

From: [Campbell, David FLNR:EX](#)  
To: [Boyd, Jonathan FLNR:EX](#); [Neale, Tina FLNR:EX](#)  
Subject: Kitimat River  
Date: Monday, September 11, 2017 4:09:00 PM

---

FYI. <http://www.cbc.ca/news/canada/british-columbia/14-rescued-from-overnight-flooding-of-kitimat-river-1.4284682>

Based on review this morning, may have been an appropriate HSA. I've generally had no or negative responses from the NW for advisories on the Kitimat, so I don't know whether the difference is time of year?

Cheers

Dave

## RE: Gates at Radley Park, Kitimat v3

Friday, October 27, 2017  
8:39 AM

Subject	<b>RE: Gates at Radley Park, Kitimat v3</b>
From	<a href="#">Gwen Sewell</a>
To	Bentley, Cam FLNR:EX
Sent	Wednesday, September 13, 2017 2:37 PM

Thanks Cam, for following up today AND in writing.

Sincerely,

*Gwendolyn*

District of Kitimat  
250-632-8912 (Direct)

**From:** Bentley, Cam FLNR:EX [<mailto:Cam.Bentley@gov.bc.ca>]  
**Sent:** September-13-17 2:12 PM  
**To:** Gwen Sewell  
**Cc:** Moran, Mary D FLNR:EX  
**Subject:** RE: Gates at Radley Park, Kitimat

Hello Gwen,

As per chat, based on the information presented, FLNRO&RD Skeena Land's has no comments or concerns with DoK gating lands to bar access from DoK lands.

Cam

**From:** Gwen Sewell [<mailto:gsewell@kitimat.ca>]  
**Sent:** Wednesday, September 13, 2017 10:21 AM  
**To:** Bentley, Cam FLNR:EX  
**Subject:** Gates at Radley Park, Kitimat  
**Importance:** High

Hello Cam,

Per my VM message, you are my alternative contact for Mary Moran s.22

In response to Monday morning flooding along the Kitimat River, staff will recommend Kitimat Council authorize installation of gates at four locations in Radley Park. We are writing the report now. Council is expected to make a decision this coming Monday (18 September).

We recognize that pedestrian and ATV access to the river will continue. Our objective is to prevent overnight use. Monday's flood put both campers and first responders at risk; we are motivated to avoid any reoccurrence this fall.

The gates will attempt to prevent vehicle access to the bed of the Kitimat River adjacent to DLs 6023, 6024 and 6025. Do you have any objections to District of Kitimat (DOK) blocking access to the adjacent Provincial Crown Land (bed of Kitimat River)?

A map is attached. The DLs are not identified. Proposed gate locations are roughly identified by red starts. You can reach me at 250-632-8912 (NB: I am on a conference call with MOE until noon, but available any time after).

Sincerely,



**Gwendolyn Sewell, MCIP RPP**  
Director of Community Planning & Development  
District of Kitimat  
Phone: 250-632-8912  
Fax: 250-632-4995

<http://www.kitimat.ca>

# RE: Gates at Radley Park, Kitimat

Friday, October 27, 2017

8:40 AM

Subject	RE: Gates at Radley Park, Kitimat
From	Bentley, Cam FLNR:EX
To	Gwen Sewell
Cc	Moran, Mary D FLNR:EX
Sent	Wednesday, September 13, 2017 2:11 PM

Hello Gwen,

As per chat, based on the information presented, FLNR&RD Skeena Land's has no comments or concerns with DoK gating lands to bar access from DoK lands.

Cam

**From:** Gwen Sewell [<mailto:gsewell@kitimat.ca>]  
**Sent:** Wednesday, September 13, 2017 10:21 AM  
**To:** Bentley, Cam FLNR:EX  
**Subject:** Gates at Radley Park, Kitimat  
**Importance:** High

Hello Cam,

Per my VM message, you are my alternative contact for Mary Moran s.22

In response to Monday morning flooding along the Kitimat River, staff will recommend Kitimat Council authorize installation of gates at four locations in Radley Park. We are writing the report now. Council is expected to make a decision this coming Monday (18 September).

We recognize that pedestrian and ATV access to the river will continue. Our objective is to prevent overnight use. Monday's flood put both campers and first responders at risk; we are motivated to avoid any reoccurrence this fall.

The gates will attempt to prevent vehicle access to the bed of the Kitimat River adjacent to DLs 6023, 6024 and 6025. Do you have any objections to District of Kitimat (DOK) blocking access to the adjacent Provincial Crown Land (bed of Kitimat River)?

A map is attached. The DLs are not identified. Proposed gate locations are roughly identified by red stars. You can reach me at 250-632-8912 (NB: I am on a conference call with MOE until noon, but available any time after).

Sincerely,







**KITIMAT**

**Gwendolyn Sewell, MCIP RPP**

Director of Community Planning & Development

District of Kitimat

Phone: 250-632-8912


Fax: 250-632-4995

<http://www.kitimat.ca>

# Gates at Radley Park, Kitimat

Friday, October 27, 2017

8:23 AM

Subject	<b>Gates at Radley Park, Kitimat</b>
From	<a href="#">Gwen Sewell</a>
To	Bentley, Cam FLNR:EX
Sent	Wednesday, September 13, 2017 10:21 AM
Attachments	 RIVERBANK CAMPING ...

Hello Cam,

Per my VM message, you are my alternative contact for Mary Moran **s.22**  
**s.22**

In response to Monday morning flooding along the Kitimat River, staff will recommend Kitimat Council authorize installation of gates at four locations in Radley Park. We are writing the report now. Council is expected to make a decision this coming Monday (18 September).

We recognize that pedestrian and ATV access to the river will continue. Our objective is to prevent overnight use. Monday's flood put both campers and first responders at risk; we are motivated to avoid any reoccurrence this fall.

The gates will attempt to prevent vehicle access to the bed of the Kitimat River adjacent to DLs 6023, 6024 and 6025. Do you have any objections to District of Kitimat (DOK) blocking access to the adjacent Provincial Crown Land (bed of Kitimat River)?

A map is attached. The DLs are not identified. Proposed gate locations are roughly identified by red stars. You can reach me at 250-632-8912 (NB: I am on a conference call with MOE until noon, but available any time after).

