

**MANAGING COMMERCIAL RECREATION ON CROWN LAND IN  
BRITISH COLUMBIA: A POLICY EVALUATION**

By

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## Abstract

Tourism in British Columbia has historically been viewed as secondary in importance to extraction industries such as industrial forestry, both in terms of its economic importance and of its resource needs. Consequently, the commercial recreation tourism sector has traditionally found little government support either in broader natural resource allocation issues or in the development of specific policies to allow operators entry into Crown land tenure agreements. During the 1990s a comprehensive program of land and resource planning was initiated to address the needs of a broader range of resource interest sectors, including tourism. As a result, new policies enabling certain sectors of the tourism industry to enter into tenure agreements with the provincial government were developed. However, it was not until 1998 that a comprehensive policy for commercial recreation operators, the *Commercial Recreation Policy* was issued. This study examines the pilot application of the policy in the Sea to Sky district (Squamish Forest District). In particular, it examines the utility of the Transition Plan program implemented over the period September 2000 - November 2001. This study illustrates that the Transition Plan program was well received by the majority of stakeholders in the area. However, several challenges remain in fully meeting the objectives of the Commercial Recreation Policy. A number of recommendations are made to improve both the policy and any subsequent initiatives to implement the policy in other areas. The study also highlights some of the difficulties faced by BC Assets and Land Corporation (now Land and Water BC) in launching this land-use program. In this context it makes recommendations relating to both the policy and its implementation.

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## List of Acronyms and Abbreviations

AIAR	Aboriginal Interest Assessment Report
ATV	All-terrain Vehicle
BCAL	British Columbia Assets and Land Corporation
CORE	Commission on Resources and Environment
CR	Commercial Recreation
CR Policy	Commercial Recreation on Crown Land Policy
DFO	Department of Fisheries and Oceans
GIS	Geographic Information System
LRMP	Land and Resource Management Plan
LUCO	(former) Land Use Coordination Office
LWBC	Land and Water BC
MELP	(former) Ministry of Environment, Lands and Parks
MSRM	Ministry of Sustainable Resource Management
MoF	Ministry of Forests
MWLAP	Ministry of Water, Land and Air Protection
ORC	Outdoor Recreation Council
PAS	Protected Areas Strategy
RMOW	Resort Municipality of Whistler
RMZ	Resource Management Zone
SMZ	Special Management Zone
SRM	Sustainable Resource Management
SSCRA	Sea to Sky Commercial Recreation Association
TOS	Tourism Opportunity Study

# CHAPTER 1: INTRODUCTION

## 1.1 Background

Tourism is one of the most important economic activities in British Columbia. In 2001, BC hosted 22.4 million overnight visitors, who spent more than \$9.2 billion in the province (Tourism BC 2003). Tourism is also the province's largest land-based employer, responsible for 130,000 full-time direct jobs (Wilderness Tourism Association website). In addition to its direct economic impact, tourism is playing an important role in the ongoing diversification of the provincial economy away from a dependence on resource extraction industries such as industrial forestry (Gunton 1998).

Tourism in natural areas is the fastest growing segment of the tourism industry, achieving a 9-10% annual growth rate. In 1999, BC's natural area tourism sector generated \$1 billion in direct revenues and created 15,000 full-time jobs (Wilderness Tourism Association website). The increasing importance of tourism in natural areas has the potential to bring a number of benefits to rural areas of the province, including job creation, local tax revenues, and regional development. As well, natural area tourism has the potential to deliver benefits at a provincial level, including fees for the use of Crown land, diversification of the provincial economy, and broadening the base of the province's tourism product.

For the purposes of this report, commercial recreation (CR) is defined as the component of tourism in natural areas that involves the provision of guided activities away from roaded, developed or other 'frontcountry' areas. These activities may include adventure tours with an emphasis on a specific activity such as kayaking or mountain climbing, or tours with an emphasis on viewing wildlife or the natural landscape. The key elements that serve to distinguish CR from 'public' recreation are that a fee is collected by the organization providing the recreational experience, and that the activity is guided by personnel employed or otherwise paid by that organization.

Commercial recreation is an important activity in British Columbia, generating significant economic and recreational benefits (Tourism BC 2003, Clover Point et al. 2000). While its total direct revenues are a small fraction of those generated by the accommodation

and transportation sectors of the tourism industry, provision of backcountry recreation opportunities contributes to the overall development of BC tourism portfolio, and helps to attract tourists to the province (LWBC website). As well, CR can contribute to local and regional economies away from the major urban centres, where traditional resource-based industries are in decline and alternative sources of employment are in great need. Finally, CR may also offer opportunities for First Nations communities to utilize their local resources, heritage and skills to generate much needed revenues.

## **1.2 Problem Statement**

While the tourism industry has the potential to bring benefits, it can also create significant negative impacts (Ritchie and Goeldner 1994). This is also the case for CR development, which has the potential to create negative impacts including degradation of the natural environment and loss of the 'wilderness experience' that both public and fee-paying visitors seek (Leung and Marion 2000, Manning and Lime 2000). Effective planning and management mechanisms must therefore be identified and implemented in order to maximise the benefits of CR and minimize the negative impacts (Newsome et al. 2002).

In addition to the need for effective management, the sustainable development of the CR industry depends upon secure access to the land and resource base (McKercher 1992, Williams et al. 1998b, 1998c). This access can be characterized as taking two forms. The first is at a broad or strategic scale, where natural areas may be allocated specifically for recreation and tourism use. These natural areas may or may not be formally protected as parks or protected areas, or subject to intensive timber extraction. The second form of access is at the local scale, where individual CR operators enter into a land tenure agreement with the landowner, in the case of this study, the provincial government. Both forms of access to the land and resource base are important for the sustainable development of the CR industry. The broad-scale allocation of land for tourism and recreation use frequently involves the exclusion of resource extraction industries, and can help preserve the natural setting required by many different CR activities (Reid 1998). The development of land tenure agreements can increase business security for CR operators, can help them gain additional finance, and can add worth to the business.

In British Columbia, a province-wide strategic planning process was launched during the 1990's to resolve conflicts over the broad-scale allocation of land and resources. This process was based on Integrated Resource Management (IRM) principles, whereby multiple and often conflicting land uses and values can be incorporated within a single area (Bellamy and Johnson 2000, LUCO 1997). Two complementary outcomes of this process were an increase in the area of the province allocated to parks and protected areas to more than 13% of the total land base, and the development of a system of Resource Management Zones (RMZs) to direct the use of land outside of those protected areas. One of these RMZs, the Special Management Zone (SMZ), offered a means for land outside of protected areas to be designated for management with an emphasis on non-timber resource values such as habitat, tourism, scenery and community watersheds.

Within parks and protected areas, policy with respect to CR operations continues to fall within the jurisdiction of the relevant park agency. However, despite the creation of a means to allocate land for tourism use outside of parks, the provincial government still had no comprehensive policy with respect to planning and managing CR within this new IRM framework until the late 1990s.

In 1998 the *Commercial Recreation on Crown Land Policy* (CR Policy) (BC MELP 1998) was issued. The policy offered a range of land tenure options for CR operators, and provided guidelines for CR planning. This study aimed to assess the effectiveness of this new policy in providing a means for the planning and management of CR in an IRM setting.

### **1.3 Research Goal and Case Study Approach**

The primary goal of this study was to evaluate British Columbia's CR Policy in terms of its effectiveness as a tool for managing CR in an Integrated Resource Management setting. A specific objective associated with this goal was to identify management challenges that were not adequately dealt with by the CR Policy.

To achieve this goal, a case study was undertaken of a pilot application of the CR Policy in the Sea to Sky district. This application was completed in two parts. The first part

consisted of planning for CR development. Two planning documents were produced: 'Strategic Planning for Commercial Recreation' Phases I and II (Leavers 1999, Leavers 2000). The second part of the pilot application was the implementation stage. This stage was known as the 'Transition Plan' program, since it involved a transitional grace period during which existing untenured operators were permitted to continue their use of Crown land while their formal applications for tenure were being processed.

The case study was designed to help answer the study's three major research questions:

1. How has strategic planning for CR in the Sea to Sky district evolved?
2. What were stakeholder perspectives on the outcomes of the 'Strategic Planning for Commercial Recreation' and 'Transition Plan' processes in the Sea to Sky district?
3. How did the implementing agency perceive the process for administering the CR Policy in the Sea to Sky district?

## **1.4 Report Organization**

Chapter 2 defines commercial recreation and several related terms. As well, it provides a review of three general areas of literature relevant to this study: nature-based tourism, visitor management, and integrated resource management (IRM). Chapter 3 describes the research methods used in the research. The primary research technique used was a case study approach. Data collection associated with the examination involved in-depth interviews with numerous stakeholders. It also entailed an internal review of the application and land allocation process. Chapter 4 presents the results of the case study, as expressed in a stakeholder evaluation and an internal process review. Chapter 5 presents the management implications of the research. These are presented according to the evaluation criteria used in the stakeholder interviews and the process stages used to structure the internal review. Finally, in Chapter 6 the conclusions of the study are made, and areas of further inquiry brought to light by the present research are recommended.

# CHAPTER 2: LITERATURE REVIEW

## 2.1 Introduction

In this chapter, several areas of literature relevant to the planning and management of commercial recreation are reviewed. First, commercial recreation (CR) is defined within the broader context of natural area tourism, and its land use needs and potential negative impacts are introduced. Second, the concept of Integrated Resource Management (IRM) is introduced, and its value as a mechanism to allocate land for tourism use in BC is discussed. Third, the literature on visitor planning is reviewed, and a number of planning frameworks of potential use in planning for CR are identified. Fourth, the literature on visitor management tools is reviewed, and elements of relevance to managing CR are identified. Finally, the *Commercial Recreation on Crown Land Policy* (BC MELP 1998) is introduced, with particular emphasis on the provisions for planning for CR and for managing CR activities. This literature review provides an overview of the principle challenges facing the management of CR on public land. It also offers a range of solutions to these challenges that have been developed in other jurisdictions, and may be of use in the British Columbian context.

## 2.2 Commercial Recreation

This section provides a working definition of CR, and places it within the broader context of natural area tourism. The land-use needs of CR are introduced, and some of the potential negative impacts of CR development are reviewed.

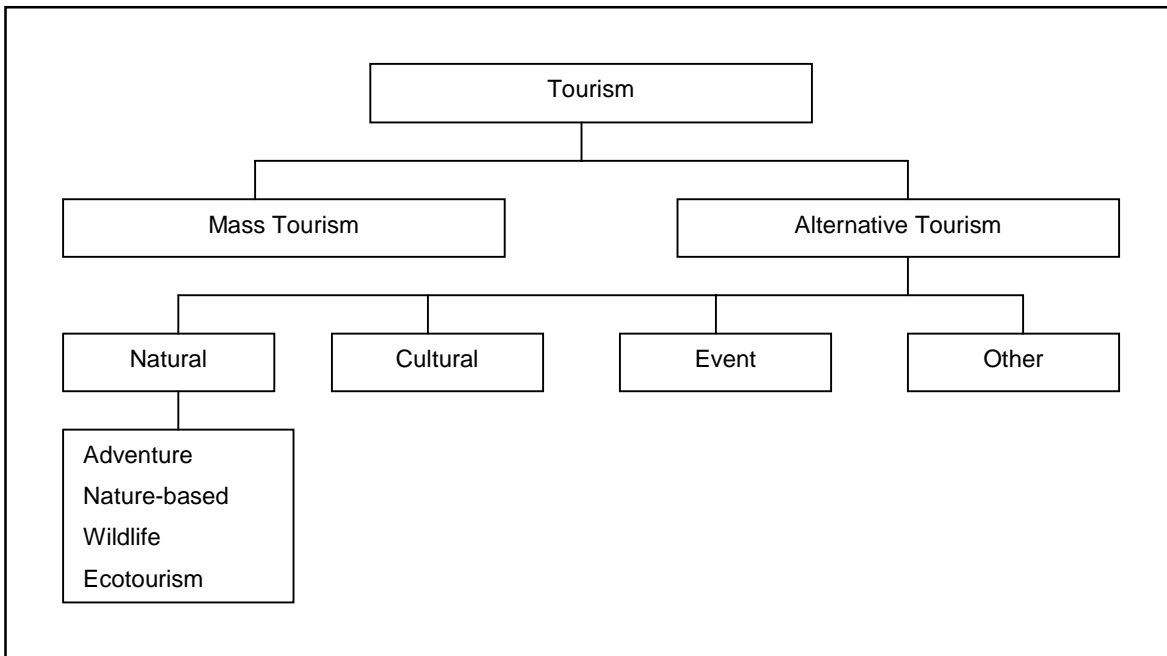
### 2.2.1 Definition

A lack of precise definition is common in many fields of research associated with tourism, leisure and recreation (Weber 2001, Sung et al. 1997). This problem extends to CR, which includes a wide range of activities offering very different recreational opportunities and management challenges (Ewert 1987). A solution to this problem has been to provide a list of the kinds of activities that might be classified as CR (Ewert 1989, McMenamim, 1992). This is an empirical rather than conceptual approach, and offers a primarily operational definition.



CR may also be defined from a more conceptual perspective as part of natural area tourism (Newsome et al. 2001). The key element defining natural area tourism is a dependence on the natural environment. Their conceptual approach to defining natural area tourism is illustrated in Figure 2.1.

**Figure 2.1: An Overview of Tourism**



*After Newsome et al. 2001*

However, even from this conceptual perspective, CR must be distinguished in operational terms. Tourism in natural areas may be conducted on an individual ('public') basis, or through a tourism operator, on a commercial basis. CR can therefore be defined as that component of natural area tourism delivered by commercial operators.

### **2.2.2 The Land-use Needs of CR**

Despite traditional assumptions that tourism is a service industry, there is now an increasing recognition that large sectors of the industry have a strong dependence on land and natural resources (McKercher 1992, Reid 1998). In British Columbia, research into tourism perspectives on land and resource allocation (Williams et al 1998b, 1998c) highlighted a number of key requirements for the continued development of the CR industry:

- Increase the amount of large protected areas
- Restrict logging and mining in foothills and mountain ranges
- Restrict further development of roads in the backcountry
- Recognize CR as a priority industry in buffer zones around protected areas
- Maintain access for backcountry tourism to all protected areas.

However, other industries and recreational users frequently have priority access to these resources. McKercher (1992) looked at tourism as a conflicting land use and compared land allocation issues for the Northern Ontario tourism outfitting industry with logging and mass recreational use. Reed and Gill (1997) studied land allocation processes in Squamish, British Columbia. In both these studies, the authors concluded that backcountry tourism values were poorly recognized by conventional planning approaches as compared with the priorities accorded to resource extraction industries.

In a broader review of rural tourism development and policy across Canada, Reid (1998) argued that:

‘Although provincial and state governments have always paid lip service to tourism as the rising sector of the economy, they have been unable to grasp the implications of making decision with regard to competing interests. All too often protecting the natural areas on which a sustainable and vital tourism industry depends is given up in favour of the extraction or construction industries.’ (Reid 1998, p.79).

In British Columbia, discontent over the traditional centralized system of land and resource allocation was not limited to the tourism sector. During the 1980s, public concerns included a mistrust of the decision-making process, a lack of opportunity for participation, the emergence of non-traditional forest values, and the long-term sustainability of the forest industry (Williams et al. 1998a). This outcry grew to the stage where open conflict – the so-called ‘war in the woods’ – broke out between industrial interests, conservationists and First Nations (Sewell 1989). Against this backdrop of court actions, industrial sabotage public demonstrations and economic boycotts, in 1992 the BC government embarked on comprehensive process to allocate land and resources at a strategic level across the entire province. This literature on this process of allocating

land and resources for a variety of uses – including tourism – is reviewed within the context of Integrated Resource Management (IRM) in Section 2.3 of this chapter.

### **2.2.3 The Impacts of CR**

Natural areas have always attracted people. Over the last four decades, factors including improved transport networks and rises in income levels have led to dramatic increases in the natural area tourism in many countries (Watson 2000). Tourism in natural areas can have negative as well as positive impacts (Newsome et al. 2001). As numbers of visitors have increased, pressure on natural areas has increased, and attention has increasingly focused on the negative impacts these visitors have created. In the case of CR, factors ranging from environmental degradation to overcrowding pose major challenges for the sustainable development of the industry.

#### ***Environmental impacts of natural area tourism***

Negative impacts are an inevitable consequence of tourism in natural areas (Leung and Marion 2000). Environmental impacts of visitor use of natural areas can impact all resource elements in a natural ecosystem: soil, vegetation, wildlife and water. These impacts include soil compaction, loss of ground vegetation cover, wildlife displacement and altered water quality. Given the dual mandate of most natural area management agencies, these impacts are significant from the perspective of both resource protection and the provision of recreational experiences. Since recreation is a legitimate use of natural areas, a key issue for managers is to identify the acceptable level of impacts, based on management goals and mandates.

