old rail bed has been an issue for at least 10 years now and the local people will not accept this tenure application, as there are too many different ideas about what should be done with the rail bed. The application is very unspecific about what will happen, other than it would become a park, which means no motorized use of the trail, which is unacceptable to us. This would exclude older people who can ride an atv, but are unable to walk or hike longer distances. As well, we are having more and more of our back roads taken away from us, like Enterprise Creek where the creek has actually been diverted down the main road for 100 feet and the road is now closed. I hear that in the summer of 2010, the bridge up Silverton creek will be removed as well. We do not have a lot of things to do here in the Slocan, and the more the back country is closed off to people, the more it forces youth to find other things to do - like sit around and smoke dope, instead of going out with their parents or grandparents into the mountains. This is unfortunately another act by a small group to control more land locally. We have 3 very big parks in this area now and some more small ones, we do not need any more here. If you review the history of the groups that have tried to work out a solution for this, you will find that there was never any sort of conclusion, as there is no agreement on the different issues regarding this rail bed. Some of us have spent many hours trying to work this out without any progress. We feel that since there is no agreement, this should be left, as is, until such time that an agreement can be reached regarding this rail bed.

Sincerely,

s.22

Integrated Land
Management Bureau
Ministry of Agriculture & Lands

JAN 28 2010

RECEIVED
CRANBROOK, BC

s.22

TO: Jo-Ann Donald
Natural Resource Officer
Integrated Land Management Bureau
Front Counter BC
1902 Theatre Road
Cranbrook BC V1C 7G 1
1-250-426-1775
joann.donald@gov.bc.ca

RE: Application File #4404926

Jo-Ann Donald, Natural Resource Officer:

s.22

s.22

s.22

I was surprised by this application and the closed door manner in which it was done. The Regional District of Central Kootenay (RDCK) has refused to release the submission prepared by the Hills Recreation Society and Hills Nordic Ski Club dated December 1, 2000. I have copies of the 2004 and 2007 revised editions. The bulk of the submission is false and misleading without sufficient facts to support its claims. This application is the work of a minority, special interest group with strong political alias and a self serving agenda. Past RDCK director, Don Munroe, told the APC there was no official action being taken on the old CPR Rail Grade and would let us know if something came up. Obviously he did not want the public aware of this application at present; the Hills Recreation Society has less than 20 members in good standing. Hills has already received a non-motorized government funded trail as has New Denver and Roseberry.

During the OCP for Slocan Lake North, it was quite clear from the surveys and community meetings there is a strong desire to keep access for motorized recreation open on all present trails and any future trails must include motorized usage. In April 2005, the RDCK Chair and members of the board were presented with a petition containing 251 signatures stating "We the undersigned do not accept that any portion of the old CPR rail Bed from Nakusp to Roseberry be closed to motorized use. If this is your only option, then we demand that section (Nakusp to Roseberry) be removed from your overall plane and be left as it."

In October 2007, the residents of Summit Lake were surveyed door to door and 100% of responding residents signed a petition stating, "We the residents of Summit Lake, want to

see all recreational use of public lands to be fully multi-use." This petition was presented to RDCK director Don Munroe for the board at an October 25, 2007 OCP meeting. Public meetings held in Nakusp about developing this section of the old CPR grade, showed over 90% opposed to closing any portion to motorized usage.

An article by s.22 shows not only that the motorized information submitted by Richard Allen, Hills Recreation Society (HRS) is false but that motorized use is responsible for keeping the former CPR rail grade open for all to enjoy. In the 7 years Richard Allen (HRS) has been submitting his minority agenda submissions, he reveals in his own words that motorized traffic has not caused any substantial harm: from 07 editions, "It is fair to say that most residents are content with the present use pattern of the Roseberry-Summit Lake Trail."

In a recent survey by the HRS with an 82% return rate, "The majority supports the continuation of a many-use/multi-use rail trail on the old CPR right of way in Hills." I also know this proposed trail will have to cross private land in more than one place for which no deal has been established to grant access. The RDCK and the various trail groups have been aware of this for years and keep trying to skirt the issue of private property rights. s.22 the RDCK can not appropriate my land for recreational trails.

There was a report commissioned by the Ministry of Community Development late in 1999. This Hanne Sith Heintz report showed clearly that there was NOT sufficient support to make this section of the old CPR rail grade non-motorized. This request for tenure is from a minority special interest group with friends on the RDCK board of directors. I am personally appalled that elected officials would abuse their power to forward their special interest groups agenda behind closed doors. The Slovan Lake North OCP and the general public have clearly stated, trail development must include motorized use. If this tenure is granted, it must demand motorized use and remain open to all. The RDCK must also make fair deals to cross private property. The RDCK should have all the supporting documentation, however, if they are reluctant to provide it, I will provide what I can upon request.

Sincerely,

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Wednesday, January 27, 2010 5:54 PM
To: ILMB, Cranbrook ILMB:EX
Subject: ILMB File Number 4404926

I am writing to express my support for the establishment of a regional park trail between Summit Lake and Rosebery.

This will fill in a portion of an already established rail to trail system, and will open recreational opportunities in the area.

I believe the decision to make this motorized or non-motorized should rest with the local management and with the RDCK.

s.22

Ask a question on any topic and get answers from real people. [Go to Yahoo! Answers.](#)

Wiekenkamp, Melissa M ILMB:EX

From: Bains, Rajeeta TRAN:EX
Sent: Tuesday, January 26, 2010 11:32 AM
To: Wiekenkamp, Melissa M ILMB:EX
Subject: Your File 4404926 - MOT File 2009-07068

The Ministry thanks you for the opportunity to provide comments for the Regional Park Trail between Rosebery and Summit Lake.

At this time I am not able to comment on the referral as I feel that there is some valuable concerns the Ministry has that need to be addressed prior to an approval.

Please have your applicant provide the following information for our review:

- For the trail will there be direct access points onto the highway?
- If so, the accesses will need to be reviewed by the Ministry to ensure that they meet safe sight distances and are located in an appropriate area
- Will user be using the highway right of way as parking spots to get to and from the trail?
- Are there parking lot locations chosen for the trail? If so, these two will need to be reviewed by the Ministry to ensure that there is adequate parking spaces, adequate turning movements for vehicles and a safe access to and from the highway
- Will overnight parking/camping be permitted in the area or parking lot if there is one?
- Will there be garbage disposal bins for the public and if so has the applicant considered who will be responsible for pick up?

Feel free to contact me directly at 354-6302 and if the applicant has comments they can contact me as well.

Rajeeta Bains
District Development Technician
West Kootenay District

Donald, Jo-Ann ILMB:EX

From: do-not-reply@arfd.bc.ca
Sent: Tuesday, January 26, 2010 2:37 PM
To: ILMB, Cranbrook ILMB:EX
Subject: Land Application Comments [File #4404926].

PART 1 OF 2

RE: Application File #4404926

Natural Resource Officer:

s.22

s.22

s.22

I was surprised by this application and the closed door manner in which it was done. The Regional District of Central Kootenay (RDCK) has refused to release the submission prepared by the Hills Recreation Society and Hills Nordic Ski Club dated December 1, 2000. I have copies of the 2004 and 2007 revised editions. The bulk of the submission is false and misleading without sufficient facts to support its claims. This application is the work of a minority, special interest group with strong political bias and a self serving agenda. Past RDCK director, Don Munroe, told the APC there was no official action being taken on the old CPR Rail Grade and would let us know if something came up. Obviously he did not want the public aware of this ap!

plication at present; the Hills Recreation Society has less than 20 members in good standing. Hills has already received a non-motorized government funded trail as has New Denver and Roseberry.

During the OCP for Slocan Lake North, it was quite clear from the surveys and community meetings there is a strong desire to keep access for motorized recreation open on all present trails and any future trails must include motorized usage. In April 2005, the RDCK Chair and members of the board were presented with a petition containing 251 signatures stating "We the undersigned do not accept that any portion of the old CPR rail Bed from Nakusp to Roseberry be closed to motorized use. If this is your only option, then we demand that section (Nakusp to Roseberry) be removed from your overall plane and be left as it."

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An article by s.22 shows not only that the motorized information submitted by Richard Allen, Hills Recreation Society (HRS) is false but that motorized use is responsible for keeping the former CPR rail grade open for all to enjoy. In the 7 years Richard Allen (HRS) has been submitting his minority agenda submission, he reveals in his own words that motorized traffic has not caused any substantial harm, from 07 edition. "It is fair to say that most residents are content with the present use pattern of the Roseberry-Summit Lake Trail."

In a recent survey by the HRS with an 82% return rate, "The majority supports the continuation of a many-use/multi-use rail trail on the old CPR right of way in Hills." I also know this proposed trail will have to cross private land in more than one place for which no deal has been established to grant access. The RDCK and the various trail groups have been aware of this for years and keep trying to skirt the issue of private property rights. s.22 the RDCK can not

appropriate my land for recreational trails.

There was a report commissioned by the Ministry of Community Development late in 1999. This Hanne Sith Heintz report showed clearly that there was NOT sufficient support to make s.22 s.22

PART 1, 2 WILL FOLLOW

s.22

Donald, Jo-Ann ILMB:EX

From: do-not-reply@arfd.bc.ca
Sent: Tuesday, January 26, 2010 1:42 PM
To: ILMB, Cranbrook ILMB:EX
Subject: Land Application Comments [File #4404926].

As a born and raised man in the area, I have used this rail bed for years. I think that this is crazy to have it shut down to only a nonmotorized trail. I have a young family and take my kids for motorbike, quads and snowmobile rides from Nakusp to Roseberry quite often. I don't like the idea of a small group of people that don't like it motorized, strip this a way from my family. Over the passed years i have signed petitions trying to stop this same act, when is it going to end.

s.22

Wiekenkamp, Melissa M ILMB:EX

From: Egan, Dianne J ENV:EX
Sent: Monday, January 25, 2010 2:52 PM
To: Wiekenkamp, Melissa M ILMB:EX
Subject: Comments for Referral - Rosebery/Summit Lake Regional Park Trail (File 4404926)

Ministry of Environment (Terry Anderson, Ecosystem Officer)

1. Does this application impact your agency's legislated responsibilities? If yes, how will the proposal impact your legislated responsibility and please identify the relevant legislation (section) – **No CDC concerns (species/ecosystems at risk) on existing rail grade in area highlighted. However, some area may be within the Goal 2 area for Provincial Parks and Protected Area.**
2. A) If the proposal impacts your responsibilities, what mitigative measures will be required to address these impacts?
B) If the proposal proceeds, will the proponent require approval or a permit from your agency?
3. Will on-going compliance monitoring be required by your agency as a result of your legislated responsibilities? If yes, explain what will be required?
4. Will this application affect public use of this area? Explain.

Ministry of Environment (Chris Stroich, Environmental Management Section Head)

Regulatory interests (under the Environmental Management Act) unaffected by proposed use, from Environmental Protection Division, Environmental Management Section.

From: Higham, Nicole M FOR:EX
Sent: Tuesday, December 15, 2009 3:18 PM
To: Ridout, Brandy ALC:EX; Egan, Dianne J ENV:EX; 'Archer'; Reibin, Dan J TCA:EX; Christianson, Dean D FOR:EX; Rowan, Kim R TRAN:EX
Subject: Front Counter Referral Package

Referral: File: 4404926

Applicant – Regional District of Central Kootenay

On behalf of the Integrated Land Management Bureau please find attached the referral package for the above which contains information to assist you in the review.



4404926
Referral.docx



4404926 Referral
Pkg.pdf

Nicole Higham
Resource Clerk
Rocky Mountain Forest District
1902 Theatre Road
Cranbrook, BC V1C 7G1
Phone: (250) 426-1762

Nicole Higham
Referral Clerk
FrontCounter BC
1902 Theatre Road
Cranbrook, BC V1C 7G1
Phone: (250) 426-1794

2010 Property assessments up over last year

Copyright



Regional District of Central Kootenay

Box 590, 202 Lakeside Drive
Nelson, BC V1L 5R4
web: www.rdck.bc.ca

Telephone (250) 352-6665 Fax (250) 352-9300
BC Toll Free 1-800-268-7325
e-mail: rdck@rdck.bc.ca

7030-11-06

January 29, 2010

FrontCounterBC
Integrated Land Management Bureau
1902 Theatre Road
Cranbrook BC V1C 7G1

Integrated Land
Management Bureau
Ministry of Agriculture & Land

FEB 01 2010

RECEIVED
CRANBROOK, BC

Attention: Melissa Wiekenkamp, Natural Resource Officer


Dear Melissa Wiekenkamp:

**RE: YOUR FILE 4404926
APPLICATION FOR NOMINAL RENT TENURE CROWN LAND TENURE
CROWN LAND BETWEEN ROSEBERY AND SUMMIT LAKE**

Further to your correspondence of December 14, 2009, with respect to the above noted application, attached please find two copies of the advertisement – Notice of Intention to Apply for a Disposition of Crown Land, as requested.

For your information, within the documents attached, note headline 'Public comments wanted on rail trail extension to Summit Lake'.

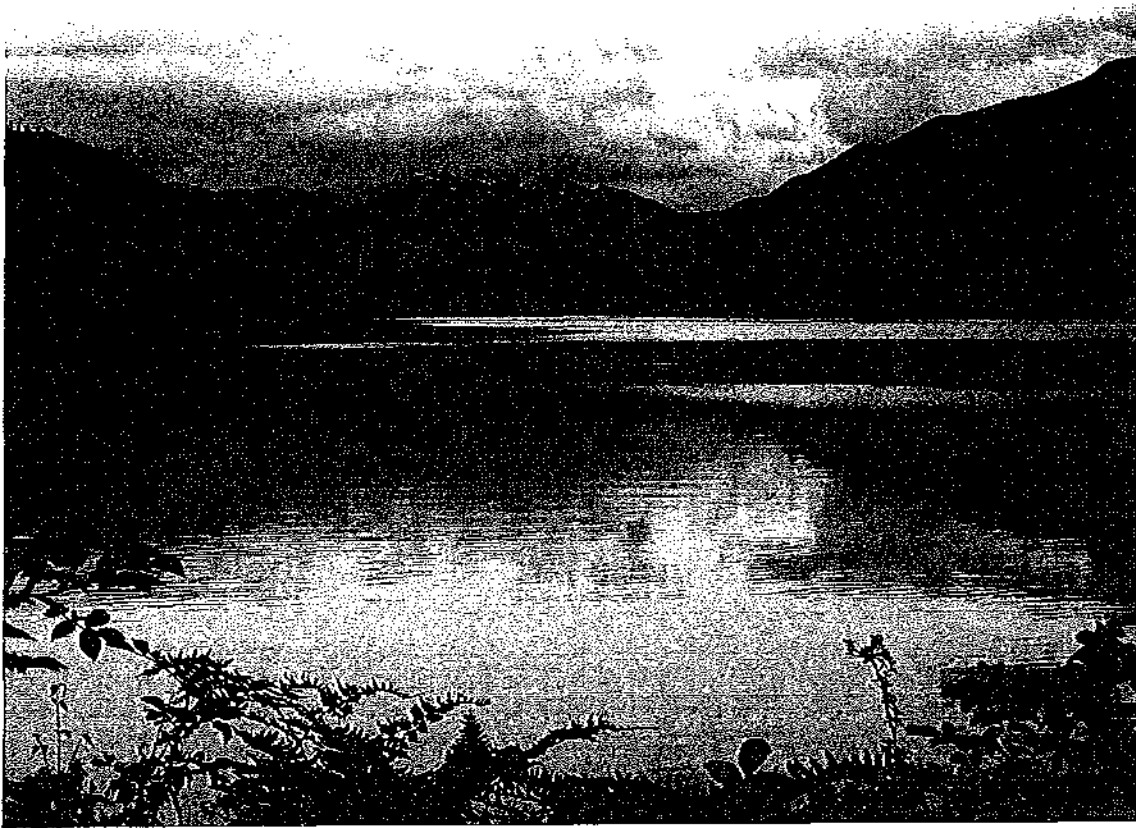
Yours truly,


Randy Matheson
Admin. Asst. Researcher

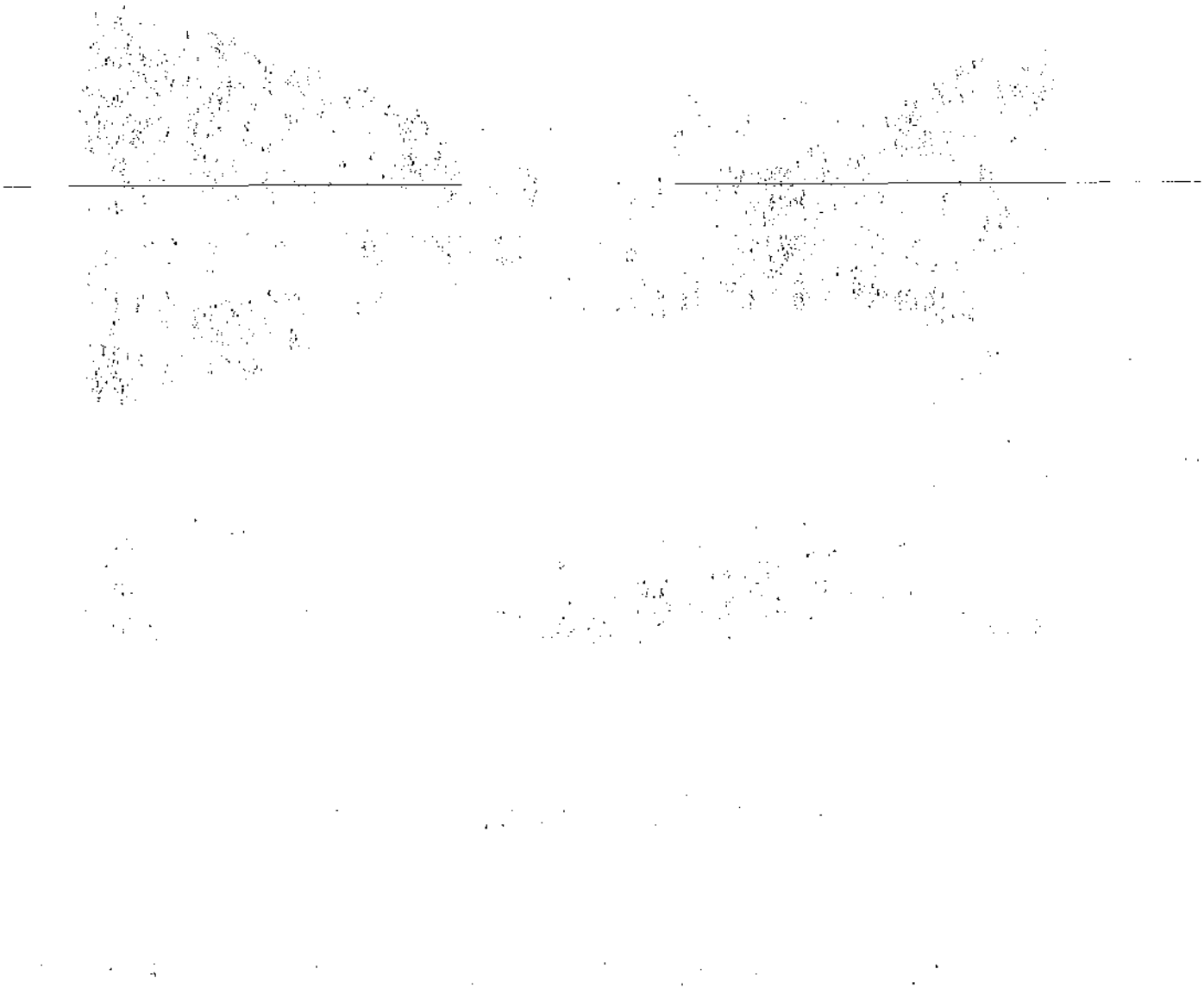
RM:lk

Attachment





Hills Recreation Society
Community Recreation Survey Results
2009



**Hills Recreation Society
Community Recreation Survey Results
2009**

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Section 1: Who are We as a Community?

Question # 1:

How many people live full time in your household?

One-----15
Two-----40
Three or more-23

Total Households responding ---- 78

Question # 2:

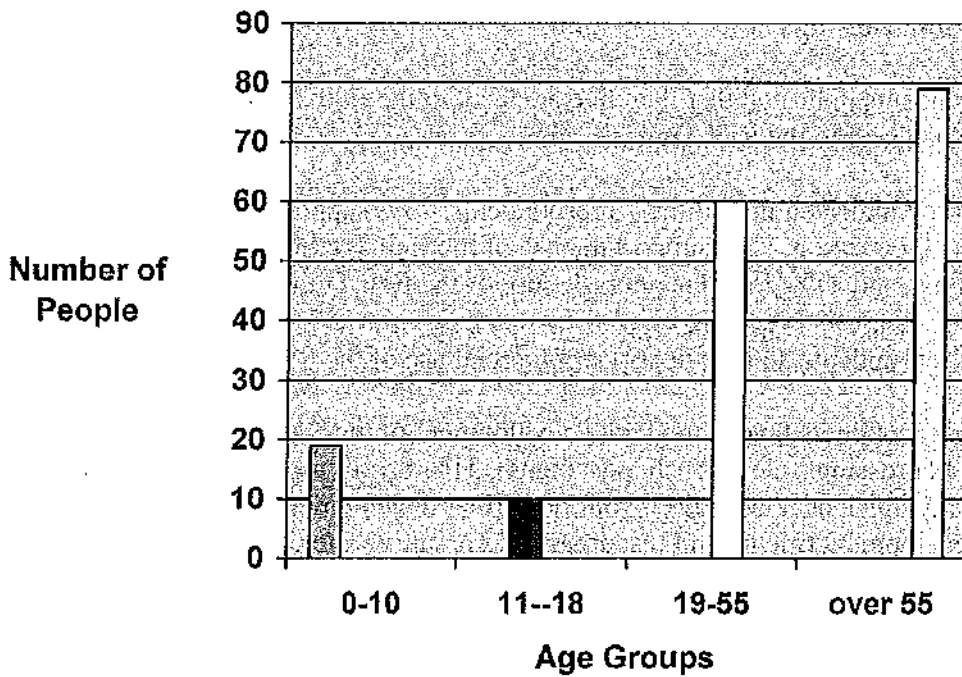
How Many Children?

0-10 years ---19
10-18 years -- 10

How Many Adults?

19-55 years -- 60
over 55 ----- 79
Total People----168

Age Distribution



Who are We as a Community? (cont'd)

Question # 3:

How long have you lived in Hills?

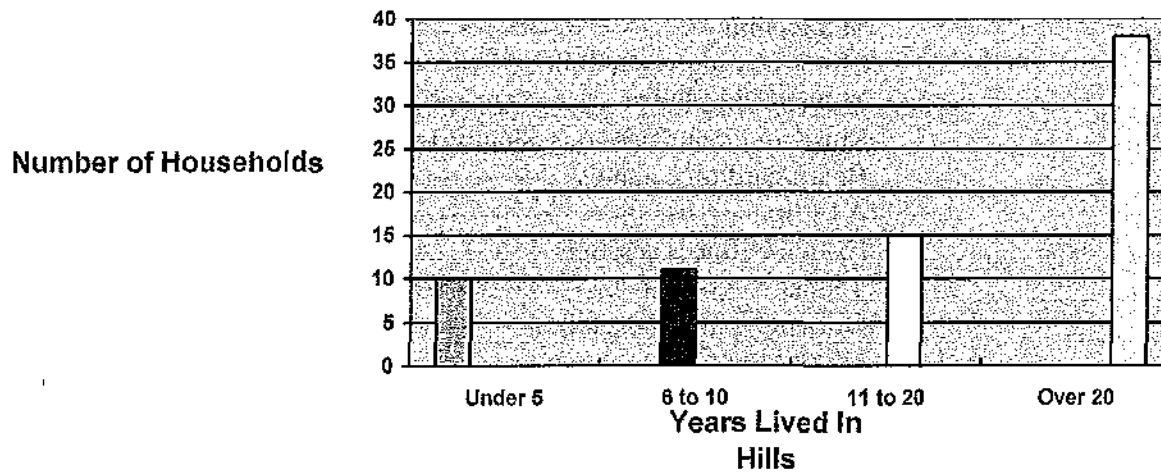
Under 5 years-----	10
6-10 years -----	11
11-20 years-----	15
Over 20 years-----	<u>38</u>
Total Households responding –	74*

Landowner or Renter?

Landowner -----	64
Renter -----	<u>10</u>
Total Households responding -----	74*

*Four respondents did not answer this question

Length of Residence in Hills



Section 2: Our Recreation - What does it look like?

Question # 4:

Please check the activities in which you or members of your family participate:

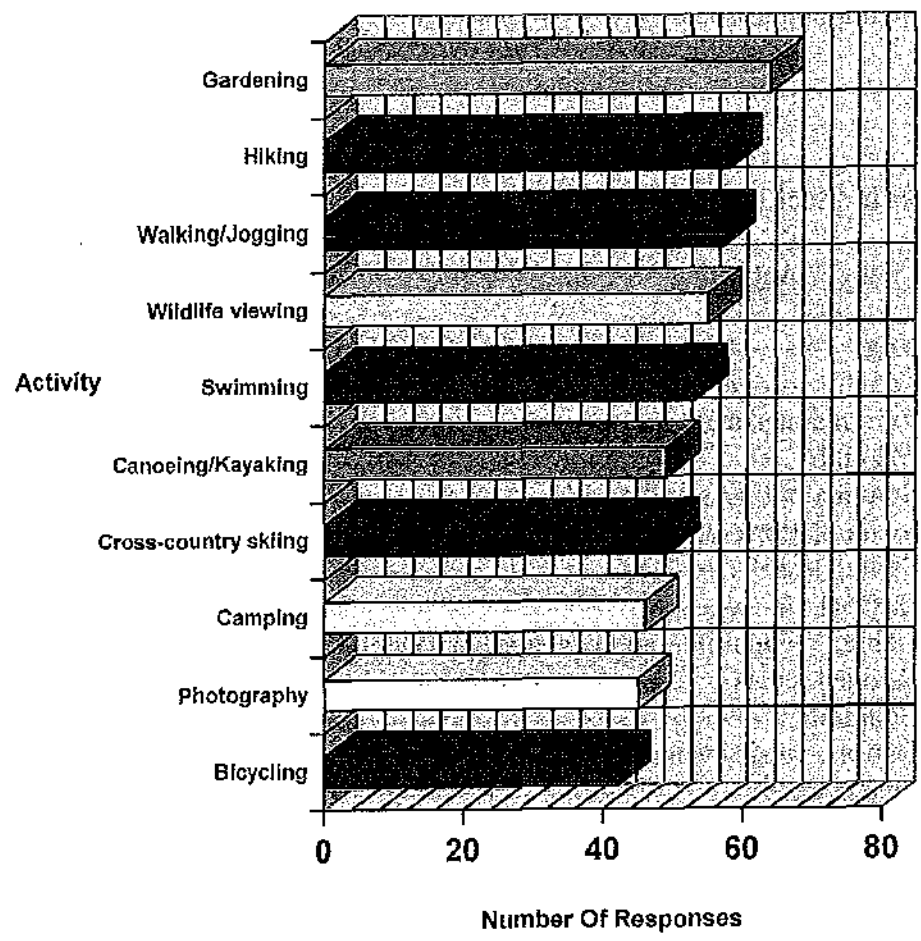
<u>Listed Activities</u>	<u>Responses (by popularity)</u>
Gardening-----	64
Hiking-----	58
Walking/jogging-----	57
Wildlife viewing-----	55
Swimming-----	53
Cross-country skiing-----	49
Canoeing/kayaking-----	49
Camping-----	46
Photography-----	45
Bicycling-----	42
Lake fishing-----	41
Beachcombing/rock-picking-----	36
Mountain-biking-----	35
Snowshoeing-----	34
Star-gazing-----	35
Creek fishing-----	33
Downhill/backcountry skiing-----	33
Reading/Book club-----	32
Arts and crafts-----	32
Tobogganing-----	31
Motor boating/water skiing-----	31
Movies/slideshows-----	31
Music (e.g., jam sessions, singing)-----	29
Board/card/dice games-----	25
ATV'ing-----	24
Exercise/fitness sessions-----	21
Tennis-----	21
Drawing /painting/sculpture-----	18
Dirt biking-----	16
Darts-----	15
Skating/ hockey-----	14
Ping pong-----	12
Baseball/softball-----	12
Soccer-----	11
Hunting-----	11
Snow-machine touring-----	11
Basketball-----	8
Billiards-----	8
Horseback riding-----	5

"Other" activities listed: Golf (2), Curling (1), Snowboarding (1), Snorkelling (1), Smoking and drinking (1), Work parties (1), Carpentry/woodwork (1), Badminton (1), Bridge classes (1), Jai Alai (1), Yoga-meditation (1).