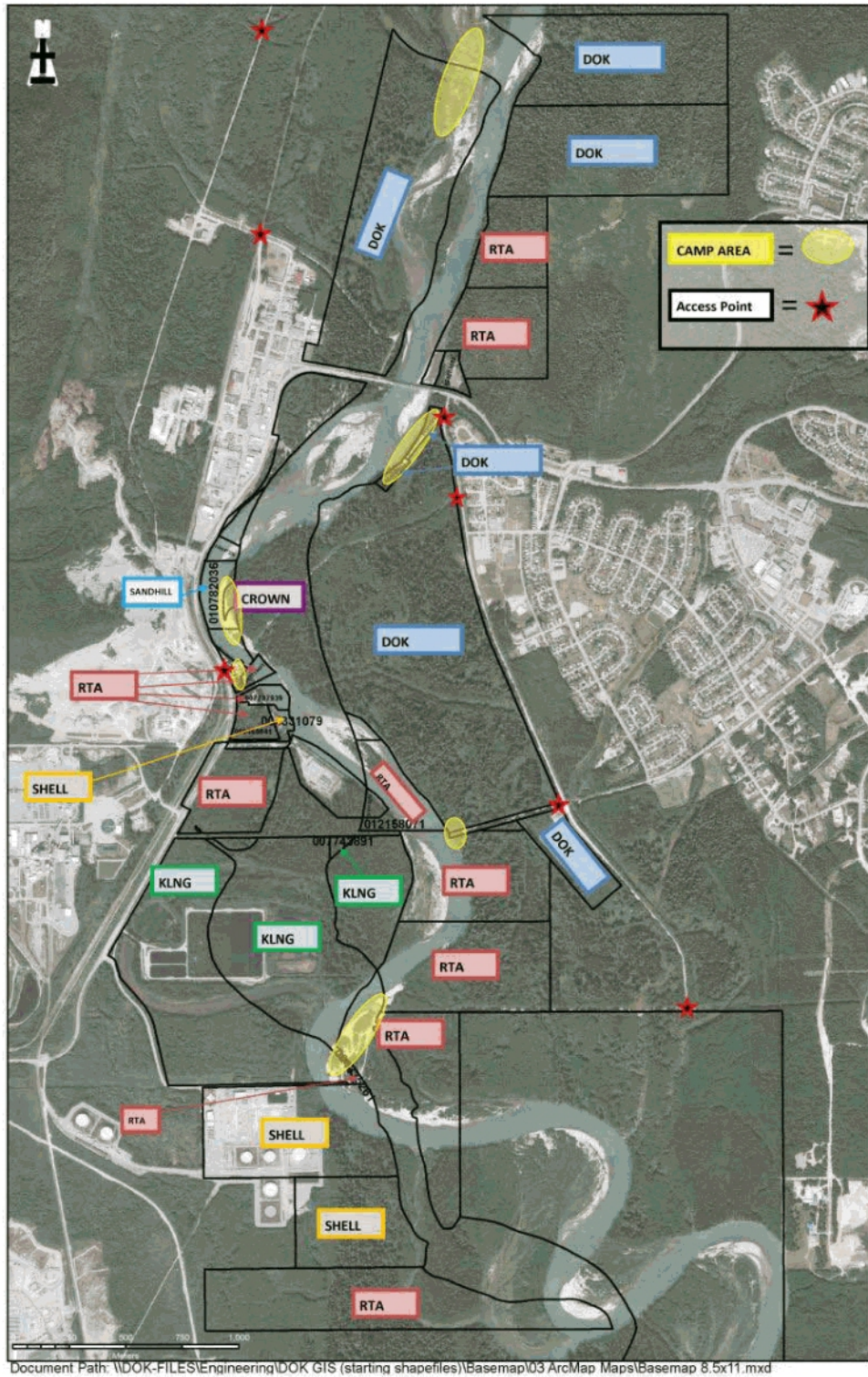
Sincerely,



**KITIMAT**

**Gwendolyn Sewell, MCIP RPP**  
Director of Community Planning & Development  
District of Kitimat  
Phone: 250-632-8912  
Fax: 250-632-4995

<http://www.kitimat.ca>





# RE: Question from the District of Kitimat re: Riverbank camping

Friday, October 27, 2017

8:50 AM

Subject	RE: Question from the District of Kitimat re: Riverbank camping
From	Bentley, Cam FLNR:EX
To	Warren Waycheshen
Cc	Bosscher, Jason ENV:EX
Sent	Friday, September 15, 2017 1:12 PM

Hi Warren,

I have tried to call. We should talk.

Please see this to start the chat. <http://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resource-use/land-water-use/crown-land/permissions.pdf>

Cam



**Cam Bentley, R.P.F.**

Resource Manager, Authorizations Skeena Region  
Forests, Lands and Natural Resource Operations & Rural Development  
250-847-7388 (Work)  
Cam.Bentley@gov.bc.ca

**From:** Warren Waycheshen [<mailto:wwaycheshen@kitimat.ca>]

**Sent:** Friday, September 15, 2017 9:40 AM

**To:** Bentley, Cam FLNR:EX

**Cc:** Bosscher, Jason ENV:EX

**Subject:** Question from the District of Kitimat re: Riverbank camping

Good morning Cam, I was provided your email address by Gwen Sewell from our office. Kitimat's Mayor and Council will be discussing camping along the riverbank (a picture is attached that shows some of the damage from the recent flooding). As the property and riverbank is Crown land do you have any comment (or direct me accordingly) about whether the Province would object to Council restricting informal camping on the riverbank? Staff are proposing gates be installed to restrict access; however, Council may decide to leave access open but want to eliminate camping. If Council does want to ban camping we do not want to be taking any steps on Crown lands without delegated authority.

I apologize for the short notice and understand if this issue is too significant for an email response. I included Jason Bosscher from the Ministry of Environment as he has been on site and assisted with the permissions for having the vehicles removed. I wanted him to be aware of the request as he has been invaluable with his guidance and is aware of the camping impacts (Jason, you don't need to answer – I just wanted everyone to be aware of the question).

Thanks,



**Warren Waycheshen**

Chief Administrative Officer

District of Kitimat

Phone: 250-632-8916

Cell: 250-639-6335

<http://www.Kitimat.ca>

# Re: Kitimat riverbank camping

Friday, October 27, 2017

8:49 AM

Subject	Re: Kitimat riverbank camping
From	Bentley, Cam FLNR:EX
To	Warren Waycheshen
Cc	Gwen Sewell
Sent	Saturday, September 30, 2017 12:37 PM

Let's talk on Monday. 8.45?

Cam Bentley  
Authorizations Manager  
Skeena Region  
(250) 876-8470

On Sep 29, 2017, at 17:28, Warren Waycheshen <[wwaycheshen@kitimat.ca](mailto:wwaycheshen@kitimat.ca)> wrote:

Hi Cam, further to our conversation, Council adopted the following motion on September 18:

*“THAT the District of Kitimat establishes a working group of concerned citizens and community groups to address the issue of riverbank camping to find solutions to the issues of long term camping, litter, pollution and safety.”*

1. From our discussion, our understanding of the current situation is if the District gates municipal property (for example, near the Giant Spruce) and restricts access to the abutting Crown land (Kitimat River bank); that is a valid action. If the District does not restrict access through our lands and people can freely reach the river bank they have provincial approval to camp for up to 14 days. Simply put, if Council does wish to restrict camping our only opportunity is to gate or restrict access another way. We could always meet with the Province and ask for the ability to restrict camping without installing gates or other barriers, but at this time the Province will not allow the municipality to permit access for day use but not camping. I know some people camp beyond 14 days and that is the province's problem, although no one has enforced that regulation yet in Kitimat.
2. Below there are excerpts from the policy and it appears to us the policy may not apply within municipal boundaries, or will apply if there is a no camping bylaw.
3. Does the Ministry have an interest in being involved with the working group to look at options for camping as the riverbank is Crown land? This could include joint oversight or a lease/sale to the District.
4. Is the Ministry's position the banks of the Kitimat River are Crown land and the working group has no authority or jurisdiction to make any decisions other than #1 (i.e., on District lands)?

Clause 6.1 indicates the **Crown permission to use land requires** “the activity must abide by and comply with all applicable laws, regulations and **bylaws**”.

Clause 6.2 establishes limitations on a permission: For Permission to be valid, all of the requirements of Section 6.2.1 to 6.2.3 must be met.