#### ***Experiential impacts of natural area tourism***

A second major theme related to the impact of tourism in natural areas involves the quality of the visitor's experience of the natural area (Manning and Lime 2000). When concerns over increasing visitor impacts on natural areas in North America first became evident during the late 1950s and early 1960s, it was assumed that natural areas had a simple 'carrying capacity' for visitors in similar way to which rangeland had a capacity for livestock. However, it became clear that "as more people visit a wilderness or related recreation area, not only the environmental resources of the area are affected, but also the quality of the recreation experience" (Manning and Lime 2000, p.16). Research to estimate this 'social' carrying capacity in the Boundary Waters Canoe Area, Minnesota,

(Lucas 1964) showed that the nature of recreational carrying capacity was still more complex than had been envisioned. Instead of providing one numerical estimate of carrying capacity, the study showed that different user groups had widely varying perceptions of overcrowding. Subsequent studies have shown that a range of other factors, particularly the type of management regime applied to a natural area, can also have a major impact on the nature of visitor experiences. In other words, research has not found a strong cause-and-effect relationship between visitor use levels and the impact of that use on the quality of visitors' experiences. Today it is widely recognized that carrying capacity is an inappropriate paradigm upon which to base actions to protect recreational settings in natural areas (McCool and Patterson 2000). Instead, as is the case with environmental impacts, the focus of management efforts with respect to the quality of visitors' experiences has shifted to managing impacts within acceptable levels.

### ***Other impacts of natural area tourism***

While negative environmental and experiential impacts have been the two focal points of research into the impacts of tourism in natural areas, two other – possibly more positive – types of impact have also received attention. First, it has been suggested that tourism in natural areas may have a positive impact from a conservation perspective (Buckley 2000a, Norton and Roper-Lindsay 1992). Second, it has also been suggested that natural area tourism can bring positive economic impacts, which can benefit local communities (Murphy 1988), including Aboriginal groups (Lew 1996), and support regional economic development (LWBC website).

In conclusion, the literature indicates that natural area tourism, of which CR is one component, has the potential to create positive as well as negative impacts. It is the task of the policymaker to develop policy that will guide the planning and management of CR such that its negative impacts are minimized and its positive impacts are maximized. With respect to both environmental and experiential impacts, the current focus on managing impacts within the limits of acceptable change has been noted. Section 4 of this chapter explores this avenue further, through a review of the dominant visitor planning frameworks that have been developed since the late 1970s. The most recent of these frameworks includes provisions for extensive stakeholder engagement, offering the potential for tourism impacts such as regional development and conservation to be explicitly including in the planning framework.

## **2.3 Integrated Resource Management**

This section introduces key concepts of Integrated Resource Management (IRM), and provides an overview of a strategic-level IRM program implemented in British Columbia over the last decade. How the land-use needs of the tourism industry have been approached through strategic planning is discussed, and mechanisms to integrate strategic plans with local-level plans such as those developed for CR are reviewed.

### **2.3.1 The Integrated Resource Management (IRM) Paradigm**

Integrated Resource Management involves managing natural resources so as to systematically integrate a number of land uses or values (Bellamy et al. 1999, Bellamy and Johnson 2000). It contrasts with single-use planning, where resources are allocated to one dominant use such as timber harvesting, mining or fishing. Four key characteristics of the planning and management paradigm for IRM are proposed by Bellamy and Johnson (2000):

1. Integrated systems approach
2. Long-term perspective and broad spatial scale focus
3. Recognition of the relevance of the human and cultural context, and the diversity in values relating to natural resources
4. Strategies for resolving conflict through negotiation and mediation among stakeholders.

These four characteristics can be contrasted with natural resource management under a more traditional, centralized land-use planning model. The more traditional approach typically focuses on one or two dominant land uses, and operates over a shorter time-frame and on a narrower geographical spatial scale. Such planning processes do not generally involve specialized techniques for conflict resolution.

The evolution of the IRM philosophy is closely tied with a shift in the nature of resource-based economies away from a reliance on more traditional extraction industries. As resource-based economies mature, an increasing variety of industry sectors come to rely on the resource base, and an expanding number of other values are placed on those resources above and beyond their monetary extractive value (Reed and Gill 1997, Gunton 1998).

Bellamy and Johnson (2000) commented on the failure of the traditional centralized planning model to deal with the challenges posed by the emergence of these newer land uses and values. In particular they noted that the 'failure of current disciplinary or sectorally based approaches based on rational planning principles to lead to sustainable and equitable resource management outcomes' (p.267).

In addressing the challenge of sustainable development and planning of Crown land in Canada, Gunton and Fletcher (1992) reached similar conclusions, arguing that new institutional structures were required. They felt that more involvement of stakeholders in planning was necessary, and that alternative dispute resolution mechanisms would be needed to facilitate that involvement.

In the context of land use in British Columbia, Williams et al. (1998a) further outlined the limitations of a centralized planning structure in place until 1992:

'Public outcry over this system of resource allocation and management arose during the 1980s..... Discontent grew from a mistrust of centralized decision-making, an absence of meaningful public participation, a growing mix of non-traditional forest values, and increasing concerns over growing resource scarcity and the long term sustainability of the forest industry.' (p.1).

This outcry grew to the stage where open conflict – the so-called 'war in the woods – broke out between industrial interests, conservationists and First Nations (Sewell 1989). Against this backdrop of court actions, industrial sabotage, public demonstrations and economic boycotts, the BC government in 1992 embarked on comprehensive land use process firmly based within the IRM paradigm.

### **2.3.2 Operationalizing IRM in British Columbia**

BC's IRM program has been operationalized according to a hierarchy of scales. The broadest of these is the strategic level, which operates at the regional and sub-regional level. Second is the landscape level, which operates more typically at the level of a watershed or group of watersheds. Last is the local level, where plans for a range of resource uses are integrated into the previous two levels of planning.

### *Strategic-level planning*

BC's strategic IRM planning program was initially overseen by a specially created independent organization, the Commission on Resources and Environment (CORE), with a focus on the production of regional-scale plans. However, once land-use plans had been completed for four regions of the province, the Commission was removed, and the focus of planning efforts was shifted to the production of sub-regional Land and Resource Management Plans (LRMPs). These plans were directed initially by the Land Use Coordination Office (LUCO), a government body reporting directly to cabinet. This body was later integrated into the Ministry of Sustainable Resource Management, following the change of provincial government in 2001. Strategic-level plans had been completed or were in progress for some 84% of British Columbia as of January 2002 (BC MSRM website).

A key tool used in the production of both CORE and LRMP plans was shared decision-making. This aspect of the program was the subject of an extensive program of research conducted in the School of Resource and Environmental Management, Simon Fraser University (Duffy et al. 1996, Roseland 1997, Frame 2002). Research into tourism perspectives on shared decision-making in the Cariboo-Chilcotin CORE planning process (BC CORE 1994, Williams et al. 1998b, 1998c) was also conducted as an integral part of that research program.

The major mechanisms for including tourism values into these strategic planning processes has been through direct participation in round-table negotiations, as well as through the provision of information for planning table use in the shape of Tourism Opportunities Studies (TOS). These databases provide detailed spatial information on a broad spectrum of land activities and biophysical resources associated with potential tourism development opportunities in the province.

The principal focus of both the CORE and LRMP plans has been to designate land and associated resources for a variety of uses including forestry, mining, parkland, tourism and agriculture. While there has been some variation between different plans, a spectrum of land-use zones including protected areas and Resource Management Zones (RMZs) has emerged. The allocation of land for new parks was directed by the provincial Protected Areas Strategy (PAS). This strategy aimed to protect at least 12% of

the province's land based by 2000, a target which has since been slightly exceeded. The remainder of the land in plans completed to date has been allocated into the following typical land-use zones:

- RMZ: Enhanced Management
- RMZ: General Management
- RMZ: Special Management
- Agricultural area
- Settlement area

While precise definitions vary from plan to plan, Table 2.1 illustrates the typical land uses for each of the three RMZs:

<b>Table 2.1: Typical Land Uses in Resource Management Zones</b>	
<b>RMZ</b>	<b>Typical purpose</b>
Enhanced	Emphasis on intensive development of timber resources
General	Management for a wide array of resource values
Special	Management with an emphasis on conserving one or more sensitive resource values, such as habitat, tourism, scenery and community watersheds.

*After LUCO 2001*

In this context, the SMZ emerges as the most suitable for CR use, given the industry's dependency on a wilderness-type environment. However, designation of a Special Management Zone is at most a strategic-level allocation of land. Within this zone, further tools are required to allocate parcels of land to specific uses. For CR operators, tenure agreements with land management agencies are also required before use of such SMZ areas can occur.

#### *Landscape-level planning*

Once strategic-level planning was complete, it was expected that a comprehensive program of landscape-level planning was to have been undertaken. This was to have been based on a system of landscape units already in use by the Ministry of Forests. Landscape Unit planning was to have covered areas of between 50,000 and 100,000 ha,



covering a single watershed or group of smaller watersheds. However, implementation of this program was halted by the change in provincial government in 2001.

The new model for landscape-level planning is Sustainable Resource Management (SRM) planning. While this model is also loosely based on the use of landscape units and operates at approximately the same scale as Landscape Unit planning, it is not expected to provide comprehensive coverage of the province. Instead, SRM plans will be issues-led, tackling only areas where resource allocation issues have created particular problems. An SRM plan will also not necessarily address all areas of resource use at one time. Instead, 'chapters' on specific resource industries considered appropriate at that time will be developed.

#### *Local area plans*

Local area plans may be developed as a result of planning at the previous two scales, or may be developed quite separately. In either case, it is expected that local area plans will contribute to the broader planning processes, either as inputs to LRMP planning tables, or as chapters in the SRM plans.

Some examples of local area plans are:

- Local resource use plans
- Integrated watershed management plans
- Tree farm licence management plans
- Water use plans
- Operational plans prepared under the Forest Practices Code
- Management plans for commercial recreation tenures
- Outdoor recreation management plans

The preparation of one type of the last of these examples, outdoor recreation management plans for CR, is guided by the *Commercial Recreation on Crown Land* policy. This policy will be returned to in Section 2.6, after the principles of managing recreational land use are introduced through a review of the visitor management literature.

## **2.4 Visitor Planning**

This section of the literature review shifts the focus from the allocation of land and resources for CR in an IRM setting to planning for visitor use of those areas. The key elements of three of the main frameworks used for planning visitor use of natural areas are summarized. These three frameworks illustrate the evolution of visitor planning from an initial focus on identification of recreation opportunities, through to the development of mechanisms to protect these opportunities over time, and finally to the adaptation of planning methods to suit tourism contexts. These frameworks provide a theoretical background to planning for commercial recreation on public land outside of protected areas. The use of these planning frameworks to guide management of visitor use in natural areas is complemented by the use of specific management tools, which are the subject of Section 2.5.

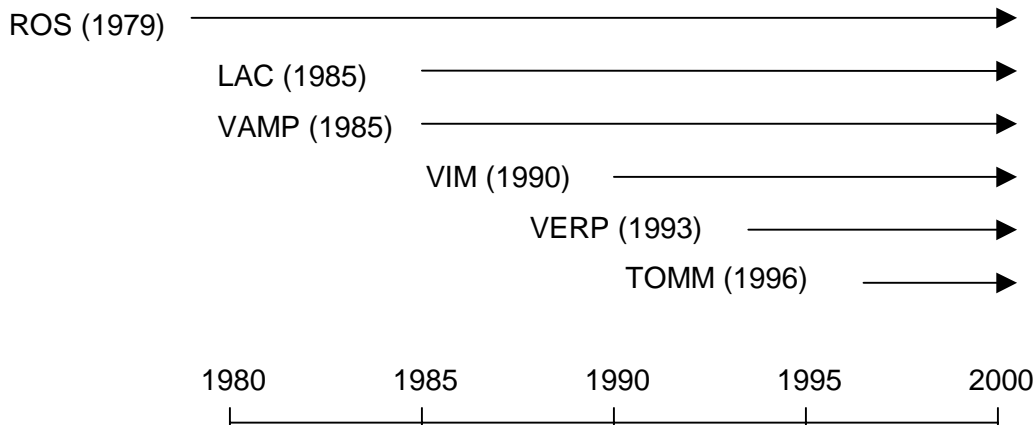
### **2.4.1 Visitor Planning Frameworks**

Rapid increases in outdoor recreation use over the last four decades have created concerns over the impacts of such pursuits on the natural environment, and the acceptable level of use natural areas can support (Manning and Lime 2000). Increasing levels of use have also exacerbated the problems of informal decision-making processes that land managers have historically used to allocate such lands in many cases. Informal approaches failed to explicitly describe desired resource or social conditions, or evaluate the acceptability of existing conditions associated with various levels of recreation resources use (Leung and Marion 2000). As a result more formalized approaches began to emerge, beginning in the late 1970s. These approaches have been known variously as wilderness planning (Krumpe 2000), carrying capacity (Manning and Lime 2000) and impact management decision frameworks (Leung and Marion 2000). For the purposes of this report, the term visitor planning frameworks has been adopted in order to distinguish planning tools from subsequent management strategies and actions. This distinction is made by Newsome et al. (2001). It matches the need of this study to identify models with which to compare the separate planning and tenure development stages of the implementation of the CR Policy in the Sea to Sky district.

Each of the dominant visitor planning frameworks is referred to by its acronym: ROS (recreation opportunity spectrum), LAC (limits of acceptable change), VIM (visitor impact management), VAMP (visitor activities management), VERP (visitor experience and

resource protection) and TOMM (tourism optimization management model). These frameworks are not mutually exclusive, and their development should be seen as evolutionary rather than revolutionary (Boyd and Butler 1996). Figure 2.2 illustrates the chronological relationship between the different planning frameworks.

**Figure 2.2: Chronological Relationship Between the Visitor Planning Frameworks**



*Derived from Nilsen and Tayler (1997), reported in Newsome et al. (2001)*

For the purposes of this study, three frameworks are of particular relevance. The ROS model is in many ways the foundation of the remaining frameworks, offering a means of zoning a natural area to offer a range of recreational experiences. However, the model does not explicitly incorporate mechanisms to tackle ongoing degradation of the natural environment, or a decline in the quality of recreational experiences over time. The LAC model, one of the first 'standard-based' approaches (Williams and Gill 1991), deals with this challenge through the development of a system for monitoring local social and environmental conditions, and for comparing them with predetermined acceptable standards. The principle application of the LAC model, and the other standard-based approaches, has been in planning for recreation in designated parks or wilderness areas, typically under the jurisdiction of one management authority. The TOMM model builds on the fundamentals of the standard-based approaches to offer a planning model for tourism contexts where a variety of stakeholders and management authorities may be involved. The remaining models illustrated in Figure 2.2 are not explored in more detail here, since they were developed specifically for use in parks and protected areas.

### ***Recreation Opportunity Spectrum (ROS)***

The Recreation Opportunity Spectrum planning framework was developed in the 1970s for use by the U.S. Forest Service. It links the types of recreation experience sought by recreationists to preferred physical, social and managerial settings (Clark and Stankey 1979). The ROS enables the classification of landscapes into distinct 'opportunity classes', each providing a different type of recreation opportunity depending on its degree of development. The six initial classes were primitive, semi-primitive non-motorized, semi-primitive motorized, roaded natural, rural and urban (Krumpe 2000). More recently, the term 'zone' has been used in place of opportunity class.

The ROS framework was intended to be adapted for use in specific situations. The most widely used approach is that proposed by Stankey and Brown (1981):

1. Estimate demand for the opportunities along the recreation spectrum
2. Determine the capability of the area to provide for different recreation opportunities
3. Identify which recreation opportunities are currently provided in the area
4. Determine where and how different opportunities should be provided using the results of the first three steps
5. Integrate recreation opportunity recommendations with those for other management areas
6. Implement the chosen alternative.

ROS has been widely applied to recreation planning in the United States, Australia and New Zealand. The framework's greatest strength is in ensuring a range of recreation opportunities is considered at local and regional levels. Those who developed the framework assumed that by providing diversity, negative impacts on the natural environment and on visitors' experience would be effectively mitigated (Newsome et al. 2001). However, no explicit limits were set on the level of impacts that would be tolerated, and no mechanisms for monitoring and responding to those impacts were proposed. While the ROS zoning concept underpins several of the subsequent visitor planning frameworks, it was the introduction of mechanisms to identify and maintain environmental and experiential standards over time in models such as the LAC that allowed managers to more effectively address issues related to recreational capacity.

### ***Limits of Acceptable Change (LAC)***

The Limits of Acceptable Change planning model was also developed for use by the U.S. Forest Service. The model built on the ROS concept and provided a means of making decisions about recreational carrying capacity in wilderness areas (Stankey et al. 1985). The process centred on the selection of indicators of change, development of standards against which those indicators should be measured, assessment of current conditions through inventory and monitoring, and the implementation of management actions to bring those conditions into compliance with the standards set. Stakeholder involvement is a key element in the LAC process, particularly in establishing the acceptability of impacts.