Our Recreation - What does it look like? (cont'd)

Recreation in Hills

Top Ten Activities



Section 3: Future Recreation Programs

Question # 5:

If available in Hills, in which of the following activities would members of your family likely participate?

<u>Listed Activities</u>	<u>Responses (by popularity)</u>
--------------------------	----------------------------------

Organized hikes -----	25
Tennis lessons -----	19
Summer programs for children -----	16
Cross-country ski lessons -----	14
Swimming lessons -----	10

“Other” activities in which people indicated they would participate include:

<u>“Other” Activities</u>	<u>Responses</u>
Yoga -----	3
Tai-chi -----	2
Trail maintenance -----	1
“45 club” -----	1
Summer potlucks at the park -----	1
Swim platform/boat deck -----	1
Sailing lessons -----	1
Baseball -----	1
Habitat recognition (animals, trees, palaeontology) -----	1
Bridge lessons -----	1
Badminton -----	1
Dances, music events -----	1
Flea market -----	1
Community picnic -----	1
Canoe-kayak trip -----	1
Walking programs -----	1

Future Recreation Programs (cont'd)

Question #6:

Suggestions or comments related to Community Recreation Activities in Hills:

"swimming dock(platform) at beach (picnic tables), increased parking at Bonanza Beach(outhouse). Motorized recreation needs to be supported by Hills Rec. NOT lobbied against!!" *35 year landowner*

"Would like to see clearing done for parking at Hills beach. Often hard to park or turn around. Also maybe a swim platform for kids, a playground would be nice." *4 year renter*

"Would like to see a sled/slash ATV. group supported. It seems like all of the trails are being restricted." *4 year renter*

"Would really like to see the Fire Hall/Community Centre finished, to provide a meeting place for young family activities." *15 year landowner*

"I would like to see a swim dock built at Bonanza beach." *18 year landowner*

"Symbiosis. Respect for all citizens for their lives and activities." *38 year landowner*

"A tennis ball machine." *10 year landowner*

"LOOK AFTER YOUR OWN BUSINESS ONLY!! NO DEVELOPMENT FOR PROFIT AS SOME ARE PROPOSING" *50 year resident, landowner*

"Fitness sessions, game night, potlucks, movie night." *29 year landowner*

"A dedicated groomed, lit Cross-country ski trail system for classic and skating techniques that can be used for mountain-biking in the summer." *10 year landowner*

"leave everything alone ie don't close off any trails to anyone. I don't need any lessons in how to play tennis because I already know how to play tennis, swim, ride a bike etc. Summer programs for children sounds like something you should do." *15 year landowner*

"Our children and grandchildren come but only for a week or so in the summer so lessons would probably not be appropriate for them." *33 year landowner*

"We'd like to participate in outdoor activities that encourage fitness and health as well as appreciation of nature. The new Fire/Community Hall is an asset for promoting recreational and community activities in Hills. Indoor fitness activities, movies, game nights, etc could take place there." *4 year landowner*

"Yoga, Tai-chi" *30 year landowner*

"I would like a ping-pong table in our new hall." *38 year landowner*

Future Recreation Programs (cont'd)

Suggestions or Comments related to community recreation activities in Hills (Cont'd):

"Movie nights/slide shows, coffeehouse, ping-pong, softball, hiking." *2 year renter*

"Survival awareness; common-sense; impact on environment of activities; bird-watching plus monitoring weather records." *40 year landowner*

"WOULD LIKE TO FEEL MORE WELCOME SNOW-SHOEING." *10 year landowner*

"Once the new Fire Hall/Community Centre is finished it would be fun to have some casual get-togethers there once a week/month, especially in winter. Dare I say it, FRIDAY NIGHT DANCE PARTIES. !!" *41 year landowner*

"Put up a bulletin board at the mailboxes to announce programs and activities." *28 year landowner*

"Seems to run pretty well. If people want to have more organized Cross-country skiing for community – this OK. (but not commercial). School groups, outdoor fitness use should be encouraged." *25 + year landowner*

"Maybe a playground site – swings, slides etc." *2 year renter*

"All of your wonderful work is appreciated by all of us." *29 year landowner*

"Trail section at gravel section needs help. (re. mothers with children)" *30 + year landowner*

A library or book-lending program would be great." *28 year landowner*

"Seems to me most activities are for able-bodied people." *25 year renter*

"Exercise and fitness lessons." *30 year landowner*

"We used to have a women's "hiking club" in Hills and it would be wonderful if the HRS could schedule these. I do think that the abandoned project of a Bulletin Board at the mailbox would be an invaluable way of communicating HRS activities (allocate a specific corner of the Board for HRS news)." *30 year landowner*

"BOAT LAUNCH IS VERY BADLY NEEDED" *20 year landowner*

Mixed softball for adults/ children, advertising to see how many will come – maybe Sundays with a barbecue, Cheap stuff, swings, slides etc." *60 year landowner*

Section 4: Rail Trail - Current Uses- Spring, Summer, Fall

Question #1a:

Do you or members of your family currently use the Rosebery to Summit Lake CPR rail trail?

a) In spring/summer/fall?

Adjacent landowners:	Yes – 12	No – 0	No answer – 1
All other households:	Yes – 59	No – 5	No answer – 1
Totals -	Yes – 71	No – 5	No answer – 2

If yes, for what activities? How often?

Adjacent Landowners: Spring, Summer, Fall Use of Rail Trail

Activity	Daily	Several times a week	Occasionally	Total
Walking	2	6	2	10
Cycling	1	6	0	7
ATV'ing	0	3	2	5
Jogging/Running	1	1	0	2
Hiking	0	1	0	1
Motor/Dirt Biking	0	0	1	1
Excavator	0	0	1	1
Crawler Machine	0	0	1	1
Trail Access Corridor	0	1	0	1
Total	4	18	7	29

All Other Households: Spring, Summer, Fall Use of Rail Trail

Activity	Daily	Several times a week	Occasionally	Total
Cycling	2	11	18	31
Walking	2	7	17	26
ATV'ing	0	5	10	15
Hiking	0	5	6	11
Motor/Dirt-biking	0	4	5	9
Jogging/Running	3	3	2	8
Trail Access Corridor	0	1	4	5
Wildlife-Viewing	0	2	3	5
Horseback Riding	0	0	2	2
Berry Picking	0	0	3	3
Fire Wooding	0	0	2	2
Wild Herb Collecting	0	0	1	1
Trail-Skiing	0	0	1	1
Total	7	38	74	119

Rail Trail - Current Uses - Winter

Question #1b:

Do you or members of your family currently use the Rosebery to Summit Lake CPR rail trail?

b) In winter?

Adjacent landowners:	Yes - 9	No - 4	No answer - 0
All other households:	Yes - 47	No - 13	No answer - 5
Totals	Yes - 56	No - 17	No Answer - 5

If yes, for what activities? How often?

Adjacent Landowners: Winter Use of Rail Trail

Activity	Daily	Several times a week	Occasionally	Total
Cross-country skiing	1	4	2	7
Sledding/snowmobiling	0	0	3	3
Walking	1	0	1	2
Snowshoeing	0	1	0	1
4Tracking/ATV'ing	0	0	1	1
Total	2	5	7	14*

* One respondent reported two frequencies

All Other Households: Winter Use of Rail Trail

Activity	Daily	Several times a week	Occasionally	Total
Cross-country Skiing	4	10	19	33
Sledding/Snowmobiling	0	2	10	12
Snowshoeing	1	2	5	8
Walking	0	0	2	2
Photography	0	0	2	2
Wildlife-Viewing	0	0	1	1
ATV'ing	0	0	1	1
Access Corridor	0	0	1	1
Total	5	14	41	60**

** Five respondents did not indicate a frequency

**Rail Trail - Number of Adjacent Landowners
- Do you support motorized recreation?**

Question #2:

Are you a landowner adjacent to the Rail Trail

Answer	Respondents
Yes -----	<u>13</u>
No -----	<u>65</u>
Total -----	78

Question #3:

Do you support use of the Rail Trail for motorized recreation?

a. Adjacent Landowners Responses:

Yes-----	<u>1</u>
Yes, with Conditions-----	<u>5</u>
No-----	<u>7</u>
Total Respondents -----	13

b. All Other Households Responses:

Yes-----	<u>17</u>
Yes, with Conditions-----	<u>22</u>
No-----	<u>25</u>
Total Respondents-----	64

Combined Responses:

Yes-----	<u>18</u>
Yes, with Conditions-----	<u>27</u>
No-----	<u>32</u>
Total Respondents -----	77*

*One respondent did not answer this question.

Summary table

	Yes	Yes with Conditions	No
Adjacent Landowners	1	5	7
All Other Residents	17	22	25
Total	18	27	32

Rail Trail – Do you support motorized recreation? (cont'd)

Respondents were invited to list conditions/comments they wanted to add for either a Yes, Yes with Conditions, or No answer.

Comments from those answering YES:

“This old Rail bed has been multi-use (motorized included) since CPR abandoned it.” *50+ year landowner*

“Yes, 100%. Don't close trail to anyone. Don't change anything about rail line.” *15 year landowner*

“Use the Trail with RESPECT for one another! These Trails to be used by all people in our community – not just a select few.” *35 year landowner*

“If people drive responsibly, there is no reason it cannot be a mixed trail use. No Monster trucks!” *38 year landowner*

“I think this trail should be usable and accssible to everyone and all groups.” *25 year renter*

“I appreciate having access to a safe environment for my child and our family to develop riding skills close to home.” *15 year landowner*

“Speed limits. Closure of Rosebery to Hills for summer months. Local use of primary concern to be protected. Firewood gathering is motorized, as is maintenance (Trail).” *35 year landowner*

Comments from those answering YES, WITH CONDITIONS:

“Local use only. Status quo.” *29 year landowner*

“Maybc have limited non-motorized use during summer from June-Sept. because so many people on bicycles. *4 year Renter*

“A June to Sept. closure of the Rosebery to Hills section. High traffic. This Trail has been primarily maintained by motorized local users. It is their Trail.” *50 year landowner*

“No race track speeds. Stop and give pedestrians/bicyclists right-of-way” *9 year landowner*

“Respect to each other by all types of users. Speed limits.” *34 year landowner*

“Only if there is a way to control noisy vehicles and reckless drivers.” *2 year landowner*

“As is; now.” *10 year landowner*

Rail Trail – Do you support motorized recreation? (cont'd)

Comments from those answering YES, WITH CONDITIONS (cont'd):

“Yes, but both motorized-users and non-motorized users should respect each others’ point of view.” *8 year landowner*

“Speed limits and respect to cyclists and pedestrians.” *18 year landowner*

“Put in speed bumps and water bars.” *34 year landowner*

“Respect for all users.” *17 year landowner*

“I prefer non-motorized. However, if motorized, ATV’s and dirt bikes are driven slowly and carefully, I am willing to share.” *28 year landowner*

“I know that motorized recreation and non-motorized recreation can be a complicated issue – but I do support it. Speed-postings and right-hand side driving of motorized vehicles can reduce accidents.” *2 year renter*

“Continued consideration practised.” *10 year renter*

“Speed limit set.” *5 year landowner*

“NO COMMERCIAL USE.” *34 year adjacent landowner*

“local users only.” *2 year adjacent landowner*

“Quiet use to get to a destination, not for racing. The Trail should remain as it is now. LOCAL USE ONLY.” *30 year adjacent landowner*

“I used to use the Trail for snowmobile riding. Go to Summit Lake or Nakusp and back, 2-3 times a year.” *30 year adjacent landowner*

“Enough use that it justifies maintenance of the Trail ie. cut back alders, culverts, etc. Enough snowmobile use to pack ski trail” *25 year landowner*

“Those that require assistance ie; wheelchair” *25 year renter*

“for moving equipment. NO commercial use at all; motorbikes, ATV’s and bicycles, horseback riding, or any other commercial operations. Use should be for locals open to multi-use, policed by the locals, reported to a government agency in charge of Rail Trails.” *50 and 70 year landowners*

“Handicapped access – we drive to the Girl Guide Camp now. It would be nice to get to the beach or the little campsite just South” *6 year landowner*

Rail Trail – Do you support motorized recreation? (cont'd)

Comments from those answering NO:

“Motorized recreation does not mix with pedestrian traffic. I have often had to get off the Trail to allow cars, trucks and multiple ATV’s to zoom by. Then I ate dust and diesel fumes as I jogged behind!” *39 year landowner*

“With so much of the surrounding landscape open to motorized use, having a designated non-motorized semi-private trail along the lakeshore and Bonanza creek would provide a quiet corridor for human recreation, as well as undisturbed and secure habitat for wildlife. The enjoyment of walking, running, biking or skiing along the Rail trail will be compromised if more motorized use is encouraged.” *4 year landowner*

“for years we both used the trail a lot in Winter and considered motorized use a real intrusion. Not so much in summer but sometimes on our bikes.” *41 year landowner*

“Not compatible and will lead to many conflicts. Motorized groups irresponsible. Have already done Wetland damage near Red House. Have lots of other areas to use. More disturbance to sensitive wildlife; moose, grizzlies. NOT! Motorized can go elsewhere. This Trail should be for wheels (bike), heels and skis.” *25 year landowner*

“We have enough cars/trucks on the roads and plenty of backcountry roads that are perfect for motorized vehicles if people really do need to do these activities.” *28 year landowner*

“should be a continuation of the Three Forks Galena Trail.” *33 year landowner*

“the gentle grades of this Trail are ideal for quiet human-powered activities, not the least for children and older folks. There is plenty of terrain for the noise, rip and tear of motorcycles, quads and snowmobiles, areas that non-motorized users are unlikely or want to use.” *35 year landowner*

“I feel there is a conflict and dangerous aspect to this debate. I have personally had several “ruins” with motorbikes /ATV’s. One almost killed my dog! *30 year adjacent landowner*

“Often ATV’s are driven by under-aged drivers so they are a danger to themselves too.” *30 year landowner*

“There are fewer and fewer places to walk without the noise and air pollution of motorbikes, ATV’s and snowmobiles which totally ruin my outdoor experiences.” *24 year adjacent landowner*

“Don’t want to attract large number of people to our peaceful area.” *18 year landowner*

Rail Trail - Do you support commercial use?

Question # 4:

Do you support commercial use of the Rail Trail?

Yes -----	2
Yes, with Conditions-----	14
No-----	58
No response -----	<u>4</u>
Total-----	78

Respondents were invited to list conditions/comments they wanted to add for either a Yes, Yes with Conditions, or No answer.

Comments from those answering YES:

-no comments

Comments from those answering YES WITH CONDITIONS:

"Enough use that it justifies maintenance of the Trail ie. cut back alders, culverts etc. enough snowmobile use to pack ski trail." 25 year landowner

"Non-motorized commercial use probably acceptable" 30 year landowner

"Subject to approval Board and maybe RDCK." 2 year renter

"There is more room for more use." 10 year renter

"Not generally, but possible if low impact." 17 year landowner

"Organized bike trips." 33 year landowner

"With a lease and strict rules." 5 year landowner

"If a business ie. Cross-country skiing business were to be established they should share in maintenance costs and their needs should not take precedence over local users ie. they should be able to ban dogs from the tracks though doo-doo pick-up should be mandatory. Also, no fees should be charged but perhaps a Donation Box if we find lots of tourists come." 30 year landowner

"Non-motorized, low impact" 7 year renter

Rail Trail – Do you support commercial use? (cont'd)

Comments from those answering NO:

“What commercial use? Likely No, particularly if it curtails public use.” *30 year landowner*

“NO TENURE.” *20 year landowner*

“No commercial activity!” *29 year landowner*

“No commercial use of any sorts. Stresses out private landowners, policing lands, signs torn down, garbage, bags, cans, broken bottles, cigarette butts, illegal burns.” *60 year landowner*

“Would not promote commercial use of the Trail for any of the activities.” *30 year landowner*

“Leave it the way it is – free and unrestricted access for all the locals. Have been enjoying the trail for many years without organized help.” *50 year landowner*

“Do not want to attract large numbers of people to our peaceful area.” *18 year landowner*

“I don’t even understand what this implies.” *28 year landowner*

“Some small low-key tours might be allowed as long as they are non-motorized and approved by the community.” *25 year landowner*

“the section between Bonanza Creek road and Leontowicz’s Road to the swamp should not be used by cars. It is impossible to Cross-country ski on it in winter.” *28 year landowner*

“Would accept non-motorized commercial use; hiking, skiing, snow-shocing.” *10 year landowner*

“Zero commercial use of Trail for any reason! No one person, group or company should be allowed to close off Trail for their own personal use.” *15 year landowner*

“This has to be Yes or No. Any conditions set can be interpreted in different ways leading to possible frustration as to original intent.” *35 year landowner*

“Tenure/land grab approach is not appropriate by special interest groups. There is already non-motorized Trail from Rosebery to Nelson. We need balance.” *50+ landowner*

“There should be no commercial use of any kind; motorized or other.” *35 year landowner*

“I don’t agree with commercial use. Current use by locals is fine.” *5 year landowner*

**Rail Trail - What level of development do you favour?
- Are there Issues and Problems that concern you?**

Question # 5:

What level of development do you favour for the Rail Trail?

<u>Development Level</u>	<u>Responses</u>
-----None. I don't support any further development of the trail-----	8
Minimal. Maintain it pretty much as it is -----	24
Moderate. Improve Trail surfaces and creek crossings, clear brush, post signs-----	41
High. Establish picnic and rest areas, interpretive sites, garbage cans, access gates----	3
	Total -----76*

* Two respondents did not answer this question

Question # 6:

Are there issues or problems that concern you if the former rail corridor is developed as a recreation trail? (for example: safety, signage, parking, garbage and litter, noise and privacy, fish and wildlife issues, types of use, overuse). Please describe your concerns and any suggestions you have.

Note: Responses are organized by level of development favoured.

Responses from those favouring No Development:

"GARBAGE, PARKING, EXCESSIVE DEVELOPMENT, STRANGE PEOPLE ON TRACKS, WASHROOMS. WEED CONTROL – OF ALL NOXIOUS WEEDS" *Adjacent property owner, 20 year resident*

"I don't want to see the seclusion this Trail offers me currently ruined by Signage, other than a few directional signs on the Trail itself. I would like to see priority multi-use for locals - there is no need to attract people from elsewhere to use it (especially in groups)." *Adjacent property owner, 2 year resident*

"We inhabit a unique riparian zone. Our further meddling and intrusion on the zone is unnecessary and selfish and only serves to eliminate that on which we and the ecology depend." *Property owner, 40 year resident*

Rail Trail – Are there issues and problems that concern you? (cont'd)

Responses from those favouring No Development (cont'd):

“Yes, I like it the way it is. I do not like grooming on the ski trail in the winter.” *Property owner, 38 year resident*

“No comment as I prefer to ski ungroomed portions of the Trail. As for Noise = I can hear highway noise way in the bush berry-picking. And, I can hear logging noise from home.”
Property owner, 6 year resident

“All of the above! Unlike some people I didn't move to Hills to change things for my own personal gain. I moved here because I like it the way it is; open to all people who come here! It's clear that some one or group of people have gone above the heads of the residents of Hills! They have convinced the RDCK to apply to take control of the Rail Line. This person or group may be falsely claiming to represent the majority of Hills residents. Hills Rec. Society should not support any commercial or private development or Closing of any part of Rail Line to anyone, motorized or NOT! P.S. What happened to fire hall and fire truck?” *Property owner, 15 year resident*

Responses from those favouring Minimal Development:

“problems of garbage, noise, privacy, parking problems. We feel the current use is OK. But expansion of use or changes would impact very much on us. NO SIGNAGE.” *Adjacent property owner, 30 year resident*

“all of it” *Adjacent property owner, 30 year resident*

“This is a wildlife corridor. I do not want further disruption and displacement of wildlife which is inevitable with increased recreational and motorized use of Trail. It is obvious that overuse and misuse will diminish/destroy the irreplaceable values we currently enjoy. However, I think this is a waste of time! This is a futile process. It is always business as usual and this will become another playground for motorized vehicles, parking lots, signs etc. to accommodate them. The rejuvenating tranquil experiences of Nature are a thing of the past.” *Adjacent property owner, 24 year resident,*

“No more traffic wanted. Property trespass has been an issue already. We don't want or need this Trail ruined by over-use by out-of-town people. This is a corridor which links several developed motorized riding zones. Again, there is NO motorized rec. trail respected or supported by the heavily biased Hills Rec.” *Property owner, 50 year resident*

“Privacy loss and over use a major concern! How do you limit human presence which displaces wildlife? Protecting historical uses by long time Hills residents will be lost. Any management of the corridor should be with Hills Rec only. Keeping accountability and responsibility local. This trail should be cared for by locals not Galena Trail group.” *Property owner, 35 year resident*

Rail Trail - Are there issues and problems that concern you? (cont'd)

Responses from those favouring Minimal Development (cont'd):

"All of the above **IF** they become problems but most people have these same concerns and want to preserve and enjoy these trails." *Property owner, 9 year resident*

"There's already traffic issues as described above. We are currently experiencing noise and litter issues. ATV's (children and adults) are using it as a race course. Trucks and cars are travelling down the corridor and setting up camp. There are signs of increased littering along the roadway and beach access, due to vehicle/camper access. A non-motorized trail, and minimum development would accentuate pedestrian traffic and prevent some of the negative effects that we are currently experiencing." *Property owner, 39 year resident*

"I am concerned about all of the above. Definitely **NO SIGNAGE.**" *Property owner, 29 year resident*

"Don't want more people. Don't want it more accessible." *Renter, 4 year resident*

"Maintain Trail for current use." *Property owner, 10 year resident*

"All of the above. No access for disabled (motorized). No access for emergency personnel (in case of medical emergency). More people for profit = more shitting/pissing in the bush, and less privacy for Locals. I do not want anyone telling me when or how to conduct my personal recreation for fee or otherwise. Definitely **NO SIGNAGE!!!**" *Property owner, 50 year resident,*

"The only change I would support is a bridge over the "big ditch" where the large culvert was removed." *Property owner, 41 year resident*

"Living at the end of the old Scinitar Sawmill site, many a time individuals ; mostly motorized have ended up in the mill yard coming up from the Rail Trail and trespassing through the site with no regards that they are trespassing, even though the Site has been posted. This pisses me off, and being pissed-off is not good for my well-being." *Renter, 25 year + resident*

Rail Trail - Are there issues and problems that concern you? (cont'd)

Responses from those favouring Moderate Development:

"My main concern is wildlife protection and avoidance of interference during their breeding seasons. I have found there is most wildlife habitat to the North of us. I have seen grizzly bears in May at Jane Clark's place, blue herons (endangered) mid-way to Summit Lake, moose etc. I think there should be a Spring ban on the use of the Rail Trail (April-June - ask Wayne McCrory?), as there is flooding as well. Signs could get people to exit to the highway at Bonanza Road and re-enter at the north end of Summit Lake. If the motorized issue cannot be resolved, I think "local permits" from Nakusp to N. Summit Lake would be the compromise. Speed limits should be imposed with the awareness that "citizen reports" (as it would be hard to enforce/police) are valid. After 2 speeding infractions permits are revoked for life! Also, proper signage at the gravel pit would avoid lots of lost cyclists. Way to go HRS Board for putting out an updated HRS questionnaire and following up on it!" *Adjacent landowner, 30 year resident*

"We do not support just a Recreation Trail. Clean-up, ties, garbage from people, noise from groups of people walking ATV's, motorbikes, vehicles, campers, bicycle groups, people trespassing on private property, vandalism to private landowners land and equipment, outhouses, garbage in fire pits" (we already maintain from Girl Guides to Hunter Siding area with crawler equipment, excavator, crawler cat)." *Adjacent property, 50 year resident*

"We hope this section of Trail will be designated non-motorized. Such a designation would remedy our top concerns of: Fish and Wildlife: there's much scientific evidence showing motorized vehicles harass and displace wildlife. Bears, moose, and wolves, dippers and the Great Blue Heron - wary wildlife that typically feel threatened and avoid human-habited places. *Property owner, 4 year resident*

Noise : an increased use of motorized vehicles on the trail would impact the quiet of the rail corridor for humans seeking to recreate in solitude and may harass and scare away wildlife." *Property owner, 4 year resident*

"Noise. Garbage." *Property owner, 3 year resident,*

"The people who use the trail need to behave responsibly and be considerately. More rules will not replace each user being responsible it's a wonderful trail for all recreational sports" *Property owner, 38 year resident*

"Privacy loss and over use a major concern! How do you limit human presence which displaces wildlife? Protecting historical uses by long time Hills residents will be lost. I think over development would incur too much use by non resident/area traffic. The corridor should be maintained and supported for community use in order to enable the broadest range of community use. Certainly **Do Not** want to see over use by bicycle groups/ski groups. Would like to see a motor-only section." *Property owner, 15 year resident*

"No! I love the trail for all our activities" *Property owner 25 + year resident*

"I don't want the trail being used for bike tours, there are too many already, but would love to be able to push a stroller on it. Really nice to take the kids out on sled rides in the winter." *Renter, 4 year resident*

Rail Trail - Are there issues and problems that concern you? (cont'd)

Responses from those favouring Moderate Development Comments (cont'd)

"There would be many problems if developed for motorized recreation ie noise, safety, (motorized and non-motorized do not mix) wildlife movement would be affected, impacts on landscape from over use, privacy on the beach. South Valley has non-motorized rail trail-So should we. One of the few quiet places left in the area where there is a trail. Many places where motorized vehicles can go other than a quiet remote trail!" *Property owner, 30 year resident*

"Bonanza Creek and Marsh are extremely important wildlife areas. Wildlife should have first priority. Any development /maintenance must accommodate wildlife." *Property owner, 40 year resident*

"I want motorized vehicles to be careful and respectful of non-motorized vehicles, I would like to be able travel from Rosebery and Summit Lake without running into mud puddles or washed out areas. I would also like to be able cross country ski all the way to Summit Lake Also the chasm just north of the gravel pit is difficult to ski. Is there any way to put in a culvert and fill it in or a bridge? Biking is also very difficult." *Property owner, 28 year resident*

"My main concern/observation centers around the quality of the discourse around this issue. Ideally Hills residents and especially Hills Rec board members would foster respectful communication and tolerance for differing points of views, vision, and values." *Property owner, 17 year resident*

"Yes all the issues above are valid and seemingly problematic." *Property owner, 30+ year resident*

"#1 Safety Speed postings, driving on right hand side of the road. Signage." *Renter, 2 year resident*

"Motorized use needs to be prohibited. Hills Rec Society needs to acquire Girl Guide camp as part of the package. Proposed regional park surrounding rails corridor needs to be designed to protect viewscales, lakeshore etc. Grizzly hazard in the spring and sensitive to human impact. Need to acquire Bonanza Marsh for protection and nature appreciation, not development. Needs to be managed to minimize disturbances to wintering ungulates. The most ecologically important and most fragile piece of land in Hills is Bonanza Marsh/Creek. This should be protected status of some sort." *Property owner, 25 year resident*

"All of the above. Proper management is a must with regular monitoring and upkeep." *Property owner, 5 year resident*

"Noise and privacy – should be relatively low impact." *Property owner, 33 year resident*

"Yes. Overuse. Garbage. Fish and wildlife; especially with peoples' dogs. Dogs on leash. As is – concerns re. dogs on the loose not properly controlled . Dogs loose where people are camping along the Trail – coming out as walking by." *Property owner, 11 year resident*

Rail Trail - Are there issues and problems that concern you? (cont'd)

Responses from those favouring Moderate Development Comments (cont'd):

"Most people that use this form of recreation are responsible people. You cannot close the Corridor for a few irresponsible people. That is like closing the highway because of a few Speeders. Keep things simple." *Property owner, 35 year resident*

"The trail is great fun to use but it is rapidly being overgrown. This makes the Trail use undesirable when conditions are wet because one becomes soaked. The railroad grade is a wonderful asset that NO ONE would recreate simply for recreational use. We definitely should restore its potential while it is retrievable." *Property owner, 35 year resident*

Concerning motorized use; I know no one who would choose to hike, bike, jog or ski among noisy, dust-raising, exhaust-generating motorized vehicles even though the motorized users seem to have little trouble with the more quiet types. Clearly, the aesthetics of these two general types of users are different and generally incompatible." *Property owner, 35 year resident*

"all of the above are definite concerns. Please help keep it quiet, clean and safe from human disturbances other than simple maintenance. We really all have enough options elsewhere. This Trail does not need major exposure." *Property owner, 28 year resident*

"I would be concerned about overuse and the impact it would have on the environment." *Renter, 2 year resident*

"Non-motorized and motorized use do NOT work together." *Property owner, 18 year resident*

"Concern for garbage, parking, noise. It is a great and beautiful Corridor and we should encourage it's use for non-invasive recreation. It would encourage Tourists. Business needs these tourists." *Property owner, 10 year resident*

"Noise. Garbage." *Property owner, 17 year resident*

"Depends on the type of recreational activity. Do not want to see x-country ski trail developed and become a popular tourist attraction in the Winter. Outside of maintaining creek crossing and brush, I do not want to see any development or commercial use. I prefer, the Ski Trail not be groomed" *Property owner, 18 year resident*

Responses from those favouring High Development :

"No concerns, I favour development of the rail trail for non-motorized recreation." *Property owner, 30 year resident*

"Noise and safety on Trail to nearby landowners. We live off HWY 6 and Reiben Rd. and hear motor use on Trail. Fish and wildlife as it is – is a sensitive area. Grizzlies are commonly sighted in the wet area above Hunter Siding in the Spring (April/May)." *Property owner, 10 year resident*

**Appendix A –
Community Recreation Survey**

Hills Recreation Society Community Recreation Survey

The Hills Recreation Society would like to learn more about the recreation interests and habits of Hills residents to help plan activities. We would also like to know your use of and opinions about the Rosebery to Summit Lake rail trail for future discussions. Please fill out this questionnaire, and a member of the Hills Recreation Society will be in touch with you to pick it up.