## 6.2.1 Where **Permission Does Not Apply**

Before any person may rely on this Permission, they must ensure that the activity is taking place on unencumbered Crown land. The **Crown land must not be within a**:

- Protected Area which includes Ecological Reserves, Parks and Conservancies;
- **Municipality**;



- Et cetera....

I realize this isn't a small request and please refer to others as necessary.

Thanks,

Warren

Hi Warren,

I have tried to call. We should talk.

Please see this to start the chat. <http://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resource-use/land-water-use/crown-land/permissions.pdf>

Cam

<image003.jpg> **Cam Bentley, R.P.F.**  
Resource Manager, Authorizations Skeena Region  
Forests, Lands and Natural Resource Operations & Rural Development  
250-847-7388 (Work)  
[Cam.Bentley@gov.bc.ca](mailto:Cam.Bentley@gov.bc.ca)

## RE: Kitimat riverbank camping

Friday, October 27, 2017

8:45 AM

Subject	<b>RE: Kitimat riverbank camping</b>
From	Bentley, Cam FLNR:EX
To	Warren Waycheshen
Cc	Gwen Sewell
Sent	Monday, October 2, 2017 8:45 AM

Perfect.

250 847 7388

-----Original Message-----

From: Warren Waycheshen [<mailto:wwaycheshen@kitimat.ca>]

Sent: Saturday, September 30, 2017 12:45 PM

To: Bentley, Cam FLNR:EX

Cc: Gwen Sewell

Subject: Re: Kitimat riverbank camping

Great - we can call you at the number below unless directed otherwise.

Thanks,

Warren Waycheshen

> On Sep 30, 2017, at 12:37 PM, Bentley, Cam FLNR:EX <Cam.Bentley@gov.bc.ca> wrote:

>

> Let's talk on Monday. 8.45?

>

> Cam Bentley

> Authorizations Manager

> Skeena Region

> (250) 876-8470

>

> On Sep 29, 2017, at 17:28, Warren Waycheshen

<[wwaycheshen@kitimat.ca](mailto:wwaycheshen@kitimat.ca)<<mailto:wwaycheshen@kitimat.ca>>> wrote:

>

>

> Hi Cam, further to our conversation, Council adopted the following motion on September 18:

>

> "THAT the District of Kitimat establishes a working group of concerned citizens and community groups to address the issue of riverbank camping to find solutions to the issues of long term camping, litter, pollution and safety."

>

>

> 1. From our discussion, our understanding of the current situation is if the District gates municipal property (for example, near the Giant Spruce) and restricts access to the abutting Crown land (Kitimat River bank); that is a valid action. If the District does not restrict access through our lands and people can freely reach the river bank they have provincial approval to camp for up to 14 days. Simply put, if Council does wish to restrict camping our only opportunity is to gate or restrict access another way. We could always meet with the Province and ask for the ability to restrict camping without installing gates or other barriers, but at this time the Province will not allow the municipality

to permit access for day use but not camping. I know some people camp beyond 14 days and that is the province's problem, although no one has enforced that regulation yet in Kitimat.

>

> 2. Below there are excerpts from the policy and it appears to us the policy may not apply within municipal boundaries, or will apply if there is a no camping bylaw.

>

> 3. Does the Ministry have an interest in being involved with the working group to look at options for camping as the riverbank is Crown land? This could include joint oversight or a lease/sale to the District.

>

> 4. Is the Ministry's position the banks of the Kitimat River are Crown land and the working group has no authority or jurisdiction to make any decisions other than #1 (i.e., on District lands)?

>

> Clause 6.1 indicates the Crown permission to use land requires "the activity must abide by and comply with all applicable laws, regulations and bylaws".

>

> Clause 6.2 establishes limitations on a permission: For Permission to be valid, all of the requirements of Section 6.2.1 to 6.2.3 must be met.

>

> 6.2.1 Where Permission Does Not Apply

>

> Before any person may rely on this Permission, they must ensure that the activity is taking place on unencumbered Crown land. The Crown land must not be within a:

>

> \* Protected Area which includes Ecological Reserves, Parks and Conservancies;

>

> \* Municipality;

>

> \* Et cetera....

>

>

>

> I realize this isn't a small request and please refer to others as necessary.

>

> Thanks,

>

> Warren

>

>

>

>

>

>

> Hi Warren,

>

> I have tried to call. We should talk.

>

> Please see this to start the chat.

> <http://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resource-use/land-water-use/crown-land/permissions.pdf>

>

> Cam

>

>

> <image003.jpg>

>

> Cam Bentley, R.P.F.

> Resource Manager, Authorizations Skeena Region Forests, Lands and

> Natural Resource Operations & Rural Development  
> 250-847-7388 (Work)  
> Cam.Bentley@gov.bc.ca<mailto:Cam.Bentley@gov.bc.ca>  
>  
>  
>  
>  
>

# Kitimat River Camping

Friday, October 27, 2017  
8:36 AM

Subject	<b>Kitimat River Camping</b>
From	<a href="#">Gwen Sewell</a>
To	Williamson, Elizabeth M FLNR:EX
Cc	Bentley, Cam FLNR:EX; Warren Waycheshen
Sent	Monday, October 2, 2017 4:07 PM
Attachments	 RIVERBANK CAMPING ...

Hi Liz,

It has been ages since we talked. I am in contact today after speaking with Cam Bentley.

Camping has been occurring on the banks of the Kitimat River—opposite a municipal campground called Radley Park—for decades. See map attached. This has been a somewhat divisive local issue (its no-cost and traditional use, grey water, residual garbage, human waste, blocking river access for day users, et cetera) and there is new willingness to consider regulation or prohibition of camping following a flash flood that required a dangerous multi-force rescue effort to save 14 campers and resulted in significant property loss (RVs, vehicles, and camping equipment). As camping is “unregulated” the first responders had no idea how many people were in danger, or where to look for campers.

Cam and Kitimat's CAO Warren Waycheshen have been exchanging e-mails and talking about potential road blocks and possible means to regulate public access to the Kitimat River (which is Crown Land). Our call this morning focussed on Land Use Policy “[Permissions](#)”

Clause 6.1 indicates the **Crown permission to use land requires** “the activity must abide by and **comply with all applicable** laws, regulations and **bylaws**”.

Clause 6.2 establishes limitations on permission: For Permission to be valid, all of the requirements of Section 6.2.1 to 6.2.3 must be met.

## 6.2.1 Where Permission Does Not Apply

Before any person may rely on this Permission, they must ensure that the activity is taking place on unencumbered Crown land. The **Crown land must not be within a:**

- Protected Area which includes Ecological Reserves, Parks and Conservancies;
- **Municipality;**
- Et cetera....

Given details above, and municipal authority to regulate land use by zoning, I believe Kitimat Council may use their zoning power to limit use of all or selected land along the Kitimat River to “day use only”. I’m far from certain this will be the course of action Council will choose to pursue. For now, we only want to identify possibilities. Cam thought you would be able to confirm if DOK can or cannot consider zoning.

I am happy to talk to you once you are back next week. If you prefer me to set up a conference call to include Cam and Warren I can do that instead or in addition.