The LAC model is described through a standard nine inter-related steps (Stankey et al 1985):

1. Identify issues and concerns
2. Define and describe opportunity classes
3. Select indicators of resource and social conditions
4. Inventory existing resource and social conditions
5. Specify standards for resource and social conditions
6. Identify alternative opportunity class allocations
7. Identify management actions for each alternative
8. Evaluate and select an alternative
9. Implement actions and monitor conditions.

By the early 1990s, the LAC process had become the most widely applied wilderness planning process in the U.S. (McCoy et al. 1995). Despite its widespread application, it seldom forms the central focus of a management plan, being most likely to appear as a set of indicators and standards in a broader natural area management plan. As such, the lack of a set of steps to integrate visitor planning into broader strategic planning might be seen as a weakness of the LAC model. As well, there is an implicit assumption in the LAC model that impacts on selected indicators result from visitor use, and that corrective measures can be taken through managing that visitor use. Finally, while reference is made to resource and social conditions in the LAC model, economic factors are not explicitly considered. This may be seen as a limitation of the model in settings involving a high degree of interest from the tourism industry. It is to address some or all of these

challenges that TOMM, the most recent of the visitor planning frameworks, was developed.

### ***Tourism Optimization and Management Model (TOMM)***

The Tourism Optimization Management Model was developed with a major focus on the inclusion of tourism stakeholders in the visitor planning process (Manadis Roberts Consultants 1997, McArthur 2000). The TOMM framework was originally developed to manage the tourism industry on Kangaroo Island in South Australia (Kangaroo Island TOMM website). The new framework was developed in response to a perceived failure of previous planning frameworks to establish sufficient stakeholder support 'because the culture inherent in the models simply is not attuned to attracting wider stakeholder involvement' (McArthur 2000, p. 265). In particular, the new model was intended to overcome three impediments to greater tourism stakeholder involvement in previous visitor planning models:

1. The use of the terms 'impact' and 'limits' in the title, which tourism stakeholders have interpreted as being discouraging to economic growth.
2. A narrow focus on environmental, and to some extent, experiential impacts.
3. A lack of genuine cooperative involvement of stakeholders (other than land managers) in identifying indicators and standards (McArthur 2000).

In order to overcome these impediments, three key adaptations were made to the basic LAC model in developing the TOMM framework. First, the name of the new framework was specifically selected to appeal to tourism stakeholders, carefully avoiding the use of terms such as 'impact' and 'limit'. Second, the conventional focus of visitor planning frameworks on the physical environment and visitor experiences was broadened to include economic and socio-cultural dimensions. In the Kangaroo Island application, a further dimension relating to marketing opportunities was also included. Third, a broad range of stakeholders were involved in the development of indicators and standards.

The TOMM process involves three major parts: contextual analysis, a monitoring program and management response. These parts may be further broken down to give a total of six steps (adapted from Newsome et al. 2001):

### Context Description

1. Plan process and commence stakeholder involvement
2. Compile context description and continue stakeholder involvement

### Monitoring Program

3. Develop monitoring program
4. Refine context description and monitoring program
5. Prepare draft and final versions of plan with stakeholders

### Management response

6. Implement and refine model

The TOMM process is broadly similar to the LAC framework, with a stronger focus on the contextual analysis and monitoring framework. According to McArthur (2000):

“The differences are largely a reflection of two different political dimensions. The LAC system was designed to serve a single natural area management organization within one land tenure. TOMM was designed to serve a multitude of stakeholders with a multitude of interests, and can operate at a regional level over a multitude of public and private land tenures.” (p. 266).

To date there have been two full applications of the TOMM framework, both of them in Australia (McArthur 1999). A key strength of the TOMM framework is that it explicitly provides for inclusion of the political and economic contexts of natural area planning, as well as the environmental and social aspects covered in the other planning frameworks. However, this breadth also implies a higher level of information required for the planning process. Dealing with more information and a wider range of stakeholders is likely to increase the time, human and financial resources required to complete such a plan.

#### **2.4.2 Conclusions from the Visitor Planning Literature**

The various visitor planning frameworks offer a broad approach to assist the task of planning for visitor use of natural areas. Suggesting that the various processes are conceptually more similar than they are different, Krumpke (2000) lists nine components that are commonly found in the frameworks:

1. Addressing of both environmental and social (experiential) conditions
2. Development of future management directions

3. Recognition that a combination of biological, social and managerial conditions define what kind of recreation experience a place can offer
4. Involvement of a hierarchy of decisions: inventory, strategic zoning, implementation and monitoring strategies
5. Focus on management of human-induced change
6. Utilization of natural science and social science data
7. Inclusion of provisions for public involvement
8. Identification of factors, indicators, and standards which are the measurable attributes of resource and social conditions
9. Ongoing monitoring and evaluation.

A number of challenges particular to planning for CR in British Columbia help to suggest which of the visitor planning frameworks might be most useful in the current context. These challenges include integrating an economic component in planning, developing plans in a multi-jurisdictional setting, the need for recreation planning to be integrated with other levels of planning, and making provisions for input from a range of stakeholders. Each of these challenges is considered in more detail in the following paragraphs.

The visitor planning frameworks have typically focused on planning for public recreation, and on managing environmental and experiential impacts. Economic aspects of planning have not featured strongly in the earlier frameworks. As a flexible process with the explicit provision of opportunities for stakeholder involvement, the LAC process offers the possibility of adaptation for use in a tourism setting. Being itself an adaptation of the basic LAC model, the more recent TOMM process also provides opportunities for tourism stakeholder involvement in planning in natural areas. An important element of that model is a tourism market analysis, which includes the identification of market opportunities and positioning/branding options.

A further similarity in the earlier visitor planning frameworks was a focus on planning for areas under one management jurisdiction. The ROS and LAC models reviewed in this chapter were developed for use by the U.S. Forest Service. The VIM and VERP models were developed for the U.S. Parks Service, and the VAMP model for Parks Canada. In contrast, responsibility for management of Crown land outside of parks in BC is held by a



variety of government agencies. Again, an adaptation of the LAC model to include a greater range of stakeholders, similar to the approach taken in the TOMM model, would seem to offer the most potential in the context of CR planning in BC.

The need for integration with other levels of planning, as well as with other types of land-use plans, is a further consideration for CR planning in BC. Here the ROS model is most easily applicable, given its emphasis on zonation. However, the literature indicates that adoption of this framework alone is unlikely to guarantee the long-term maintenance of desired resource and experiential conditions.

Stakeholder involvement has become a key theme in planning in British Columbia. Of the visitor planning frameworks, LAC and TOMM have the most developed provisions for stakeholder input. In particular, the TOMM process was specifically designed to consider the political and social context of planning, and explicitly involves tourism stakeholders throughout the planning process.

In conclusion, the literature on visitor planning offers a three key elements of potential value in planning for CR in British Columbia:

1. A clear focus on defining the types of recreation opportunities to be offered and on the development of management actions to sustain them over time;
2. A range of focal points that most visitor planning processes have included to a greater or lesser degree; and
3. A set of visitor planning frameworks, among which the LAC and associated TOMM processes offer the greatest potential for CR planning in BC.

## **2.5 Visitor Management Tools**

In this section of the literature review, strategies and actions available for managing tourism in natural areas are reviewed. These management tools may be seen as the available resources for the implementation stages of the visitor planning frameworks discussed in the previous section. While the majority of the literature applies equally to public and commercial recreation, a final sub-section of the chapter deals specifically with tools for the management of CR.

### **2.5.1 Protected Areas**

For many natural areas, a first management strategy is designation as a protected area (Newsome et al. 2001). A protected area is defined as an “area of land and/or sea especially dedicated to the protection and maintenance of biological diversity, and of natural and associated cultural resources, and managed through legal or other effective means’ (IUCN 1994).

The scope of this study is the management of CR in British Columbia on Crown land *outside* of parks and protected areas. Nonetheless, consideration of the special designation of an area for CR use merits mention as a possible management strategy. The designation of a Special Management Zone (SMZ) (Table 2) in British Columbia’s system of land-use planning offers a potential route to conserving sensitive resource values such as habitat, tourism and scenery. This conservation focus is in some ways parallel to the protection of natural and associated cultural resources in a formal protected area.

### **2.5.2 Management Actions**

Approaches to managing visitors to natural areas have been classified in a number of different ways in the literature (Newsome et al. 2001). Two of the most common ways are to categorize actions according to whether they are indirect or direct (Lucas 1990), or whether they focus on the site or the visitor (Hammit and Cole 1998). Direct actions restrict individual choice, for example by restricting group size, while indirect actions aim to influence visitors while maintaining choice, for example by providing education. Site management aims to control visitor use of a natural area through managing the sites where use occurs, for example by hardening the surface of a trail, while visitor management aims to manage visitors themselves, through regulating use or through education and information.

Buckley (1999, 2000a) takes the site/visitor approach a step further, proposing a set of tools that can be used to manage visitors to natural areas (Table 2.2). This toolkit includes economic tools as a category in the visitor management section, and makes explicit reference to the use of operator licences and fees as management tools. This attention to managing operators is of direct relevance to the management of CR, and will be pursued further in the following paragraphs.

<b>Table 2.2: Visitor Management Toolkit</b>		
<b>Basic strategy</b>	<b>Approach</b>	<b>Examples</b>
Harden the natural environment (site)	1. Physical infrastructure	<ul style="list-style-type: none"> <li>• Construction of tracks and boardwalks, campsites and fireplaces, toilet facilities etc.</li> </ul>
Influence visitor numbers and behaviour	2. Education and interpretation	<ul style="list-style-type: none"> <li>• Interpretative centres</li> <li>• Trackside signs</li> <li>• Guided activities</li> </ul>
	3. Regulatory approaches	<ul style="list-style-type: none"> <li>• Zoning</li> <li>• Quotas</li> <li>• Seasonal closures</li> <li>• Permits</li> <li>• Bans or restrictions on various activities</li> </ul>
	4. Economic instruments	<ul style="list-style-type: none"> <li>• Visitor charges and fees to restrict numbers or particular activities</li> <li>• Operator license and franchise fees</li> </ul>

*After Buckley 1999, 2000a*

### **2.5.3 Managing Commercial Recreation**

Although not focusing specifically on CR, Quinn (2002a, 2002b) provides a model for managing privately-supplied recreation on public land. A key element in the model is that private operations on public land should be considered as public utilities. As such, they should be subjected to similar types of regulation to those applied to energy or telecommunications utilities. From a policy perspective, this involves governing these private enterprises in the interests of the landowner (i.e. the public). The principal points of focus for such management include collecting fees to cover management costs, generating revenue for the government, and managing the intensity of use to minimise environmental damage. All of these issues emerged as major points of discussion in this study.

A more focused introduction to the issues of managing the tourism industry in natural areas is given in Newsome et al. (2001). Management approaches are split into voluntary strategies and regulatory strategies. In the first category, codes of conduct and

guidelines; accreditation and certification; and best practice are considered. In the second category, licenses and leases are considered. These various management approaches are summarized in Table 2.3.

<b>Table 2.3: Managing the Tourism Industry in Natural Areas</b>	
<b><i>Voluntary Strategies</i></b>	<i>Means to assist tour operators and those who own or manage tourism facilities to conduct their business in ways that minimize environmental consequences.</i>
Codes of conduct and guidelines	Expectations, behaviours or rules written by industry members, government or non-government organizations. May take the form of a code of ethics, or a code of practice/conduct.
Accreditation and certification	Accreditation involves an agency or organization evaluating and recognizing a program or institution as meeting certain standards. Certification is testing an individual to determine their mastery of a specific body of knowledge. Despite these definitional differences, both terms are often used interchangeably.
Best practice	Minimizing environmental impacts, often with an emphasis on reducing costs or gaining market advantage. Often referred to as 'greening programs'.
<b><i>Regulatory strategies</i></b>	<i>Used by government agencies to give official permission for tourism operators to undertake an activity.</i>
Licences	Licences with associated conditions are most often used to manage tour operators.
Leases	Leases are issued to tourism businesses occupying fixed premises, or where operators require exclusive rights to land or water.

*After Newsome et al. 2001*

As will be seen in Section 2.6, the CR Policy represents an essentially regulatory strategy, relying almost entirely on the use of licences and leases with associated conditions to directly manage CR operations. These associated conditions vary from operator, drawing on the range of available tools summarized in Table 2.3.

## 2.6 The Commercial Recreation on Crown Land Policy

This section introduces the definition of CR used in the CR Policy, outlines the evolution of the CR Policy, and introduces the policy's strategic aims. The provisions of the policy are then summarized, with particular focus being given to sections dealing with planning for CR and the types of land tenure that may be granted to CR operators.

### 2.6.1 Definition of CR in the Policy

The CR Policy defines CR in operational terms:

'... all forms of outdoor recreation activities authorized by the ministry to be carried out on provincial Crown land ... on a fee-for-service basis. This includes commercial mechanized ski guiding, commercial hunting and fishing, and commercial recreation activities that require the operator to construct or place improvements on the foreshore ... This does not, however, include facilities offering moorage spaces, such as commercial marinas, unless they are offering guided services.' (Section 1.0 - Policy Application)

The key management elements of this operational definition are that activities included in its scope:

- a) are recreational in nature
- b) take place on Crown land
- c) involve a fee for services rendered
- d) are guided by a representative of the CR operation.

### 2.6.2 Evolution of the CR Policy

The development of commercial backcountry recreation in British Columbia stretches back over several decades, beginning with the activities of guide outfitters and packers. When these outfitters and packers began to diversify into activities ranging from simple horseback photo-tours to jet-boat tours on rivers and lakes, there was an absence of policy to deal effectively with the increasing levels of conflict that became apparent between different operators (Littledale pers. comm.). The provincial government's response was to develop, over time, a series of policies that deal with specific sectors of this growing industry. These policies included the *Guiding Activities Policy* (BC Ministry of Environment 1984) and the *Commercial Mechanized Ski-guiding Policy* (BC Ministry of Crown Lands 1989). The *General Commercial Policy* (BC Lands 1986) was also used to tenure CR operations, although the original intent of this policy was that it should be used to tenure 'front-country' land uses such as office buildings, shopping malls,

warehouses, golf courses and campgrounds. As well, the *Commercial River Rafting Safety Act* (Province of British Columbia 1996) contained provisions relating to the allocation of use of river corridors by river-based CR operators. This act continues to be administered by BC Parks. While falling outside of the definition of commercial recreation used in this study (because activities are not guided), the *Commercial Alpine Ski Policy* (BC Lands 1995) continues to be used to direct the management of the commercial 'downhill' ski industry in the province.

As a result of the implementation of these different policies and acts, an uneven patchwork of tenures developed across the province. To deal with this problem, BC Lands in 1990 initiated a process to develop a comprehensive set of policies and procedures relating to all CR activities on Crown land. At the same time, a moratorium was imposed on the acceptance of new CR tenure applications pending the development of the policy. The policy development process included public input on a discussion paper, further consultative exercises, a policy proposal, and further public comment. The outcome of this process was the *Commercial Backcountry (Interim) Policy* (BC MELP, 1995), subject to review after one year.

With the issuing of the interim policy, the moratorium on new applications was lifted. In the spring of 1996 the proposed review of the interim policy was initiated by BC Lands. A questionnaire-based survey was undertaken with CR stakeholders, and a number of the main issues identified in the survey were assigned to independent consultants for their recommendations. However, during the fall of 1996, BC Lands was significantly downsized, and the remainder of the organization was integrated into the MELP. Further implementation of the interim policy was put on hold.

In 1997, the review of the interim policy was continued with recommendations being made on six issues by an independent consultant (Brown 1997). In 1998, the *Commercial Recreation on Crown Land Policy* (BC MELP 1998) was finally issued, replacing the interim policy as well as the various sector-specific policies that had been developed over the years. In the same year, BC Assets and Land Corporation (now Land and Water BC) was formed as a Crown corporation, and formal responsibility for the administration of the CR policy was delegated to BCAL by the MELP.

### **2.6.3 Strategic Principles of the CR Policy**

The new CR Policy was intended to support the vision statement of the MELP, which envisioned “an environment that is naturally diverse and healthy, and enriches people’s lives” (BC MELP 1998, section 3.0). As well, the policy was intended to reflect eight strategic principles. These strategic principles are listed in the following paragraphs, and the importance of each of the principles is assessed with reference to the academic literature.

#### ***Environmental Stewardship***

“Protecting and maintaining environmental integrity, using land and resources within their capacity to sustain use, and maintaining biological diversity.”