Who are we as a community?

How many people live full-time in your household? _____

How many: Children: 0-10 years _____ Adults : 19-55 years _____
 10-18 years _____ over 55 _____

How long have you lived in Hills? _____ years Landowner? _____ Renter? _____

Our Recreation. . . . What does it look like?

Please check the activities in which you or members of your family participate:

- | | |
|--|--|
| <input type="checkbox"/> Baseball/softball | <input type="checkbox"/> Camping |
| <input type="checkbox"/> Basketball | <input type="checkbox"/> Creek fishing |
| <input type="checkbox"/> Soccer | <input type="checkbox"/> Lake fishing |
| <input type="checkbox"/> Tennis | <input type="checkbox"/> Hunting |
|
 | |
| <input type="checkbox"/> Bicycling | <input type="checkbox"/> Gardening |
| <input type="checkbox"/> Mountain-biking | <input type="checkbox"/> Walking/jogging |
| <input type="checkbox"/> ATV'ing | <input type="checkbox"/> Hiking |
| <input type="checkbox"/> Dirt-biking | <input type="checkbox"/> Wildlife viewing |
| <input type="checkbox"/> Horseback riding | |
|
 | |
| <input type="checkbox"/> Cross-country skiing | <input type="checkbox"/> Drawing/painting/sculpture |
| <input type="checkbox"/> Downhill/backcountry skiing | <input type="checkbox"/> Photography |
| <input type="checkbox"/> Snow-machine touring | <input type="checkbox"/> Star-gazing |
| <input type="checkbox"/> Snowshoeing | |
| <input type="checkbox"/> Tobogganing | <input type="checkbox"/> Beachcombing/rock-picking |
| <input type="checkbox"/> Skating/hockey | <input type="checkbox"/> Swimming |
| | <input type="checkbox"/> Canoeing/kayaking |
| | <input type="checkbox"/> Motor boating/ water skiing |
|
 | |
| <input type="checkbox"/> Exercise/fitness sessions | <input type="checkbox"/> Arts and crafts |
| <input type="checkbox"/> Movies/slideshows | <input type="checkbox"/> Board/card/dice games |
| <input type="checkbox"/> Music (e.g., jam sessions, singing) | <input type="checkbox"/> Darts |
| <input type="checkbox"/> Reading/Book club | <input type="checkbox"/> Ping pong |
| Other? _____ | <input type="checkbox"/> Billiards |

Future Recreation Programs

If available in Hills, in which of the following activities would members of your family likely participate?

- | | |
|---|--|
| <input type="checkbox"/> organized hikes | <input type="checkbox"/> cross-country ski lessons |
| <input type="checkbox"/> summer programs for children | <input type="checkbox"/> tennis lessons |
| Other? _____ | <input type="checkbox"/> swimming lessons |

Suggestions or comments related to community recreation activities in Hills:

Rail Trail

The Regional District of Central Kootenay has applied to the BC government for a lease to manage the former CPR rail corridor from Rosebery to Summit Lake as a recreational trail. They are interested in local use patterns and concerns.

1. Do you or members of your family currently use the Rosebery to Summit Lake CPR rail trail?

a) in spring/summer/fall? Yes No

If yes, for what activities? _____

How often? Daily Several times a week Occasionally

b) in winter? Yes No

If yes, for what activities? _____

How often? Daily Several times a week Occasionally

2. Are you a landowner adjacent to the Rail Trail? Yes No

3. Do you support use of the rail trail for motorized recreation?

Yes Yes, with conditions No

Comments _____

4. Do you support commercial use of the trail?

Yes Yes, with conditions No

Comments _____

5. What level of development do you favour for the rail trail?

- None. I don't support any further development of the trail.
- Minimal. Maintain it pretty much as is.
- Moderate. Improve trail surfaces and creek crossings, clear brush, post signs.
- High. Establish picnic and rest areas, interpretive sites, garbage cans, access gates.

6. Are there issues or problems that concern you if the former rail corridor is developed as a recreation trail? (for example: safety, signage, parking, garbage and litter, noise and privacy, fish and wildlife issues, types of use, overuse). Please describe your concerns and any suggestions you have.

Thank you for your input and time
Hills Recreation Society
September, 2009

If you have any questions about this questionnaire, please contact one of the Hills Rec Society board members listed below:

Richard Allin
Gianni Depretto
Boukje Elzinga
Daniel Hellyer
Ellen Kinsel

Scott Kipkie
Lawrence Schiavon
Paula Shandro
Donna Shaw

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Friday, February 12, 2010 10:33 PM
To: ILMB, Cranbrook ILMB:EX
Subject: Application for Park Trail

Front Counter BC
1902 Theater Road
Cranbrook, BC V1C 7G1

Re: Application 4404926 ILMB

Hello,

This proposed regional Park Trail above is quite important to me. Please do make this Trail designated as non-motorized. I have used this trail often when wanting a solitary experience in nature. It is bad enough to encounter mountain bikes whizzing past, but the advent of motor bikes and ATVs is a horrible thought. It is also most disconcerting to meet up with a snowmobile in the winter time - a time when everything is hushed with the purity of snow. I have numerous visitors during the summer and desperately would not like to meet anything motorized on this trail. Keep these motorized contraptions off trails in nature.

Please do preserve the quality of our area by making this trail non-motorized.

Sincere regards,

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Friday, February 12, 2010 10:25 PM
To: ILMB, Cranbrook ILMB:EX
Subject: Park Trail

s.22

February 12, 2010

National Resource Officer
Front Counter BC
1902 Theater Road
Cranbrook, BC V1C 7G1

Re: Application 4404926 ILMB

Dear Sir,

This proposed regional Park Trail is an utmost importance to me and to our community. We urge that the Trail be designated non-motorized. s.22

s.22 we have become beset with motorized noise (chip trucks every 20 minutes for years and years, fleets of motorcycles, sometimes between 25 to 40 in number, in summer, autos, seadoos, in winter skidoos. As a result there is a greater need for a walking trail for ourselves, village elders and children, not to mention the growing numbers of tourists seeking a rural-forest experience. In addition, a non-motorized designation will keep us free from teenagers on motorbikes and the ubiquitous ATVs.

I urge you to act in this context.

Sincerely,

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Wednesday, February 10, 2010 11:03 PM
To: ILMB, Cranbrook ILMB:EX
Subject: Application FN: 4404926

I want to show my support for the addition of the rail trail from Roseberry to the west end of summit lake as park, but only if motorized use is still allowed. I think that all users should work together for the betterment of that trail system. Currently there are several portions of the trail that require extensive work. In rural communities with limited access to both funds and volunteers, we need to work together. I think that as long as motorized vehicles respect hikers, cyclists, horseback riders, snowshoers and skiers, everyone can use the trail without incident...Thank you for letting me voice my opinion. s.22

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Natural Resources Officer,

We would like to state our opposition to application 4404926 from the Hills Rec. Society. This old rail bed has been an issue for at least 10 years now and the local people will not accept this tenure application, as there are too many different ideas about what should be done with the rail bed. The application is very unspecific about what will happen, other than it would become a park, which means no motorized use of the trail, which is unacceptable to us. This would exclude older, disabled and even paralyzed people who can ride an ATV, but are unable to walk or hike longer distances. As well, we are having more and more of our back roads taken away from us, like Enterprise Creek where the creek has actually been diverted down the main road for 100 feet and the road is now closed. I hear that in the summer of 2010, the bridge up Silverton creek will be removed as well. This is unfortunately another act by a small group to control more land locally. We have 3 very big parks in this area now and some more small ones, we do not need any more here. If you review the history of the groups that have tried to work out a solution for this, you will find that there was never any sort of conclusion, as there is no agreement on the different issues regarding this rail bed. Some of us have spent many hours trying to work this out without any progress. We feel that since there is no agreement, this should be left, as is, until such time that an agreement can be reached regarding this rail bed.

s.22

We are fortunate to live in an area where you are able to access the beautiful outdoors by a multitude of different means, may it be motorized, walking, skiing or horseback. To take away this opportunity from all people to support the wishes of a select few is not acceptable. I feel that we should be able to come to some agreement that would be acceptable by all and not discriminate against the majority. The implementation of a speed limit and simple curtesy would be a very good start!

Thank you for your time and consideration.

Sincerely,

s.22

ILMB file #4404926

I am writing this note about this tenure application, hoping that the trail contained in the park will be a MULTI USE trail. I understand this proposal is coming from a few selfish local people in the Hill's area, and I strongly oppose this, any new trails in the province must be multi use. Atv and snowmobile recreation is a billion dollar a year tourism industry in Ontario and Quebec, because of the trail system that is in place. It's time BC started a provincial trail system, for everyone to use, not to put up barriers by making single use trails. I was involved a few years ago when this project was first proposed. As a " Rails to Trails" There were numerous meetings but nothing was ever accomplished , as some that were involved did not want a multi use trail. I am still willing to help build and maintain a multi use trail between Nakusp and Rosebery, but I most strongly oppose any none motorized trail, any where in BC.

s.22

Integrated Land
Management Bureau
Ministry of Agriculture & Lands

FEB 10 2010

RECEIVED
CRANBROOK, BC

ILMB file #4404926

On behalf of the members of the Arrow Lake's Ridge Riders snowmobile club in Nakusp, we support a Multi use trail. We hope the BC provincial government will look to the snowmobile trail system in the provinces of Ontario and Quebec. In each of these provinces there are tens of thousands of kilometers of trails, and they generate hundreds of millions of dollars annually in winter recreation. We hope this will become the first of a new provincial trail system for all users.

We have heard a rumour that this trail proposal may be for none motorized use, and we strongly oppose this! We hope this trail is for the use and enjoyment of everyone, not just a few selfish local people in the area that want this trail for themselves.

^

s.22

Integrated Land
Management Bureau
Ministry of Agriculture & Lands

FEB 10 2010

RECEIVED
CRANBROOK, BC

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Tuesday, February 9, 2010 2:36 PM
To: ILMB. Cranbrook ILMB:EX
Cc: s.22
Subject: RDCK application re Rosebery Parklands

To Whom It May Concern:

I am writing to register my support for the RDCK application for tenure on the old CPR rail grade from Rosebery to Summit Lake.

Thanks very much for all your work at BC Front Counter!

s.22

Information from ESET NOD32 Antivirus, version of virus signature database 4852
(20100209)

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Monday, February 8, 2010 12:55 PM
To: Front Counter BC ILMB:EX; Jill and Eric Faulks
Subject: CranbrookNaturalResourceOfficer

s.22

re: ILMB Kootenay Region application for rental tenure for Crown Lands between Rosebery and Summit Lake for the purpose of REGIONAL PARK

Natural Resources Officer, Cranbrook,

Please add my voice to those in favour of establishment of regional district park along the abandoned railway bed between Rosebery and Summit Lake.

This is an important piece in the regional district goal of pursuing a vision of a sustainable and green future. It is worthy to pursue energy saving strategies, but it is not enough. We must find ways to create business opportunities that will create employment within our mandate of a sustainable future. The regional district and other levels of government have an important role to play in the creation of infrastructure which will support the development of enterprises that have a lighter carbon footprint. This new park would be a part of a larger network of non-motorized trails in the Kootenays, which will allow it to be included in a larger marketing strategy, thus enhancing its value as a public asset.

SAY YES TO: ADDITIONAL ECO-FRIENDLY INFRASTRUCTURE
NON-MOTORIZED PARKS AS PUBLIC ASSETS
EMPLOYMENT OPPORTUNITIES IN A SUSTAINABLE FUTURE
GOVERNMENT LEADERSHIP AND WISE DECISION MAKING

Thank you for your consideration,

s.22

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Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Monday, February 8, 2010 8:54 PM
To: ILMB, Cranbrook ILMB:EX
Subject: Tenure Application on Trail (4404926)

Hi there

We would like to state my opposition to the application 4404926 from hills rec society. s.22
s.22 I have been on th trail to Hills /Roseberry, I have walked it and been on my bike and been on my atv, and yes in the winter my family and I have taken our snowmobiles as well it is a nice thing to do with the family . I realy would like to see this trail open to all walks of life .Please do not close it off to us as, You see we use it a lot. I want to keep it open to motorized vehicles as well. There hasn't been any issues s.22
Why can't we just keep it the same?

Yours Truely.

s.22

s.22

All your Hotmail contacts on your phone. Try it now.

FEB 08 2010

RECEIVED
CRANBROOK, BC

Hills Recreation Society
c/o Boukje Elzinga
S-2, C-59 RR1
New Denver BC V0G 1S0

February 3, 2010

Natural Resource Officer
FrontCounter BC
1902 Theatre Road
Cranbrook BC
V1C 7G1

Dear Madame or Sir

With reference to ILMB file # 4404926

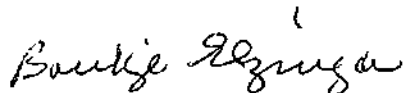
The Hills Recreation Society wishes to submit two documents in response to the Regional District of Central Kootenay (RDCK) of Nelson BC's application for Nominal Rent Tenure to create a regional park trail on the Provincial Crown Land of 95 hectares between Rosebery and Summit Lake near New Denver,

The two documents are:

- a letter from Richard Allin, the President of the Hills Recreation Society, to Don Munro, former Area H Director of the RDCK, containing a resolution about the use of the land in question, endorsed by the members of the HRS at their Annual General Meeting of April 6, 2008.
- A recently completed survey: *Hills Recreation Society Community Recreation Survey Results 2009*.

This information will be helpful in determining the outcome of the application in that it reflects the opinions of a majority of the people actually living close to the area in question.

Respectfully submitted



Boukje Elzinga
Secretary of the Hills Recreation Society

May 20, 2008

Mr. Don Munro
Director Area H
Regional District of Central Kootenay
Fax: 250.226.7076

Dear Don,

As discussed in our phone conversation this afternoon, following is the resolution regarding the former CPR corridor between Rosebery and Summit Lake that was passed unanimously by the directors of the Hills Recreation Society and endorsed by membership at our recent AGM:

"Given

- the nearly 10 years of community discussions and agreement that the Rosebery to Summit Lake section of the former CPR rail corridor should be maintained as a public recreational trail,
- the increasing risk of fragmentation of the corridor due to use by private landowners and pressures for further land development, and
- the continuing deterioration of the rail-trail,

the Hills Recreation Society requests that the RDCK assume jurisdiction of the corridor immediately (as per Resolution 344/01 of the RDCK board). The HRS also requests that (as per RDCK Resolutions 345/01 and 346/01) the RDCK continue to work closely with stakeholders to finalize the details of a management plan for the rail-trail and to complete a biological feasibility study to assess the impacts of recreational use and make recommendations on how to limit damage from such use."

As I mentioned on the phone, Don, the committee of stakeholders that has been working on a management plan for the trail has been inactive since last fall but has come a long way toward agreeing on the details of a plan for the rail trail. A team of biologists, endorsed by the committee, has begun an impact assessment on a volunteer basis, but this has yet to be completed. As expressed in the resolution above, we feel some urgency that the corridor be secured as a public recreational trail as soon as possible while it is still intact and available. We are confident that following this, the management details can be readily worked out.

We would be happy to speak with you and your fellow directors further regarding this proposal. Please contact me by phone at 358-2355 or by email at goodallin@netidea.com for further information.

I look forward to hearing back from you regarding a plan of action from the RDCK. Thanks for your time and attention to this, Don.

Regards,

Richard Allin
President
Hills Recreation Society

FEB 15 2010

s.22

RECEIVED
CRANBROOK, BC

s.22

February 11, 2010

To: Front Counter BC
Integrated Land Management Bureau
1902 Theatre Road
Cranbrook, B.C.
VIC 7G1

**Front Counter BC regarding ILMB file number: 4404926
(Regional Park Trail between Rosebery and Summit Lake)**

I am writing to express our **enthusiastic support** for the above-noted application. We have long hoped for the Regional District to take over this section of trail and manage it as a park.

I live in the community of Hills and regularly use what we call the "rail-trail" or "tracks" along Slocan Lake and in the direction of Summit Lake, for walking, bicycling, nature appreciation, bird-watching and, in winter, cross-country skiing. The trail is a real treasure for all of us in this community; it is very well used and loved. We welcome others to use it as well, so long as they do so respectfully.

The Regional District taking over this trail and managing it as a Regional Park Trail is a very appropriate development and one we wholeheartedly support. With that in mind, we would like to put on the record that we wish to see the trail designated for **non-motorized use** only.

Motorized vehicles such as ATVs, dirt bikes, motorcycles, and in winter, snowmobiles, create an unacceptable disturbance to people and wildlife along this sensitive and narrow corridor.

In spring, grizzly bears and other wildlife highly sensitive to human disturbance frequent this corridor. Year-round, the rail-trail is a corridor for elk, moose, bears, deer, and large cats such as cougar and bobcat. When the trail becomes a Regional Park, it will be important that we

humans share this trail with our animal relations, not drive them from it with noisy, frightening, polluting machines.

For human users of the trail, the oily fumes from a snowmobile linger long after the vehicle has passed, leaving those of us trying to recreate in a healthy manner gagging. In summer, our peaceful picnics and swims are often shattered by the piercing whine of dirt bikes racing along the lakeshore section of this trail.

It is unacceptable that the shallow pleasure of a few (those on motorized vehicles) be allowed to ruin the natural experience of the many (the people who are peacefully enjoying the area and coexisting with its natural values).

There have been heated letters to the local newspapers on this matter and we are sure you are being bombarded with letters. Frankly, some of those published letters have been misleading regarding the Official Community Plan our area completed and about the results of a survey conducted by the Hills Recreation Society. We urge you to check the facts directly and not be influenced by those misleading representations.

Whether the trail is rated for motorized or non-motorized use should not be decided by a straw pole of residents or because of the pressure tactics of the ATV/snowmobile lobby. The decision should be made based on sound principles of good management. I trust you will do the right thing, and make this section of trail non-motorized, as is the highly praised and much-used trail to the south of us (the section from Slocan to Winlaw).

Thank you for your attention to this matter.

s.22

In Regards to application made by R.D.C.k central kootanay of Nelson, B.C on behalf of I.L.M. kootanay region for the purpose of a regional park tra between Rosebery and Summit Lake B.C. I.L.M.B File # 4404926. I am very much against this park trail application as it would make the Old Rail Line a non-motorized trail. The old rail line is used by many people both local and non-local, for many things to go hunting, fishing, ~~trailing~~ bike riding both motorized and non motorized, snowmobiling, hiking, quads etc. etc. The old rail line provides access to the back country for many ~~to~~ people some even handycaped people use it for recreation on quads and snowmobiles. Right now the old rail line is open to everyone, but a small group of people maybe around 10 or so want to close the trail to motorized use, this small number of people have ~~used~~ the Hill's rec society to further their cause, which in turn has caused a rift within the Hills rec society itself, because its only recently became public ~~that~~ that an elite group within the Hills-Rec Society want to make a park trail out of old rail line. Even some board members of Hills Rec Society were kept in ^{the} dark about this and

s.22

s.22

s.22

When members of Hills rec society found out about this application some of the members aranged to have a servy of the residences of Hills about the use of

Old rail Line. This survey was done at the objection of the elite group within Hills Rec Social

s.22

s.22 The survey asked ~~for~~
 ● How we felt about the rail line being used by motorized vehicles, the question gave 3 possible answers

1. Open use with no restrictions
2. Open use with some restrictions
3. Closed completely to motorized use.

23 % of Hills residences answered # 1 open with no restrictions.

35 % of Hills residences answered # 2 open with some restrictions (i.e. speed, noise.)

41 % of Hills residences answered # 3 closed to motorized use completely.

Answer # 1 + 2 go together as they both allow for the motorized use of Old Rail Line with or without some restrictions (i.e. speed, sound) that means that 58 % of Hill residences are for motorized use of rail line.

41 % of Hill's residences are for non-motorized use.

A Clear majority of Hills residences are for motorized use. This old rail line is used for many things by many people, not just recreational either some people use it to get fire wood which is a necessity out here not Lucksury.

The people behind this rial to park Line talk about being good ~~neibers~~ neighbours, with a desire to accomodate each other,

s.22

s.22

s.22

"It's a compleat waste of tax dallers to go to a trail Line at this time of fiscal cut backs, health care, ~~education~~ education, roads etc etc. At this time I would like to ask that you stop this application now! I could go on and on about this rail to trail Line, having talked to many of my neighbours about this park trail I asure you that a majority of people in Hills would like to see the old rail Line left the way it is.

Thank you for taking the time to read my letter I hope that you side on the majority side and cancel this application! If this park trail goes throu you will be rewording a small number of people trying to make a land grab for their own use!

s.22

Please note I am including the article written by Mr. Richard Allin in the Jan 27/2 Valley Voice news paper. I used Mr. ALLIN's numbers on survey results (Hills survey).

I would also like to point out in this article Mr. Allin talks about how important this Land corridor is to wild life, including beavers, he then goes on to write the beavers are damaging the old rail line so I take that ^{to mean} he intends on getting rid of the beavers! I find it very interesting after all these years of open use on the old rail line, approximately 30 years of use by motorized and non motorized vehicles that in Mr. ALLIN's own words the rail line is a habitat for a great number of species of wild life, birds, moose, grizzly, black bears, cougars, Lynx, elk etc. etc. So for approx 30 years with no money spent by anyone, gov or private, motorized use and all ^{kind of} wild life thrive along this land corridor.

~~Mr.~~ Mr. Allin says that it's urgent to act quickly to take control of this land to save it! Who or what does he intend on saving it for?

~~Mr.~~ In his own words in ^{the} article dated Jan 27/2010 Valley Voice news paper, Mr. ALLIN talks about this ~~land~~ ~~corridor~~ ~~is~~ ~~at~~ ~~risk~~ ~~from~~ ~~natural~~ ~~activity~~, and it is at risk of becoming fragmented under pressure for land development. It appears to me that the only risk of encroaching development on the old rail line ^{saving it} is Mr. ALLIN's plan for a trail on it. Mr. Allin wants to create this park trail and Mr. ALLIN wants to control this trail! IS it possible that there is a conflict

of interest here? I would ask that the people who pushed for this trail have nothing to do with running it, should it become a park trail it should be controlled by park gov employees.

If this small elite group of people get control of this land, and then be financially rewarded then maybe we all should ~~apply~~ apply for a peice of land to control and make money from!

s.22

The best thing to do is to stop this application now!

At the very least you should put this application # 4404926 on hold until these and many other issues get sorted out!

FROM THE VALLEYS

Copyright

February 16, 2010

National Resource Officer
Frontcounter BC
1902 Theatre Road
Cranbrook, BC
V1C 7G1

Re: File # 4404926 ILMB

Dear Sirs:

I strongly support the proposed regional Park Trail from Rosebery to Summit Lake for several reasons. We need a safe place for people to walk, bicycle or ski. In our society, we are becoming more and more sedentary through so much use of computers and so much time sitting in front of TV's. Our collective national health is reeling from our increasing lack of physical activity. Creating a non-motorized trail sends out a message about the value of moving your body. A government can't just say that we need to be more active, it needs to become part of the solution. Creating a non-motorized trail is a great way to do this.

We've already provided thousands and thousands of miles of roads in our province for people to travel in their motorized vehicles. In this particular area, the roads are narrow, leaving little space beyond what vehicles, (especially huge chip trucks), need. This creates unsafe situations for people who want to walk or ride their bicycles aside the roads. A regional Park Trail would make a great addition to the existing Galena Trail that the Regional District created in the 1990's. The popularity of the Galena Trail by residents and visitors to this area should provide good evidence as to the need for a protected extension from Rosebery to Summit Lake.

I also feel that in our increasingly frenzied world and correspondingly stress filled lives, we need places to go to that allow us to experience something different. Quiet places. These are becoming harder to find at the very time we need them more to have the chance to slow down our over stimulated minds. It's both our mental and physical health that would benefit from a non-motorized regional Park Trail.

The health problems that we presently are experiencing are not going to go away. More likely, they will increase like the obesity levels have in the U.S.. A trail that one can safely exercise on without using motors would be a gift, not only to the present but to the future. I think that we

are, you are, in a position in this case, to give both the present and the future health and safety of our residents a lot of serious consideration.

Sincerely,

s.22

FEB 17 2010

RECEIVED
CRANBROOK, BC

2010-02-14

File no: 4404926

Re: application made by the Regional District of Central Kootenay of Nelson, B.C., on behalf of the ILMB, Kootenay Region for a Nominal Rent Management Tenure for the purpose of a regional park trail situated on Provincial Crown Land between Rosebery and Summit Lake near New Denver, B.C. and containing 95 hectares.

Natural Resource Officer
Front Counter BC
1902 Theatre Road
Cranbrook, B.C. V1C 7G1

To whom it may concern:

I wish to express my support for the Regional District's application for a regional park trail. ^{s.22} within sight of the Rosebery to Summit Lake rail trail head. In my long-term experience, I believe that the addition of this land to the park system will be of enormous benefit.