Sincerely,

Gwen

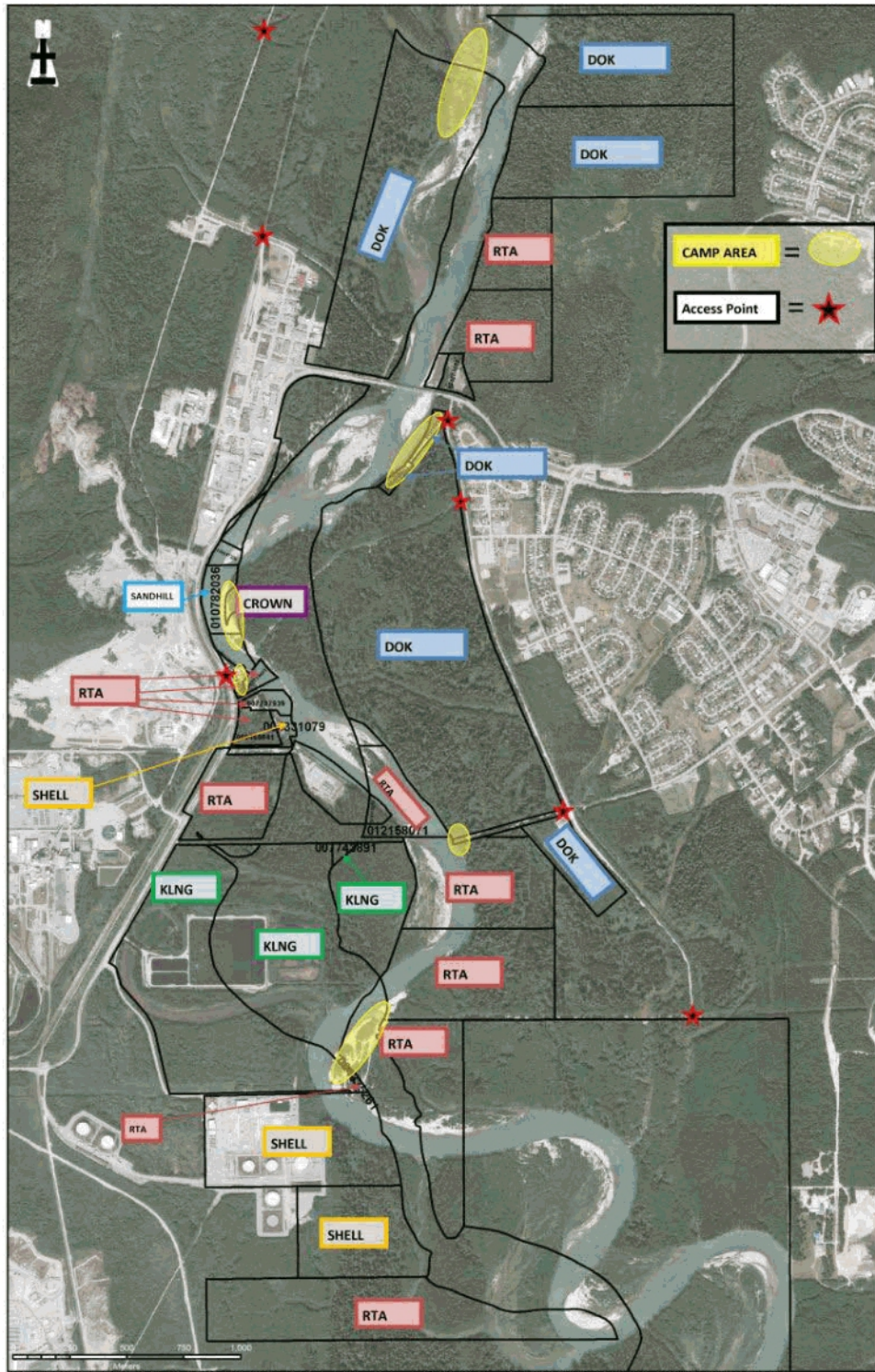


**Gwendolyn Sewell, MCIP RPP**

Director of Community Planning & Development  
District of Kitimat  
Phone: 250-632-8912 (Direct)  
Fax: 250-632-4995

<http://www.kitimat.ca>





Document Path: \\DOK-FILES\Engineering\DOK GIS (starting shapefiles)\Basemap\03 ArcMap Maps\Basemap 8.5x11.mxd

# Kitimat River Camping v3

Friday, October 27, 2017  
8:33 AM

Subject	<b>Kitimat River Camping v3</b>
From	<a href="#">Gwen Sewell</a>
To	Williamson, Elizabeth M FLNR:EX
Cc	Bentley, Cam FLNR:EX; Warren Waycheshen
Sent	Monday, October 2, 2017 4:07 PM
Attachments	 RIVERBANK CAMPING ...

Hi Liz,

It has been ages since we talked. I am in contact today after speaking with Cam Bentley.

Camping has been occurring on the banks of the Kitimat River—opposite a municipal campground called Radley Park—for decades. See map attached. This has been a somewhat divisive local issue (its no-cost and traditional use, grey water, residual garbage, human waste, blocking river access for day users, et cetera) and there is new willingness to consider regulation or prohibition of camping following a flash flood that required a dangerous multi-force rescue effort to save 14 campers and resulted in significant property loss (RVs, vehicles, and camping equipment). As camping is “unregulated” the first responders had no idea how many people were in danger, or where to look for campers.

Cam and Kitimat's CAO Warren Waycheshen have been exchanging e-mails and talking about potential road blocks and possible means to regulate public access to the Kitimat River (which is Crown Land). Our call this morning focussed on Land Use Policy “[Permissions](#)”

Clause 6.1 indicates the **Crown permission to use land requires** “the activity must abide by and **comply with all applicable** laws, regulations and **bylaws**”.

Clause 6.2 establishes limitations on permission: For Permission to be valid, all of the requirements of Section 6.2.1 to 6.2.3 must be met.

## 6.2.1 Where Permission Does Not Apply

Before any person may rely on this Permission, they must ensure that the activity is taking place on unencumbered Crown land. The **Crown land must not be within a:**

- Protected Area which includes Ecological Reserves, Parks and Conservancies;
- **Municipality;**
- Et cetera....

Given details above, and municipal authority to regulate land use by zoning, I believe Kitimat Council may use their zoning power to limit use of all or selected land along the Kitimat River to “day use only”. I’m far from certain this will be the course of action Council will choose to pursue. For now, we only want to identify possibilities. Cam thought you would be able to confirm if DOK can or cannot consider zoning.

I am happy to talk to you once you are back next week. If you prefer me to set up a conference call to include Cam and Warren I can do that instead or in addition.