Minimizing the impact of CR use on the natural environment is essential, since the industry depends on that environment for its continued development. Managing these impacts has become increasingly important as recreational pressure on natural areas continues to increase (Leung and Marion 2000). As well, concern for the environment should be seen as part of a broader shift in values, both on behalf of the public and resource managers (Wallace et al. 1996). This concern has extended to examination of the possibility that tourism may actually be able to play a positive role in supporting conservation efforts (Norton and Roper-Lindsay 1992, Buckley 2000a)

#### ***Public Access and Use***

“Maintaining public access to enter and traverse Crown land as a primary consideration in evaluating proposals for commercial recreation. As a general guide, legitimate reasons to manage public access may include the potential for conflict, environmental, and public safety concerns. Providing a balanced mix of recreational experiences, both commercial and non-commercial.”

Maintaining a mix of recreational opportunities has been a foundation of recreational planning since the 1970s (Clark and Stankey 1979). While early approaches to recreational planning focused principally on the physical settings for recreation, the primary importance of the experiential aspects of recreation have more recently been recognized (Krumpe 2000).

### ***Business Certainty***

“Ensuring that new CR applications are compatible with the operational needs of existing CR businesses.”

Outdoor recreation today encompasses a wide range of activities. This variety can often lead to conflict (Jackson 2001). The potential for conflict between user groups seeking different experiences has been theorized as having three types (Williams et al. 1994). These three types are a) between motorized and non-motorized recreationists; b) asymmetrical conflict, experienced only by, or more by, one group than another; and c) goal interference attributed to the behaviour of another user. With the complex mix of recreational activities currently offered by CR operators, the potential for conflict between operators using the same resource base is high. Given that existing operators have entered into a legal agreement with the provincial government allowing them to conduct certain activities, safeguarding them from conflict with newer operations must be accepted as a valid policy principle.

### ***Economic Diversification***

“Providing for an environmentally sustainable, responsive and vibrant commercial recreation industry. Ensuring that commercial recreation operations are considered as integral parts of diversification strategies for communities and regions in transition.”

Within British Columbia, a high level of hope has been placed in the ability of tourism to bring economic benefits to rural areas, and contribute to the transition of regional economies away from a traditional dependence on resource extraction industries (Gunton 1998). It has also been suggested that communities themselves can play a strong role in shaping the development of tourism in their region, to maximise the benefits they may be seeking (Murphy 1988). Actually measuring the economic impacts of tourism is a complex task, although a range of tools are available to assist researchers in such activities (Frechtling 1994).

### ***Public Consultation***

“Involving other interests through a fair, open and consultative process which takes into account locally-established priorities, and public interests, while not fettering the Minister’s ultimate decision making authority.”



In British Columbia, involvement of a broad range of stakeholders in resource management issues has today become the norm, as a result of public discontent over centralized planning and decision-making expressed throughout the 1980s (Williams et al. 1998). However, formal authority still remains with accountable, elected officials (Owen 1998).

### ***Inter-agency Coordination***

“Managing Crown land in an integrated, cooperative and open manner, with involvement from provincial government agencies, local governments, First Nations and the public. Where they exist, using agreements between agencies to develop government responses to commercial recreation proposals. Considering all government commitments for resource use during the review of commercial recreation proposals.”

While the shift to a more integrated approach to resource management has been widely proposed at a conceptual level, clear operational models have taken longer to emerge (Margerum and Born 1995). The challenges facing effective cooperation between different land and resource management agencies were explored by Grumbine (1991). He found that conflict could emerge even between agencies pursuing a similar mandate. McKercher (1992) suggested that government agencies may often be unaware of the complexities of resource management issues. He found that managing multiple commitments for resource use could prove extremely challenging even when under the jurisdiction of a single agency.

### ***Relationship with First Nations***

“Providing economic development opportunities for First Nations, and consulting with First Nations on commercial recreation proposals, consistent with provincial and ministry guidelines with respect to aboriginal rights and title.”

The potential for tourism to play a significant role in traditional and aboriginal societies has long been recognized (Lew 1996). Much of the research into developing aboriginal tourism in Canada has focused on tourism in parks and protected areas, often within a framework of co-management (Budke 2000, Hawkes 1995, Sherry 1999). In developing regions, aboriginal involvement in tourism has also been sought through broader-reaching ‘Integrated Conservation and Development Projects’ (ICDPs) (Brown and

Wyckoff-Baird 1992, Larson and Srendsen 1996). In British Columbia, the legal necessity to formally involve First Nations in resource management decision-making processes has emerged from the results of a series of court rulings, including the Calder case (Supreme Court of Canada 1973), the Sparrow case (Supreme Court of Canada 1990) and the Delgamuukw case (BC Court of Appeal 1993).

### ***Land Use Planning***

“Ensuring that land allocation decisions are consistent with approved local, regional and provincial land use plans, including strategic plans such as Land and Resource Management Plans, Local Resource Use Plans and local government plans, with special consideration to commercial recreation values identified in these plans.”

Integration of various themes and levels of planning has a major focus of BC's new approach to planning since the early 1990s (BC CORE 1992, Brown 1996). In general, plans that cover a wider area provide the broad vision and objectives for land and resource use. It is usually the task of more detailed plans to interpret this more strategic direction (Province of British Columbia 1997).

#### **2.6.4 Recreation Planning in the CR Policy**

The CR policy contains provisions relating to land-use planning for recreation (Section 13). It specifies that this planning may be undertaken as part of a strategic land-use planning process such as an LRMP process, or as a dedicated process dealing only with recreation opportunities. It states that while these land-use plans might normally be initiated by one or more government agencies, they may also be undertaken by non-government organizations, local governments, or CR operators themselves.

The policy suggests that the geographical scope of a recreation plan will vary according to local conditions, and may range from the site-specific scale to the watershed/landscape unit or even larger. Similarly, the focus of recreation plans may range from those dealing with specific conflicts to those dealing with all aspects of recreation in a given area.

With respect to the recreation plan's contents, the policy specifies that the area to be planned will be divided into a variety of smaller zones or units, which will be the basis for

identifying allowable uses. Objectives or descriptors are to be developed for each of these zones which state recommended appropriate use of the land. These objectives may relate to the spectrum of resource use from protection and conservation through to disposition for specific economic uses.

The CR policy also specifies a process for development of recreation plans. A key point is that plans will typically be developed with direct and active participation by other government agencies, as well as local government and First Nations. As well, it specifies that stakeholder groups will also likely be involved in the development of the plan.

With respect to other levels of planning, the CR policy specifies that CR plans will have important linkages to a wide range of planning initiatives. In general, a completed CR plan is expected to provide a mechanism for providing input to other related planning processes, including strategic plans such as an LRMP. Where a strategic plan has been completed prior to the development of a CR plan, the CR plan should follow the spirit and intent of the existing strategic plan.

### **2.6.5 Land-use Agreements in the CR Policy**

The CR policy contains provisions for four types of land-use agreements between CR operators and the provincial government under the Land Act (Province of British Columbia 1996). The first three of these correspond with 'licences' as identified in Section 2.5 of this chapter. The last type of agreement matches the definition of a lease identified in the academic literature.

#### ***Short Term Investigative Use (Investigative Use Permit)***

This permit enables quick authorization of investigative purposes. The term of the permit is limited to up to two years. The tenure holder must permit public access to the area without interference, and must recognise that overlapping of tenures may be authorized. An investigative use permit does not allow the holder to conduct commercial activities, and does not imply that a subsequent tenure will be issued for commercial use. A minimum rent of \$250/year is required, plus a \$50 documentation fee and a \$100 application fee. Maps outlining the proposed permit areas must be submitted with the application, although submission of a management plan is not required. A security

deposit may be required, particularly where there is any possibility of clean-up being required after use (BC MELP 1998).

### ***Short Term, Low Impact Use (Temporary Permit)***

This permit enables quick authorization of short term or temporary CR use. The tenure holder must permit public access to the area without interference, and must recognise that overlapping of tenures may be authorized. The permit may cover temporary or one-time activities, or up to two years of continuous or repeated use of Crown land, subject to a number of criteria relating to the level of impact the activity is expected to have on the land. These criteria include requirements that the operation must not involve any modification of the land, and must not use any motorized transportation as part of the recreational experience. Pricing is \$1 per client day with a minimum rent of \$250/year, plus a \$50 documentation fee and \$100 application fee. Maps outlining the proposed permit areas must be submitted with the application, although submission of a management plan is not normally required. Third party insurance is not normally required if the CR activity meets a number of criteria relating to the risk of the CR activities. A security deposit may be required, particularly where there is any possibility of clean-up being required after use (BC MELP 1998).

### ***Long Term Use of an Extensive Area (License of Occupation)***

A license of occupation is the standard form of tenure used to authorize CR use of Crown land where such use requires terms of tenure for more than five years over an extensive area. Intensive use of small sites may also be included in the tenure agreement. The licensee may not curtail public access over the license area. A license of occupation does not confer on the licensee exclusive use and occupancy of the license area (as opposed to a lease). The licensee must thus recognize that overlapping tenures may be granted over the tenure area, except for intensive sites. Licenses of occupation are generally issued for a term of up to 10 years, although a maximum of 20 years may be considered where such a license and term are shown to be critical to the proposed operation.

Rent for a license of occupation is calculated at \$1/client day for non-motorized uses, \$4/client day for mechanized ski-guiding uses and \$6/client day for motorized uses, with a minimum of \$500 for the year. Rent for intensive use sites (which may be within the

extensive area) is charged as a percentage of the market value of the land, with a \$500 minimum for a base camp or lodge site and a \$100 minimum for each additional satellite camp or facility. In addition, a \$150 documentation fee and \$100 application fee is charged. An annual tenure management fee of \$100 for non-motorized and \$1,000 for motorized used is also required.

Maps of proposed tenure areas and draft management plans must be submitted with applications for licenses. A minimum of \$1 million third party insurance must be maintained during the term of the license. A security deposit may be required, particularly where there is any possibility of clean-up being required after use. The operator with a license of occupation may be allowed to subtenure to a third party with the approval of the provincial government. Without exception, all requirements for the sub-tenants are the responsibility of the tenure holder (BC MELP 1998).

#### ***Long Term, Site Specific Use (Lease)***

Long term, site-specific use may be granted through the issuance of a lease. A lease applies to a small parcel of Crown land, normally one hectare or less, where long-term tenure is required, where the use is intensive, and where it is necessary to define specific boundaries for the use of the lessee and to minimize conflict. A lease provides the right to carry out specified activities for a term of up to 20 years. The tenure holder has the right to modify the land and construct improvements as specified in an approved management plan. The tenure holder is granted the right to exclusive use of the area, and has the right to charge the public for the use of improvements. Rent for a leased area is calculated as a percentage of the market value of the land, with a minimum rent of \$500/year. In addition, a \$150 documentation fee and \$100 application fee is charged.

Mapping of the proposed tenure area and a draft management plan must be submitted with the tenure application. A minimum of \$1 million third party insurance must be maintained during the term of the lease. A security deposit may be required, particularly where there is any possibility of clean-up being required after use. The operator with a lease may be allowed to subtenure to a third party with the approval of the provincial government. Without exception, all requirements for the sub-tenants are the responsibility of the tenure holder (BC MELP 1998).

# CHAPTER 3: METHODS

## 3.1 Case Study

The primary method selected to answer the study's research questions was a case study of the strengths and weaknesses of the implementation of BCAL's Transition Plan for untenured CR operators conducting their business in the Sea to Sky Corridor. The case study was conducted in three phases, each matching one of the research questions. The first phase involved gathering information relating to the development of strategic planning for CR in the Sea to Sky district leading up to the implementation of the Transition Plan program. The second phase captured the viewpoints of CR stakeholders in the Sea to Sky district on the outcomes of the CR strategic planning and Transition Plan processes. This phase involved conducting a series of open-ended, semi-structured interviews with a wide range of stakeholders (including CR operators) affected by the Transition Plan. The third phase identified the viewpoints of land managers responsible for managing CR in the Sea to Sky Corridor. This phase involved collecting and analysing the perspectives of land managers who participated in a formal debriefing session as the Transition Plan program drew to its close. This chapter describes the objectives and procedures used in each of these three research phases and their role within the overall case study.

### 3.1.1 Research Goals and Questions

The overriding goal of the study was to evaluate the *Commercial Recreation on Crown Land Policy* from multiple perspectives. These perspectives included those of CR operators in the Sea to Sky district, other stakeholders in the backcountry, and land managers from BCAL's Lower Mainland regional office. The three research questions for this study were:

1. How has strategic planning for CR in the Sea to Sky district evolved?
2. What were stakeholder perspectives on the outcomes of the 'Strategic Planning for Commercial Recreation' and 'Transition Plan' processes in the Sea to Sky district?
3. How did the implementing agency perceive the process for administering the CR Policy in the Sea to Sky district?

### 3.1.2 Research Design and Case Study Selection

The study used a case study approach. Yin (1994) discusses the appropriateness of various research approaches involving case studies in several contexts. In situations where the research involves a 'how' or 'why' question; where the researcher has little or no control over the events under examination; and where the focus is on contemporary events, case studies are proposed as the most effective method for conducting investigations. In the case of the Sea to Sky study, the research questions asked *how* well the Transition Plan program was implemented; there was no control over the events being studied; and the program was in progress while the research was being conducted. This study meets all of the conditions proposed by Yin (1994), and a case study approach was adopted.

At the time of the research (2001), three areas in BC were the subject of CR planning processes as part of the implementation of the *Commercial Recreation on Crown Land* policy. The Sea to Sky district was selected as the most suitable for this study since commercial recreation plans were most advanced. Other factors influencing the selection of the study area included:

- Growing levels of conflict between CR operations due to increasing numbers of operators using the area in an unregulated environment.
- Increasing conflicts between public recreationists and CR operations due to high levels of public use driven by the Sea to Sky district's proximity to the Greater Vancouver urban area.
- Ease of access for international visitors, due Vancouver's role as a major hub for the Northwest Coast's cruise ship industry and the area's proximity to Vancouver International Airport.
- The growing source of potential CR clients from Whistler, and heightened levels of hopes built around the Vancouver 2010 Olympic bid.

It was assumed that the intensity of these issues would heighten the importance of addressing challenges facing a CR land and resource tenuring program. As a result, it was felt that the case study would provide a stronger illustration of the effectiveness of the CR policy in dealing with those challenges.

### **3.1.3 Literature Review and Participation**

This study's first research question related to the evolution of strategic planning for CR in the Sea to Sky district. The methods used to answer this question were a review of the 'grey' literature relating to planning in the Sea to Sky district, and participation in the implementation of the Transition Plan program. The researcher was a part of the CR team at BC Assets and Land Corporation (now Land and Water BC) from May to September 2001. This participation was arranged as part of the co-op education at Simon Fraser University. The results of this part of the research provide the context for the implementation of the Transition Plan program, and are reported in Section 4.2 of this document.

## **3.2 Program Evaluation**

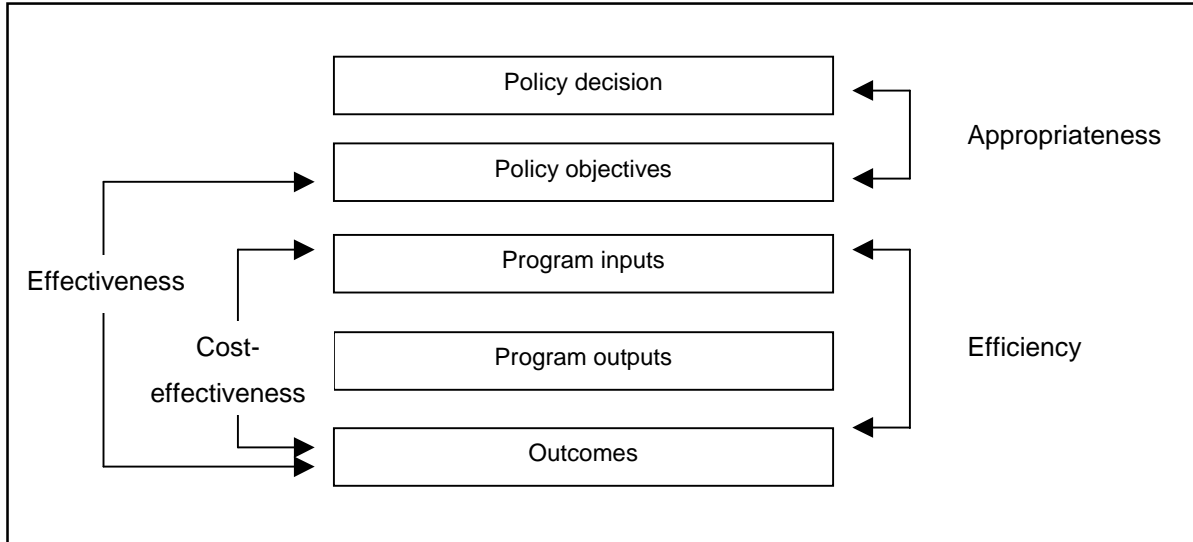
This study's second and third research questions related to the efficacy of the CR Policy, as expressed through the Strategic Planning for CR and Transition Plan processes implemented in the Sea to Sky district. To answer the questions, a program evaluation framework was created and a data collection procedure was established. The following sections describe the approaches used.