For years, the trail has been used extensively by a myriad of people--including busloads of school children, hikers, bikers, and world visitors. ^{s.22}

s.22

The trail is already a well-established local asset and, as a promoter of low impact, green activity, I can think of nothing more important than supporting this type of land use.

For these reasons, I sincerely hope that the ILMB will take into account the historical use by locals, as well as tourists, and grant the application.

Sincerely, 1

s.22

Integrated Land
Management Bureau
Ministry of Agriculture & Lands

FEB 17 2010

RECEIVED
CRANBROOK, BC

s.22

Front Counter BC
1902 Theatre Road
Cranbrook, BC V1C 7G1

RE: ILMB File # 4404926

Dear Sir or Madame

I would like to state that I am in favour of the application by the Regional District Of Central Kootenay to acquire crown land along the old rail bed from Rosebery to Summit Lake.

s.22 and I see the
amount of use that this trail gets. There is rarely a day between May and October when we don't see people riding their bicycles or walking along this trail. Since the re-build of this trail in 1998, I have seen a huge increase in families making use of this trail, and the proposed extension will complement the existing corridor.

The Rosebery to Summit Lake railbed is getting to the point where maintenance is urgently required or we could lose this valuable asset forever. Once this ownership of the Crown Land has changed, there is a large contingent of locals ready to volunteer their time to make this trail a valuable recreation asset for both residents and tourists alike.

I hope you will approve the transfer of this land.

Sincerely

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Tuesday, February 16, 2010 9:29 PM
To: ILMB, Cranbrook ILMB:EX
Subject: ILMB File Number 44044926

Dear sirs,

In regards to the **Disposition of Crown Land ILMB 4404926**. I would like convey my full support for this application.

s.22 and currently use the trail on a daily basis. The trail is currently fragmented due to overgrowth, poor drainage, and downed trees. A regional rail trail park would ensure that this is not further lost to erosion and misuse.

s.22 and must share the highway with innumerable chip and logging trucks. The current state of the trail makes it impractical as a bicycle commuting route. By securing this trail as a regional park would ensure a safe and scenic bicycle commuting route, which would be an incredible asset to the community both in terms of increased recreation and decreasing environmental impact.

Thank You,

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Monday, February 15, 2010 9:41 PM
To: ILMB, Cranbrook ILMB:EX
Subject: re: linear park Roseberry to Summit Lake area

Please be advised that as land owners and long time residents of Summit Lake Road we are very much in favour of a no motorized vehicle linear park from Roseberry to Summit Lake area. It would be great to continue the park all the way to Nakusp.

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Monday, February 15, 2010 4:55 PM
To: ILMB, Cranbrook ILMB:EX
Subject: Application for Crown Land - ILMB File Number 4404926

Natural Resource Officer
FrontCounter BC

I support a regional park trail between Summit lake and Roseberry. I am a regular user of the Three Forks -- Roseberry trail and enjoy cross country skiing on the Hills portion of the rail bed.

I would suggest the use of the trail for Hiking, Skiing, Bicycling and Horseback riding but not for the use of motorized vehicles .

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Monday, February 15, 2010 2:57 PM
To: ILMB, Cranbrook ILMB:EX
Subject: ILMB File Number 4404926

I am writing to support the Regional District of Central Kootenay's application (ILMB File Number 4404926) for a Nominal Rent Tenure for the purpose of a Regional Park Trail situated on Provincial Crown Land between Rosebery & Summit Lake. s.22

s.22

I believe that including this property in a Regional Park Trail is Very important because:

- 1) Inclusion will insure that the foreshore and marshlands for this area of Slocan lake will be protected from commercial development. This designation will support the development of guidelines for the care and protection of the Slocan Lake, foreshore, Bonanza marshlands and the head waters.
- 2) This designation will allow community discussions regarding the future usage of this corridor with eventual designation and regulations in support of the designation. Currently there is no usage plan or designation which has caused problems regarding upkeep of the corridor, improper garbage disposal, vehicle access for wood cutting (illegal on private property), no transition between vehicle access north of Rosebery and the non-motorized Prosbery Parklands (s.22

s.22

- 3) With Regional Park Trail designation the care and upkeep for this corridor can be identified and undertaken for the safety of all users.

Sincerely, s.22

All your Hotmail contacts on your phone. Try it now.

February 15, 2010

Natural Resource Officer
Front Counter BC
1902 Theatre Road,
Cranbrook BC

Re File #4404926

I would like to voice my support for the application of the Regional District of Central Kootenay to secure the historic CPR corridor between Rosebery and Summit Lake as a regional park trail. This application follows two lengthy rounds of public consultation during the past 10 years, and, I believe, has broad public support.

The railbed was built from Nakusp to Sandon in the 1890s with the last tracks pulled up in the 1980s when rail traffic dwindled. The RDCK already holds a license of occupation for the Sandon to Rosebery section and has been successfully managing it for many years now as the Galena Trail, a regional park trail for self-propelled recreation. This new section would connect directly to the Galena Trail in Rosebery. I believe the RDCK has the experience, assets, and local orientation needed to manage the Rosebery to Summit Lake section as well.

The rail corridor hugs the Slocan Lake shoreline from Rosebery to Hills, passes above Bonanza Marsh and wetlands, and then follows Bonanza Creek to Summit Lake. The lake section passes by several small, secluded beaches and the Bonanza Marsh with great views of the Valhallas along the way. The creek section runs along the most important Kokanee spawning habitat in the Slocan Lake system, is strewn with historic railway artefacts, and features terrific mountain and creek scenery. It also provides habitat for many mammals and birds including elk and moose, grizzly and black bears, cougar and lynx, mule and white-tailed deer, beavers, bald eagles, great blue herons, great-horned owls, pilcated woodpeckers, and dippers within the creek itself.

The RDCK board passed two resolutions in 2001 (RDCK Resolutions #346/01 and 345/01) following the first round of public consultations that should contribute to good management decisions and that should be acted upon if their application is successful. The first calls for an impact assessment of human recreational usage on plants, fish, and other animals, with recommendations on how to limit damage. The second calls for working closely with stakeholders on issues associated with multi-use. I personally favour management of the trail for protection of wild-life and other natural values and for self-propelled, non-motorized recreation.

The Rosebery-Summit Lake rail trail is already widely used by locals with the vast majority of this use being self-propelled recreation. Experience with other trails shows they can become very popular once established and publicized. Consequently, it's critically important that management options consider the inevitable added impacts of increased use in order to protect the extra-ordinary natural habitat and the peace, quiet and seclusion highly valued by present users of the rail corridor. RDCK Area H director Walter Popoff has committed to seeking community input regarding these decisions.

The first step, though, is securing the rail corridor as a public asset. Currently it is deteriorating rapidly with beaver and other natural activity, and it is at risk of becoming fragmented under pressure for land development and use by current adjacent property owners. Therefore, I add my support to the application noted above.

Sincerely,

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Monday, February 15, 2010 9:19 AM
To: ILMB, Cranbrook ILMB:EX
Cc: s.22
Subject: ILMB file #4404926, Rosebery to Summit Lake Trail

Subject: ILMB file #4404926, Rosebery to Summit Lake Trail

To Whom it May Concern:

I wish to express support for the establishment of a Regional Park Trail along the old CPR right-of-way between Rosebery and the Northwest end of Summit Lake. I wish the purpose of this park to be firstly to provide wildlife habitat protection and secondly to provide transportation and recreational opportunities for self-propelled travel. This area has excellent potential to serve both purposes.

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Tuesday, February 16, 2010 2:32 PM
To: Donald, Jo-Ann ILMB:EX
Subject: Application #4404926

TO: Jo-Ann Donald
Natural Resource Officer
Integrated Land Management Bureau
Front Counter BC
1902 Theatre Road
Cranbrook BC V1C 7G1
1-250-426-1775
joann.donald@gov.bc.ca

RE: Application File #4404926

s.22

My family has and still do enjoy the back county and have spent many years picking huckleberries ,mushrooms and just pure enjoyment to many areas that are only accessibly by ,motorized vehicles s.22
s.22 all enjoyed quadding this last summer weekly!

s.22

s.22

s.22

s.22

During the OCP for Slocan Lake North, it was quite clear from the surveys and community meetings there is a strong desire to keep access for motorized recreation open on all present trails and any future trails must include motorized usage. In April 2005, the RDCK Chair and members of the board were presented with a petition containing 251 signatures stating "We the undersigned do not accept that any portion of the old CPR rail Bed from Nakusp to Roseberry be closed to motorized use. If this is your only option, then we demand that section (Nakusp to Roseberry) be removed from your overall plan and be left as it."

In October 2007, the residents of Summit Lake were surveyed door to door and 100% of responding residents signed a petition stating, "We the residents of Summit Lake, want to see all recreational use of public lands to be fully multi-use." This petition was presented to RDCK director Don Munroe for the board at an October 25, 2007 OCP meeting.

Public meetings held in Nakusp about developing this section of the old CPR grade, showed over 90% opposed to closing any portion to motorized usage.

s.22 shows not only that the motorized information submitted by Richard Allen, Hills Recreation Society (HRS) is false but that motorized use is responsible for keeping the former CPR rail grade open for all to enjoy. In the 7 years Richard Allen (HRS) has been submitting his minority agenda submissions, he reveals in his own words that motorized traffic has not caused any substantial harm: from 07 editions, "It is fair to say that most residents are content with the present use pattern of the Roseberry-Summit Lake Trail." page 17
FNR-2012-00108

In a recent survey by the HRS with an 82% return rate, "The majority supports the continuation of a recreation/multi-use trail on the

old CPR right of way in Hills."

I also know this proposed trail will have to cross private land in more than one place for which no deal has been established to grant access. The RDCK and the various trail groups have been aware of this for years and keep trying to skirt the issue of private property rights.

s.22

There was a report commissioned by the Ministry of Community Development late in 1999. This Hanne Sith Heintz report showed clearly that there was NOT sufficient support to make this section of the old CPR rail grade non-motorized. This request for tenure is from a minority special interest group with friends on the RDCK board of directors.

s.22

The Slovan Lake North OCP and the general public have clearly stated, trail development must include motorized use. If this tenure is granted, it must demand motorized use and remain open to all. The RDCK must also make fair deals to cross private property. The RDCK should have all the supporting documentation, however, if they are reluctant to provide it, I will provide what I can upon request.

Sincerely,

s.22

FEB 15 2010

RECEIVED
CRANBROOK, BC

s.22

TO: Jo-Ann Donald
Natural Resource Officer
Integrated Land Management Bureau
Front Counter BC
1902 Theatre Road
Cranbrook BC V1C 7G 1
1-250-426-1775
joann.donald@gov.bc.ca

RE: Application File #4404926

Jo-Ann Donald, Natural Resource Officer:

Please accept into record the attached list of 171 names and our concern as stated on the list. We represent the majority of youth in our area and this is our voice: Please respect it!

Our parents, guardians, teachers and society are trying to get us youth to spend more time outside playing with friends in a healthy way. If you continue to take away our right to access the back country and connect with friends, then what do you expect us to do? As you can see from the list, the majority (at this point) doesn't just want to sit around playing video games and getting high, other options are important!

It is time you stop trying to oppress the youth of our valley and leave our healthy recreation options open. If you cannot guarantee motorized access, then you must leave the former CP rail grade alone.

Sincerely,

s.22

TO: Jo-Ann Donald
Natural Resource Officer
Integrated Land Management Bureau
Front Counter BC
1902 Theatre Road
Cranbrook BC V1C 7G 1
1-250-426-1775
joann.donald@gov.bc.ca

RE: Application File #4404926

We the undersigned would like you to know the former CPR Rail Grade is important to us. We use it to stay connected with friends and it provides a safe and healthy place to recreate. If you grant this trail tenure, you must make RDCK keep it open to motorized use.

NAME

 SIGNATURE

s.22	s.22

26

TO: Jo-Ann Donald
Natural Resource Officer
Integrated Land Management Bureau
Front Counter BC
1902 Theatre Road
Cranbrook BC V1C 7G 1
1-250-426-1775
joann.donald@gov.bc.ca

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NAME

SIGNATURE

s.22	s.22
------	------

30

TO: Jo-Ann Donald
Natural Resource Officer
Integrated Land Management Bureau
Front Counter BC
1902 Theatre Road
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NAME	SIGNATURE	
s.22	s.22	

15

TO: Jo-Ann Donald
Natural Resource Officer
Integrated Land Management Bureau
Front Counter BC
1902 Theatre Road
Cranbrook BC V1C 7G 1
1-250-426-1775
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NAME

SIGNATURE

s.22	s.22
------	------

28

TO: Jo-Ann Donald
 Natural Resource Officer
 Integrated Land Management Bureau
 Front Counter BC
 1902 Theatre Road
 Cranbrook BC V1C 7G 1
 1-250-426-1775
joann.donald@gov.bc.ca

RE: Application File #4404926

We the undersigned would like you to know the former CPR Rail Grade is important to us. We use it to stay connected with friends and it provides a safe and healthy place to recreate. If you grant this trail tenure, you must make RDCK keep it open to motorized use.

NAME	SIGNATURE
s.22	s.22

14



Hills Recreation Society
Community Recreation Survey Results
2009

**Hills Recreation Society
Community Recreation Survey Results
2009**

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Introduction

The purpose of the Hills Community Recreation Survey, conducted in September/October, 2009, was to provide the Hills Recreation Society (HRS) with current information.

The Survey was composed of four sections:

1. **Demographic information** (Who are we as a community?)
2. **Our Recreation** (What does it look like?)
3. **Future recreation programming** (Ideas/suggestions for future initiatives)
4. **Rail Trail** (Current uses and feedback regarding future development of the abandoned CPR rail line between Rosebery and Summit Lake).

Ninety-five surveys were issued to the residents of Hills. Using the telephone book, Canada Post, door-to-door visitation, and referrals - a dedicated effort was made by members of the HRS board of directors to secure feedback from all Hills residents. Landowners, renters, part-time residents: all were polled. One survey per household was allowed. Surveys were not numbered in an effort to assure anonymity for respondents. In fact, many residents gave their comments with signatures. Seventy-eight surveys were returned for a response rate of 82%.

Tabulations of some of the **Rail Trail** results were separated into "Adjacent Landowners" and "All Other Households" with the intention of respecting the exposure that adjacent landowners experience to Rail Trail use.

A copy of the results of this Survey will be posted on the Community Bulletin Board and copies made available to all residents of Hills upon request. The Regional District of Central Kootenay, other interested parties, and the general public will be notified of results. Completed questionnaires will be sealed as one document with the Secretary of the HRS.

The following pages present the questions as listed in the survey and indicate responses, comments, and suggestions as given. Landowner/renter status and years of residency have been included with comments as the HRS board feels this information may be pertinent to the interpretation of the results. Where practical, results have been converted to percentages.

The Community Recreation Survey was conducted by and this report was prepared by the Hills Recreation Society board of directors.

**Hills Recreation Society
Hills BC
December 2009**

Summary

1. 95 surveys were distributed to residents of Hills including landowners, renters, and part-time residents, one survey per household. 78 surveys were returned for a response rate of 82%.
2. Based on responding households, 51% have lived in Hills over 20 years, 51% are two-person households, and 47% of residents are over 55 years of age.
3. Hills residents are an active bunch. Recreational participation reflects an active year-round lifestyle. Top 10 activities are: gardening (64 responses), hiking (58), walking/jogging (57), wildlife viewing (55), swimming (53), cross-country skiing (49), canoeing/kayaking (49), camping (46), photography (45) and bicycling (42).
4. There appears to be sufficient interest to develop a variety of recreational programs. Most popular responses were: organized hikes (25), tennis lessons (19), summer programs for children (16), cross-country ski lessons (14) and swimming lessons (10).
5. Over 90% of responding households currently use the Rail Trail in spring/summer/fall, and over 70% use it in winter. Summer activities include: walking (36 responses), cycling (38), ATV'ing (20), hiking (12), motor/dirt-biking (10), jogging/running (10), trail access corridor (6). Winter activities include: cross-country/trail skiing (40), sledding/snowmobiling (15), snowshoeing (9), walking (4), photography (2), ATV'ing (2) and wildlife viewing (1).
6. 13 respondents indicated that they live adjacent to the Rail Trail while 65 respondents do not live adjacent to the Rail Trail.
7. The Survey indicated that of the 78 respondents, 23% support the use of the Rail Trail for motorized recreation, 35% support the use of the Rail Trail for motorized recreation With Conditions, and 41% do not support the use of the Rail Trail for motorized recreation.
8. 74% of respondents do not support commercial use of the Rail Trail.
9. 52% of respondents favour moderate development of the Rail Trail (improve trail surfaces and creek crossings, clear brush, post signs), 31% favour minimal development (maintain trail pretty much as it is), 10% favour no further development of the trail, and 4% favour high development (picnic and rest areas, interpretative sites, garbage cans, access gates).
10. Over 60% of respondents indicate that at least some of the potential issues/problems listed in Rail Trail Question #6 are of concern to them if the former rail corridor is developed as a recreation trail. These include: safety, signage, parking, garbage and litter, noise and privacy, fish and wildlife issues, types of use, and overuse. Many offer suggestions. Residents living adjacent to the rail corridor appear to have similar concerns as other residents.

Section 1: Who are We as a Community?

Question # 1:

How many people live full time in your household?

One-----	15
Two-----	40
Three or more--	<u>23</u>
Total Households responding ----	78

Question # 2:

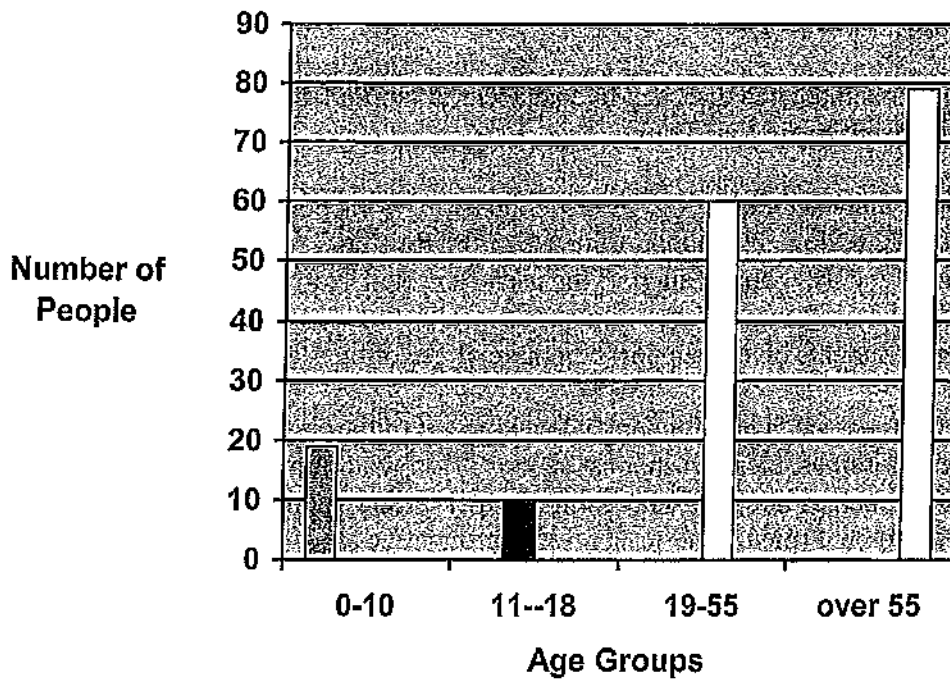
How Many Children?

0-10 years	---19
10-18 years	-- 10

How Many Adults?

19-55 years	-- 60
over 55	----- <u>79</u>
Total People ----	168

Age Distribution



Who are We as a Community? (cont'd)

Question # 3:

How long have you lived in Hills?

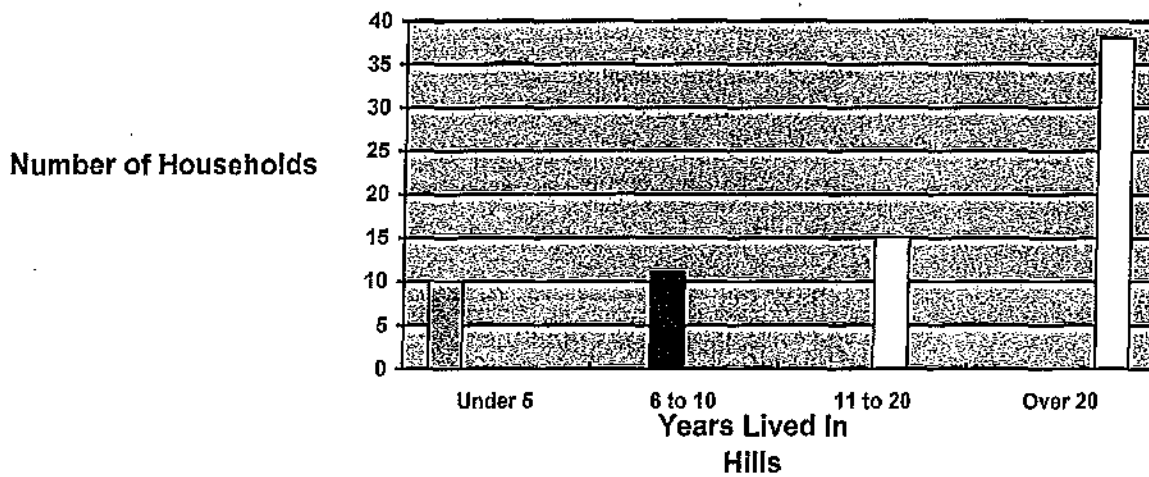
Under 5 years-----	10
6-10 years -----	11
11-20 years-----	15
Over 20 years-----	<u>38</u>
Total Households responding –	74*

Landowner or Renter?

Landowner -----	64
Renter -----	<u>10</u>
Total Households responding -----	74*

*Four respondents did not answer this question

Length of Residence in Hills



Section 2: Our Recreation - What does it look like?

Question # 4:

Please check the activities in which you or members of your family participate:

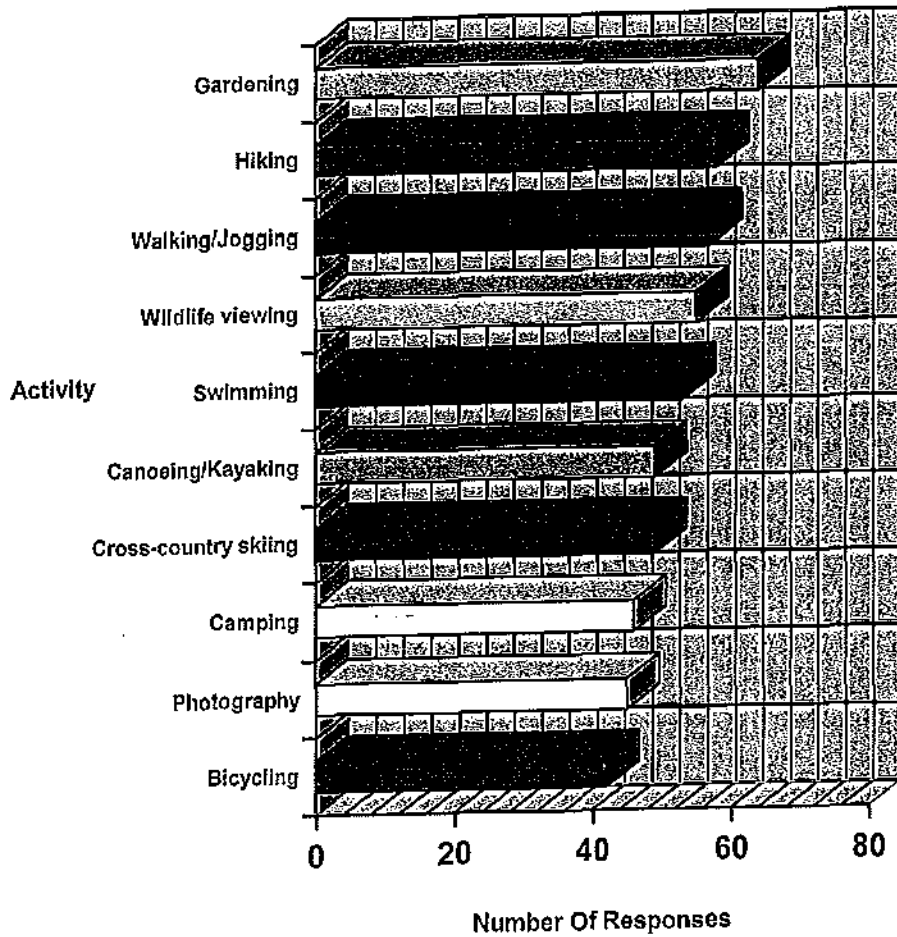
<u>Listed Activities</u>	<u>Responses (by popularity)</u>
Gardening-----	64
Hiking-----	58
Walking/jogging-----	57
Wildlife viewing-----	55
Swimming-----	53
Cross-country skiing-----	49
Canoeing/kayaking-----	49
Camping-----	46
Photography-----	45
Bicycling-----	42
Lake fishing-----	41
Beachcombing/rock-picking-----	36
Mountain-biking -----	35
Snowshoeing-----	34
Star-gazing-----	35
Creek fishing -----	33
Downhill/backcountry skiing-----	33
Reading/Book club-----	32
Arts and crafts-----	32
Tobogganing -----	31
Motor boating/water skiing-----	31
Movies/slideshows-----	31
Music (e.g., jam sessions, singing)-----	29
Board/card/dice games-----	25
ATV'ing-----	24
Exercise/fitness sessions -----	21
Tennis-----	21
Drawing /painting/sculpture-----	18
Dirt biking-----	16
Darts-----	15
Skating/ hockey-----	14
Ping pong-----	12
Baseball/softball-----	12
Soccer -----	11
Hunting-----	11
Snow-machine touring-----	11
Basketball -----	8
Billiards-----	8
Horseback riding-----	5

"Other" activities listed: Golf (2), Curling (1), Snowboarding (1), Snorkelling (1), Smoking and drinking (1), Work parties (1), Carpentry/woodwork (1), Badminton (1), Bridge classes (1), Jai Alai (1), Yoga-meditation (1).

Our Recreation - What does it look like? (cont'd)

Recreation in Hills

Top Ten Activities



Section 3: Future Recreation Programs

Question # 5:

If available in Hills, in which of the following activities would members of your family likely participate?