Sincerely,

Gwen

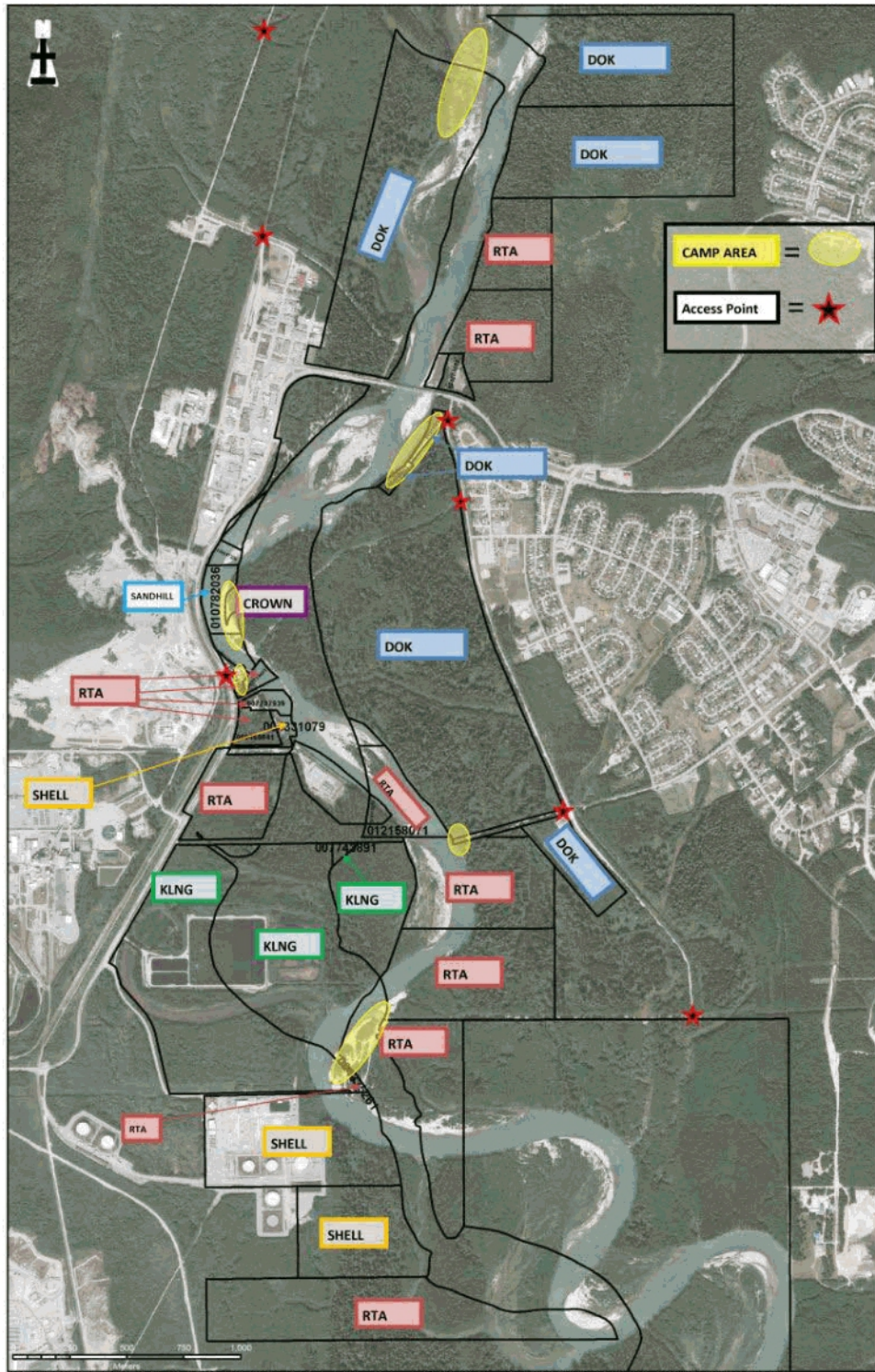


**Gwendolyn Sewell, MCIP RPP**

Director of Community Planning & Development  
District of Kitimat  
Phone: 250-632-8912 (Direct)  
Fax: 250-632-4995