### **3.2.1 Conceptual Overview**

A conceptual overview of the policy evaluation process is offered by Bellamy et al. (1999). It suggests evaluative options associated with various phases of policy development and program implementation (Figure 3.1). These options for evaluative research are categorized into four possible 'general paradigms'. This approach is similar to the one taken by Rossi et al. (1999), who identify five 'program domains' as possible targets for policy and program evaluation.



**Figure 3.1: General Paradigms for Program Evaluation**



*After Bellamy et al. 1999*

The framework in Figure 3.1 offers a means to clearly focus on the most commonly undertaken forms of policy or program evaluation. The approach to evaluation pursued depends on the purpose of the evaluation and the stage of the program's development.

Evaluation categories include:

1. Appropriateness evaluation – the degree of alignment of the program with broader government policy and with target client needs
2. Cost-effectiveness evaluation – the effectiveness of the policy or program in terms of monetary and manpower inputs compared with final outcomes
3. Effectiveness evaluations – the degree to which program objectives have been achieved
4. Efficiency evaluations – the comparison of program inputs with program outputs

### **3.2.2 Effectiveness and Efficiency Evaluations**

This study focused on assessing the effectiveness and efficiency of the Transition Plan program. To assess its effectiveness and efficiency, numerous viewpoints were considered. These included the perspectives of CR operators in the Sea to Sky district, other stakeholders in the backcountry, and land managers from BCAL's Lower Mainland regional office. It was felt that the first two of these groups would be more concerned

with the broad outcomes of the Transition Plan program than its internal working procedures. These outcomes were compared with the policy objectives driving the program. Referring to Figure 3.1, an ‘effectiveness evaluation’ emerged as the type of research effort most suited to incorporating both CR operator and other stakeholder perspectives. The identification of program objectives and the selection of a method to assess the effectiveness with which program outcomes met those objectives is discussed in Section 3.3.

For staff at BC Assets and Land Corporation, the primary concern was the actual output of the Transition Plan program. It was felt that this output would best be compared to the inputs made in implementing the program. This corresponds with an “efficiency evaluation” approach suggested in Figure 3.1. The selection of a method to tackle this component of the evaluation is discussed in Section 3.4.

### **3.3 Stakeholder Perspectives: Effectiveness Evaluation**

The key tasks in developing a method for conducting the effectiveness evaluation of the Transition Plan program were:

1. Identification of the objectives of the CR policy
2. Identification of the outcomes of the Strategic Planning for CR and Transition Plan processes
3. Selection of a means to assess the effectiveness with which the objectives of the program have been met through its outcomes (Figure 3.1).

#### **3.3.1 Objectives of the CR Policy**

The broad objectives, or ‘strategic principles’, of the CR Policy were introduced in 2.6 of this report. The eight principles are:

- Environmental Stewardship
- Public Access and Use
- Business Certainty
- Economic Diversification
- Public Consultation
- Inter-agency Coordination

- Relationship with First Nations
- Land Use Planning

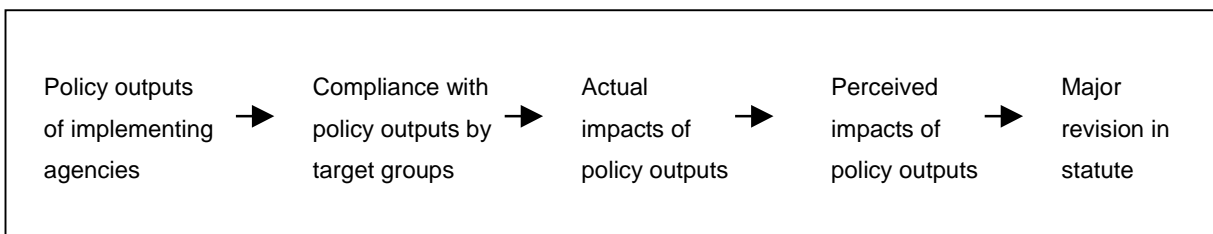
### 3.3.2 Program Outcomes

Mazmanian and Sabatier (1980) suggest that the ‘classic’ approach to program evaluation focuses on the extent to which actual impacts of programs conform to program objectives. They also point out that evaluation research in this form has a number of substantial limitations. They argue that program objectives are often ambiguous and/or conflicting, with no clear priority ranking; that valid quantitative indicators of specific impacts are often very difficult to obtain; that it is often difficult to separate the effects of the program from other factors; and that evaluation outcomes often have little influence on the political process associated with the policy (Mazmanian and Sabatier 1980).

All of these points resonate in this case study. While the objectives of the program are reflected in the ‘strategic principles’ described in the policy document, they are unranked, and open to various interpretations. Given the complexity of the system under study, it would have been impossible to identify and accurately measure all of the actual impacts of the policy’s implementation. In this particular case study, it would not have been possible to isolate the precise effects of an input to a particular system. Finally, since the Transition Plan was still in progress at the time of the research, it would not have been possible to measure all of the actual impacts in any case.

An alternative framework for policy analysis is offered by Mazmanian and Sabatier (1989). A part of this framework is illustrated in Figure 3.2.

**Figure 3.2: Stages in the program implementation process**



*Adapted from Mazmanian and Sabatier, 1989*

The Mazmanian and Sabatier model differs from the approach taken by Bellamy et al. in that it distinguishes between *actual* impacts and *perceived* impacts. Perceived impacts are placed in an especially important position in terms of revisions to statutes:

‘To the extent ... that the ultimate objective of policy analysis is to understand and influence the actual process of policy implementation and reformulation, we would argue that at least equal attention should be paid to the perceived impacts of public programs and judgements by political elites concerning those impacts.’ (Mazmanian and Sabatier 1980, p.108).

This focus on perceived impacts offered a relevant approach to data gathering for this case study. The research involved gathering information on stakeholders’ (including CR operators’) perceptions of how far the Transition Plan program had met the objectives of the CR Policy. As such the approach complemented data collection procedures used in other stakeholder evaluation studies.

### **3.3.3 Stakeholder-based Evaluation**

In response to limitations associated with classic forms of program evaluation, many evaluators have turned to methods which focus more on the needs of the particular research context than on formal theoretical constructs (Calbick 2003).

Wallace et al. (1995) conducted an inductive study of natural resources evaluation practices. They identified emerging evaluation themes conducted by federal natural resource agencies in the U.S. A key finding was that few of the evaluations relied on ‘traditional, summative evaluation methodologies’ (p. 42). In particular, ‘stakeholder-based evaluation’ was highlighted as a method that differed greatly from the ‘traditional positivistic/empirical model developed by academicians and theorists’ (p. 42). Many of the studies were involved with more participatory, user-oriented, and consultative evaluation approaches.

This shift to multiple-viewpoint stakeholder evaluations complements participatory approaches to integrated resource planning and management. This type of evaluation also suits the needs of the present study.

### **3.3.4 Questionnaire Design**

To effectively gather input from a wide range of stakeholders, a semi-structured interview format was developed based on the eight strategic principles of the CR Policy.

Respondents were prompted for their opinions on how far the Strategic Planning for CR and Transition Plan processes had met each of the strategic principles.

In addition, respondents were also asked to comment on the efficiency with which the program was conducted, and on how effectively related regulations were enforced. Efficiency and enforcement emerge frequently as concerns in the evaluation literature, but are not mentioned directly in the eight strategic principles of the CR Policy. They were, however, important elements for assessment in the government agency debriefing component of the research. Their inclusion in Phase II of the research was designed to provide a further validation of the data collected in Phase III. The eight principles and the additional efficiency/enforcement factors constituted the final set of nine broad criteria for this part of the evaluation.

The interviews in Phase II of the research were conducted on a face-to-face basis, and open-ended questions posed based on each of the nine evaluative criteria. This approach was selected in order to give the respondents the maximum opportunity to express their views on issues they considered of most importance (Conley and Moote 2003). As may be expected with a management issue as complex and contentious as commercial backcountry recreation, the use of the open-ended interview format meant that comments often went beyond the narrow scope of BCAL's performance with respect to the Transition Plan. Indeed, many of the comments related to the performance of government in managing the backcountry and dealing effectively with a range of difficult land management issues.

The questionnaire and interview format developed for Phase II were tested with three respondents. The enthusiasm with which the pilot respondents gave their perspectives, and the richness of the information gathered, were considered evidence of the utility of the data-gathering instrument. Refinements made following these first three interviews included breaking down several of the criteria into smaller components, and developing a standardized report sheet to summarize the key points raised during each interview. Information from the first three interviews was included in the in the final sample.

### **3.3.5 Sample Selection and Data Gathering**

Respondents for the evaluation interviews were selected to ensure that people who could articulate perspectives most relevant for each criterion were included. For instance, environmental organizations were included to ensure that the first criterion was addressed, and public user groups were included to ensure that the second criterion was adequately addressed. It should be noted, however, that all respondents were asked to comment on all of the nine criteria rather than just the ones most pertinent to their organisation.

Potential participants were chosen from organizations or businesses that had been involved in the Transition Plan process as applicants, representatives of formal referral agencies, or as providers of informal input. In several of the interviews, more than one respondent was involved. In these cases, comments from all respondents was recorded. In no cases did participants in an interview offer sharply differing perspectives. Consequently, only one interview report was prepared for each interview. In total, 34 respondents took part in 25 interviews. The stakeholder groups represented in the interview process are summarized in Table 3.1.

<b>Table 3.1: Respondents in the Stakeholder Evaluation</b>	
<b>Stakeholder groups</b>	<b>Respondents</b>
<b>CR operators</b>	
Applicants in the Transition Plan process	10
Existing CR operators	4
<b>Provincial government</b>	
Provincial government agencies	5
<b>Community officials</b>	
Local government	4
Regional government	1
<b>Public organizations</b>	
Environmental organizations	4
Public user groups	2
<b>Other</b>	
Tree Farm Licensee	2
First Nation	1
Environmental consultant	1
<b>TOTAL</b>	<b>34</b>

### 3.3.6 Analysis

Information provided by respondents was written down in note form during the interviews. The first step in the analysis of this data was to condense these notes into interview reports, which summarized the main issues discussed by the respondents for each of the nine evaluative criteria. Next, the data for all of the interviews was combined to give broad thematic groupings under each of the evaluative criteria. These thematic groupings were typically related to issues most of the respondents shared general agreement on. However, for several of the evaluative criteria, the groupings represented different sets of perspectives on an issue. In particular, opinions were most divided on the 'Environmental Stewardship', 'Public Access and Use' and 'Relationship with First Nations' criteria. Consequently, the thematic groupings for these criteria tended to consist of mutually exclusive sets of perspectives.

The third stage in the analysis of the data was to draw conclusions from the broad thematic groupings for each of the criteria. These conclusions provided the input for the criteria-specific management recommendations in Chapter 5.

### **3.4 Agency Perspectives: Efficiency Evaluation**

This part of the research concentrated on assessing the efficiency of the process used for the delivery of the Transition Plan program. Following the framework laid out in Figure 3.1, the key tasks in developing a suitable method for this phase of the research included:

1. Identification of the major inputs to the program
2. Identification of the major outputs of the program
3. Selection of a means to assess the efficiency with which the inputs of the program have been translated into outputs.

#### **3.4.1 Structuring the Process Evaluation**

The informants for this phase of the research were the staff of the Lower Mainland regional office of BC Assets and Lands (now Land and Water BC). This was the agency responsible for administering the Transition Plan. While the commercial recreation team was comprised of six people over the transition period, almost all of the approximately 25 staff in the office were involved in the program in some way or other. These staff, along with the physical, financial and time resources available to them, constituted the inputs to the process (Figure 3.1). The immediate outputs of the process were the decisions concerning the applications to use Crown (public) land for CR use under the Transition Plan, and the agreements signed with CR operators on behalf of the provincial government. These decisions and agreements are summarized in subsection 4.1.6.

As with the case for stakeholder evaluations, there are numerous options for methods to conduct process evaluations. Calbick (2003) suggests that an evaluation should be tailored to meet the program's organizational structure. The procedure used to handle applications to use Crown land for CR use is broadly common to all land use applications processed by BCAL (now LWBC):

- Stage 1: Preparing a Crown Land Application
- Stage 2: Initial Review of a Crown Land Application



- Stage 3: Evaluating the Crown Land Application
- Stage 4: Decision on the Crown Land Application
- Stage 5: Monitoring and Enforcement (LWBC website)

### **3.4.2 Data Gathering**

The five-stage application process was used to structure an internal ‘debriefing session’ held at the end of September 2001. As well as providing feedback for this study, this session was also used to bring the transition period to a close. The session included more than 15 staff members who had worked on the CR Transition Plan, and was facilitated by a member of BCAL’s policy and business development staff from the agency’s corporate office. This researcher was also a participant in the ‘debriefing session’, following a three-month work placement as part of the commercial recreation team.

During the debriefing session, the facilitator moved the discussion through each of the five stages of the CR application process. At each stage, BCAL’s regional manager gave a brief overview of how applications had been dealt with at that stage. Participants were then invited to discuss issues they thought were most important to consider. These included themes where the approach taken had been particularly effective and might be recommended in future application of the *Commercial Recreation on Crown Land* policy, as well as areas that had proved problematic, and where new approaches might be required.

### **3.4.2 Analysis**

The analytical procedure for this part of the study was similar to that used in Phase II of the research. First, feedback from participants in the debriefing session was grouped into broad themes for each of the five stages under consideration. In contrast to the stakeholder evaluation, there was less internal disagreement on each issue. Therefore the broad groupings created tended to be more focussed on ‘issues’ than ‘positions’. Second, general conclusions were drawn for each of the five stages under consideration. These conclusions provided the input to the process stage-specific recommendations made in Section 5.2.

## **3.5 Limitations**

Each phase of the research presented its own challenges. The limitations of the research strategies selected to address those challenges are discussed in the following paragraphs.

### **3.5.1 Participation in the Transition Plan Program**

As a participant in the implementation of the Transition Plan program, the possibility of the researcher exhibiting a bias in favour of the implementing agency must be acknowledged. This possibility must be measured against the benefits of a deeper understanding of the issues involved than would likely have been the case had the researcher not been involved with the program.

### **3.5.2 Stakeholder Perspectives: Effectiveness Evaluation**

Evaluation of a large, complex program is a challenging task, particularly when it is unclear precisely what the program's outcomes are. Under the circumstances, stakeholder perspectives provided a valuable indication of the success of the Strategic Planning for CR and Transition Plan processes. The open-ended format interview questions generated a great deal of information, and ensured that stakeholders could raise the issues they felt to be most important. A drawback of this approach was that a significant effort was required to condense the information gathered into a more concise format for the purposes of this report.

### **3.5.3 Agency Perspectives: Efficiency Evaluation**

The approach adopted to evaluate the efficiency of the Strategic Planning for CR and Transition Plan processes proved valuable in dealing with a situation where a complex mix of inputs and outputs were involved. Given that it would have been almost impossible to calculate the precise level of these inputs and outputs, the perspectives of agency personnel involved provided an alternative means of assessing the efficiency of program implementation. The use of process stages to structure the debriefing session was effective in providing a logical framework within which respondents could give feedback. Although this approach meant that results were structured differently to those in the stakeholder evaluation, it allowed for a focus on the bureaucratic process to complement the focus on outcomes gained in the stakeholder interviews.