<u>Listed Activities</u>	<u>Responses (by popularity)</u>
Organized hikes -----	25
Tennis lessons -----	19
Summer programs for children -----	16
Cross-country ski lessons -----	14
Swimming lessons -----	10

“Other” activities in which people indicated they would participate include:

<u>“Other” Activities</u>	<u>Responses</u>
Yoga -----	3
Tai-chi -----	2
Trail maintenance -----	1
“45 club” -----	1
Summer potlucks at the park -----	1
Swim platform/boat deck -----	1
Sailing lessons -----	1
Baseball -----	1
Habitat recognition (animals, trees, palaeontology) -----	1
Bridge lessons -----	1
Badminton -----	1
Dances, music events -----	1
Flea market -----	1
Community picnic -----	1
Canoe-kayak trip -----	1
Walking programs -----	1

Future Recreation Programs (cont'd)

Question #6:

Suggestions or comments related to Community Recreation Activities in Hills:

"swimming dock(platform) at beach (picnic tables), increased parking at Bonanza Beach(outhouse). Motorized recreation needs to be supported by Hills Rec. NOT lobbied against!!" *35 year landowner*

"Would like to see clearing done for parking at Hills beach. Often hard to park or turn around. Also maybe a swim platform for kids, a playground would be nice." *4 year renter*

"Would like to see a sled/slash ATV. group supported. It seems like all of the trails are being restricted." *4 year renter*

"Would really like to see the Fire Hall/Community Centre finished, to provide a meeting place for young family activities." *15 year landowner*

"I would like to see a swim dock built at Bonanza beach." *18 year landowner*

"Symbiosis. Respect for all citizens for their lives and activities." *38 year landowner*

"A tennis ball machine." *10 year landowner*

"LOOK AFTER YOUR OWN BUSINESS ONLY!! NO DEVELOPMENT FOR PROFIT AS SOME ARE PROPOSING" *50 year resident, landowner*

"Fitness sessions, game night, potlucks, movie night." *29 year landowner*

"A dedicated groomed, lit Cross-country ski trail system for classic and skating techniques that can be used for mountain-biking in the summer." *10 year landowner*

"leave everything alone ie don't close off any trails to anyone. I don't need any lessons in how to play tennis because I already know how to play tennis, swim, ride a bike etc. Summer programs for children sounds like something you should do." *15 year landowner*

"Our children and grandchildren come but only for a week or so in the summer so lessons would probably not be appropriate for them." *33 year landowner*

"We'd like to participate in outdoor activities that encourage fitness and health as well as appreciation of nature. The new Fire/Community Hall is an asset for promoting recreational and community activities in Hills. Indoor fitness activities, movies, game nights, etc could take place there." *4 year landowner*

"Yoga, Tai-chi" *30 year landowner*

"I would like a ping-pong table in our new hall." *38 year landowner*

Future Recreation Programs (cont'd)

Suggestions or Comments related to community recreation activities in Hills (Cont'd):

"Movie nights/slide shows, coffeehouse, ping-pong, softball, hiking." *2 year renter*

"Survival awareness; common-sense; impact on environment of activities; bird-watching plus monitoring weather records." *40 year landowner*

"WOULD LIKE TO FEEL MORE WELCOME SNOW-SHOEING." *10 year landowner*

"Once the new Fire Hall/Community Centre is finished it would be fun to have some casual get-togethers there once a week/month, especially in winter. Dare I say it, FRIDAY NIGHT DANCE PARTIES. !!" *41 year landowner*

"Put up a bulletin board at the mailboxes to announce programs and activities." *28 year landowner*

"Seems to run pretty well. If people want to have more organized Cross-country skiing for community – this OK. (but not commercial). School groups, outdoor fitness use should be encouraged." *25 + year landowner*

"Maybe a playground site – swings, slides etc." *2 year renter*

"All of your wonderful work is appreciated by all of us." *29 year landowner*

"Trail section at gravel section needs help. (re. mothers with children)" *30 + year landowner*

A library or book-lending program would be great." *28 year landowner*

"Seems to me most activities are for able-bodied people." *25 year renter*

"Exercise and fitness lessons." *30 year landowner*

"We used to have a women's "hiking club" in Hills and it would be wonderful if the HRS could schedule these. I do think that the abandoned project of a Bulletin Board at the mailbox would be an invaluable way of communicating HRS activities (allocate a specific corner of the Board for HRS news)." *30 year landowner*

"BOAT LAUNCH IS VERY BADLY NEEDED" *20 year landowner*

Mixed softball for adults/ children, advertising to see how many will come – maybe Sundays with a barbecue, Cheap stuff, swings, slides etc." *60 year landowner*

Section 4: Rail Trail - Current Uses- Spring, Summer, Fall

Question #1a:

Do you or members of your family currently use the Rosebery to Summit Lake CPR rail trail?

a) In spring/summer/fall?

Adjacent landowners:	Yes - 12	No - 0	No answer - 1
All other households:	Yes - 59	No - 5	No answer - 1
Totals -	Yes - 71	No - 5	No answer - 2

If yes, for what activities? How often?

Adjacent Landowners: Spring, Summer, Fall Use of Rail Trail

Activity	Daily	Several times a week	Occasionally	Total
Walking	2	6	2	10
Cycling	1	6	0	7
ATV'ing	0	3	2	5
Jogging/Running	1	1	0	2
Hiking	0	1	0	1
Motor/Dirt Biking	0	0	1	1
Excavator	0	0	1	1
Crawler Machine	0	0	1	1
Trail Access Corridor	0	1	0	1
Total	4	18	7	29

All Other Households: Spring, Summer, Fall Use of Rail Trail

Activity	Daily	Several times a week	Occasionally	Total
Cycling	2	11	18	31
Walking	2	7	17	26
ATV'ing	0	5	10	15
Hiking	0	5	6	11
Motor/Dirt-biking	0	4	5	9
Jogging/Running	3	3	2	8
Trail Access Corridor	0	1	4	5
Wildlife-Viewing	0	2	3	5
Horseback Riding	0	0	2	2
Berry Picking	0	0	3	3
Fire Wooding	0	0	2	2
Wild Herb Collecting	0	0	1	1
Trail-Skiing	0	0	1	1
Total	7	38	74	119

Rail Trail - Current Uses - Winter

Question #1b:

Do you or members of your family currently use the Rosebery to Summit Lake CPR rail trail?

b) In winter?

Adjacent landowners:	Yes - 9	No - 4	No answer - 0
All other households:	Yes - <u>47</u>	No - <u>13</u>	No answer - <u>5</u>
Totals	Yes - 56	No - 17	No Answer - 5

If yes, for what activities? How often?

Adjacent Landowners: Winter Use of Rail Trail

Activity	Daily	Several times a week	Occasionally	Total
Cross-country skiing	1	4	2	7
Sledding/snowmobiling	0	0	3	3
Walking	1	0	1	2
Snowshoeing	0	1	0	1
4Tracking/ATV'ing	0	0	1	1
Total	2	5	7	14*

* One respondent reported two frequencies

All Other Households: Winter Use of Rail Trail

Activity	Daily	Several times a week	Occasionally	Total
Cross-country Skiing	4	10	19	33
Sledding/Snowmobiling	0	2	10	12
Snowshoeing	1	2	5	8
Walking	0	0	2	2
Photography	0	0	2	2
Wildlife-Viewing	0	0	1	1
ATV'ing	0	0	1	1
Access Corridor	0	0	1	1
Total	5	14	41	60**

** Five respondents did not indicate a frequency

**Rail Trail - Number of Adjacent Landowners
- Do you support motorized recreation?**

Question #2:

Are you a landowner adjacent to the Rail Trail

Answer	Respondents
Yes -----	13
No -----	<u>65</u>
Total -----	78

Question #3:

Do you support use of the Rail Trail for motorized recreation?

a. Adjacent Landowners Responses:

Yes-----	1
Yes, with Conditions-----	5
No-----	<u>7</u>
Total Respondents -----	13

b. All Other Households Responses:

Yes-----	17
Yes, with Conditions-----	22
No-----	<u>25</u>
Total Respondents-----	64

Combined Responses:

Yes-----	18
Yes, with Conditions-----	27
No-----	<u>32</u>
Total Respondents -----	77*

*One respondent did not answer this question.

Summary table

	Yes	Yes with Conditions	No
Adjacent Landowners	1	5	7
All Other Residents	17	22	25
Total	18	27	32

Rail Trail – Do you support motorized recreation? (cont'd)

Respondents were invited to list conditions/comments they wanted to add for either a Yes, Yes with Conditions, or No answer.

Comments from those answering YES:

“This old Rail bed has been multi-use (motorized included) since CPR abandoned it.” 50+ year landowner

“Yes, 100%. Don’t close trail to anyone. Don’t change anything about rail line.” 15 year landowner

“Use the Trail with RESPECT for one another! These Trails to be used by all people in our community – not just a select few.” 35 year landowner

“If people drive responsibly, there is no reason it cannot be a mixed trail use. No Monster trucks!” 38 year landowner

“I think this trail should be usable and accessible to everyone and all groups.” 25 year renter

“I appreciate having access to a safe environment for my child and our family to develop riding skills close to home.” 15 year landowner

“Speed limits. Closure of Rosebery to Hills for summer months. Local use of primary concern to be protected. Firewood gathering is motorized, as is maintenance (Trail).” 35 year landowner

Comments from those answering YES, WITH CONDITIONS:

“Local use only. Status quo.” 29 year landowner

“Maybe have limited non-motorized use during summer from June-Sept. because so many people on bicycles. 4 year Renter

“A June to Sept. closure of the Rosebery to Hills section. High traffic. This Trail has been primarily maintained by motorized local users. It is their Trail.” 50 year landowner

“No race track speeds. Stop and give pedestrians/bicyclists right-of-way” 9 year landowner

“Respect to each other by all types of users. Speed limits.” 34 year landowner

“Only if there is a way to control noisy vehicles and reckless drivers.” 2 year landowner

“As is; now.” 10 year landowner

Rail Trail – Do you support motorized recreation? (cont'd)

Comments from those answering YES, WITH CONDITIONS (cont'd):

“Yes, but both motorized-users and non-motorized users should respect each others’ point of view.” *8 year landowner*

“Speed limits and respect to cyclists and pedestrians.” *18 year landowner*

“Put in speed bumps and water bars.” *34 year landowner*

“Respect for all users.” *17 year landowner*

“I prefer non-motorized. However, if motorized, ATV’s and dirt bikes are driven slowly and carefully, I am willing to share.” *28 year landowner*

“I know that motorized recreation and non-motorized recreation can be a complicated issue – but I do support it. Speed-postings and right-hand side driving of motorized vehicles can reduce accidents.” *2 year renter*

“Continued consideration practised.” *10 year renter*

“Speed limit set.” *5 year landowner*

“NO COMMERCIAL USE.” *34 year adjacent landowner*

“local users only.” *2 year adjacent landowner*

“Quiet use to get to a destination, not for racing. The Trail should remain as it is now. LOCAL USE ONLY.” *30 year adjacent landowner*

“I used to use the Trail for snowmobile riding. Go to Summit Lake or Nakusp and back, 2-3 times a year.” *30 year adjacent landowner*

“Enough use that it justifies maintenance of the Trail ie. cut back alders, culverts, etc. Enough snowmobile use to pack ski trail” *25 year landowner*

“Those that require assistance ie; wheelchair” *25 year renter*

“for moving equipment. NO commercial use at all; motorbikes, ATV’s and bicycles, horseback riding, or any other commercial operations. Use should be for locals open to multi-use, policed by the locals, reported to a government agency in charge of Rail Trails.” *50 and 70 year landowners*

“Handicapped access – we drive to the Girl Guide Camp now. It would be nice to get to the beach or the little campsite just South” *6 year landowner*

Rail Trail – Do you support motorized recreation? (cont'd)

Comments from those answering NO:

“Motorized recreation does not mix with pedestrian traffic. I have often had to get off the Trail to allow cars, trucks and multiple ATV’s to zoom by. Then I ate dust and diesel fumes as I jogged behind!” *39 year landowner*

“ With so much of the surrounding landscape open to motorized use, having a designated non-motorized semi-private trail along the lakeshore and Bonanza creek would provide a quiet corridor for human recreation, as well as undisturbed and secure habitat for wildlife. The enjoyment of walking, running, biking or skiing along the Rail trail will be compromised if more motorized use is encouraged.” *4 year landowner*

“for years we both used the trail a lot in Winter and considered motorized use a real intrusion. Not so much in summer but sometimes on our bikes.” *41 year landowner*

“Not compatible and will lead to many conflicts. Motorized groups irresponsible. Have already done Wetland damage near Red House. Have lots of other areas to use. More disturbance to sensitive wildlife; moose, grizzlies. NOT! Motorized can go elsewhere. This Trail should be for wheels (bike), heels and skis.” *25 year landowner*

“We have enough cars/trucks on the roads and plenty of backcountry roads that are perfect for motorized vehicles if people really do need to do these activities.” *28 year landowner*

“should be a continuation of the Three Forks Galena Trail.” *33 year landowner*

“the gentle grades of this Trail are ideal for quiet human-powered activities, not the least for children and older folks. There is plenty of terrain for the noise, rip and tear of motorcycles, quads and snowmobiles, areas that non-motorized users are unlikely or want to use.” *35 year landowner*

“I feel there is a conflict and dangerous aspect to this debate. I have personally had several “ruins” with motorbikes /ATV’s. One almost killed my dog! *30 year adjacent landowner*

“Often ATV’s are driven by under-aged drivers so they are a danger to themselves too.” *30 year landowner*

“There are fewer and fewer places to walk without the noise and air pollution of motorbikes, ATV’s and snowmobiles which totally ruin my outdoor experiences.” *24 year adjacent landowner*

“Don’t want to attract large number of people to our peaceful area.” *18 year landowner*

Rail Trail - Do you support commercial use?

Question # 4:

Do you support commercial use of the Rail Trail?

Yes -----	2
Yes, with Conditions-----	14
No-----	58
No response -----	<u>4</u>
Total-----	78

Respondents were invited to list conditions/comments they wanted to add for either a Yes, Yes with Conditions, or No answer.

Comments from those answering YES:

-no comments

Comments from those answering YES WITH CONDITIONS:

"Enough use that it justifies maintenance of the Trail ie. cut back alders, culverts etc. enough snowmobile use to pack ski trail." 25 year landowner

"Non-motorized commercial use probably acceptable" 30 year landowner

"Subject to approval Board and maybe RDCK." 2 year renter

"There is more room for more use." 10 year renter

"Not generally, but possible if low impact." 17 year landowner

"Organized bike trips." 33 year landowner

"With a lease and strict rules." 5 year landowner

"If a business ie. Cross-country skiing business were to be established they should share in maintenance costs and their needs should not take precedence over local users ie. they should be able to ban dogs from the tracks though doo-doo pick-up should be mandatory. Also, no fees should be charged but perhaps a Donation Box if we find lots of tourists come." 30 year landowner

"Non-motorized, low impact" 7 year renter

Rail Trail – Do you support commercial use? (cont'd)

Comments from those answering NO:

“What commercial use? Likely No, particularly if it curtails public use.” *30 year landowner*

“NO TENURE.” *20 year landowner*

“No commercial activity!” *29 year landowner*

“No commercial use of any sorts. Stresses out private landowners, policing lands, signs torn down, garbage, bags, cans, broken bottles, cigarette butts, illegal burns.” *60 year landowner*

“Would not promote commercial use of the Trail for any of the activities.” *30 year landowner*

“Leave it the way it is – free and unrestricted access for all the locals. Have been enjoying the trail for many years without organized help.” *50 year landowner*

“Do not want to attract large numbers of people to our peaceful area.” *18 year landowner*

“I don’t even understand what this implies.” *28 year landowner*

“Some small low-key tours might be allowed as long as they are non-motorized and approved by the community.” *25 year landowner*

“the section between Bonanza Creek road and Leontowicz’s Road to the swamp should not be used by cars. It is impossible to Cross-country ski on it in winter.” *28 year landowner*

“Would accept non-motorized commercial use; hiking, skiing, snow-shoeing.” *10 year landowner*

“Zero commercial use of Trail for any reason! No one person, group or company should be allowed to close off Trail for their own personal use.” *15 year landowner*

“This has to be Yes or No. Any conditions set can be interpreted in different ways leading to possible frustration as to original intent.” *35 year landowner*

“Tenure/land grab approach is not appropriate by special interest groups. There is already non-motorized Trail from Rosebery to Nelson. We need balance.” *50+ landowner*

“There should be no commercial use of any kind; motorized or other.” *35 year landowner*

“I don’t agree with commercial use. Current use by locals is fine.” *5 year landowner*

**Rail Trail - What level of development do you favour?
- Are there Issues and Problems that concern you?**

Question # 5:

What level of development do you favour for the Rail Trail?

<u>Development Level</u>	<u>Responses</u>
None. I don't support any further development of the trail -----	8
Minimal. Maintain it pretty much as it is -----	24
Moderate. Improve Trail surfaces and creek crossings, clear brush, post signs-----	41
High. Establish picnic and rest areas, interpretive sites, garbage cans, access gates----	3
Total -----	76*

* Two respondents did not answer this question

Question # 6:

Are there issues or problems that concern you if the former rail corridor is developed as a recreation trail? (for example: safety, signage, parking, garbage and litter, noise and privacy, fish and wildlife issues, types of use, overuse). Please describe your concerns and any suggestions you have.

Note: Responses are organized by level of development favoured.

Responses from those favouring No Développement:

"GARBAGE, PARKING, EXCESSIVE DEVELOPMENT, STRANGE PEOPLE ON TRACKS, WASHROOMS. WEED CONTROL – OF ALL NOXIOUS WEEDS" *Adjacent property owner, 20 year resident*

"I don't want to see the seclusion this Trail offers me currently ruined by Signage, other than a few directional signs on the Trail itself. I would like to see priority multi-use for locals - there is no need to attract people from elsewhere to use it (especially in groups)." *Adjacent property owner, 2 year resident*

"We inhabit a unique riparian zone. Our further meddling and intrusion on the zone is unnecessary and selfish and only serves to eliminate that on which we and the ecology depend." *Property owner, 40 year resident*

Rail Trail – Are there issues and problems that concern you? (cont'd)

Responses from those favouring No Development (cont'd):

“Yes, I like it the way it is. I do not like grooming on the ski trail in the winter.” *Property owner, 38 year resident*

“No comment as I prefer to ski ungroomed portions of the Trail. As for Noise = I can hear highway noise way in the bush berry-picking. And, I can hear logging noise from home.”
Property owner, 6 year resident

“All of the above! Unlike some people I didn't move to Hills to change things for my own personal gain. I moved here because I like it the way it is; open to all people who come here! It's clear that some one or group of people have gone above the heads of the residents of Hills! They have convinced the RDCK to apply to take control of the Rail Line. This person or group may be falsely claiming to represent the majority of Hills residents. Hills Rec. Society should not support any commercial or private development or Closing of any part of Rail Line to anyone, motorized or NOT! P.S. What happened to fire hall and fire truck?” *Property owner, 15 year resident*

Responses from those favouring Minimal Development:

“problems of garbage, noise, privacy, parking problems. We feel the current use is OK. But expansion of use or changes would impact very much on us. NO SIGNAGE.” *Adjacent property owner, 30 year resident*

“all of it” *Adjacent property owner, 30 year resident*

“This is a wildlife corridor. I do not want further disruption and displacement of wildlife which is inevitable with increased recreational and motorized use of Trail. It is obvious that overuse and misuse will diminish/destroy the irreplaceable values we currently enjoy. However, I think this is a waste of time! This is a futile process. It is always business as usual and this will become another playground for motorized vehicles, parking lots, signs etc. to accommodate them. The rejuvenating tranquil experiences of Nature are a thing of the past.” *Adjacent property owner, 24 year resident,*

“No more traffic wanted. Property trespass has been an issue already. We don't want or need this Trail ruined by over-use by out-of-town people. This is a corridor which links several developed motorized riding zones. Again, there is NO motorized rec. trail respected or supported by the heavily biased Hills Rec.” *Property owner, 50 year resident*

“Privacy loss and over use a major concern! How do you limit human presence which displaces wildlife? Protecting historical uses by long time Hills residents will be lost. Any management of the corridor should be with Hills Rec only. Keeping accountability and responsibility local. This trail should be cared for by locals not Galena Trail group.” *Property owner, 35 year resident*

Rail Trail - Are there issues and problems that concern you? (cont'd)

Responses from those favouring Minimal Development (cont'd):

“All of the above IF they become problems but most people have these same concerns and want to preserve and enjoy these trails.” *Property owner, 9 year resident*

“There’s already traffic issues as described above. We are currently experiencing noise and litter issues. ATV’s (children and adults) are using it as a race course. Trucks and cars are travelling down the corridor and setting up camp. There are signs of increased littering along the roadway and beach access, due to vehicle/camper access. A non-motorized trail, and minimum development would accentuate pedestrian traffic and prevent some of the negative effects that we are currently experiencing.” *Property owner, 39 year resident*

“I am concerned about all of the above. Definitely NO SIGNAGE.” *Property owner, 29 year resident*

“Don’t want more people. Don’t want it more accessible.” *Renter, 4 year resident*

“Maintain Trail for current use.” *Property owner, 10 year resident*

“All of the above. No access for disabled (motorized). No access for emergency personnel (in case of medical emergency). More people for profit = more shitting/pissing in the bush, and less privacy for Locals. I do not want anyone telling me when or how to conduct my personal recreation for fee or otherwise. Definitely NO SIGNAGE!!!” *Property owner, 50 year resident,*

“The only change I would support is a bridge over the “big ditch” where the large culvert was removed.” *Property owner, 41 year resident*

“Living at the end of the old Scinitar Sawmill site, many a time individuals ; mostly motorized have ended up in the mill yard coming up from the Rail Trail and trespassing through the site with no regards that they are trespassing, even though the Site has been posted. This pisses me off, and being pissed-off is not good for my well-being.” *Renter, 25 year + resident*

Rail Trail - Are there issues and problems that concern you? (cont'd)

Responses from those favouring Moderate Development:

"My main concern is wildlife protection and avoidance of interference during their breeding seasons. I have found there is most wildlife habitat to the North of us. I have seen grizzly bears in May at Jane Clark's place, blue herons (endangered) mid-way to Summit Lake, moose etc. I think there should be a Spring ban on the use of the Rail Trail (April-June - ask Wayne McCrory?), as there is flooding as well. Signs could get people to exit to the highway at Bonanza Road and re-enter at the north end of Summit Lake. If the motorized issue cannot be resolved, I think "local" permits from Nakusp to N. Summit Lake would be the compromise. Speed limits should be imposed with the awareness that "citizen reports" (as it would be hard to enforce/police) are valid. After 2 speeding infractions permits are revoked for life! Also, proper signage at the gravel pit would avoid lots of lost cyclists. Way to go HRS Board for putting out an updated HRS questionnaire and following up on it!" *Adjacent landowner, 30 year resident*

"We do not support just a Recreation Trail. Clean-up, ties, garbage from people, noise from groups of people walking ATV's, motorbikes, vehicles, campers, bicycle groups, people trespassing on private property, vandalism to private landowners land and equipment, outhouses, garbage in fire pits" (we already maintain from Girl Guides to Hunter Siding area with crawler equipment, excavator, crawler cat)." *Adjacent property, 50 year resident*

"We hope this section of Trail will be designated non-motorized. Such a designation would remedy our top concerns of: Fish and Wildlife: there's much scientific evidence showing motorized vehicles harass and displace wildlife. Bears, moose, and wolves, dippers and the Great Blue Heron - wary wildlife that typically feel threatened and avoid human-habited places. *Property owner, 4 year resident*

"Noise : an increased use of motorized vehicles on the trail would impact the quiet of the rail corridor for humans seeking to recreate in solitude and may harass and scare away wildlife." *Property owner, 4 year resident*

"Noise. Garbage." *Property owner, 3 year resident,*

"The people who use the trail need to behave responsibly and be considerately. More rules will not replace each user being responsible it's a wonderful trail for all recreational sports". *Property owner, 38 year resident*

"Privacy loss and over use a major concern! How do you limit human presence which displaces wildlife? Protecting historical uses by long time Hills residents will be lost. I think over development would incur too much use by non resident/area traffic. The corridor should be maintained and supported for community use in order to enable the broadest range of community use. Certainly **Do Not** want to see over use by bicycle groups/ski groups. Would like to see a motor-only section." *Property owner, 15 year resident*

"No! I love the trail for all our activities" *Property owner 25 + year resident*

"I don't want the trail being used for bike tours, there are too many already, but would love to be able to push a stroller on it. Really nice to take the kids out on sled rides in the winter." *Renter, 4 year resident*

Rail Trail - Are there issues and problems that concern you? (cont'd)

Responses from those favouring Moderate Development Comments (cont'd)

"There would be many problems if developed for motorized recreation ie noise, safety, (motorized and non-motorized do not mix) wildlife movement would be affected, impacts on landscape from over use, privacy on the beach. South Valley has non-motorized rail trail-So should we. One of the few quiet places left in the area where there is a trail. Many places where motorized vehicles can go other than a quiet remote trail!" *Property owner, 30 year resident*

"Bonanza Creek and Marsh are extremely important wildlife areas. Wildlife should have first priority. Any development /maintenance must accommodate wildlife." *Property owner, 40 year resident*

"I want motorized vehicles to be careful and respectful of non-motorized vehicles. I would like to be able travel from Rosebery and Summit Lake without running into mud puddles or washed out areas. I would also like to be able cross country ski all the way to Summit Lake Also the chasm just north of the gravel pit is difficult to ski. Is there any way to put in a culvert and fill it in or a bridge? Biking is also very difficult." *Property owner, 28 year resident*

"My main concern/observation centers around the quality of the discourse around this issue. Ideally Hills residents and especially Hills Rec board members would foster respectful communication and tolerance for differing points of views, vision, and values." *Property owner, 17 year resident*

"Yes all the issues above are valid and seemingly problematic." *Property owner, 30+ year resident*

"#1 Safety Speed postings, driving on right hand side of the road. Signage." *Renter, 2 year resident*

"Motorized use needs to be prohibited. Hills Rec Society needs to acquire Girl Guide camp as part of the package. Proposed regional park surrounding rails corridor needs to be designed to protect viewscapes, lakeshore etc. Grizzly hazard in the spring and sensitive to human impact. Need to acquire Bonanza Marsh for protection and nature appreciation, not development. Needs to be managed to minimize disturbances to wintering ungulates. The most ecologically important and most fragile piece of land in Hills is Bonanza Marsh/Creek. This should be protected status of some sort." *Property owner, 25 year resident*

"All of the above. Proper management is a must with regular monitoring and upkeep." *Property owner, 5 year resident*

"Noise and privacy – should be relatively low impact." *Property owner, 33 year resident*

"Yes. Overuse. Garbage. Fish and wildlife; especially with peoples' dogs. Dogs on leash. As is – concerns re. dogs on the loose not properly controlled . Dogs loose where people are camping along the Trail – coming out as walking by." *Property owner, 11 year resident*

Rail Trail - Are there issues and problems that concern you? (cont'd)

Responses from those favouring Moderate Development Comments (cont'd):

"Most people that use this form of recreation are responsible people. You cannot close the Corridor for a few irresponsible people. That is like closing the highway because of a few Speeders. Keep things simple." *Property owner, 35 year resident*

"The trail is great fun to use but it is rapidly being overgrown. This makes the Trail use undesirable when conditions are wet because one becomes soaked. The railroad grade is a wonderful asset that NO ONE would recreate simply for recreational use. We definitely should restore its potential while it is retrievable." *Property owner, 35 year resident*

Concerning motorized use; I know no one who would choose to hike, bike, jog or ski among noisy, dust-raising, exhaust-generating motorized vehicles even though the motorized users seem to have little trouble with the more quiet types. Clearly, the aesthetics of these two general types of users are different and generally incompatible." *Property owner, 35 year resident*

"all of the above are definite concerns. Please help keep it quiet, clean and safe from human disturbances other than simple maintenance. We really all have enough options elsewhere. This Trail does not need major exposure." *Property owner, 28 year resident*

"I would be concerned about overuse and the impact it would have on the environment." *Renter, 2 year resident*

"Non-motorized and motorized use do NOT work together." *Property owner, 18 year resident*

"Concern for garbage, parking, noise. It is a great and beautiful Corridor and we should encourage it's use for non-invasive recreation. It would encourage Tourists. Business needs these tourists." *Property owner, 10 year resident*

"Noise. Garbage." *Property owner, 17 year resident*

"Depends on the type of recreational activity. Do not want to see x-country ski trail developed and become a popular tourist attraction in the Winter. Outside of maintaining creek crossing and brush, I do not want to see any development or commercial use. I prefer, the Ski Trail not be groomed" *Property owner, 18 year resident*

Responses from those favouring High Development :

"No concerns, I favour development of the rail trail for non-motorized recreation." *Property owner, 30 year resident*

"Noise and safety on Trail to nearby landowners. We live off HWY 6 and Reiben Rd. and hear motor use on Trail. Fish and wildlife as it is – is a sensitive area. Grizzlies are commonly sighted in the wet area above Hunter Siding in the Spring (April/May)." *Property owner, 10 year resident*

**Appendix A –
Community Recreation Survey**

Hills Recreation Society

Community Recreation Survey

The Hills Recreation Society would like to learn more about the recreation interests and habits of Hills residents to help plan activities. We would also like to know your use of and opinions about the Rosebery to Summit Lake rail trail for future discussions. Please fill out this questionnaire, and a member of the Hills Recreation Society will be in touch with you to pick it up.