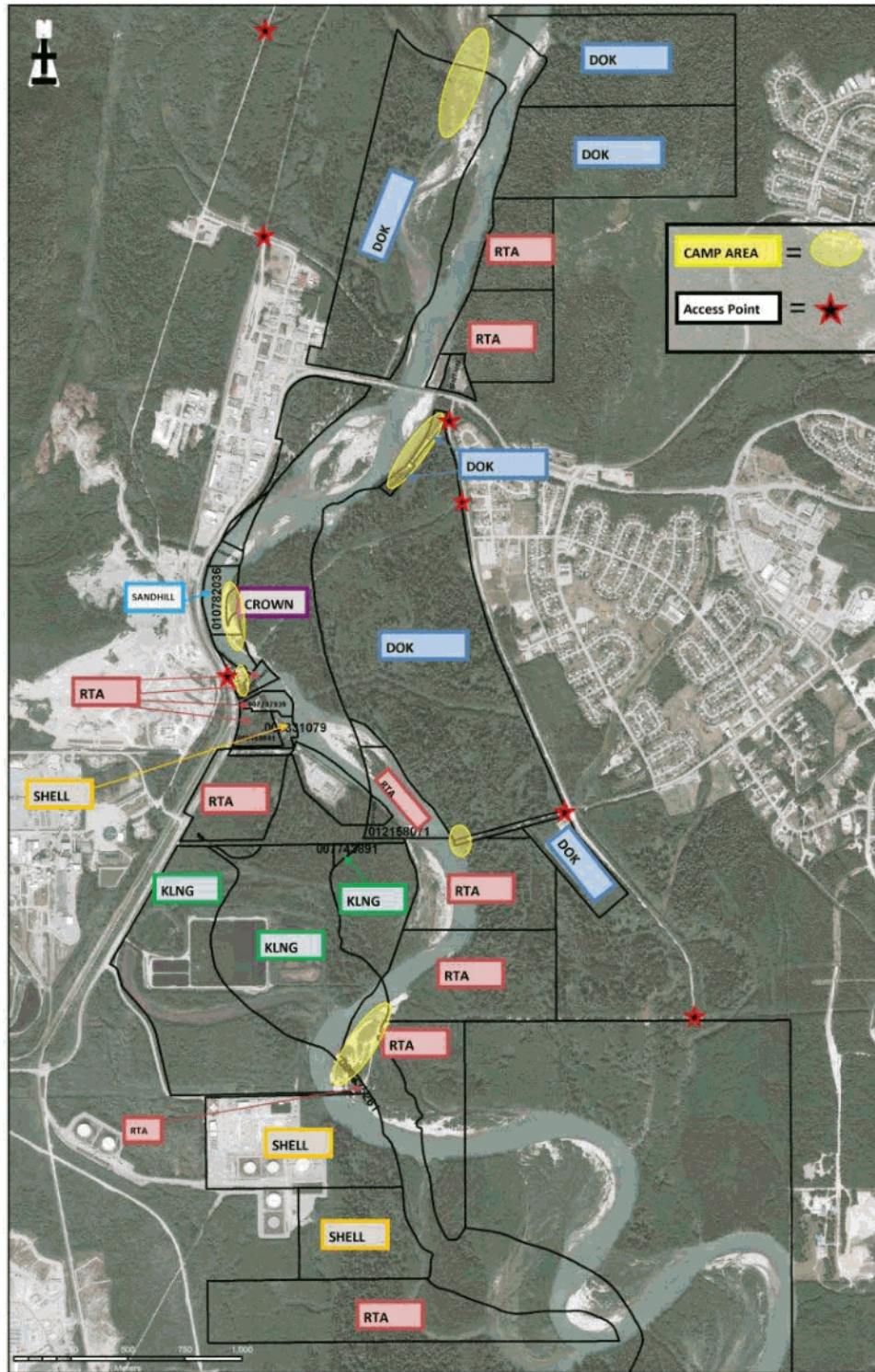
<http://www.kitimat.ca>





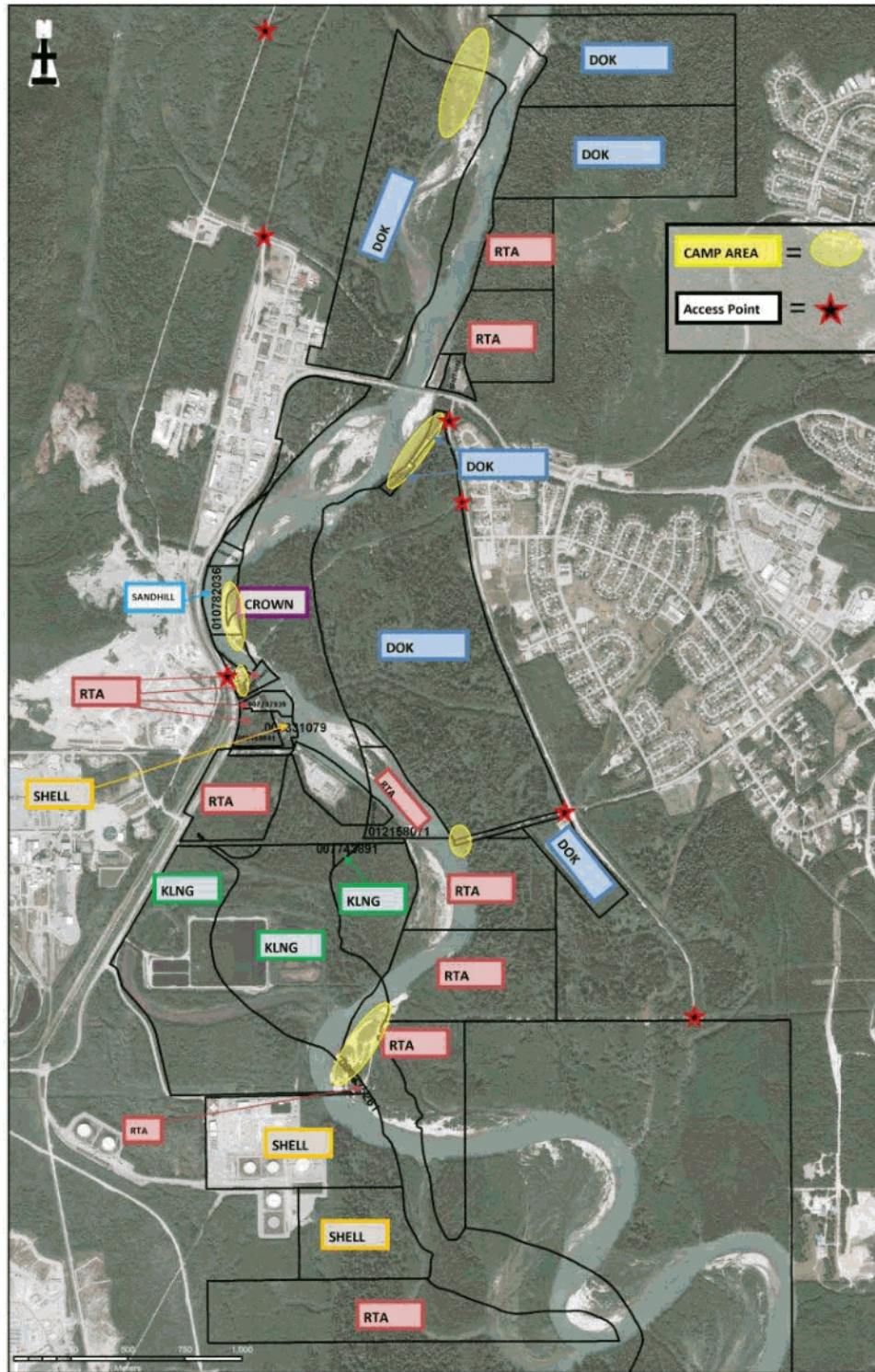
Document Path: \\DOK-FILES\\Engineering\\DOK GIS (starting shapefiles)\\Basemap\\03 ArcMap Maps\\Basemap 8.5x11.mxd





Document Path: \\DOK-FILES\Engineering\DOK GIS (starting shapefiles)\Basemap\03 ArcMap Maps\Basemap 8.5x11.mxd





Document Path: \\DOK-FILES\\Engineering\\DOK GIS (starting shapefiles)\\Basemap\\03 ArcMap Maps\\Basemap 8.5x11.mxd



## RE: Kitimat riverbank camping

Friday, October 27, 2017

8:45 AM

Subject	<b>RE: Kitimat riverbank camping</b>
From	Bentley, Cam FLNR:EX
To	Warren Waycheshen
Cc	Gwen Sewell
Sent	Monday, October 2, 2017 8:45 AM

Perfect.

250 847 7388

-----Original Message-----

From: Warren Waycheshen [<mailto:wwaycheshen@kitimat.ca>]

Sent: Saturday, September 30, 2017 12:45 PM

To: Bentley, Cam FLNR:EX

Cc: Gwen Sewell

Subject: Re: Kitimat riverbank camping

Great - we can call you at the number below unless directed otherwise.

Thanks,

Warren Waycheshen

> On Sep 30, 2017, at 12:37 PM, Bentley, Cam FLNR:EX <Cam.Bentley@gov.bc.ca> wrote:

>

> Let's talk on Monday. 8.45?

>

> Cam Bentley

> Authorizations Manager

> Skeena Region

> (250) 876-8470

>

> On Sep 29, 2017, at 17:28, Warren Waycheshen

<[wwaycheshen@kitimat.ca](mailto:wwaycheshen@kitimat.ca)<<mailto:wwaycheshen@kitimat.ca>>> wrote:

>

>

> Hi Cam, further to our conversation, Council adopted the following motion on September 18:

>

> "THAT the District of Kitimat establishes a working group of concerned citizens and community groups to address the issue of riverbank camping to find solutions to the issues of long term camping, litter, pollution and safety."

>

>

> 1. From our discussion, our understanding of the current situation is if the District gates municipal property (for example, near the Giant Spruce) and restricts access to the abutting Crown land (Kitimat River bank); that is a valid action. If the District does not restrict access through our lands and people can freely reach the river bank they have provincial approval to camp for up to 14 days. Simply put, if Council does wish to restrict camping our only opportunity is to gate or restrict access another way. We could always meet with the Province and ask for the ability to restrict camping without installing gates or other barriers, but at this time the Province will not allow the municipality

to permit access for day use but not camping. I know some people camp beyond 14 days and that is the province's problem, although no one has enforced that regulation yet in Kitimat.

>

> 2. Below there are excerpts from the policy and it appears to us the policy may not apply within municipal boundaries, or will apply if there is a no camping bylaw.

>

> 3. Does the Ministry have an interest in being involved with the working group to look at options for camping as the riverbank is Crown land? This could include joint oversight or a lease/sale to the District.

>

> 4. Is the Ministry's position the banks of the Kitimat River are Crown land and the working group has no authority or jurisdiction to make any decisions other than #1 (i.e., on District lands)?

>

> Clause 6.1 indicates the Crown permission to use land requires "the activity must abide by and comply with all applicable laws, regulations and bylaws".

>

> Clause 6.2 establishes limitations on a permission: For Permission to be valid, all of the requirements of Section 6.2.1 to 6.2.3 must be met.

>

> 6.2.1 Where Permission Does Not Apply

>

> Before any person may rely on this Permission, they must ensure that the activity is taking place on unencumbered Crown land. The Crown land must not be within a:

>

> \* Protected Area which includes Ecological Reserves, Parks and Conservancies;

>

> \* Municipality;

>

> \* Et cetera....

>

>

>

> I realize this isn't a small request and please refer to others as necessary.