# CHAPTER 4: CASE STUDY

## 4.1 Introduction

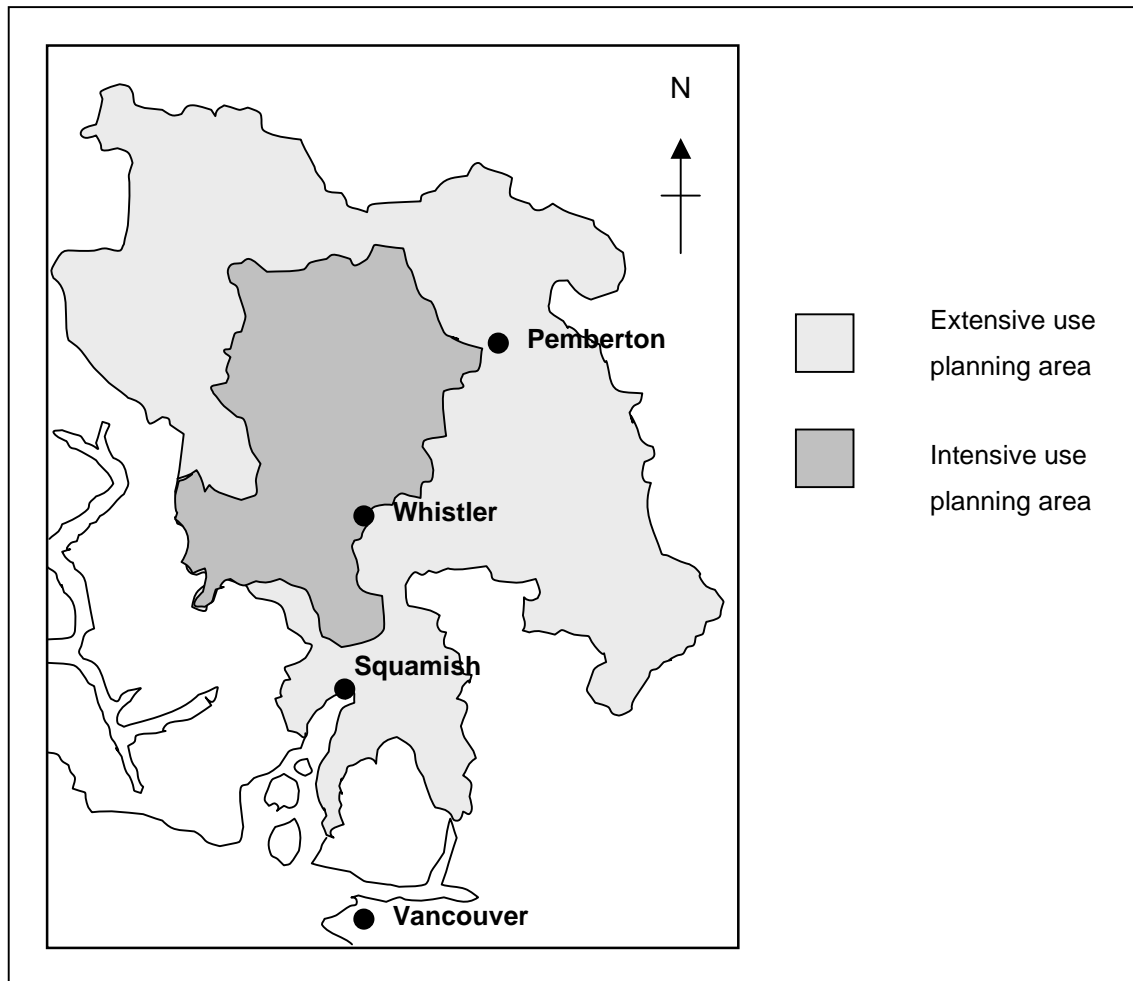
The case study examined the evolution of strategic planning for CR in the Sea to Sky district. It also elicited the opinions of stakeholders and agency personnel on the effectiveness and efficiency of the planning and implementation processes associated with the Transition Plan for CR. Information for the case study was gathered in three phases. The research in Phase I included a review of relevant literature, and participation as a member of the team responsible for the implementation of the Transition Plan. Phase II involved interviews with stakeholders in the study area. Phase III involved a debriefing session with agency personnel working on the implementation process.

The initial section of this chapter describes the study area, strategic-level and landscape-level planning relevant to CR in the area, and the challenges for managing CR in the Sea to Sky district. The succeeding sections of this chapter explore the development of CR planning in the Sea to Sky district, and present the findings emanating from the stakeholder interviews and the agency debriefing session.

### 4.1.1 Case Study Area

The Sea to Sky Corridor in its strictest definition refers to a transport corridor running north from Horseshoe Bay in West Vancouver through Squamish, Whistler and Pemberton in BC's Coast Mountains, a distance of approximately 120 kilometres. The initial phase of Strategic Planning for CR (Leavers 1999) focused on this corridor, all of which lies within the Squamish Forest District. Planning covered terrain extending some 50 kilometres west of the railroad and highway in the valley bottom, and a narrower strip to the east of abutting the 200,000 hectare Garibaldi Provincial Park. This area was referred to in the final plan as the 'intensive use' area (Figure 4.1).

**Figure 4.1: Case Study Area**



*Adapted from a map prepared by BCAL at a scale of 1:850,000, in Leavers 2000.*

*Correct approximate scale is 1:1,800,000*

Phase II of Strategic Planning for CR (Leavers, 2000) extended the planning area to include all Crown land except parks in the entire 1,100,000 hectare Squamish Forest District. Planning area was carried out in more detail for the 'intensive use' area identified in Phase I, and in less detail for the remainder of the forest district, an area proposed for 'extensive' CR use. It is these two areas together that form the study area for this case study (Figure 4.1). The term 'Sea to Sky district' is intended to include the Sea to Sky Corridor itself as well as the remainder of the land in the Squamish Forest District.

#### **4.1.2 Strategic-level Planning in the Sea to Sky District**

The Squamish Forest District is in an unusual position with respect to strategic land-use planning in British Columbia. While a strategic land-use plan has yet to be completed for the district, one of three in the Lower Mainland region, designation of protected areas in the region was completed in the mid-nineties through a separate planning process. The Sea to Sky LRMP, initiated in 2001, is therefore unique in that it is the only one in the province to date that has *not* had the designation of protected areas as one of its major tasks.

British Columbia's Protected Areas Strategy (Province of British Columbia, 1993) aimed to increase the total area of protected areas in the province to 12%, in line with the recommendations of the Brundtland Commission (Brundtland Commission 1987). This strategy was one of the principal inputs to the CORE regional land use plans produced in the mid-nineties in other parts of the province. These plans designated protected areas, as well as other resource management zones (RMZs) on Crown land outside of protected areas. In the Lower Mainland region, however, only the Protected Areas Strategy component of planning was implemented. This was done as a part of the 'Lower Mainland Nature Legacy' program which ran from 1995 to 1996. In the Squamish Forest District, the program resulted in the creation of more than 81,000 ha of new protected areas. This brought the total protected area to 22% of the land base in the district (BC MSRM website), the highest for any forest district in the province.

The application of the Protected Areas Strategy in the Lower Mainland was limited to the creation of new parks areas, and did not include designation of other types of land use. However, the report of the Regional Public Advisory Committee (Lower Mainland Protected Areas Regional Public Advisory Committee 1996) did recommend that LRMPs should be developed subsequently for each of the three forest districts in the Lower Mainland region. At around the time of the research for this study (Fall 2001), the Sea to Sky LRMP process was launched. Its communications spell out that it 'will not .... create new parks or protected areas' (BC MSRM website). Despite its aim to 'proceed quickly so it can effectively respond to the rapid change' in the area (BC MSRM website), the Sea to Sky LRMP process has yet to produce any new land use designations for Crown land in the Squamish Forest District.

As far as tourism interests are concerned, one of the principal inputs to the LRMP process is a Tourism Opportunity Study (TOS). In the case of the Sea to Sky district, the *Forest Tourism Opportunities Study for Squamish Forest District & In-shuck-ch/N'quat'qua Statement of Intent Area* (Clover Point Cartographics et al. 2000) examines the importance of tourism to the study area, and profiles the regional tourism industry. As well as providing broad direction for the development of the tourism industry outside of the major centre of Whistler and input to the Sea to Sky LRMP process, the TOS was intended to complement the Strategic Planning for CR conducted for BCAL by identifying opportunities for CR development across the entire forest district.

#### **4.1.3 Challenges for Managing CR in the Sea to Sky District**

Tourism and recreation have developed in the Sea to Sky district as a result of three main pressures. The first is Whistler's continuing growth as a ski resort and more recently as a four-season destination. The second is the continuing growth of tourism to the Greater Vancouver area. Factors driving this growth include Vancouver's role as a major hub for the Northwest Coast's cruise ship industry, and high levels of growth in traffic through Vancouver International Airport (Vancouver International Airport Authority website). The third pressure comes from residents of the Lower Mainland and north-western Washington State seeking mid and backcountry recreation opportunities.

As a result of these pressures, CR is a major component of the tourism and recreation mix in the Sea to Sky district. However, while commercial alpine ('downhill') skiing is in many ways the basis for the area's international popularity as a recreation area, it is not itself covered by the CR on Crown Land policy. Instead, this tourism industry land use is managed under the Commercial Alpine Ski Policy, and is administered by the Land Management division of LWBC.

The CR sector in the Sea to Sky district is very diverse, and this diversity was reflected in the mix of operators applying for land use tenure under the Transition Plan program. The following list is intended to give an idea of the range of activities offered by CR operators in the Sea to Sky district:

- Snowcat skiing
- Heli-skiing
- Cycle tours
- Horseback tours

- Dog-sled tours
- Snowmobile tours
- ATV tours
- Nature tours
- Heli-picnics
- Whitewater rafting
- Kayaking
- Rock climbing
- Hiking
- Mountaineering
- Jet-boat tours

In addition to managing the allocation of land for the rapidly growing range of commercial recreational activities, there were four further key challenges faced by land managers in implementing the Transition Plan program the Sea to Sky district. These challenges were related to the jurisdictional complexity regarding land management in British Columbia; the failure of previous attempts to bring operators into a management regime; the fact that almost all of the applications came from existing CR operations; and the absence of treaty agreements with any of the First Nations groups in the area.

### ***Jurisdictional complexity***

While the land in the study area is almost entirely Crown land, it is not exclusively administered by any one agency. Table 4.1 shows the main provincial and federal agencies with jurisdictional responsibilities that related in some way to CR activities in the area at the time of the Transition Plan program. As well as making inter-agency coordination of planning more difficult, this jurisdictional complexity created considerable confusion in the minds of many stakeholders and operators. Unfortunately frustration was frequently expressed towards BCAL on issues over which the agency had no formal jurisdictional responsibility.

<b>Table 4.1: Jurisdictional Responsibilities for Land Management in BC</b>	
<b>Area of responsibility</b>	<b>Government agency</b>
CR	BC Assets and Lands Corporation
Alpine skiing	BC Assets and Lands Corporation
Public recreation	BC Ministry of Forests
Commercial forestry	BC Ministry of Forests
Tourism planning <sup>1</sup>	BC Ministry of Small Business, Tourism and Culture
Whitewater raft safety licensing <sup>2</sup>	BC Parks (Ministry of Environment, Lands and Parks)
Wildlife protection <sup>3</sup>	BC Ministry of Environment, Lands and Parks
Air and water navigation	Transport Canada

### ***Previous attempts at management***

The legacy of previous attempts to impose a management regime on untenured CR operators in the Sea to Sky district also contributed to negative perceptions of the provincial government's abilities to resolve recreational conflicts. The first plan for CR management in the area (Careless and Jamieson 1990) was commissioned in 1989 by the Ministry of Lands and Parks. However, implementation of this plan was stalled by the lack of a policy through which to deliver land tenure suitable for the wide variety of CR activities taking place in the area. A second CR plan (SVI Environments 1996) was developed following the announcement of the *Commercial Backcountry Recreation (Interim) Policy* (BC Lands 1995). However, progress on fully implementing that plan was again stalled. This time the halt was related to a major reorganization of BC Lands, the government agency responsible for CR tenure administration at that time. In the Lower Mainland Region, commitments made to operators by BC Lands were met, and a small number of tenures were finalized over the next couple of years primarily due to the recruitment of a commercial recreation coordinator.

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<sup>1</sup> Now BC Ministry of Sustainable Resource Management

<sup>2</sup> Now BC Ministry of Water, Land and Air Protection

<sup>3</sup> Now BC Ministry of Water, Land and Air Protection



### ***Pre-existing businesses***

A further challenge for land managers implementing the Transition Plan was that virtually all of the applications to use Crown land for CR came from operators who were already using public lands without tenure. While figures are not widely available since these operations were technically illegal, anecdotal evidence suggests some of them had been operating without tenure for a decade or more (Littledale, pers. comm.). Land managers, however, had only very limited ability to reject any sub-standard applications to use this land legally, for two reasons. The first reason was that a previous attempt to legalize CR operations in the Sea to Sky district had required that existing businesses cease using Crown land while land tenure agreements were negotiated. The extremely protracted negotiations that ensued and the lack of a comprehensive policy with which to deliver tenure had created an environment where CR operators found it easier to operate by avoiding contact with provincial government officials. This had resulted in a situation immediately prior to the Transition Plan where people involved in the CR industry referred to the Sea to Sky district as the 'Wild West'. The second reason limiting land managers' ability to reject applications at the time of the Transition Plan was an impending provincial election. The NDP government at the time was perceived by many to be anti-business. As a result, some BCAL staff believed that they would have only very limited ability to close down any business for fear of creating further negative impressions of an already embattled administration. As part of the context for this study, the heightened need to build positive relationships with CR operators was an important factor, and was frequently referred to by participants in the agency debriefing.

### ***First Nations***

A final major challenge in implementing the Transition Plan was that all of the land in the Sea to Sky district is subject to land claims from First Nations. None of these claims have yet been formally resolved. The following list indicates the major groups who have some or all of their traditional territory falling within the Sea to Sky district:

- Mount Currie (Xit'olacw)
- Squamish (Skxwumish)
- Anderson Lake (N'Quatqau)
- Skookumchuk (Skatin)
- Douglas (Xa'atsa)
- Samahquam

## 4.2 Planning for Commercial Recreation

This section describes the development and implementation of CR planning in the Sea to Sky district as it finally evolved at the end of the 1990s. This evolution was framed by two key events. First, in July 1998, the *Commercial Recreation on Crown Land Policy* was issued by the Ministry of Environment, Lands and Parks. It provided a framework for issuing tenures in accordance with the *Land Act* for a wide range of CR operations. Second, in the same year, BC Assets and Land Corporation (BCAL) was formed as a Crown corporation. Its specific mandate involved tenuring and marketing Crown lands. In BCAL's Lower Mainland Region, CR in the Sea to Sky Corridor was identified as a priority, and a decision was made to embark on a strategic planning process for the sector.

CR planning efforts were undertaken in a number of inter-related stages. First, a process known as 'Strategic Planning for CR' was undertaken in order to identify which areas of the Sea to Sky district were most suitable for CR use, and to develop a zoning system to guide subsequent decision-making on CR land-use applications. Second, a program guide entitled 'Evaluating Recreation Capacity on Crown Land in BC' was developed, and a pilot application of the program was initiated in one area of the Sea to Sky district. Third, a 'Transition Plan' was implemented, giving CR operators in the Sea to Sky district the chance to operate their businesses legally for a limited transitional period while their land-use applications were being adjudicated. Finally, public recreationists and CR operators worked together with partners in government agencies through the 'Backcountry Winter Sharing Forum' to reach an accord on issues they felt had been left unresolved during the implementation of the Transition Plan. These stages are summarized in Table 4.2 and are dealt with in more detail in the following paragraphs.

<b>Table 4.2: Stages of CR Planning in the Sea to Sky District</b>		
<b>Stage</b>	<b>Key aims</b>	<b>Conducted by</b>
1. Strategic Plan for Commercial Recreation	Identification of CR opportunities, development of zones to enable decision-making on CR land-use applications.	Consultant (Leavers 1999, 2000)
2. Evaluating Recreation Capacity	Manage levels of recreation use within specified 'recreation capacity objectives'.	Consultants (Leavers and Jackson 2000a, 2000b, 2001)
3. Transition Plan	Give CR operators a 'transitional' period in which to operate while their land-use applications were being adjudicated, ensure that only CR businesses with tenure continue to operate after the transitional period.	Government agency (BCAL)
4. Winter Backcountry Sharing Forum	Develop an accord (in the form of a map) to allocate land in the Sea to Sky district for 'motorized', 'non-motorized' and 'shared' recreational use.	'Participants' <ul style="list-style-type: none"> <li>- Public recreation (non-motorized)</li> <li>- Public recreation (motorized)</li> <li>- Commercial recreation (motorized and non-motorized)</li> </ul> 'Partners' <ul style="list-style-type: none"> <li>- Provincial agencies, regional and municipal governments</li> </ul>

#### **4.2.1 Strategic Planning for CR**

The Strategic Planning for CR process in the Sea to Sky district was carried out in two phases (Leavers 1999, 2000). Phase I of the process involved compilation an inventory of previous CR planning work, to identify gaps in knowledge needed to implement a CR strategy (Leavers 1999). This phase also involved compilation of existing data and identification of areas of public and commercial recreation use and areas of wildlife activity. The focus of this first phase of planning efforts was on the eight landscape units along the corridor between Squamish and Pemberton. These units were those most intensively used by CR operators (Table 4.2).

Phase II of the Strategic Planning for CR process expanded the scope of planning to all 21 landscape units in the Squamish Forest District (Leavers 2000). However, the majority of the analysis was again devoted to the area in the Squamish to Pemberton corridor. Seven landscape units along this corridor were included in an ‘intensive plan area’, reflecting the focus of the majority of CR activity. These seven ‘intensive use’ units were further divided into 21 ‘commercial recreation sub-units’. The remaining 14 landscape units were included in an ‘extensive plan area’ due to the lower intensity of CR use. This second phase of planning constituted the CR management plan for the entire Squamish Forest District.