Who are we as a community?

How many people live full-time in your household? _____

How many: Children: 0-10 years _____ Adults: 19-55 years _____
10-18 years _____ over 55 _____

How long have you lived in Hills? _____ years Landowner? _____ Renter? _____

Our Recreation. . . . What does it look like?

Please check the activities in which you or members of your family participate:

- | | |
|--|--|
| <input type="checkbox"/> Baseball/softball | <input type="checkbox"/> Camping |
| <input type="checkbox"/> Basketball | <input type="checkbox"/> Creek fishing |
| <input type="checkbox"/> Soccer | <input type="checkbox"/> Lake fishing |
| <input type="checkbox"/> Tennis | <input type="checkbox"/> Hunting |
| <input type="checkbox"/> Bicycling | <input type="checkbox"/> Gardening |
| <input type="checkbox"/> Mountain-biking | <input type="checkbox"/> Walking/jogging |
| <input type="checkbox"/> ATV'ing | <input type="checkbox"/> Hiking |
| <input type="checkbox"/> Dirt-biking | <input type="checkbox"/> Wildlife viewing |
| <input type="checkbox"/> Horseback riding | <input type="checkbox"/> Drawing/painting/sculpture |
| <input type="checkbox"/> Cross-country skiing | <input type="checkbox"/> Photography |
| <input type="checkbox"/> Downhill/backcountry skiing | <input type="checkbox"/> Star-gazing |
| <input type="checkbox"/> Snow-machine touring | <input type="checkbox"/> Beachcombing/rock-picking |
| <input type="checkbox"/> Snowshoeing | <input type="checkbox"/> Swimming |
| <input type="checkbox"/> Tobogganing | <input type="checkbox"/> Canoeing/kayaking |
| <input type="checkbox"/> Skating/hockey | <input type="checkbox"/> Motor boating/ water skiing |
| <input type="checkbox"/> Exercise/fitness sessions | <input type="checkbox"/> Arts and crafts |
| <input type="checkbox"/> Movies/slideshows | <input type="checkbox"/> Board/card/dice games |
| <input type="checkbox"/> Music (e.g., jam sessions, singing) | <input type="checkbox"/> Darts |
| <input type="checkbox"/> Reading/Book club | <input type="checkbox"/> Ping pong |
| Other? _____ | <input type="checkbox"/> Billiards |

Future Recreation Programs

If available in Hills, in which of the following activities would members of your family likely participate?

- | | |
|---|--|
| <input type="checkbox"/> organized hikes | <input type="checkbox"/> cross-country ski lessons |
| <input type="checkbox"/> summer programs for children | <input type="checkbox"/> tennis lessons |
| Other? _____ | <input type="checkbox"/> swimming lessons |

Suggestions or comments related to community recreation activities in Hills:

Rail Trail

The Regional District of Central Kootenay has applied to the BC government for a lease to manage the former CPR rail corridor from Rosebery to Summit Lake as a recreational trail. They are interested in local use patterns and concerns.

1. Do you or members of your family currently use the Rosebery to Summit Lake CPR rail trail?
 - a) in spring/summer/fall? Yes No
 If yes, for what activities? _____
 How often? Daily Several times a week Occasionally
 - b) in winter? Yes No
 If yes, for what activities? _____
 How often? Daily Several times a week Occasionally

2. Are you a landowner adjacent to the Rail Trail? Yes No

3. Do you support use of the rail trail for motorized recreation?

Yes Yes, with conditions No

 Comments _____

4. Do you support commercial use of the trail?

Yes Yes, with conditions No

 Comments _____

5. What level of development do you favour for the rail trail?

- None. I don't support any further development of the trail.
- Minimal. Maintain it pretty much as is.
- Moderate. Improve trail surfaces and creek crossings, clear brush, post signs.
- High. Establish picnic and rest areas, interpretive sites, garbage cans, access gates.

6. Are there issues or problems that concern you if the former rail corridor is developed as a recreation trail? (for example: safety, signage, parking, garbage and litter, noise and privacy, fish and wildlife issues, types of use, overuse). Please describe your concerns and any suggestions you have.

Thank you for your input and time
Hills Recreation Society
September, 2009

If you have any questions about this questionnaire, please contact one of the Hills Rec Society board members listed below:

Richard Allin
Gianni Depretto
Boukje Elzinga
Daniel Hellyer
Ellen Kinsel

Scott Kipkie
Lawrence Schiavon
Paula Shandro
Donna Shaw

Natural Resource Officer,
Frontcounter BC,
1902 Theatre Road,
Cranbrook, BC.
V1C 7G1

Integrated Land
Management Bureau
Ministry of Agriculture & Lands

FEB 17 2010

RECEIVED
CRANBROOK, BC

s.22

February 16, 2010-02-16

ILMB FILE # 4404926

My submission to you has nothing to do with my views/opinions one way or the other for the granting of Tenure of this abandoned Rail line to become a Regional linear park.

s.22

I see both benefits and negative

impacts on my way of life here in Hills. My concern here is with **PROCESS**.

Unfortunately, it appears even the ILMB website is contributing to what is appearing to be not a very democratic process of decision-making for all of us involved here.

s.22

s.22 to learn
about this application which started over a decade ago. As of 3 weeks ago, **none** of these
letters were included/attached in the Board Minutes s.22 directly
s.22 "I cannot remember". (See attachment A) The next
day however, after checking on the ILMB website Richard Allin scrambled to produce the
original 2000 HRS. application letter when he discovered it was publicly referred to on
the ILMB website.

Please note: while this letter is referenced to on the ILMB website, it is in fact, as of this date still- not posted. Pursuing this issue Feb.10th - Natural Resources officer Melissa Weikencamp did agree to send me this copy via email. (see attachment B and C) s.22

s.22

Others who

had contacted the ILMB before me were told "not available". How can a citizen have input if they are not party to what is going on?

My question is - how can this application possibly go through with so much duplicity surrounding it?

The Hills Recreation Society's membership represents only 21% of the households here. This 4404926 application is based on a document (not really accessible) which is over a

decade old. We have a 82% response rate to a 2009 Community Survey (attached) which provides current information relating to the peoples' thoughts on the future of this Rail Line. 41% indicated they wanted non-motorized use while 59% support motorized use. Over 75% of respondents indicated No further development of the Rail Trail for Commercial use. Yet, the HRS Board president continues to write letters to the Editor of the Valley Voice suggesting otherwise. (see Attachment D) . s.22 the Valley Voice s.22 (see Attachment E).

I would ask you take this into consideration in your decision-making. If nothing else – please consider carefully widening your liaison with this community beyond the special interest groups who have used their positions on the Hills Recreation Society and the Hills Nordic Ski Club to further their own agendas.

Certainly the development of a linear Park in our backyard is not such an evil endeavour. To do so though continuing on with specific individuals who are not behaving in an open/responsible manner to the people they claim to represent is undemocratic and bound to feed anarchy.

Thank-you for the opportunity to input.
Sincerely,

s.22

"A"

Donna Shaw

From:
To:

s.22

Sent: February-03-10 9:39 AM
Attach: Rosebery to Summit Lake Trail Jan 01.doc
Subject: joint Hills Rec / Nordic ski club document
Hi

s.22

In looking at the FrontCounterBC website again this morning, the development plan submitted by the RDCK does make reference to a document submitted in December 2000 by Hills Rec Society and the Hills Nordic Ski Club. Last night I said I was unaware of any joint document, but I wasn't thinking back 10 years ago. The document they must be referring to was a submission prepared by members of both groups for the RDCK public consultation meetings 10 years ago that Chris Fox refers to in his letter to the editor.

s.22

s.22 It's the original version of the Hills Rec document revised in 2004

s.22

s.22

s.22 It's dated January 20, 2001, but I'm sure is the same document.

I'm sorry for the confusion.

s.22

" B "

ROSEBERY TO SUMMIT LAKE REGIONAL TRAIL
DEVELOPMENT PLAN

BACKGROUND

In 1992 a Study was commissioned by the Ministry of Environment, Land and Parks and the Slocan Valley Economic Development Commission on a land use study on the abandoned railway between Rosebery and Three Forks.

This study was originally based on the Railway corridor from Nakusp to Rosebery and from Rosebery to Three Forks. Since the acquisition of Railway corridor from Nakusp to Rosebery was still being reviewed by the Province, the original corridor study was deferred and Rosebery to Three Forks was only included in the study.

In 1993 a License of Occupation was granted to the Regional District for the Rosebery to Three Forks Regional Trail (File #4401707 -- License #342006).

The Regional District has been requested by the Hills Recreation Society to obtain tenure on the Railway Corridor from Rosebery to Summit Lake as a logical extension to the existing trail.

A submission prepared by the Hills Recreation Society and the Hills Nordic Ski Club dated December 1, 2000 is attached for your reference.

not available Feb. 10. when speaking with Melissa, I did secure the document.

PROPOSED USE

The Regional District of Central Kootenay proposes to develop the Rosebery to Summit Lake Railway corridor as a Regional Trail, which will be a logical enhancement to the existing Rosebery to Three Forks Regional Trail.

As the site has been used for a number of unmanaged recreational activities it is in the best interests of the Community to have the Railway corridor managed effectively for the benefit of all residents.

To accomplish this objective the Regional District is interested in this property to include it into the Regional Parks plan, which will effectively ensure exclusive use of the property as a Regional Trail .

" C "

Donna Shaw

From: "Wiekenkamp, Melissa M ILMB:EX" <Melissa.Wiekenkamp@gov.bc.ca>
To: s.22
Sent: February-10-10 12:51 PM
Attach: 20100210134908.pdf
Subject: FW:

s.22

As you requested, here is the report that we have on file. Please don't hesitate to contact me if you have more questions. I have posted the letter on the website.

*Melissa Wiekenkamp, BSc
Natural Resource Officer
FrontCounter BC- Integrated Land Mgmt Bureau
1902 Theatre Road
Cranbrook BC VIC 7G1
Phone: 250-420-2168*

Fax: 250-426-1767

"Delivering corporate solutions through collaboration"

From: Melissa.Wiekenkamp@gov.bc.ca [<mailto:Melissa.Wiekenkamp@gov.bc.ca>]
Sent: Wednesday, February 10, 2010 1:49 PM
To: Wiekenkamp, Melissa M ILMB:EX
Subject:

<<20100210134908.pdf>>

Letter to the Editor – Valley Voice, 2010-02-11

Hats off to Gianni Depretto in his comprehensive presentation of the information provided by the Hills Recreation Society Community Survey, last issue. Bd. member Depretto presents facts clearly and accurately. His intention is to present results of this Survey; the thoughts, preferences and voices of our community in Hills.

On the other hand, other submissions over the past two weeks scramble numbers, use creative journalism and misquote the Survey (the actual wording and intents); masking the results of the Survey response. I would know this since I was hands-on in gathering and compiling the hard data.

In the last two issues of the Valley Voice, two letters state “a vast majority” of Hills residents support non-motorized use of this Trail. This conclusion is erroneous. Nor is the majority “vast”. In fact - 59% of Hills residents indicated support for multi/many use of the Rail Trail (YES). 41% stated they want it to be non-motorized (NO).

On the questionnaire Hills residents were asked to offer comments/suggestions to their Yes, Yes with Conditions, or No response in an effort to solicit community input as to the future use of the Rail Trail. With a sleight of hand, the two previous letters present the total Yes response down to 23%. This was accomplished by subtracting those who offered suggestions/conditions to their “YES” (35%). I was one of those respondents who answered YES with Conditions. It astounds me that because I offered some suggestions, my “YES, with Conditions” vote is lost. When in fact, I had thought a YES vote offering my ideas was a stronger YES vote. Throughout the questionnaire respondents were asked for their Comments on almost every question. Why would a person think this tone would be any different on the Rail Trail motorized use issue?

As to the claim “only a very few of the 78 households in the Hills survey voiced opposition to the Regional District’s application to make the Rail Trail into a Regional Park” This question is not even on the Survey. – is an alternate agenda not again clearly flouted?

The Hills Recreation Society’s membership represents only 21% of people who live here. Compare this to the 82% response rate to this questionnaire - clearly the Survey RESULTS carry our community’s Truth. In conducting a Community Survey, the Hills Recreation Society did good work in re-visiting who we are as a community. All Board members share a serious responsibility to accept and communicate what the results reveal accurately whether we personally agree with them or not.

I have recently resigned my position as Vice-President on the Hills Recreation Society Board since my good health is not conducive to the nonsense as outlined above. Should anyone be interested in securing a copy of this Survey, these are available to the public either by email or hard copy. Consult the Hills Community Bulletin Board for more

information.
donna Shaw, Hills

Bisset, Kathy B FLNR:EX

From: Colleen Marchand [Colleen.Marchand@okanagan.org]
Sent: Thursday, September 15, 2011 11:53 AM
To: Grant Roeland
Cc: Bisset, Kathy B FLNR:EX
Subject: Referral Lands: 4404926 - Okanagan Indian Band - Refusal to Pay
Attachments: RTS_Lands 4404926_Regional District of Central Kootenay_Refusal to Pay_2011-09-15.pdf

Colleen Marchand
Manager Territorial Stewardship Division
Okanagan Indian Band
Phone 250-542-7132
Fax 250-542-0541
Cell 250-306-0538



Okanagan Indian Band

12420 Westside Road • Vernon, BC, • V1H 2A4
Telephone: 250-542-4328 • Facsimile 250-542-4990
Email: okibadmin@okanagan.org

WITHOUT PREJUDICE AND
NOT TO
BE CONSTRUED AS
CONSULTATION

Thursday, September 15, 2011

Referral ID: Lands: 4404926
RTS #: 3
Date: Thursday, June 30, 2011

Regional District of Central Kootenay
Box 590
202 Lakeside Drive
Nelson, BC V1L5R4

Attention: Grant Roeland

Re: Regional District of Central Kootenay RTS #3, Invoice #2

We write to express our disappointment in the response sent by Regional District of North Okanagan on August 3, 2011 to invoice #2 for referral processing. The indication is that payment will not be received and we must therefore put you on notice that we do not consent, agree or otherwise approve of the activity / development referred to by you in your letter to us dated Thursday, June 30, 2011.

Our People have un-extinguished aboriginal title to the land and resources within our traditional territory. The above-noted activity / development is within our traditional territory and as such, is subject to our title, jurisdiction, rights and interests.

In 1997, the Supreme Court of Canada in the *Delgamuukw* case clarified the law respecting the rights of aboriginal people in British Columbia, which includes our People. The Supreme Court ruling included the following legal principles:

- ◆ Aboriginal title is not extinguished and the Province cannot and never could extinguish aboriginal title or rights.
- ◆ Aboriginal title is protected by section 35 of the Constitution Act, 1982.
- ◆ Aboriginal title is a property interest.
- ◆ Governments must justify any infringements of aboriginal title.
- ◆ Lands held pursuant to aboriginal title have an inescapable economic component.

Other recent court cases involving the Taku River Tlingit First Nation and the Haida Nation have heightened the accountability of British Columbia to consult with First Nations with respect to third party development activities on alleged Crown lands. The Court found that the Province of B.C. has a legal fiduciary obligation to deal with First Nations' concerns about their traditional lands and resources and that it is not necessary for B.C. First Nations to first prove the existence of our rights.

We believe that the provincial government's consultation framework, land use referral policy and administrative system are inadequate to deal with our interests in the land and resources within our traditional territory or to meet the fiduciary obligations of British Columbia.

At this time there has been no reconciliation of our interests with those of the Province of British Columbia or Canada and no process in place to adequately recognize and negotiate co-existence or accommodation of these interests. Until such a process is in place we cannot agree with your contemplated development / activity.

Regards,



Colleen Marchand
Manager, Territorial Stewardship Division
250.542.7132(office)
250.306.0538 (cell)
Colleen.Marchand@okanagan.org

Weir, David J FLNR:EX

From: Shanna Eckman [SEckman@rdck.bc.ca]
Sent: Friday, September 2, 2011 11:47 AM
To: Weir, David J FLNR:EX
Subject: Referral #4490030 / OIB RTS #93
Attachments: OIB_RTS93.pdf

Hi David,

Attached for your files is a letter to the Okanagan Indian Band (OIB) regarding Referral ID #4490030.

Shanna Eckman
Environmental Services Secretary
Regional District of Central Kootenay
Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4
PH: (250) 352-1508 / FX: (250) 352-9300
Toll Free: 1-800-268-7325 (ext. 1508)
Email: seckman@rdck.bc.ca / Web: www.rdck.bc.ca

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Regional District of Central Kootenay

Box 590, 202 Lakeside Drive
Nelson, BC V1L 5R4
web: www.rdck.bc.ca

Telephone (250) 352-6665 Fax (250) 352-9300
BC Toll Free 1-800-268-7325
e-mail: info@rdck.bc.ca

7030-11-06

September 7, 2011

Colleen Marchand
Manager, Territorial Stewardship Division
Okanagan Indian Band
12420 Westside Road
Vernon, BC V1H 2A4

Dear Ms. Marchand:

**RE: INITIAL RESPONSE INVOICE – PROPOSED ROSEBERY TO SUMMIT LAKE
REGIONAL TRAIL**

Thank you for your letter dated June 30, 2011 requesting payment of \$336.00 to undertake a review of the proposed tenure related to the RDCK Rosebery to Summit Lake Regional Trail .

While we understand the factors that have led you to make this request, we are obliged to remind you that there is no legal basis, pursuant to the *Haida* Supreme Court of Canada decision or any other court judgment, for levying a fee associated with undertaking this review and providing information regarding the scope and nature of your aboriginal interests and how these interests may be impacted by these proposed decisions as part of the consultation process.

We appreciate your participation in the review of the proposed activity; however, I must inform you that we are not in a position to accede to your fee request.

Yours truly,

Joe Chirico
General Manager of Community Services

cc: Dawn Atorp, General Manager of Corporate Administration
Randy Matheson, Administrative Assistant
David Weir, First Nations Relations, Ministry of Forests Land and Natural Resource Operations

W:\Departments\Com Serv\Dep Parks Area\RA Rosebery to Summit Lake\11 Sep 7 Ln Okanagan Indian Band Invoice.doc

Pages 171 through 173 redacted for the following reasons:

s.16

Bisset, Kathy B FLNR:EX

From: Vanessa Tronson [Vtronson@wfn.ca]
Sent: Thursday, August 4, 2011 11:22 AM
To: Bisset, Kathy B FLNR:EX
Subject: RE: 4404926
Attachments: 20110804100609602.pdf

Good Day Kathy,

Westbank First Nation acknowledges receipt of your referral dated June 30th, 2011. After carefully considering all of the information you have provided as part of the above referral we have attached a response for your review.

To discuss this matter in further detail, please contact Raf DeGuevara by email at rdeguevara@wfn.ca or by telephone at (250)769-2440.

Regards,

Vanessa

VANESSA TRONSON
REFERRALS OFFICER

Westbank First Nation
301 - 515 Highway 97 South
Kelowna, BC V1Z 3J2

T 250.769.2440 ext 420
F 250.769.2036 www.wfn.ca

Community. Leadership. Pride.

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Talked with
Vanessa Tronson -
in Support of application - OK.
use for public / License -
- Discussion on phone Aug 9/2011 -
K. Bisset



Community. Leadership. Pride.

Wednesday, August 03, 2011

Your File: 4404926
Our File: RTS # 189

Kathy Bisset
Ministry of Forest
1902 Theatre Road
Cranbrook BC V1C7G1

Dear Kathy Bisset:

We acknowledge receipt of correspondence dated Wednesday, December 16, 2009 with respect to the above noted application. The lands or resources described in the letter fall within the territory of the Okanagan Peoples of which Westbank First Nation ("Westbank") is a part. Westbank has aboriginal title and rights throughout this territory. Westbank as the successor of the original Okanagan Peoples in the area identified in the map attached to this letter as such is the proper holder of title in that area. Grants of rights over lands and resources within the identified territory or renewals of existing usages have significant impact on the aboriginal rights including aboriginal title of Westbank and Westbank Members. The Supreme Court of Canada has affirmed the existence of aboriginal title in British Columbia which encompasses the right to exclusive use and occupation of the land and the right to determine the use to which the land is put.

The Supreme Court of Canada has also confirmed that the Crown has a duty to consult with First Nations and accommodate their interests when considering proposed alienations or use of lands that are subject to aboriginal rights including title even before those rights have been proven in court. This duty is part of the process of fair dealing and reconciliation between aboriginal peoples and the Crown identified by the highest court. The BC Supreme Court in the Tsilhqot'in case decision confirms both the strength and significance of aboriginal title and the duty to consult and accommodate with respect to aboriginal rights.

Westbank has always maintained and asserted to the Crown and third parties its aboriginal rights including aboriginal title over our lands. Filing of the Statement of Intent in 1993 with the BC Treaty Commission, participating in treaty negotiations, filing a Writ of Summons in the BC Supreme Court seeking a declaration of aboriginal title over these lands and other actions by Westbank reflect the continuing exercise and assertion of our aboriginal rights including aboriginal title. Through these actions, the Crown

TITLE AND RIGHTS

SUITE 301-515 HIGHWAY 97 SOUTH, KELOWNA BC V1Z 3J2

and third parties have notice of a strong prima facie case of our aboriginal title. It is not acceptable, either morally or legally, to ignore our rights including aboriginal title. There must be meaningful consultation with Westbank and accommodation of Westbank's interests before the Crown deals with application for alienation or use of these lands.

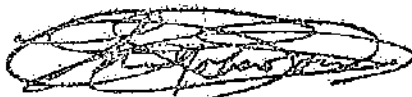
In exercise of its rights and responsibilities in the area where your project is proposed Westbank First Nation has completed a review of the information provided to us. Based on this information we have no objection to the proposed project. I want to stress that we have reached this conclusion based on the information we have received and if that information is inaccurate or incomplete our consent to the project proceeding is void and a full review would have to be undertaken again based on accurate information. I also want to make it clear that our consent is limited to the project described both as to scope, time and other matters and Westbank First Nation retains the right and responsibility to be consulted and accommodated on any other activity or project that could impact our aboriginal rights and title.

This is a serious issue. Any person or body that acts without due regard for the aboriginal rights including aboriginal title of Westbank does so at their own risk and may be subject to legal challenges.

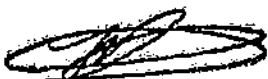
We trust you will take appropriate action to respect our rights, however, in absence of that we will pursue whatever means are necessary to protect our interests, rights, and title. If you have any questions please contact Raf DeGuevara at the Westbank First Nation Aboriginal Title and Rights office at 250.769.2440

Yours truly,

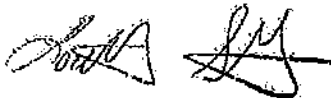
WESTBANK FIRST NATION



Chief Robert Louie



Councillor Mickey Werstuik



Councillor Loretta Swite



Councillor Mike DeGuevara



Councillor Lorrie Hogaboam

Bisset, Kathy B FLNR:EX

From: Randy Matheson [RMatheson@rdck.bc.ca]
Sent: Friday, May 21, 2010 12:29 PM
To: Bisset, Kathy B ILMB:EX
Subject: Nominal Rent tenure - Summit Lake trail File no 4404926

Hi Kathy

Could you give me an update on where we are at with the application for Rosebery to Summit Lake trail

Our area directors are inquiring

Thanks

Randy

Randy Matheson

Administrative Assistant/Researcher

Regional District of Central Kootenay

Box 590, 202 Lakeside Drive, Nelson V1L 5R4

Phone: (250) 352 6665 Fax: (250) 352 9300

Email: rmatheson@rdck.bc.ca web: www.rdck.bc.ca

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Regional District of Central Kootenay

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BC Toll Free 1-800-268-7325
e-mail: info@rdck.bc.ca

7030-11-06

April 6, 2010

Integrated Land Management Bureau.
1902 Theatre Rd
Cranbrook, B.C. V1C 7G1

Integrated Land
Management Bureau
Ministry of Agriculture & Lands

APR 08 2010

RECEIVED
CRANBROOK, BC

Dear Joanne Donald:

**RE: YOUR FILE #4404926
APPLICATION FOR NOMINAL RENT OF CROWN LAND BETWEEN
ROSEBERY AND SUMMIT LAKE**

The Regional District of Central Kootenay Board at its March 25, 2010 Board Meeting adopted the following resolution:

218/10 A letter be sent to the Integrated Land Management Bureau's FrontCounter BC advising that the petition filed in opposition to the application for tenure for the old CPR rail bed from Rosebery to Summit Lake contains incorrect information, and further, clarifying that the RDCK is the applicant and not the Hills Recreation Society and that the application for tenure makes no reference to motorized or non-motorized use of the trail.

The Regional District of Central Kootenay is aware that ILMB has received numerous comments in regards to our application for tenure on the above noted file, and in particular the assumption that the application is from the Hills Recreation Society

Please be advised that the RDCK as the applicant has not made a commitment as to the motorized or non-motorized use of the trail and will, if tenure is received, through a public process, will determine the best use for the trail.

The document that was attached for your reference from the Hills Recreation Society was only referenced to show that the trail is already being used by a variety of users.

The Regional District trusts that your decision to grant or deny tenure will be based on the merits of a tenured trail which, through a public process, will determine the best uses

Sincerely,

R. Matheson,
Admin Assistant / Researcher

W:\Departments\ADMNAST\WINWORD\BCLANDS\Crown Land Tenures -In Progress\COPY of Rosebery - Summit Lake Linear Park\Letter to ILMB re application.DOC



Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Friday, March 5, 2010 9:20 PM
To: ILMB, Cranbrook ILMB:EX
Subject: RE: file # 4404926

Please do not allow the old CPR right of way from Nakusp to Rosebery to become non motorized. The only way that my family and friends can continue to enjoy this trail is if it remains open to motorized use. We have already been deceived to many times in the past by special interest groups having these trails deemed non motorized use only. The lower Siocan CPR right of way the BNR from Troup to Ymir and other trails are already reserved for a very few who use them in non motorized ways.

Non motorized is only appropriate for areas such as Troup to Cottonwood Lake where there actually is a lot of use by walkers, cyclists and skiers as it is close to a large residential area.

s.22

Donald, Jo-Ann ILMB:EX

4404926

From: s.22
Sent: Saturday, February 27, 2010 11:51 AM
To: ILMB, Cranbrook ILMB:EX
Subject: roseberry summit lake linear park

To Whom It May Concern:

We hope that we have made your deadline with our letter of support for establishing the linear park from Summit Lake to Rosebery as a NON-MOTORIZED space. Our family enjoys biking north from Rosebery and skiing on the old railbed towards Summit Lake. It seems difficult enough to maintain the trail adjacent to Slocan Lake especially, without any additional stress from motorized vehicles.

s.22

Donald, Jo-Ann ILMB:EX

LL404926

From: s.22
Sent: Saturday, February 27, 2010 12:44 AM
To: ILMB, Cranbrook ILMB:EX
Subject: Non-Motorized Trail Please

To Whom It May Concern:

We hope that we have made your deadline with our letter of support for establishing the linear park from Summit Lake to Rosebery as a NON-MOTORIZED space. Our family enjoys biking north from Rosebery and skiing on the old railbed towards Summit Lake. It seems difficult enough to maintain the trail adjacent to Slocan Lake especially, without any additional stress from motorized vehicles -- motorized vehicles. Is there anywhere in this valley we can protect from motorized vehicles? You know the dangers, the costs, the myriad of reasons to keep motorized traffic off of the trail and on the road.

s.22

Donald, Jo-Ann ILMB:EX

From: ^{s.22}
Sent: Thursday, February 25, 2010 1:29 AM
To: Donald, Jo-Ann ILMB:EX
Subject: RE: Application File #4404926

TO: Jo-Ann Donald
Natural Resource Officer
Integrated Land Management Bureau
Front Counter BC
1902 Theatre Road
Cranbrook BC V1C 7G 1
1-250-426-1775
joann.donald@gov.bc.ca

Feb 24, 2010
RE: Application File #4404926

Dear Jo-Ann Donald,

Please accept my late evening contribution regarding the RDCK application for a trail along the old historical Sandon-Nakusp rail grade.