>

> Thanks,

>

> Warren

>

>

>

>

>

>

> Hi Warren,

>

> I have tried to call. We should talk.

>

> Please see this to start the chat.

> <http://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resource-use/land-water-use/crown-land/permissions.pdf>

>

> Cam

>

>

> <image003.jpg>


>

> Cam Bentley, R.P.F.

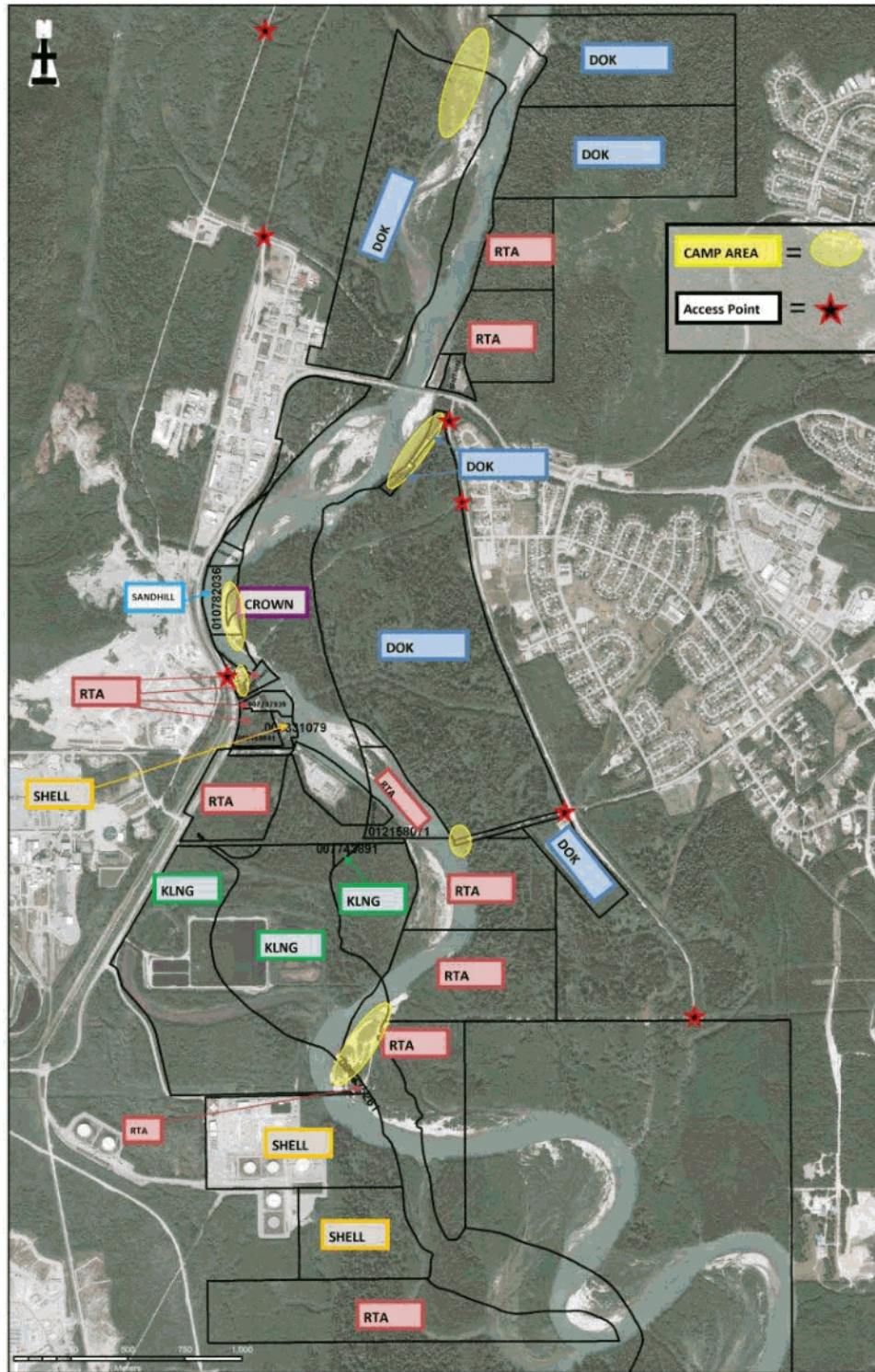
> Resource Manager, Authorizations Skeena Region Forests, Lands and

> Natural Resource Operations & Rural Development  
> 250-847-7388 (Work)  
> Cam.Bentley@gov.bc.ca<mailto:Cam.Bentley@gov.bc.ca>  
>  
>  
>  
>  
>

Friday, October 27, 2017  
8:52 AM

Subject	
From	Bentley, Cam FLNR:EX
To	Warren Waycheshen
Sent	Monday, October 2, 2017 8:52 AM
Attachments	 RIVERBANK CAMPING ...





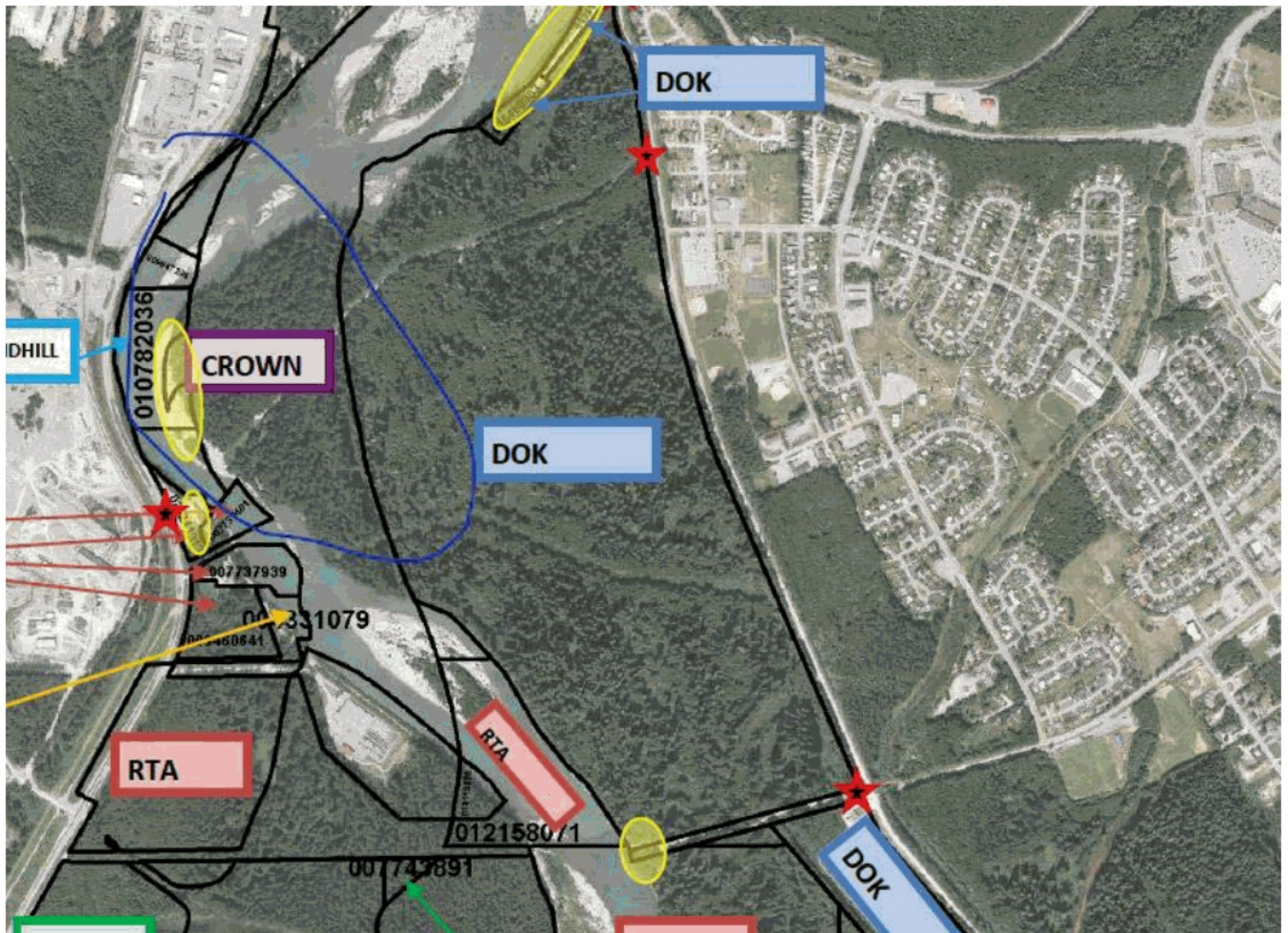
Document Path: \\DOK-FILES\Engineering\DOK GIS (starting shapefiles)\Basemap\03 ArcMap Maps\Basemap 8.5x11.mxd