<b>Table 4.3: Areas Covered in the Strategic Planning for CR Process</b>	
<b><i>Planning phase</i></b>	<b><i>Area covered</i></b>
Phase I – Sea to Sky Corridor: Squamish to Pemberton	<ul style="list-style-type: none"> <li>• 8 landscape units adjacent to the Sea to Sky transport corridor</li> </ul>
Phase II – Squamish Forest District including the Sea to Sky Corridor	<ul style="list-style-type: none"> <li>• 7 ‘intensive use’ landscape units, further divided into 21 ‘commercial recreation sub-units’</li> <li>• 14 ‘extensive use’ landscape units</li> </ul>

Key elements of the CR management plan were:

1. A vision for CR in the plan area.
2. A ‘compatibility assessment’ for each of the 21 sub-units in the intensive use areas to rate the degree of conflict between CR resources and biophysical or social resources (wildlife, public recreation, timber, community and minerals). CR was considered most compatible in 2 planning units, moderately compatible in 12 units, and least compatible in 7 units.
3. ‘CR emphasis objectives’ for each of the 21 sub-units in the intensive use area. Values for these objectives were derived through comparison of CR values and the compatibility assessment, in order to suggest where CR development would be most suitable. CR emphasis objectives were proposed as ‘high’ in 4 planning units, ‘medium’ in 10 planning units, and ‘low’ in 7 planning units. (Figure 4.2)

4. A CR zoning plan to designate 'motorized' and 'non-motorized' zones for winter and summer activities.<sup>4</sup> For winter activities, non-motorized use was proposed for 8 planning units, and 'motorized and non-motorized' use was proposed for 14 planning units. For summer activities, 'non-motorized' use was proposed for 5 planning units, and 'motorized and non-motorized use was proposed for 17 planning units.
5. Means of applying mitigation measures to create more workable CR operations within the planning area.
6. Basic CR management principles to assist BCAL in realizing its vision for CR.

#### **4.2.2 Evaluating Recreation Capacity**

Planning work relating to the management of recreational capacity in the Sea to Sky district was conducted by a recreation consultant prior to the implementation of the Transition Plan. This work was carried out in three stages (Leavers and Jackson 2000a, 2000b, 2001). The first stage involved a review of the literature relating to recreational carrying capacity. The LAC (limits of acceptable change) model was identified as the most common framework for assessing recreational carrying capacity. The literature review also proposed a number of possible monitoring indicators for use in an LAC system, and reviewed the use carrying capacity frameworks in three BC contexts (Leavers and Jackson 2000a).

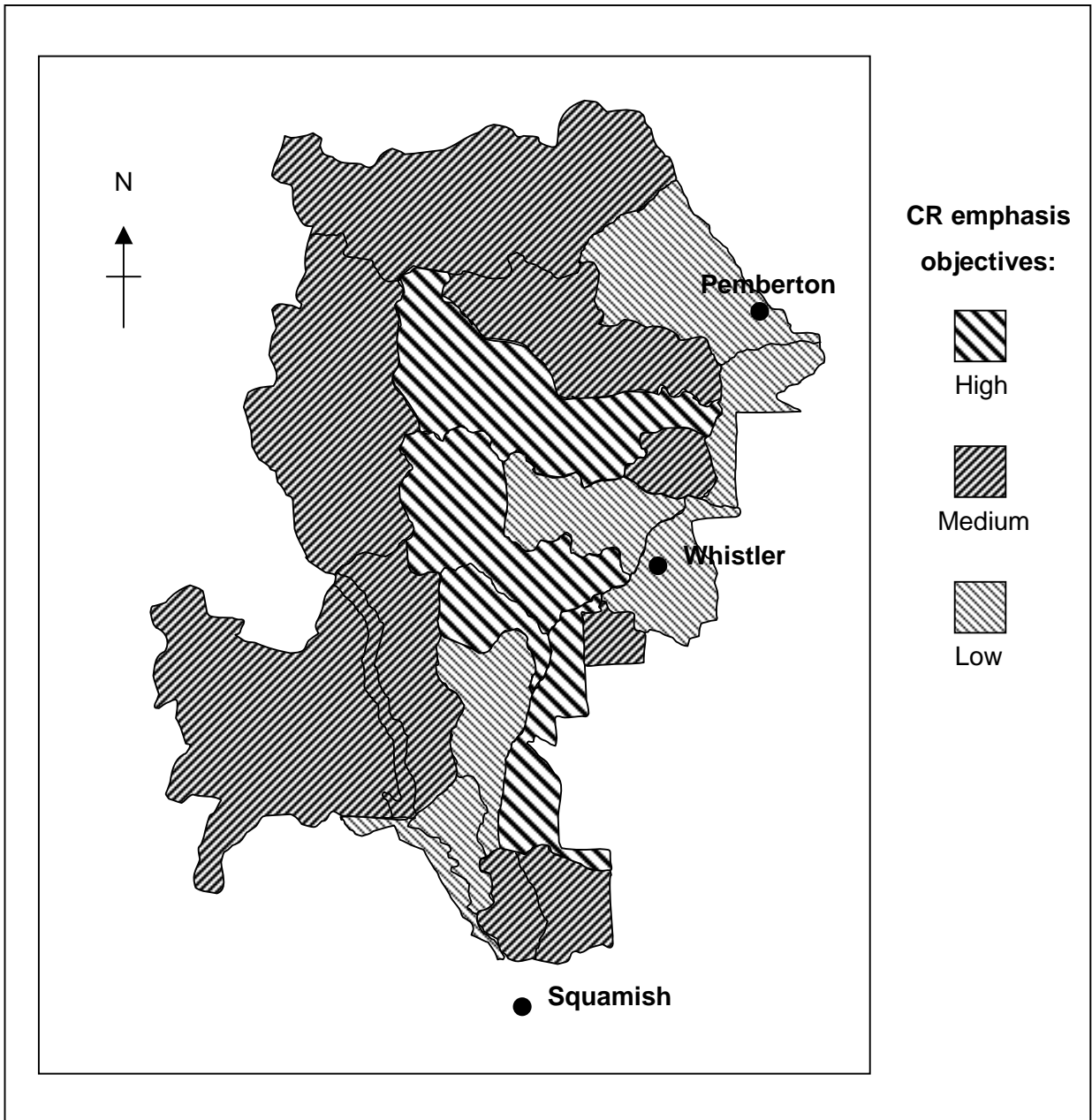
The second stage of recreational capacity planning involved preparation of a 'Program Guide for BC's Recreation Managers' (Leavers and Jackson 2000b), which condensed the findings from the literature review into a six-step process for use by recreation managers in British Columbia. The six steps were:

1. Selecting the Capacity Management Plan Area
2. Identifying Issues and Concerns
3. Collecting Data
4. Defining Recreation Capacity Objectives
5. Selecting and Monitoring Recreation Capacity Indicators
6. Adapting Recreation Management

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<sup>4</sup> The Cougar Mountain CR sub-unit was further divided in two for the summer and winter use zoning, giving a total of 22 planning units for this part of the plan.

**Figure 4.2: CR Emphasis Objectives in the 'Intensive Use' Area**



*Adapted from a map prepared by BCAL at a scale of approximately 1:300,000, in Leavers 2000.  
Correct approximate scale is 1:650,000*

The final stage of the recreational capacity planning involved initiating a pilot application of the proposed 'Program Guide' in one of the recreational planning sub-units in the Sea to Sky district. The Cougar Mountain sub-unit was selected as a focus of this pilot application, and a team of land managers from BCAL, the MoF and RMOW formed the

nucleus of a 'Recreation Capacity Management Team' to work with the recreation consultant to oversee the application. Numerous issues and concerns were identified, and information gathered for the previous Strategic Planning for CR process was compiled into a series of base maps. Optimal social and environmental conditions and acceptable tolerance ranges were proposed for four areas within the recreational planning sub-unit. The report noted that:

'It is imperative that the Recreation Capacity Management Team involved in this draft Capacity Management Plan be enlarged and assembled to review this document. This will ensure that all stakeholder interests are represented for the important step of refining Recreation Capacity Objectives' (p.11).

A set of indicators was also proposed to ensure maintenance of optimal resource and social conditions in the Cougar Mountain area. These indicators included the level of public complaints, numbers of visitors as revealed through seasonal counts, and surveys and photo records of trail and shoreline conditions.

The pilot application of the recreation capacity program also included an element relating to the adaptation of management practices should monitoring suggest that acceptable thresholds of impact were being broken. The report concluded that:

'Owing to the variety of recreation agencies represented in the area, the wide range of recreation activities occurring here, and the mix of public and commercial recreation interests that the area attracts, only collaborative management based on "Optimal Conditions" will maintain social and environmental conditions in the Cougar Mountain (16 Mile Cr.) area over time.' (p.22).

Despite the call for enlargement of the Recreation Capacity Management Team to ensure stakeholder representation in refining recreation capacity objectives (p.11), and the call for collaborative management to ensure maintenance of social and environmental conditions (p.22), interest in the recreation capacity element of CR planning declined as the CR management program moved towards implementation. The researcher's experience as a participant in the management team suggests this was the result of two factors. First, BCAL's CR team leader was involved in a car accident, and was forced to take a prolonged leave of absence from work in the fall of 2001.

Responsibility for the CR program was handed over to another BCAL staff member. This

break in continuity may have contributed to a greater focus of management efforts on processing land-use applications than on implementing a capacity management program. Second, feedback from staff within BCAL's Lower Mainland regional office indicated that managers felt that the documents relating to the recreational carrying capacity management program were complex and confusing. At a time when the office was under great pressure to process a large number of tenure applications under a new business program, this perceived complexity is likely to have contributed to the capacity management program being abandoned.

#### **4.2.3 The Transition Plan**

The implementation stage of the CR planning process came to be known as the Sea to Sky 'Transition Plan'. Managers at BCAL deliberately took a different route than previous attempts to bring CR operations into the management fold. Instead of requiring all untenured operators to close until they had reached a land-use agreement with the provincial government, the Transition Plan gave existing operators a grace (or 'transitional') period to operate while their applications were being considered, and promised a decision by a specified deadline. In previous programs, the need to close down an existing business before applying had proved a strong disincentive to participate. As well, a widespread perception of failure on behalf of the provincial government to make timely decisions on applications had undermined operators' confidence that their businesses would be up and running again in time for the next season's activities. While these elements of the Transition Plan proved effective in gaining acceptance of the program by CR operators, they illustrate the regulatory nature of the management strategy (Table 2.3). This strategy can be contrasted with the voluntary 'Backcountry Winter Sharing Forum' subsequently supported by BCAL and a number of other government agencies (subsection 4.2.4)

The immediate aim of the Transition Plan was to bring all untenured commercial recreation operations into compliance with the CR Policy and the *Land Act*, over a 14-month period (September 2000 - November 2001). The terms of the Transition Plan as outlined to operators were straightforward:

- Only businesses that were already operating before 1 September 2000, or who had already applied to use Crown land before that date, would be eligible for consideration during the transition period.



- A deadline of 29 December 2000 was set for existing operators to submit their applications.
- After the deadline no more applications would be considered until the completion of the plan in November 2001.

The principal stages of the implementation of the Transition Plan are summarized in Table 4.3. Each of these stages is discussed in more detail in subsequent paragraphs.

<b>Table 4.4: Stages in the Program Implementation Process</b>	
<b>Stage</b>	<b>Major activities</b>
1. Preparing for the applications	<ul style="list-style-type: none"> <li>• Announcement of the Transition Plan</li> <li>• Compliance and enforcement officer hired</li> <li>• New outreach office opened in Whistler</li> <li>• Development of media strategy</li> </ul>
2. Initial review of the applications	<ul style="list-style-type: none"> <li>• Operator submits management plan and mapping</li> <li>• Initial review of application for completeness</li> </ul>
3. Evaluating the applications	<ul style="list-style-type: none"> <li>• Referral to other government agencies, First Nations and public groups</li> <li>• Aboriginal Impact Assessment Report prepared</li> <li>• Advertising placed in community newspapers</li> <li>• Inter-agency meetings held</li> <li>• Field inspections undertaken by BCAL staff</li> </ul>
4. Decision on the applications	<ul style="list-style-type: none"> <li>• Land officer makes decision on application</li> <li>• Land status is confirmed</li> <li>• Tenure offer made, short term permit issued, or application rejected</li> <li>• Tenure offer accepted by applicant, or rescinded by BCAL</li> </ul>
5. Monitoring and enforcement	<ul style="list-style-type: none"> <li>• Follow-up site visit</li> <li>• Ongoing monitoring and enforcement</li> </ul>

### ***Preparing for the applications***

The Transition Plan was announced to operators in September 2001, and efforts were made to circulate copies of the announcement notice to all CR operators in the Sea to Sky district. At the outset of the Transition Plan, only three CR operations had Crown

land tenure agreements with the provincial government, out of a total of more than fifty found to be operating in the district. A compliance and enforcement officer was subsequently hired to help complete an inventory of CR operations, and encourage owners of those businesses to apply for tenure.

Also early in the Transition Plan's implementation, an outreach office was opened in Whistler with the support of the Resort Municipality of Whistler (RMOW). The compliance and enforcement officer worked from this location to build a positive profile for the Transition Plan program with the community, rather than fall back on a 'policing' approach.

A further communication link with the communities in the Sea to Sky Corridor was developed through the appointment of a communications consultant to build a media relations strategy for the Transition Plan. A series of media briefings were held with local journalists to clearly and positively explain the key elements of the plan. These briefings were also designed to ensure that both the public and CR operators understood the process and the reasons for its implementation. In addition, an internet communications strategy was launched. Its aim was to ensure that current information was available to interested parties through BCAL's website maintained by the corporate office in Victoria (LWBC website).

### ***Initial review of the applications***

Applicants were required to submit a comprehensive management plan for their CR operations, along with mapping to illustrate the areas or routes for which they were applying for tenure. This stage was more time-consuming than for other land management programs administered by BCAL, since many applicants were unsure of exactly what was required for both the management plan and the mapping. Filling in information gaps and resolving mapping problems required numerous phone calls and meetings for many of the applications.

### ***Evaluating the applications***

Applications were evaluated through a number of mechanisms, including formal referrals, preparation of an Aboriginal Impact Assessment Report (AIAR), invitation of comment from the public, inter-agency meetings and field inspections. Formal referrals

consisting of copies of the management plan and associated mapping were sent to other government agencies, First Nations, and public recreation groups. Aboriginal Impact Assessment Reports were prepared by a consulting firm advising BCAL on the likely impact on First Nations heritage resources. Comment from the public was invited through 'block' advertisements placed in community newspapers in the Sea to Sky district. In contrast to other land use programs administered by BCAL, advertisements were coordinated by the agency, and costs were subsequently recharged to the applicants. Advertisements referred readers to copies of operators' management plans placed with public libraries. They invited comment on any application. Inter-agency meetings were held to review applications in bulk, to overcome some of the logistical complexities of the formal referral process. Lastly, field inspections were conducted by BCAL land officers for applications with especially complex land use requirements.

### ***Decision on the applications***

Decisions on applications for land tenure for CR use were made by BCAL land officers based on the information provided by the applicant and through the evaluation stage. Formal tenure offers were made, or applications were disallowed. Once the offer was made, it was either accepted or declined by the applicant. In three cases the offer was rescinded by BCAL due to a lack of response from the applicant, or the emergence of new issues that required resolution before an agreement could be signed. As far as possible, an approved management plan was attached to the tenure documents, and formed part of the conditions of the land-use agreement.

### ***Monitoring and enforcement***

Follow-up meetings were held with all operators who accepted their tenure offer. These meetings were intended to introduce the compliance and enforcement officer and to explain the terms and conditions of the tenure document. Ongoing monitoring and enforcement efforts centred around the creation of a reporting network including all operators, as well as field staff from other provincial and federal agencies.

In all, 53 applications were received prior to the Transition Plan deadline of 29 December 2000. Eight of these were subsequently closed or transferred out of the program as they were either duplicate applications or otherwise beyond the scope of the CR Policy. The remaining applications were reviewed and followed up with tenure offers, temporary

permits, or disallowed for a variety of reasons. The outcomes for each of the original 53 applications to the Transition Plan are summarized in Table 4.4. Further details are given in Appendix 1.

<b>Table 4.5: Outcomes of the original 53 applications to the CR Transition Plan</b>	
Tenure offers (32)	<ul style="list-style-type: none"> <li>• Accepted by applicant (19)</li> <li>• Declined by applicant (3)</li> <li>• Pending (7)</li> <li>• Rescinded by BCAL (3)</li> </ul>
Short-term permits (4)	<ul style="list-style-type: none"> <li>• Investigative use permit (1)</li> <li>• Temporary use permit (3)</li> </ul>
Disallowed (9)	<ul style="list-style-type: none"> <li>• Inadequate applications (3)</li> <li>• Conflict with other land use (2)</li> <li>• Unresolvable issues (4)</li> </ul>
Not appropriate to the Transition Plan (8)	<ul style="list-style-type: none"> <li>• Duplicate applications (2)</li> <li>• Incidental use not requiring tenure (1)</li> <li>• Extension of activities under an existing tenure (2)</li> <li>• 'General Commercial' land use policy (2)</li> <li>• Transfer to other regional office (1)</li> </ul>

The seven 'pending decision' outcomes in Table 4.4 all related to water-based CR operations. The operators made a joint decision not to accept their tenure offers, as they felt they that the offers did not adequately reflect the terms of a policy directive their industry sector had previously negotiated with BCAL's policy staff in Victoria. A new 'Sea Kayak Directive' was issued in March 2003, and a new 'Commercial Recreation Tenure Incentive Program' was in progress as of June 2003. It is expected that all of the operators would be given the opportunity to apply for tenure under the new program (Leong pers. comm.)