^{s.22} and my family would benefit, like most area residents, from the development of a Trail System that sensibly focuses recreational use. Certainly this application would be worthy providing the trail was identified as multi-use and conditionally inclusive of motorized use. ^{s.22} would happy putter my way to Nakusp.

Grant the trail application with condition to include motorize use and far more is accomplished to satisfy the diverse community living here.

It is important in the present day to conceive of responsible ways for people to interact with the landscape. I have formed the opinion that almost every responsible ATV user would welcome guidelines, seasonal restrictions. There are any number of guidelines that could be identified by a management group with diverse representation.

Exclusion, as a management tool, seriously limits solving so many problems of human interaction with the natural world... Rely on every member participant of public processes 10 years ago, or in 2004 and 2007 - all the community members around Summit Lake and Hills and area - they all really do have the best intentions and share more than they realise. I'm certain other proponents have sent info detailing those committees already - I'll spare you another dozen pages (that's represented already in debate in the local paper).

My real opinion is that is if these folks were required to listen to each other, for a trail they ALL really want anyways, they'll will accomplish a great project. And definitely build some co-operative skills (all party) that will surely benefit us in other areas of our community.

Motorised use condition for the application really appeal to the widest number of people. Make them all work together;) It would be great have a sound and responsible use trail from here to there.

Sincerely,

P.S. I wish mostly one day this community might create a pedestrian route the 4km between our two villages of Silverton and New Denver. It be such a important connection to make, not only for safety along the narrow highway, but the symbol of two towns that rely on each other.

PPS. I like this bridges building quote: ""The reality is that individuals, families, support networks and the wider community are increasingly interested in support strategies that are based in relationship, citizenship, contribution, opportunity, safety and sustainability. Bringing Community Together is responding to the growing need for progressive and innovative thinking within the community living "movement", and aims to better equip, and motivate, all community members to enrich the lives of people with diverse abilities and the communities capacity to provide ALL of its members opportunity to achieve a sense of contribution, relationship, and value."

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Wednesday, February 24, 2010 1:32 PM
To: ILMB, Cranbrook ILMB:EX
Subject: ILMB 4404926

Natural Resource Officer

I am writing about the proposed regional park trail from Rosebery to Summit Lake. I think making this old rail grade into a regional park trail is a wonderful idea.. What a beautiful spot, trees, lake and mountains all together in one location. I use this trail about once a week, riding my mountain bike in the spring, summer and fall. In the winter I walk about once every two weeks. Most of the time I never meet anyone on my journey's.

The main areas I ride and walk are from Rosebery north to the head of the lake at Hills. I also walk on the east side of Summit Lake north towards Nakusp. I tried to walk south from where the highway and the old rail grade meet on the Nakusp end of Summit Lake but there was a fence across the grade with No Trespassing signs.

About once a year I meet a quad or motorbike on this trail. The riders have always been courteous, usually stopping to let me pass.

The last thing I want is for this old rail grade to become private property of any sort. The rich own most of the good locations already.

Thank you.

s.22

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Donald, Jo-Ann ILMB:EX

From: Erica Mailam [ericam@vws.org]
Sent: Wednesday, February 24, 2010 7:39 PM
To: ILMB, Cranbrook ILMB:EX
Subject: ILMB File Number 4404926

Daniel Sherrod
Executive Director
Valhalla Wilderness Society
Box 329
New Denver, BC V0G 1S0

Feb. 24, 2010

Natural Resource Officer
FrontCounter BC
1902 Theatre Road
Cranbrook, B.C. V1C 7G1

Dear Sir or Madam,

Re: ILMB File Number 4404926

The Valhalla Wilderness Society would like to express its support for RDCK's application for a Nominal Rent Tenure for a regional park trail situated on Provincial Crown Land between Rosebery and Summit Lake, as advertised in the *Valley Voice* Jan. 13 and Jan. 17, 2010.

This trail to date has been immensely enjoyed by locals and has maintained a level of protection for some very ecologically sensitive areas. Because of its minimal grade, the trail has been very accessible for hiking, mountain biking, cross-country skiing, snowshoeing, and bird watching. These activities have had relatively little impact so far but all this could change with development and commercial use.

There are numerous other trails which are spectacular, but not necessarily accessible to older people or people with physical limitations. Thus the Rosebery to Summit portion is an ideal area to accommodate these people.

This area also serves as an important wildlife corridor. Under the management of RDCK, as a regional park trail, this area would benefit from an impact assessment to minimize potential damage from recreational use. And in view of the sensitive areas and the quality of the experience of those who prefer non-motorized forms of recreation, we feel that motorized use of the trail is inappropriate and incompatible with the natural and scenic values.

Therefore, we ask that RDCK be granted the Nominal Rent Tenure that it has applied for.

Sincerely,

Daniel Sherrod

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Wednesday, February 24, 2010 7:32 PM
To: ILMB, Cranbrook ILMB:EX
Subject: Support for RDCK application

February 23, 2010

Re: ILMB File #4404926

Dear Sir or Madam,

I write to voice my support for the RDCK application for a regional park trail between Rosebery and Summit Lake. This land traverses many ecologically rich and vulnerable areas that urgently need to be acknowledged and protected. While the RDCK application doesn't protect much of these areas outright, bringing some community oversight to the use of the rail bed would be an important step.

As you may know , the old rail bed between Rosebery and Summit Lake follows the valley bottom the entire distance and all but a very short section is through environmentally sensitive zones -- the Slocan Lake foreshore, Bonanza Marsh, the Bonanza creek riparian zone and the Summit Lake marsh and foreshore. I know this area well,

s.22

s.22

I urge you to support this application and suggest that eventually this corridor would be best served by a non-motorized use designation.

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Wednesday, February 24, 2010 5:38 PM
To: ILMB, Cranbrook ILMB:EX
Subject: ILMB file number 4404926

Hello:

Re: ILMB file number 4404926

I'm writing to support the non-motorized use of the rail trail between Rosebery and Summit Lake in the West Kootenay. The RDCK's proposal to adopt this section of abandoned railbed for a regional trail as part of its regional parks plan is a good way to ensure the land is not misused by motorized vehicles.

Sincerely,

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Wednesday, February 24, 2010 5:19 PM
To: ILMB, Cranbrook ILMB:EX
Subject: ILMB file Number4404926 former CP railway Rosebery - Summit Lake

Dear Natural Resource Officer at Front Counter BC Staff,

I enthusiastically support the Regional District of the Central Kootenay taking responsibility and tenure of the former CPR railway easement from Rosebery to Summit Lake for the purpose of a linear park. As it is used and misused currently, some group or entity like the RDCK coming forward to set types and standards of use shall hopefully act to stabilize the future of the area adjacent the corridor which is also my home. A variety of local and tourist recreational uses are currently carried out on the corridor. Those involving wheeled vehicle traffic and wet conditions have degraded some sections along Slocan lake and also up along Bonanza creek to the point that they are impassable without wading. Beavers have also had their turn at reclaiming the corridor perhaps as they should, but they have not been responsible for the rutting and mud holes. Some of the alterations in the hydrologic cycle along the marshy areas caused by the railway might be mitigated with more culverts or by shallow fords being created. This could be a condition for tenure.

The other concern that should be a condition of tenure is for the RDCK to work with the local wildlife advocacy groups, timber tenure holders and BC Timber Sales to ensure the permeability and security of this corridor for transiting and resident bear, moose, elk, deer, wolverine, hopefully recovering mountain caribou, wolf, mountain lion and the numerous kokanee salmon that spawn in Bonanza creek. You may not realize, but BC Timber sales has just last summer built a very large log haul road on the opposite side of Bonanza creek traveling far up towards Summit Lake and have numerous proposed timber sales that could again impact the same area as the former CP railway adding to the human impacts in this ecosystem. There may be certain seasons when the use of motorized vehicles should be curbed altogether, as now there could be potentially motorized vehicles traveling on three routes through this wildlife corridor, Highway 6, the former railway, and BC timber sales logging road which does have a gate installed.

Thank you,

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Wednesday, February 24, 2010 2:09 PM
To: ILMB, Cranbrook ILMB:EX
Subject: Proposed RDCK Summit L Park

To: Natural Resource Officer at Front Counter BC

Re: Application 4404926 by RDCK Nelson for Crown Land between Rosebery and Summit Lake

I am strongly in favour of this park application. I trust that the RDCK is the best organizational body to administer this lovely trail and link it with the other rails-to-trails projects - although I don't envy them the task of sorting out its designated use. ^{s.22} and for years have walked and cross country skied the section from the north end of Summit Lake south to Bonanza Marsh. As a bird-watcher and a tranquility-seeker I am biased in favour of somehow conserving Bonanza Marsh and banning motorized vehicles - I think that use fits our major tourism marketing and what will attract people to live here.

Unless the RDCK takes on responsibility for this section of old RR bed, I think it will deteriorate due to lack of designation or planning.

Thank you for considering my opinion.

4404926

To whom it may concern:
From: s.22

s.22

s.22 Since the late 70's there was a oil spill in which a oil tanker had overturned on highway #6 above the girl guide camp, spilling oil into a tributary creek that runs into Slocan Lake. The oil that spilled accumulated s.22 Clean up efforts were by ministry and s.22 s.22

s.22

s.22

s.22

s.22

s.22 To this day Pete marsh is one very unique place
it has wood ducks s.22 blue herons
eagles turtles swallows bats frogs different sorts of ducks geese swans moose pass throu
as well as elk coyotes seen this year wolfs passing throu some reptile species deer and a
abundance of plant life and herbs s.22

s.22
s.22
s.22 . This has got
to stop. s.22

s.22
s.22
s.22
s.22 this water line
will give us securities for fire suppression and domestic use as well, since we are out of
the Hills community. We understand the sensitive area we choose to live in for our selves
s.22 We now teach them as
well as ourselves to leave as small as a footprint as possible. Thanks for your time for
this letter touches on what we have being doing on our properties, marsh and surrounds
and the effects others have on ourselves.

Sincerely,

s.22 care takers of our lands.

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Wednesday, February 24, 2010 8:08 PM
To: ILMB, Cranbrook ILMB:EX
Subject: ILMB File Number4404926

s.22

February 21, 2010

Natural Resource Officer
FrontCounter BC
1902 Theatre road
Cranbrook, B.C. V1C 7G1
AuthorizingAgency.Cranbrook@gov.bc.ca

Dear madam or sir:

Re: ILMB File Number 4404926

I applaud the RDCK for filing an application for a Nominal Rent Tenure for the purpose of a regional park trail situated on Provincial Crown Land between Rosebery and Summit Lake.

s.22 I have regularly used this trail—walking, jogging, bicycling, and cross-country skiing. It is an extremely beautiful and special place. Today as the sun shone on the lake, I once again thought, “This must be one of the most beautiful trails on earth.” The trail is in good shape for most of its length. It is well used now; preserved as a trail, many will be able enjoy this beautiful, quiet, and pristine environment in perpetuity.

The RDCK is to be congratulated for applying for this trail to be made a park. I appreciate the RDCK’s action and support its application.

Thank you for requesting responses to the application.

Sincerely,

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Wednesday, February 24, 2010 8:04 PM
To: ILMB, Cranbrook ILMB:EX
Subject: proposed park Rosebery-Summit Lake

I wish to register my support of the RDCK's application to make the trail from Rosebery to Summit Lake a regional park trail. I feel strongly that this trail should be for non-motorized use only. There are very few level trails in our area that suit people of nearly all levels of physical fitness to walk, cross-country ski, or ride bicycles. This is a beautiful area and should be conserved as a park and conserved as a quiet, natural area.

Thank you for your consideration of this request.

Sincerely,

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Wednesday, February 24, 2010 10:21 PM
To: ILMB, Cranbrook ILMB:EX
Subject: Re: application 4404928

This letter is to register my opposition to the above application from the Hills Rec. Society and their ideological belief that this old rail trail that is adjacent to their back yard should be made into a park and become non motorized for the biased reasons they have stated. s.22 and consider that I have a right to ride my ATV or snowmobile on this rail corridor as I want. All their excuses why motorized traffic should be excluded from this corridor are simply garbage from a special interest group. Was not the railroad motorized? Animals and plants survived quite nicely for years, As it is the rail trail corridors in the whole slovan valley are at the moment non motorized, enough is enough. Us other tax payers have rights too, especially us seniors that may not be able to get out and enjoy what we own unless it is via a motorized vehicle of some sort. Thank you for your Attention -

- s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Wednesday, February 24, 2010 9:02 AM
To: Donald, Jo-Ann ILMB:EX
Subject: RE: Summit Lake to Hills

Hello Jo-Ann,

There were a couple of other things I wanted to ask you about, but wanted to keep it separate from my submission. I believe the proposal being dealt with at the moment begins at the Bonanza Creek Bridge across Highway 6 and runs down the creek to Hills. Which means that the section between the road and the southeast end of Summit Lake is not included. Nor is anything along Summit Lake, or beyond the lake toward Nakusp. Further to my previous comments about bird habitat, there is some excellent habitat in these areas. I mentioned Magnolia Warblers in the area in my submission, their habitat includes the creek but also the area at both ends of Summit Lake. That side of the lake, (the north side), is not included in the current proposal nor is it included in the current boundaries of Summit Lake Provincial Park. I'm not sure whether there is any possibility of expanding the park at some time in the future, but I would like it 'on record' that this is very valuable habitat and inclusion in the park would be most appropriate.

Not Responsive

--- On Wed, 2/24/10, Donald, Jo-Ann ILMB:EX <Joann.Donald@gov.bc.ca> wrote:

From: Donald, Jo-Ann ILMB:EX <Joann.Donald@gov.bc.ca>
Subject: RE: Summit Lake to Hills
To: s.22
Received: Wednesday, February 24, 2010, 7:16 AM

Thank You.

Jo-Ann Donald
Natural Resource Officer
Integrated Land Management Bureau
Front Counter BC
1902 Theatre Road
Cranbrook BC V1C 7G1
Email: joann.donald@gov.bc.ca
Phone: 250-426-1775
Fax: 250-426-1767

From: s.22
Sent: Tuesday, February 23, 2010 6:15 PM

Page 195
FNR-2012-00108

Subject: Summit Lake to Hills

I am very strongly in favour of the development of this linear park. I believe that we need to do our best to allow access to as many groups as possible. But there are some areas that must be recognized as offering more than merely an access point to our vast wilderness resources. And I think this is one of them. The riparian habitat along Bonanza Creek and adjacent to the southeastern end of Summit Lake, is a very rare habitat in this part of southern BC. Slocan Lake itself is very steep-sided and offers virtually no such habitat. Arrow Lake was flooded in the last 1960's and virtually all the riparian habitat in that valley was destroyed. Further south, the Slocan River, does offer some good riparian habitat. But the entire northern section of the West Kootenays has very little rich riparian habitat. The section in question is very important bird habitat. Several species are found almost nowhere else in the region: Alder Flycatcher, Bullock's Oriole, Black-headed Grosbeak and Magnolia Warbler, for example. The flycatcher and the warbler are quite rare anywhere in southern BC. I was able to confirm breeding of the warbler this past spring. This is the most southerly breeding population of Magnolia Warbler in BC. The only other southern BC breeding sites are near Golden and in the Wells Grey Park region. Alder Flycatcher is normally found east of the Rockies and in the northern half of the province. Although I have not located a nest for this species, its annual presence in the area suggests that breeding is probable. The grosbeak and the oriole can be found in other parts of southern BC, but not in the immediate area.

For these reasons, I have some concern about motorized use, particularly between mid-May and mid-July. The area definitely supports some birds uncommon to the region, and I think some consideration should be given to ensuring that they are not in any way adversely affected by such development.

Sincerely,

s.22

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Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Wednesday, February 24, 2010 8:10 PM
To: ILMB, Cranbrook ILMB:EX
Subject: proposed park--Roseberry to Summit Lake

I wish to register my support of the RDCK's application to make the trail from Roseberry to Summit Lake a regional park trail. I feel strongly that this trail should be for non-motorized use only. There are very few level trails in our area that suit people of nearly all levels of physical fitness to walk, cross-country ski, or ride bicycles. This is a beautiful area and should be conserved as a park and conserved as a quiet, natural area.

Thank you for your consideration of this request.

Sincerely,

s.22

FEB 26 2010

**RECEIVED
CRANBROOK, BC**

Natural Resources Officer at Front Counter BC

Feb. 23, 2010

The application from the RDCK to the ILMA for a linear Park from Summit Lake to Rosebery enjoys my support. I have utilized these trails every winter ^{s.22}

^{s.22} and I am concerned for my future enjoyment being denied by increased motorized use. Now a commercial motorized recreational lobby would dominate this riparian trail.

Jurisdiction after jurisdiction from coast to coast, and most non-motorized recreationalists, find machines and pedestrians are NOT COMPATIBLE. Liabilities, noise, speed, high trail maintenance costs, policing, disruption of wildlife, alcohol misuse, pollution, and now carbon footprint concerns are some of the reasons for the incompatibility.

Machines are not community, and their use should not rule the use of community property. Walkers, those wheel chair bound, runners, bicyclists, naturalists, environmentalists, birders, cross country skiers, snowshoers, those seeking solitude are all part of the community who are denied their lifestyle by machine use in this area. No person is denied use of a park.

s.22

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Tuesday, February 23, 2010 2:34 PM
To: Donald, Jo-Ann ILMB:EX
Subject: Re: application #4404926 of the Hill Recreation Society

s.22

February 23, 2010

To: Jo-Ann Donald
Natural Resource Officer
Integrated Land Management Bureau
Front Counter BC
1902 Theatre Road
Cranbrook BC V1C 7G1

Dear Jo-Ann Donald,

I am writing to you about the application -- #4404926 -- of the Hill Recreation Society, and its desire to close the old CPR rail bed from Rosebery to Nakusp to multi-use. I want to add my voice to the majority of people that want to continue all-access to this trail.

Residents of Slocan Valley North have been clear on this: we want multi-use access to this rail-bed - no one should be excluded, and no small (all of 20 members!) special-interest group should be allowed to dictate to the majority what it is allowed to do on a trail that has traditionally been open to all. Indeed, it is motorized use that has kept it clear and available this past decade.

A majority of Hills residents support multi-use, as shown in a recent survey by the Hills Recreation Society itself: "The majority supports the continuation of a many-use/multi-use rail trail on the old CPR right of way in Hills." Nakusp held its own public meetings about the development of the rail grade, and over 90% were to opposed to closing it to motorized use. 100% of Summit Lake residents want multi-use, and stated so in a survey of October 2007. Even the Official Community Plan of Area H North clearly states that rail development must include motorized use.

Obviously, it is a tiny minority that wants to shut down this public resource - a resource that could be shared by all. Proper protocols could be developed, and fair usage can be had; I believe there exists the will to do so. Please do not grant this application to close this portion of the CPR rail bed to multi-use - it would truly be against the majority's wishes, and against the better judgement of what our area needs. We need an all-access trail up the valley, open to all.

Sincerely,

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Tuesday, February 23, 2010 2:58 PM
To: ILMB, Cranbrook ILMB:EX
Subject: RE ILMB File #4404926 proposal

To whom it may concern,

I would like to address issues surrounding the recent application ILMB file # 4404926 from RDCK to have the crown land rail trail corridor from Rosebery to Summit Lake turned into a park in conjunction with Hills Recreation Society recommendation and supporting documents sent to RDCK.

It would appear from references by Richard Allin and Gary Wright that after two rounds of lengthy public process dating from 2000 to present, RDCK has taken the responses and concerns of multiple interest groups into consideration. In fact the public meetings resulted in an inability to move forward due to opposition within the community.

In response to the letter written by Richard Allin in the Jan 27 2010 issue of Valley Voice, I would like to clarify some of the facts pertaining to the recent Hills Rec Community Survey. It would appear that the majority of residents are opposed to a motorized / multi-use trail when in fact, of the 78 responding households (82% response to questionnaire) 45 are in favor of multi-use (58%), 32 are opposed (41%). In the survey the activities listed to choose from, 10 are non-motorized while there were 4 motorized activities, therefore the fact that residents partake in several activities listed in the survey, manipulates the perception of usage vs. users. Furthermore he indicates that there is only 23% supporting motorized use, and 35 % that support motorized use with conditions which adds up to 58% majority in favor of motorized access.

In regards to developing the trail corridor into a Regional Park that offers peace and seclusion, most of us have achieved that by residing in rural environments such as Hills, Summit Lake and Rosebery. There has already been an increase by non-resident users in the last few years, the idea that further development will help protect the wild life corridor, solitude and privacy of residents is rather ridiculous.

s.22

A reference was made to the current usage figures from the recently completed survey, also concluded in the survey is the information that 96% favors no development to moderate development of the trail ie. trail surface maintenance/creek crossing and little signage. Only 4% of respondents favor the high level of development a park status would entail ie picnic, rest areas interpretive sites, garbage cans and access gate, and a severe increase in traffic. Being as that the rail grade passes through agricultural land reserve and that many of the original homesteads exist and still have farms, livestock and gardens. Historically and presently we use sections of the rail grade to transfer livestock, move farm equipment and gather firewood. This does not fall into park usage. I am sure that many residents who completed a community survey issued by a recreation society would not have imagined their responses would have been used to favor park status of our corridor.

Richard appeals to emotional sentiment around environmental values and protection of privacy and solitude while seemingly promoting development and publicization of our rural corridor. In his letter he indicates that RDCK has the support of the community while in actuality there is little support for this type of development, how ever with out public input at this crucial time this park proposal will move forward.

We do not support this application of tenure for park status as there has clearly not been a public plan or proper input established by RDCK and we are not interested in a park and the issues it will bring

s.22

We feel more comfortable with a community trail and support all recreational avenues as long as it does not which certainly includes motorized applications.

s.22

s.22

s.22

Page 2,0

s.22

ENR-2012-00103

Regards.

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Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Tuesday, February 23, 2010 2:52 PM
To: iLMB, Cranbrook ILMB:EX
Subject: Summit Lake to Hills proposal

To Whom it may Concern,

I am very strongly in favour of the development of this linear park. I believe that we need to do our best to allow access to as many groups as possible. But there are some areas that must be recognized as offering more than merely an access point to our vast wilderness resources. And I think this is one of them. The riparian habitat along Bonanza Creek and adjacent to the southeastern end of Summit Lake, is a very rare habitat in this part of southern BC. Slocan Lake itself is very steep-sided and offers virtually no such habitat. Arrow Lake was flooded in the last 1960's and virtually all the riparian habitat in that valley was destroyed. Further south, the Slocan River, does offer some good riparian habitat. But the entire northern section of the West Kootenays has very little rich riparian habitat. The section in question is very important bird habitat. Several species are found almost nowhere else in the region: Alder Flycatcher, Bullock's Oriole, Black-headed Grosbeak and Magnolia Warbler, for example. The flycatcher and the warbler are quite rare anywhere in southern BC. I was able to confirm breeding of the warbler this past spring. This is the most southerly breeding population of Magnolia Warbler in BC. The only other southern BC breeding sites are near Golden and in the Wells Grey Park region. Alder Flycatcher is normally found east of the Rockies and in the northern half of the province. Although I have not located a nest for this species, its annual presence in the area suggests that breeding is probable. The grosbeak and the oriole can be found in other parts of southern BC, but not in the immediate area.

For these reasons, I have some concern about motorized use, particularly between mid-May and mid-July. The area definitely supports some birds uncommon to the region, and I think some consideration should be given to ensuring that they are not in any way adversely affected by such development.

Sincerely,

s.22

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Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Tuesday, February 23, 2010 4:09 PM
To: Donald, Jo-Ann ILMB:EX
Subject: Support for Linear Park, Summit Lake to Rosebery

NOTE: please do not distribute my e-mail address

To: Integrated Land Management, Natural Resource Officers
From: s.22
RE: Linear Park from Summit Lake to Rosebery

This e-mail is to support the establishment of a Linear Park from Summit Lake to Rosebery, along the old CPR railway bed area. This is a fantastic riparian area, providing excellent habitat for animals, birds, waterfowl, insects, butterflies and aquatic life. The many common and unusual types of vegetation are lush and rich throughout this area.

I'm not sure if this application is limited to the area specifically from Highway 6 at Bonanza Creek, to Rosebery. If so, I think it would be great if the section from Highway 6 behind Summit Lake to Bonanza Creek could also be included. This is a continuation of the richly diverse habitat, along the once CPR railway bed.

People bike, hike, snow-shoe and cross-country ski through this area year round, all along Summit Lake, through to Hills, and on to Rosebery. Bird-watchers, photographers, wildlife lovers, and other naturalists have walked the trail along Bonanza Creek for many years. The peacefulness and quiet sanctity, enlivened by the sounds of nature, make this an exhilarating experience. There has been slight disruption to the flora and fauna of the area.

There has been limited motorized traffic, in terms of ATV's, snowmobiles and motorcycles. The current brush overgrowth along the trail may have served to limit accessibility, and keep motorized traffic to an infrequent and low level.

When this trail becomes maintained for use under park status, it will be difficult, if not impossible, to restrict motorized use to this level only. I expect that motorized use will grow to the extent serious harm will be done to this area, and to the trail.

I support the creation of a Park to protect this very important ecological area, from an environmental and recreational point of view.

If it were possible to ensure motorized use would be low, at slow speeds, sensitive to maintaining trail-bed quality, and low-noise to lessen impact on wildlife and non-motorized recreationists, I could support some motorized use. However, I can't see how this could be ensured unless single use, park trail motorized permits are issued. And if they were, permit issuing would be cumbersome, and enforcement would be very difficult. Without a system limiting number of motorized permits, with restrictions, I support non-motorized use only of this trail.

Sincerely,

s.22

Donald, Jo-Ann ILMB:EX

From: ^{s.22}
Sent: Tuesday, February 23, 2010 8:00 PM
To: ILMB, Cranbrook ILMB:EX
Subject: ILMB File Number 4404926

s.22

Feb. 22, 2010

Re: ILMB File Number 4404926

Dear Sir/Madam,

I would like my name to be registered as being in support of RDCK's application for a Nominal Rent Tenure for a regional park trail on Provincial Crown Land between Rosebery and Summit Lake.

There are numerous reasons for securing this CPR corridor as a public asset. It not only has historic significance but it is also an important wildlife corridor providing habitat for both mammals and birds. It passes above Bonanza Marsh and wetlands which encompass an ecological treasure of plant and animal species. This is a marvelous, gently graded, very scenic trail which has been enjoyed for years by locals, mostly non-motorized.

Without regional park trail status, the area will be open to unwanted, uncontrolled development which will destroy the ecologically sensitive areas, displace wildlife and ruin the recreational opportunities which the public currently enjoys.

I am also strongly opposed to motorized use. Having been nearly run over on two occasions while walking on the trail, I have serious concerns about safety. I have seen young children, unsupervised, driving ATVs, often without helmets. The environmental impacts alone are reason enough to ban motorized use. The stench and noise from these machines (snowmobiles, motorbikes, and ATVs) totally destroy it for those wishing to have a healthy, outdoor experience.

Obviously there will need to be further discussion and decisions made on future management due to the present controversy of non-motorized versus motorized use.

Therefore, I urge you to approve of RDCK's application. This is a special area that warrants protection.