## The area in question

Friday, October 27, 2017  
8:51 AM

Subject	The area in question
From	Bentley, Cam FLNR:EX
To	Warren Waycheshen
Sent	Monday, October 2, 2017 8:54 AM



**Cam Bentley, R.P.F.**  
Resource Manager, Authorizations Skeena Region  
Forests, Lands and Natural Resource Operations & Rural Development  
250-847-7388 (Work)  
Cam.Bentley@gov.bc.ca



## RE: Kitimat River Camping LIZ

Friday, October 27, 2017

8:44 AM

Subject	<b>RE: Kitimat River Camping LIZ</b>
From	Williamson, Elizabeth M FLNR:EX
To	'Gwen Sewell'
Cc	Bentley, Cam FLNR:EX; Warren Waycheshen
Sent	Wednesday, October 11, 2017 1:23 PM

Hi Gwen – good to hear from you! I saw the report on the news – very fortunate there was no loss of life. I'm not sure if you're aware but the Village of Keremeos has been going through a similar issue in the past year. There have been some complications for them however I believe those are mainly due to the fact that the area of concern lies outside of their municipal boundaries (e.g. they may need a Crown land tenure in order to manage the area). I haven't been directly involved so I will touch base with some of the regional staff involved in that issue in the event there are commonalities and information that are relevant to your situation.

As you've identified the Permission does not apply on Crown land within a municipality – as a result even in the absence of zoning/bylaws any camping that does occur is technically in non-compliance with the permission and therefore could be subject to enforcement action under the *Land Act*. Ultimately that does rely on provincial resources and it looks like DOK would want a greater role in the use and ability to locally enforce the use so as you have mentioned zoning & associated bylaws would likely be a course of action you could consider.

I'm waiting to hear back from one of my more experienced colleagues but I am not aware of any specific limitation to DOK creating bylaws to regulate public recreational use of vacant Provincial Crown land within the municipal boundaries, so long as it doesn't conflict with a government interest. However as the various pieces of legislation affecting local government powers are complex & the question is a bit outside my realm of expertise I really can't advise you with any legal certainty. I will let you know if anything comes to light. My general advice to local governments developing bylaws is to do some up front discussions with the appropriate provincial authority to ensure that the bylaws do not conflict with existing policy/legislation or other agency interests.

I will be in touch when I gather a bit more concrete information for you but in the interim feel free to give me a call/email with any further questions.

Cheers,

***Liz Williamson, R.P.F.***

Senior Policy Advisor

Land Tenures Branch

Ministry of Forests, Lands, Natural Resource Operations and Rural Development

Box 9158 1761 Big Eddy Road

Revelstoke, BC V0E 3K0

Tel. 250-837-7628

Cell: 250-308-9843

Fax: 250-837-7626

Email: [Elizabeth.Williamson@gov.bc.ca](mailto:Elizabeth.Williamson@gov.bc.ca)

**From:** Gwen Sewell [<mailto:gsewell@kitimat.ca>]

**Sent:** Monday, October 2, 2017 4:08 PM

**To:** Williamson, Elizabeth M FLNR:EX

**Cc:** Bentley, Cam FLNR:EX; Warren Waycheshen

**Subject:** Kitimat River Camping

Hi Liz,

It has been ages since we talked. I am in contact today after speaking with Cam Bentley.

Camping has been occurring on the banks of the Kitimat River—opposite a municipal campground called Radley Park—for decades. See map attached. This has been a somewhat divisive local issue (its no-cost and traditional use, grey water, residual garbage, human waste, blocking river access for day users, et cetera) and there is new willingness to consider regulation or prohibition of camping following a flash flood that required a dangerous multi-force rescue effort to save 14 campers and resulted in significant property loss (RVs, vehicles, and camping equipment). As camping is “unregulated” the first responders had no idea how many people were in danger, or where to look for campers.

Cam and Kitimat’s CAO Warren Waycheshen have been exchanging e-mails and talking about potential road blocks and possible means to regulate public access to the Kitimat River (which is Crown Land). Our call this morning focussed on Land Use Policy “[Permissions](#)”

Clause 6.1 indicates the **Crown permission to use land requires** “the **activity** must abide by and **comply with all applicable** laws, regulations and **bylaws**”.

Clause 6.2 establishes limitations on permission: For Permission to be valid, all of the requirements of Section 6.2.1 to 6.2.3 must be met.

#### 6.2.1 Where Permission Does Not Apply

Before any person may rely on this Permission, they must ensure that the activity is taking place on unencumbered Crown land. The **Crown land must not be within a:**

- Protected Area which includes Ecological Reserves, Parks and Conservancies;
- **Municipality;**
- Et cetera....

Given details above, and municipal authority to regulate land use by zoning, I believe Kitimat Council may use their zoning power to limit use of all or selected land along the Kitimat River to “day use only”. I’m far from certain this will be the course of action Council will choose to pursue. For now, we only want to identify possibilities. Cam thought you would be able to confirm if DOK can or cannot consider zoning.

I am happy to talk to you once you are back next week. If you prefer me to set up a conference call to include Cam and Warren I can do that instead or in addition.

Sincerely,

Gwen



**Gwendolyn Sewell, MCIP RPP**

Director of Community Planning & Development

District of Kitimat

Phone: 250-632-8912 (Direct)

Fax: 250-632-4995

<http://www.kitimat.ca>

From: [Gwen Sewell](#)  
To: [Bentley, Cam FLNR:EX](#)  
Subject: Accepted: Chat on Gates DOK

---

**From:** [Bentley, Cam FLNR:EX](#)  
**To:** [gsewell@kitimat.ca](mailto:gsewell@kitimat.ca)  
**Subject:** Chat on Gates DOK

---

Cam Bentley, R.P.F.  
Resource Manager, Authorizations Skeena Region  
Forests, Lands and Natural Resource Operations & Rural Development  
250-847-7388 (Work)  
HYPERLINK "mailto:Cam.Bentley@gov.bc.ca" Cam.Bentley@gov.bc.ca