Yours sincerely,

s.22

s.22

s.22

February 23, 2010

To: Front Counter BC
Integrated Land Management Bureau
1902 Theatre Road
Cranbrook, B.C.
V1C 7G1

Front Counter BC regarding ILMB file number: 4404926
(Regional Park Trail between Rosebery and Summit Lake)

Hello,

s.22

s.22 I fully endorse this property be transferred to the Regional District of
Central Kootenay (RDCK). s.22 when they operated in the valley and since
the abandonment of the rail line by the CPR it has fallen into disuse. s.22

s.22

s.22 this old rail grade has world-class attributes that would be worthy of being
carefully managed by the RDCK. A careful management plan is needed by RDCK to minimize
impacts of recreational use on wildlife and address the conflicts between motorized and non-
motorized users.

To be honest, motorized interests have become somewhat politically over-blown in the media,
with the motorized lobby greatly exaggerating their snowmobile and ATV use. Most of this group
uses more of the local backcountry and my observations of a frequent non-motorized user is that
very little snowmobile and ATV use occurs of the rail-to-trail corridor. However, it would be a
shame if this vocal minority was allowed to over-ride the dire need for crown lands to pass this
wonderful corridor into the hands of the RDCK and instead have it continue to disintegrate into
no-man's land for the sake of a few motorized rights activists.

s.22

s.22

s.22 This is just one example where if RDCK was the owner, we would be able to have more
intensive and careful management to balance recreational needs and wildlife needs.

The Galena Trail and Slocan Valley Rails-to-Trails are prime examples of RDCK management
and are prime recreational and tourism assets in the community. I look forward to seeing the
Rosebery – Summit Lake rail corridor be passed along to the same responsible management
agency.

Sincerely,

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Tuesday, February 23, 2010 12:24 PM
To: iLMB, Cranbrook ILMB:EX
Subject: Rosebery to Summit Lake Trail

To whom it may concern,

s.22 , I support turning the Rosebery to Summit Lake CPR right of way into a corridor park, but only if it includes motorized use.

A recent 2009 Hill Recreation Society Survey indicates a total of 46% of Hills residents are in favour of motorized use, with 32% opposed to motorized use.

With specific regard to Hills Recreation Society/Hills Nordic Ski Club submission December 01, 2000, this report has only now become public and s.22
s.22. The former CPR right of way in question has always been used for motorized recreation contrary to the claims it has not.

If any taxpayer money is to be used to maintain this proposed park, then as a taxpayer I demand motorized use be allowed.

Sincerely yours,

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Tuesday, February 23, 2010 9:05 PM
To: ILMB, Cranbrook ILMB:EX
Subject: Re: ILMB File Number 4404926

s.22

February 23, 2010
National Resource Officer
Front Counter B.C
1902 Theater Road
Cranbrook, B.C V1C 7G1

Re: RCDK Application 4404926 ILMB

Dear Sir or Madame,

I am writing to give my full support for the RCDK's application for the historic old Rosebery to Nakusp railway bed to be used as a trail. Furthermore I urge that this trail be preserved for Non- Motorized use only. Motorized use is NOT compatible with hiking, cross-country skiing or horseback riding.

s.22

s.22 we have experienced the proliferation of motorized recreational use and the impact it has had on the lives of residents, wildlife, spawning streams and the landscape.

Logging, mining roads, or any other public access off of Highway 6, are highly used by groups with ATVs, and motorbikes. This use includes valley bottom hiking trails and beach areas that were once quiet walking and fishing areas for residents and tourists. An example is the beach area around the mouth of Bonanza Creek at the North end of Slocan Lake. As you may know, Bonanza Creek is a very important spawning creek for Kokanee Salmon, Rainbow Trout, Dolly Varden, White fish, and the endangered Bull Trout. It is very common now to witness ATVs or find their tracks crisscrossing repeatedly through the creek, across the beach and as far up into the marsh-wetlands as they can go.

The railway bed which runs just above this area and all along the East side of Slocan Lake starting in Rosebery, would greatly increase the access and use of ATVs if this corridor was opened to motorized use.

Wildlife including elk, moose, deer, and both black and grizzly bear use this old railway bed as a travel corridor which people who walk and ski along enjoy sighting.

Motorized recreation has already become a serious problem in the noise created by these machines, as well as the damage to the fragile landscape from the valley bottom to the Alpine meadows in the high country. ATVs, are rarely used as a form of transportation, but rather as powerful machines with which to speed up and down the steepest ridges or to cross the most challengingly difficult terrain for the thrill of the adrenalin hit. When winter snows come, the same becomes true with the snowmobiles.

The Slocan Lake, which once provided quiet beaches, with relatively few speedboats, is now being invaded with jet skis whose operators typically swarm the beaches where they have a captured audience for their show-off antics.

The result, is that we have very few places where residents can walk, hike or country ski in peace and quiet in the valley bottom close to our homes. or for the

populated areas. Those persons who want motorized access have many kilometers of backcountry roads they can and do use. People who want to walk, or cross-country ski in peace, quiet and safety from the invasion and noise of ATVs, snowmobiles and the like, do not.

Thank you for your attention to this very important matter.

Sincerely,

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Monday, February 22, 2010 6:31 PM
To: ILMB, Cranbrook ILMB:EX
Cc: Walter Popoff
Subject: Rail Trail Rosebery to Summit Lake

Natural Resource Officer
Front Counter, B.C.

Dear Sir

I am writing this E-Mail in objection to turning the old rail bed corridor between Rosebery and Summit lake into a linear park. My family and I have used this trail since it was decommissioned for both motorized and non-motorized recreation and we have never had a problem with other users that we have encountered, whether they were on foot or using a motorized form of recreation. The lobbyists for non-motorized use are exaggerating the encounters between motorized and non-motorized users to the point where they are becoming unbelievable. Surely we can accommodate both forms of use. If it becomes a linear park I can see where it will become a non-motorized corridor. This is totally unacceptable to me and my family. At this point in time there are few problems with multi-use of this trail..... making it a linear park will raise it's profile and make it more well known and used. This is what will create the problems.

Respectively submitted

s.22

To Joanne Donald

Re: Tenure Application 4404926, Hills Rec. Society

Dear Joanne,

I am sending you this fax containing 19 pages of signatures against this application. I called your office earlier and was asked to send this information by fax, not email as requested in your notices in the local paper.

Thanking you in advance for making sure this gets put with any other letters that have come in regarding this. As well, I am giving a copy to the RDCK here in Nelson, and will be trying to get a copy to Walter Popoff, regional director.

Sincerely,

s.22

Integrated Land
Management Bureau
Ministry of Agriculture & Lands

FEB 22 2010

RECEIVED
GRANBROOK, BC

PAGE 1

**OLD CPR RAIL BED FROM ROS
SUMMIT LAKE (TENURE AI**

s.22

The Hills Rec. Society recently applied for a tenure of the
vision in the past has been a non motorized trail. The tra.
users included. If you are against this tenure application,
this will be sent to the correct people before the deadline

NAME

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s.22

PAGE 2

OLD CPR RAIL BED FROM ROSEBERRY TO NORTH END OF SUMMIT LAKE (TENURE APPLICATION #4404926)

The Hills Rec. Society recently applied for a tenure of the old rail bed in order to turn it into a park. Their vision in the past has been a non motorized trail. The trail is currently used by everyone, motorized users included. If you are against this tenure application, please sign below with your phone number and this will be sent to the correct people before the deadline.

NAME

PHONE NUMBER

6

PAGE 3
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Page 221 redacted for the following reason:

Not Responsive

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NAME

PHONE NUMBER

s.22

s.22

s.22

Natural Resource Officer
Front Counter BC
1902 Theatre Rd.
Cranbrook, BC
V1C-7G1

Subject: ILMB file # 4404926

I am writing this letter to **object** to the recent application from the Regional District of Central Kootenay for the Crown Land (old railway line) from Rosebery to Summit Lake to develop this corridor into a regional park.

A survey has already been conducted which has shown that the corridor should be left the way it is, for all people to use in whatever fashion they wish ie: walking, biking, horse or motorized. By granting this application you are pleasing only pleasing one sector. The Authorizing Agency needs to look back at the findings that came out of all the past planning meetings that were held in the area where the majority stressed no portion of the old CPR Rail Bed from Rosebery to Nakusp be closed to motorized use. Every user of the corridor, motorized or not have been getting along the way is right now.

In closing my other reason for not granting this application is that well into the future who is to say that a railroad will not be needed in the area again.

Regards,

s.22

Email.

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Sunday, February 21, 2010 10:00 PM
To: ILMB, Cranbrook ILMB:EX
Cc: s.22
Subject: Rosebery to Summit Lake Railroad Right of Way

Attention: Natural Resource Officer, Front Counter, BC, Cranbrook, BC

I am writing this letter to express my opposition to the tenure of the abandoned railway bed between Rosebery and Summit Lake north being turned over to the Regional District of Central Kootenay to establish a Regional Park for a select few. The reasons for my opposition are:

s.22 that have used this railway bed for recreational purposes both motorized and on horseback. s.22 this railbed in the past with an ATV s.22

s.22 and I would also like to be able to continue using the railbed, s.22 that will prevent me from being more active doing things such as walking, cross country skiing, etc.

With the railbed use including motorized traffic, it would help in the event of wildfire fighting response time for moving men and backpack Water Cans, etc. It would also also for quick response time for medical emergencies on the trail with the use of ATV's, etc. s.22 last year a wildfire broke out s.22 and the New Denver Fire Department had to pack water in on their backs to fight the fire.

Repairs to the washouts and bridge on the Rosebery to Summit Lake section in the past have mostly been done by the local motorbike club, now even though the club has folded, the same group of people are still brushing, repairing bridges and washouts and maintaining the trail.

I am very fearful of what will become of this trail if its use is only designated for the select few because of what has happened in the past.

In the beginning stages of the Rosebery to Three Forks recreational trail it was deemed non-motorized. Some elements didn't even want horses on it. I voiced my opposition and s.22 . The last year I was involved, the Commission received Forest Renewal money for upgrades and repairs, etc. s.22

s.22

s

s.22

s.22 This is an issue which is still being disputed as to them being on private property. I advised the Chairman that my understanding was that Forest Renewal money could not be spent on private property s.22

The current trail from Rosebery to Three Forks is non-motorized. Is it not only fair that a portion of the trail that runs from Rosebery to Summit Lake be open for all of us, including motorized. Why should it be only the select few who always benefit? As a horse person that has used the trail before it ever became non-motorized, I would like to say that I have not had any problems with motorized traffic when I have met them on horseback and would have no opposition to them using the trail.

Please consider my request on behalf of myself and other people who use the trail, including motorized as sometimes things are not as clear as you are led to believe. The Rosebery to Three Forks trail is non-motorized and so is the Slocan to Playmor Junction trail. The rail bed from Kaslo to Bear Lake is multi-use and has had no problems. Why is it that only this valley has problems? Please leave the Rosebery to Summit Lake section for multi-use.

Thank you.

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Sunday, February 21, 2010 9:59 AM
To: ILMB, Cranbrook ILMB:EX
Subject: Roseberry to Summit Lake Tenure Application 4404926

This old rail bed should remain a multi use area. We tax payers that are getting older have difficulty hiking long distances now. This is why many of us purchased ATVs. By converting these areas to parkland that prohibit motorized vehicle use this discriminates against us senior citizens. Thank you for considering our point of view in reaching your decision.

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Sunday, February 21, 2010 9:14 PM
To: ILMB, Cranbrook ILMB:EX
Subject: Re: ILMB File Number 4404926

s.22

February 21, 2010

Natural Resource Officer
FrontCounter BC
1902 Theatre road
Cranbrook, B.C. V1C 7G1
AuthorizingAgency.Cranbrook@gov.bc.ca

Dear madam or sir:

Re: ILMB File Number 4404926

I applaud the RDCK for filing an application for a Nominal Rent Tenure for the purpose of a regional park trail situated on Provincial Crown Land between Rosebery and Summit Lake.

s.22 I have regularly used this trail—walking, jogging, bicycling, and cross-country skiing. It is an extremely beautiful and special place. Today as the sun shone on the lake, I once again thought, “This must be one of the most beautiful trails on earth.” The trail is in good shape for most of its length. It is well used now; preserved as a trail, many will be able enjoy this beautiful, quiet, and pristine environment in perpetuity.

The RDCK is to be congratulated for applying for this trail to be made a park. I appreciate the RDCK’s action and support its application.

Thank you for requesting responses to the application.

Sincerely,

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Sunday, February 21, 2010 10:19 PM
To: ILMB, Cranbrook ILMB:EX
Cc: s.22
Subject: Rosebery to Summit Lake Railroad Right of Way

Attention: Natural Resource Officer, Cranbrook, BC

I forwarded an email to you regarding the Rosebery to Summit Lake Railroad Right of Way. In the second last paragraph of my email I wrote, "Is it not only fair that a portion of the trail that runs from Rosebery to Summit Lake be open for all of us, including motorized. For clarification my meaning was that the entire portion of the trail between Rosebery and Summit Lake be mult-use, including motorized.

Thank you

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Saturday, February 20, 2010 11:15 AM
To: ILMB, Cranbrook ILMB:EX
Subject: Fw: Tenure Application No. 4404926

----- Original Message -----

From: s.22
To: AuthorizingAgency.Cranbrook@gov.bc.ca
Sent: Friday, February 19, 2010 4:59 PM
Subject: Tenure Application No. 4404926

Natural Resources Officer

s.22
s.22

We object to the application by the RDCK on behalf of the Hills Rec Society to establish a Regional Trail on the section of old railbed from Rosebery to Summit Lake. The reason for our objection is because there is no management plan attached to the application that indicates an intent to allow multi-use on the trail.

The Hills Rec Society has tried for years to stop motorized traffic on this trail. There is a long history of attempts by various committees to reach concession on multi-use for this trail. The Hills Rec Society and the Hills Nordic Ski Society refuse to accept the concept of a multi-use trail even though a study conducted by the Hills Rec Society in 2009 of residents of Hills indicated majority acceptance of this concept.

The trail has been used by many different groups throughout the past decade. There has been minimal conflict.

There are many hectares of Class A non-motorized parks in the vicinity with trails which can only be accessed by the non-motorized sector. There is no park or trail which is exclusively designated as motorized. Not even highways are exclusively designated for motorized traffic only!!!

We feel the non-motorized recreationalist has been sufficiently recognized by the province in the designation of land use, certainly in the near vicinity to this trail.

Best regards,

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Friday, February 19, 2010 7:13 AM
To: ILMB, Cranbrook ILMB:EX
Subject: Roseberry to Summit Lake Tenure Application 4404926

I am writing to protest the conversion of this old railbed to a park. The only reason for converting it to a park is to outlaw all terrain vehicles (ATV's) and snowmobiles from travelling on the old rail bed. Without paying any money, the athletic telemark skiers from the area are then guaranteed another playground for their own person use. At the same time they have excluded a large group of tax paying locals from getting into the area, because a lot of people are not able to hike or ski the distances involved. These people, many of whom are middle aged or elderly, love to take their grandchildren into this area to introduce them to our beautiful province. Similarly, young working families, take their children into the area via ATV's. The trail should not be converted to a park. It should remain a multiuse corridor for all voters to use, including me.

Yours truly,

s.22

Windows® phone-your Windows stuff, on the go. [See more.](#)

Not using Hotmail on your phone? Why not? [Get it now.](#)

Donald, Jo-Ann ILMB:EX

From: Valhalla Inn [valhallainn@netidea.com]
Sent: Friday, February 19, 2010 6:27 PM
To: ILMB, Cranbrook ILMB:EX
Subject: Tenure Application No. 4404926
Attachments: Rosebery-Summit 01.pdf

Natural Resources Officer

We object to the application by the RDCK on behalf of the Hills Rec Society to establish a Regional Trail on the old railbed from Rosebery to Summit Lake.

In 2004 we applied for a commercial recreation tenure over this same railbed to conduct ATV tours. We voluntarily withdrew this section of trail from our application in order to allow public process to take place once we became aware from the RDCK that there were differing positions on use. We were asked to join a committee - The Nakusp to Kaslo Trail Committee (NKT) - to represent commercial interests. This committee met from 2005 to 2007 and attempted to reach consensus on trail usage. The committee had representation from various groups, including proponents of multi-use trails and those who represented non-motorized interests. The NKT eventually stalled because the non-motorized interests would not compromise on usage.

Our correspondence with the RDCK regarding our position and our interest in the trail is attached. The then Regional Director promised that our registered interest and commercial interests in general would be considered in any decision on future use on the trail from Rosebery to Nakusp. They have not lived up to their promises and are now representing only one group's interests in this application.

Best regards,
Joan McKay and Albrecht Jost
The Valhalla Cabin Company Limited

Valhalla Inn

P.O. Box 157
New Denver, B.C. Canada V0G 1S0
Ph. (250) 358-2228 - Fax: (250) 358-7989
e-mail: valhallainn@netldea.com
www.valhallainn.biz



April 11, 2005

Chair & Members of the Board
Regional District of Central Kootenay

Fax No. 352-9300

We are writing to register our interest in the development of the Rosebery to Nakusp railbed trail. We understand that the RDCK is considering input from a variety of sources regarding recreational uses for this trail.


In March 2004, we submitted an application to Lands & Water BC for a Commercial Recreation Tenure for ATV touring which included this trail. The RDCK was included in the Referral Response stage and Don Munro submitted a comment regarding potential future development of the trail (copy attached). In light of the RDCK's comment and not wishing to hold up our application, we withdrew this section of trail to allow public process to take place (see our attached letter to Don Munro). It is fully our intention to re-apply to include this trail in our commercial recreation tenure once the public process is concluded or if the process stalls.

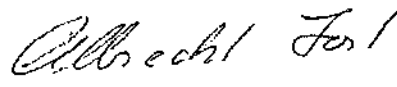
One of the main reasons that public funding is invested by Tourism BC in trail development is to promote tourism in the areas affected. ATV tourists are a fast growing sector in the market today, partly due to an aging population which can no longer hike or bike long distances into the backcountry but still wishes to recreate in the backcountry. Utilizing ATVs as a mode of transportation is becoming very popular with this demographic group.

We understand that commercial interests will be represented in any decision regarding types of use on the old Rosebery to Nakusp railbed. **As a stakeholder in the development of the trail, we would recommend the complete trail be designated multi-use and that no portion thereof be designated non-motorized.**

We thank you for taking our position into consideration in any deliberations regarding designated use in the development of the trail along the old railbed between Rosebery and Nakusp.

Best regards,


Joan McKay


Albrecht Jost

cc: Sue Cairns, LWBC, Cranbrook

Referral Response



REGIONAL DISTRICT OF CENTRAL KOOTENAY

Box 590, 202 Lakeside Drive, NELSON, B.C., V1L 5R4

Phone: 250-352-6885 Fax: 250-352-9300

LAND AND WATER (within B.C.) 1-800-268-7325 (RDCK)

BRITISH COLUMBIA INC.

Land and Water British Columbia Inc.
Kootenay Office
1902 Theatre Road G
Cranbrook, B.C. V1C 7G1
Attention: Jo-Ann Donald, CSG

MAY 25 2004

LWBC File No. 4404247
Map No. 82F, Various
Electoral Area D, H & K
Date May 4, 2004

CRANBROOK, BC

Applicant: *The Valhalla Cabin Company Limited, dba Valhalla Inn*

Location of Land: *New Denver and surrounding area*

Legal Description: *Unsurveyed Crown land in the vicinity of New Denver, Kootenay District*

Intended Land Use: *Commercial recreation*

Proposed Tenure Type: *License of Occupation*

Proposed Term: *10 years*

Purpose: *Snowmobiling and ATVing*

RESPONSE COMMENTS:

1. Does this application impact your agency's legislated responsibilities? Yes/No. If yes, how will the proposal impact your legislated responsibility and please identify the relevant legislation (section).
No
- 2(a). If the proposal impacts your responsibilities, what mitigative measures will be required to address these impacts?
No
- 2(b). If the proposal proceeds, will the proponent require approval or a permit from your agency?
No
3. Will on-going compliance monitoring be required by your agency as a result of your legislated responsibilities? Yes/No. If yes, explain what will be required.
No
4. Will this application affect public use of this area? Explain.
Unknown

ZONING AND LAND USE ISSUES:

RDCK File Number: *Hs-Crown*

- i. Zoning: *Area D & H: None Area K: OS Open Space Zone under RLUB 1248*
- ii. Permitted land uses: *Areas D & H: n/a Area K: Outdoor Recreational Activities*
- iii. Within Agricultural Land Reserve? *No*
- iv. Within Forest Land Reserve? *No*
- v. Does the application meet all bylaw requirements? *Areas D & H: n/a Area K: Yes*
- vi. What is the estimated time required for a decision on an application to re-zone the area should the applicant wish to pursue this option? *n/a*

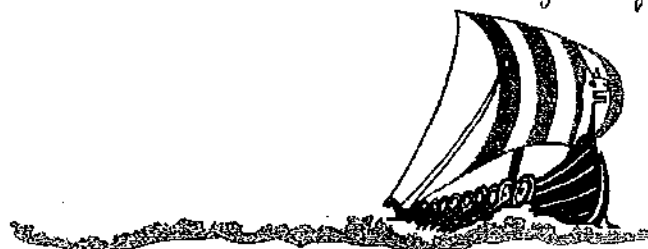
Comments: *The Regional District of Central Kootenay Electoral Area H Director Munro has expressed some concern about granting a 10 year license of occupation for that portion of the proposal involving ATV Tours between Rosebery and Nakusp on the CPR Railroad/trail. The concern is that the potential development of this portion of the CPR as a trail, portions of which may or may not be motorized. The motorized and non-motorized components are likely to result in some on-trail conflict. Assuming these issues are adequately addressed, the RDCK has no objection to the application subject to compliance with Rural Land Use Bylaw 1248 where applicable.*

By: *[Signature]*
Corine (Cory) Geln, Planning Assistant - 250-352-8162

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Valhalla Inn

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Ph. (250) 358-2228 - Fax: (250) 358-7989
e-mail: valhallainn@natidea.com
www.valhallainn.blz



October 18, 2004

Don Munro
Regional Director
Regional District of Central Kootenay
Electoral Area H

Fax No. 1-250-226-7076

Dear Don,

Last spring you were asked by LWBC to provide input regarding our commercial recreation tenure application. You called me to advise that there was some concern regarding potential development of the old railway bed corridor from Rosebery to Nakusp as a public trail, with potentially parts of the trail being designated non-motorized.

We have had meetings with various groups regarding this trail and have decided to remove it from our current application in the interests of allowing time for public development to proceed. Should there be no further activity from the public realm in the next few years or should the process proceed and motorized recreation is welcomed, we will revert to LWBC to include the railbed as a tenured trail for our ATV tours.

As we have a vested interest in this trail and as we understand that commercial interests will be represented in the trail development, we would like to be included on any committee established to oversee such development.

Best regards,

A handwritten signature in cursive script, appearing to read 'Joan McKay'.

Joan McKay
Director

A handwritten signature in cursive script, appearing to read 'Albrecht Jost'.

Albrecht Jost
Director

cc: Sue Cairns, LWBC, Cranbrook

FEB 18, 2010

TO WHOM IT MAY CONCERN

I WOULD LIKE TO SAY THAT I AM FULLY
IN SUPPORT OF THE APPLICATION FROM THE
ROCK TO THE ILMA TO HAVE A LINEAR
PARK FROM SUMMIT LAKE TO ROSEBERY.
I FEEL THAT THIS PARK SHOULD BE
RESTRICTED TO NON-MOTORIZED RECREATION-
ALISTS.

YOURS TRULY.

Integrated Land
Management Bureau
Ministry of Agriculture & Lands

FEB 22 2010

RECEIVED
CRANBROOK, BC

Integrated Land
Management Bureau
Ministry of Agriculture & Lands

FEB 19 2010

RECEIVED
CRANBROOK, BC

February 18, 2010

Natural Resource Office
Front Counter BC
1920 Theatre Road
Cranbrook BC V1C 7G1

To Whom It May Concern:

Re: ILBM File Number 4404926

I would like to see the proposed Regional Park Trail from Rosebery BC to Summit Lake BC be kept the way it is now (I do not approve of a Regional Park Trail). The old CPR rail bed should be kept for all public multi use groups.

I am also shocked by the way the Regional trail proposal was presented to the public. The RDCK should have considered hosting a public meeting regarding their plans for this property. I understand that there was a public meeting process some years ago, but we all must realize that there is a new generation raising families and enjoying the resources and beauty of this area. We should all be treated fairly and given a chance to ask questions and voice our opinions regarding public issues that will impact our lives in the area.

Again I would like to see the old CPR Rail bed from Rosebery BC to Summit Lake BC left as is.

Integrated Land
Management Bureau
Ministry of Agriculture & Lands

FEB 19 2010

RECEIVED
CRANBROOK, BC

February 18, 2010

Natural Resource Office
Front Counter BC
1920 Theatre Road
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Again I would like to see the old CPR Rail bed from Rosebery BC to Summit Lake BC left as is.

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Thursday, February 18, 2010 2:33 PM
To: ILMB, Cranbrook ILMB:EX
Subject: Roseberry to Summit Lake Tenure Application 4404926

I am writing to protest the conversion of this old railbed to a park. The only reason for converting it to a park is to outlaw all terrain vehicles (ATV's) and snowmobiles from travelling on the old rail bed. Without paying any money, the athletic telemark skiers from the area are then guaranteed another playground for their own person use. At the same time they have excluded a large group of tax paying locals from getting into the area, because a lot of people are not able to hike or ski the distances involved. These people, many of whom are middle aged or elderly, love to take their grandchildren into this area to introduce them to our beautiful province. Similarly, young working families, take their children into the area via ATV's. The trail should not be converted to a park. It should remain a multiuse corridor for all voters to use, including me.

Yours truly,

s.22

Windows® phone-your Windows stuff, on the go. [See more.](#)

February 18, 2010

s.22

Natural Resource Officer at
FrontCounter BC
1902 Theatre Road
Cranbrook, BC
V1C 7G1

To Whom this Belongs:

I am in favor of the application from the RDCK to the ILMA to have a linear Park from Summit Lake to Rosebery (to have it non-motorized).

I am totally against any sort of mechanized / motorized machines on this stretch. The protection of our natural resources is of the utmost importance. Bonanza Creek (and the marsh area) ^{s.22} We have seen an abundance of wildlife (deer, elk, moose, both black and grizzly bear, coyotes, otters and beavers). We regularly see eagles, blue heron, ducks, geese as well as many varieties birds. In and around the logs and reeds are homes to spawning rainbow trout. As well as the fauna population the creek has an abundance of flora which includes yellow and pink lily pads, bull-rushes, reeds and grasses – necessary to a healthy marshland.

Over the years we have seen vehicles (ATV's, snowmobiles, motorbikes and even trucks with campers) driving the 'rails'. We have seen tents pitched on the old rail bed complete with campfires – even when the two local campsites have vacancies. About twelve years ago we witnessed a fire at the East end of Summit Lake which was caused by a young motorbike rider – the Forest Fire Hazard was Extreme. We called in the fire and the crew came and quickly put it out (had they not come when they did the consequences could have been disastrous).

I cross country ski on the 'rails' and the peace and tranquility skiing along side Bonanza Creek is one of the highlights of living at Summit Lake.

Please accept this letter as a vote to support the trail as Non-Motorized.

Sincerely;

s.22

Donald, Jo-Ann ILMB:EX

From: s.22
Sent: Thursday, February 18, 2010 7:33 PM
To: ILMB, Cranbrook ILMB:EX
Subject: File #4404926 - Regional Trail between Rosebery & Summit Lake

I would like to add my voice in support of the application to turn the Crown Land between Rosebery and Summit Lake into a regional park trail. This will be a valuable addition to the communities in the area and the land will enhance the excellent trail system that currently runs from Rosebery to Three Forks.

Sincerely,

s.22

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