#### **4.2.4 Backcountry Winter Sharing Forum**

One further recreation planning process is of relevance to the present study. In the fall of 2001, as the Transition Plan program was coming to a close, the first of a series of meetings of the 'Sea to Sky Backcountry Winter Sharing Forum' was held in Whistler (Sea to Sky BWSF website). This meeting was sponsored by BCAL, and was held in order to begin to address ongoing issues of concern between CR operators and public

recreationists. Concerns were raised at the first meeting by both public recreation and commercial recreation stakeholders. Public recreation stakeholders included backcountry skiers, who felt that their opportunity for wilderness experiences had been negatively affected by CR activities, and snowmobile users, who felt that their use of parking lots and access trails had been hampered by CR activities. In contrast, CR operators felt that the limitations imposed on them as a result of public use of the area were threatening their business viability.

The 'Forum' continued to meet regularly for over a year, and succeeded in reaching agreement on a proposed winter recreation use map. This map included 'motorized', 'non-motorized' and 'shared use' areas for all the land in the Squamish Forest District lying outside of provincial parks. Also included in the map was one relatively small 'unresolved' area within the forest district, and a number of 'uncertain' areas outside the district's boundaries. At the time of writing, the Forum was in the process of developing a similar proposed summer recreation use map. The Forum should be seen as playing the role of a facilitator of a voluntary management strategy (Table 2.3), as compared with the direct regulatory strategy adopted by BCAL through the Transition Plan.

### **4.3 Stakeholder Perspectives: Outcomes**

In this section the results of open-ended interviews based on evaluative criteria derived from the eight strategic principles of the CR Policy are presented. The key elements of each strategic principle are summarized to give context to the stakeholder responses. Results of one further question included in the interviews, relating to the efficiency of the process, are also included.

#### **4.3.1 Environmental Stewardship**

Protecting and maintaining environmental integrity is a critical strategic principle in the CR policy. Perspectives on the application of this principle are presented in the following paragraphs.

##### ***Management intervention to protect environmental values***

All respondents stated they were in support of management interventions which protected environmental values. However, there was a range of views on how well this

had been achieved. The majority of the CR operators felt the Transition Plan had helped to protect environmental values, although several of those offering non-mechanized experiences felt it did not go far enough to limit the potential negative impacts of snowmobiles and ATVs. Respondents from provincial agencies, environmental organizations and public user groups were generally more cautious, and felt that more time would be needed to see the full impact of the Transition Plan. The First Nations respondent was harshly critical of the program, suggesting that it was intended to meet the needs of entrepreneurs rather than fit in with a wholistic management approach.

### ***Environmental provisions in operators' land-use agreements***

The majority of CR operators interviewed, as well as most of the provincial and local government respondents, expressed support for the requirement that applicants prepare a management plan as part of their application for land tenure. These respondents suggested that the Transition Plan imposed an environmental management regime on what was previously an almost entirely unregulated commercial sector. However, respondents from all the stakeholder groups noted that the reliance on the operators' management plan as a tool to minimize adverse environmental impacts meant that an effective monitoring program would be required to ensure compliance with the plans. A further concern raised was that the effectiveness of the agency referral process in identifying areas of sensitive wildlife areas was seriously limited by lack of detailed information on wildlife habitat held by provincial agencies.

Respondents from a range of stakeholder groups suggested that CR operators should be subject to environmental considerations at least equivalent to those faced by the timber industry. One CR operator offering non-mechanized experiences felt that the standard for CR operators should actually be higher, given their dependency on providing wilderness experiences. A provincial Fish and Wildlife respondent suggested that CR operations might create more environmental impacts than resource extraction operations, particularly on wildlife.

First Nations and two environmental respondents expressed less faith in the management plan and referral process as being adequate mechanisms for ensuring environmental protection. These respondents expressed doubt over the ability of existing agencies to measure impacts, and were not sure agencies had on-the-ground

mechanisms to tackle problems. They also expressed a further concern about the ongoing reduction in the powers of provincial environmental agencies.

### ***Recreational carrying capacity***

There was widespread agreement that an appropriate recreational carrying capacity program should be implemented to protect environmental values into the future. Many respondents, from a range of stakeholder groups, criticized the management of Cougar Mountain's existing tenured operations. They believed that recreational carrying capacity in that area had already been exceeded. Public user groups also felt that capacity in the Brandywine and Soo Valleys had been exceeded. One CR operator commented that wilderness values had been significantly eroded by mechanized operations in the Callaghan Valley.

Several respondents commented on the complexity of the proposed carrying capacity program proposed for implementation by Leavers (2000). In this context, they expressed the need to develop a more easily understandable set of indicators with more readily interpretable results.

### ***Conclusions***

The environmental stewardship criterion was one of the three on which feedback from stakeholders was most sharply divided. Most respondents agreed that some form of management intervention to protect environmental values was necessary. However, they differed in their opinion on how far this had been achieved in the Transition Plan. Key management challenges highlighted were the program's reliance on monitoring and enforcement to ensure operators' adherence to conditions laid out in their management plans and tenure agreements, the limits to information on wildlife habitat, and the lack of a broader planning framework within which to manage CR. Most respondents felt that a formal recreational carrying capacity program should be implemented in the area.

Several interviewees felt that carrying capacity had already been exceeded in at least two places in the corridor, and expressed fears that ongoing development of the industry would threaten existing environmental values, particularly those associated with wildlife habitat. The sharpest disagreements on this strategic principle were between environmentalist, First Nations, provincial Fish and Wildlife and several non-mechanized CR respondents on one hand, and the larger, mechanized CR operators on the other

hand. The first group generally suggested that environmental and wildlife values should be given an absolute priority, while the second group tended to argue that a trade-off in values was inevitable if the CR industry was to be able to develop.

#### **4.3.2 Public Access and Use**

The second strategic principle of the CR policy is concerned with maintaining public access to Crown land used for CR operations, and providing a balanced mix of recreation experiences. Stakeholder perspectives on the application of this principle are presented in the following paragraphs.

##### ***Impacts of public and commercial recreation***

Stakeholder feedback on this criterion provided one of the most polarised and complex elements of the evaluation. Many of the CR operators, particularly those with smaller businesses, were broadly positive about the Transition Plan. They suggested that public recreation values had been adequately addressed by the specifically non-exclusive nature of the tenures. Beyond this middle ground, however, opinions were polarized into two groups. Several respondents from public user groups argued that the Transition Plan had significantly reduced public recreation values by allocating traditional public use areas to CR operators. This land included wilderness areas valued by backcountry hikers and skiers, and valley-bottom trails used in winter as snowmobile access routes. In contrast, respondents from the larger, mechanized CR businesses felt that the viability of their operations continued to be threatened by unmanaged public recreation.

##### ***Access and the wilderness experience***

Most stakeholders recognised that the Transition Plan had incorporated maintenance of public access rights into tenure documentation. However, respondents from public user groups and several government agencies stressed the distinction between the maintenance of formal rights of access to the land for public users compared with the nature of experience they might expect. Most of these respondents felt that CR was having a significant adverse impact on public use. As a result, public users were avoiding particular areas, especially the Brandywine, 16 Mile Creek and Callaghan areas. As well, there was a widespread perception among respondents that some CR operators had imposed direct restrictions to public access, such as inappropriate



signage. Several respondents felt this had been the case with the Cougar Mountain operator in the 16 Mile Creek area.

Advocates for public recreation felt that areas identified for public use in the CR planning process were not respected in the implementation of the Transition Plan. They also suggested that the ORC Public Recreation study (Anderson 2000) had not been effectively integrated into CR planning. Several respondents suggested that a key problem had been that the public recreation plan had used different planning units than the CR plan. As well, they argued that the Leavers studies (1999, 2000a) had not included sufficient input from the public, and that public recreation was sidelined in favour of commercial recreation as a result of not being BCAL's primary interest.

### ***Management of public recreation***

Several CR operators argued that there was a need for stronger management of public recreation to match the regulations placed on commercial recreation. Some went as far as to argue in favour of a fee system for public users. Several operators suggested that unregulated public use of snowmobiles posed a significant threat to the viability of the CR industry in several of the valleys along the corridor. They argued that there was a need for a mechanism for them to be able to recoup costs incurred for trail grooming where trails were extensively used by the public. They also felt there should be a way for contributions to be made towards the costs they incurred maintaining trailhead car parks in winter.

### ***Land allocation for CR, public recreation and protected areas***

Several of the operators with larger CR business argued that the Transition Plan had adequately protected public recreation values. They suggested that the adjacent Garibaldi Park should be considered as part of the 'public' area in CR plans. However, respondents from public recreation groups rejected this argument. In particular, snowmobile users said that they were largely excluded from the park, and backcountry skiers felt that there were only a few areas suitable for weekend trips in the park. As well, crowding and helicopter overflights were perceived to have reduced the appeal of those areas to public users seeking a wilderness experience.

Park managers interviewed noted that recreational pressure on Garibaldi Park was continuing to increase. They reported that wilderness hikers and skiers were pressing for the park to be less mechanized, due to increasing mechanization of use of Crown land. In contrast, they said that CR operators were increasingly turning to parks as their primary use areas, now that running an operation on Crown land without a tenure agreement had become more difficult. As well, they reported that public recreationists involved with mechanized activities were pressuring park agencies to allow snowmobiles in Garibaldi Park, in response to access routes to areas west of the Sea to Sky Corridor becoming more crowded.

Further pressure on parks agencies to use parks to control access to their immediate hinterland was also noted by the BC Parks respondents. The example of the Callaghan Valley was given. At that location, access to Crown land beyond the park must be made through the park itself. Managers expressed concern that an operators with non-exclusive Crown land tenures and park permits might be able to gain effective exclusivity over large areas of land.

### ***Concern over existing tenure-holders***

Respondents from a range of stakeholder groups commented that once operators had tenure over an area, they were likely to feel some degree of 'ownership', and were apt to display that perspective in some way or other to public users. One respondent from BC Parks called this effect 'tenure creep'. Several respondents suggested that public fears of the impact of newly tenured CR operations on public use of Crown land had been based on experiences with existing tenured operations. Reference was made to the intensity of land use made by Cougar Mountain. Several respondents reported that inappropriate signage had been erected by that company implying that the public were excluded from its area of operation.

### ***Conclusions***

Views on how well this policy objective was achieved were sharply polarized. Larger CR operators claimed that public recreation posed a major threat to the survival of the CR industry in the area, while public recreation groups argued that CR use of public land was destroying public recreation opportunities. One issue of concern to both operators and public recreationists was management of public snowmobile use in the area.

Respondents felt there was an urgent need to find mechanisms to share costs for trail grooming between public and CR users, and to manage overcrowding at trailhead parking lots. Recreational pressures on the adjacent Garibaldi Provincial Park were also noted, and respondents agreed that the park could not be expected to provide all of the public recreation opportunities for the Sea to Sky district. Further issues relating to 'de facto' exclusivity being achieved by some longer-term tenure holders were raised. Finally, several respondents suggested that user fees or other mechanisms might be appropriate to manage public recreation in such an intensively used area.

#### **4.3.3 Business Certainty for Tenured Operators**

Business certainty is defined in the CR Policy as ensuring that new CR applications are compatible with the operational needs of existing tenured operators. At the beginning of the Transition Plan, only three CR operators held land tenure in the Sea to Sky district:

- Mad River Nordic (now Callaghan Country), in the Callaghan Valley
- Cougar Mountain, in the 16 Mile Creek area
- Whistler Heli-ski, with an extensive license to operate heli-ski guided tours.

Respondents' perspectives on the success with which this strategic principle was applied through implementation of the Transition Plan are summarized in this sub-section.

#### ***Conflict between existing and new tenure-holders***

Almost all respondents acknowledged that the relationship between existing tenure-holders and new applicants was a 'high-friction' area. This was expected, given that these types of conflicts were one of the main reasons behind the implementation of the Transition Plan. A broad split was evident between the majority of respondents who suggested that existing tenure holders had not been negatively impacted by the implementation of the Transition Plan, and those (particularly the existing tenure-holders themselves) who argued that the needs of existing tenure holders had not been adequately taken into account.

#### ***Impacts on existing tenure-holders***

Most respondents felt that existing tenure holders had not been negatively impacted by the implementation of the Transition Plan. They suggested that the overall advantage to the CR industry would actually benefit all operators over the longer term. It should be

noted, however, that some environmental and First Nations advocates interviewed did not view security for any businesses as a high priority. One respondent from an environmental organization suggested that increased security for CR operators should be seen as a diminution of the future options for the government in managing a public asset.

Respondents from government tended to agree that all operators would have to 'share the pie', and that business certainty couldn't be guaranteed in the CR industry any more than in other industry.

Concern was expressed by government officials and the larger CR operators over the clarity of BCAL's mandate, particularly with respect to competition between operators and overlapping tenures. One operator suggested that misperceptions over the meaning of 'non-exclusivity' in the tenure agreements would be resolved by use of the term 'non-conflicting'. The larger CR operators and the respondent from the RMOW suggested that existing tenure holders had had to fight BCAL to defend the rights accorded them in their tenure documents, and that BCAL had proposed incompatible uses in some cases. One operator with an existing tenure said that BCAL had done 'abysmally' in administering CR in the Callaghan Valley.

### ***Benefits to existing tenure-holders***

The Transition Plan program was seen by the great majority of respondents as having contributed to the protection of the rights of existing tenure-holders through control of untenured operators. A wide range of stakeholders noted that the two existing land-based CR operators had experienced extreme levels of frustration with untenured operators in the past. Once again, most respondents noted that much of the pressure on existing operators had come from snowmobile use, both public and commercial.

Several of the smaller operators suggested that existing tenure holders would also benefit from having larger numbers of tenured operations in the Sea to Sky district, through the building of increased destination appeal.

## ***Conclusions***

There was widespread recognition that relationships between tenured and untenured CR operators had been characterized by a high level of friction prior to the implementation of the Transition Plan. However, opinion was divided on how well this issue had been dealt with by BCAL. Several respondents suggested that existing tenure-holders had benefited from the overall regulation of the CR sector. Conversely, other respondents suggested that existing tenure-holders had struggled to maintain what they perceived as their rights under previous land-use agreements. Management of overlapping tenure areas and the identification of compatible CR uses was identified as a key issue with respect to this strategic principle. Respondents suggested that guidelines in the CR policy had been insufficient to resolve conflicts in this area.

### **4.3.4 Economic Diversification**

Economic diversification is defined as a strategic principle in the CR policy in terms of supporting the CR industry and ensuring that CR operations are considered as integral parts of diversification strategies. Perspectives on the degree to which this principle was achieved through the implementation of the Transition Plan are summarized in the following paragraphs.

#### ***Support for the CR industry***

Almost all respondents agreed that the Transition Plan did support the growth of the CR industry in terms of resolving immediate conflicts. Virtually all interviewees agreed that addressing CR conflicts had become essential, and that degradation of the nature of the experiences offered by CR operators would have resulted in the absence of the Transition Plan. However, several CR operators and government officials interviewed also felt that there was a need to implement a recreational carrying capacity management process, to ensure the sustainable development of the industry into the future. A particular concern was that once the Transition Plan was completed, a new round of applications for tenure would be considered in the absence of a mechanism to assess 'how much was too much'.

Many of the operators interviewed suggested that the Transition Plan had also provided a number of significant longer-term benefits for the CR industry. These included professionalization of the industry, raising of operational standards, and raising the entry

threshold for operators. Operators also felt that increased business certainty resulting from the signing of tenure agreements had increased the value of their businesses, and had increased their ability to raise finances for their operations. The value of enforcement as a tool for operators to support actions against untenured operators was also mentioned. Finally, several operators noted the advantages they had found through developing a management plan as part of their application of tenure.

### ***Timespan of tenures***

Little concern was expressed by operators over the short timespan of many of the tenures issued under the Transition Plan program. There was widespread confidence that these shorter tenures would be renewed if an operators' performance was satisfactory. One CR operator suggested that significantly longer tenures (in the order of 20 years) were necessary for CR sectors involving higher levels of capital investment. However, he recognized the political realities preventing that in the immediate future. Some operators suggested that the viability of the CR sector was still threatened by ongoing safety and liability issues.

### ***Level of fees***

The majority of operators interviewed felt that fees charged for the use of Crown land were not too high. They suggested that such fees were a 'cost of doing business'. In contrast, several of the government officials interviewed felt that the fees should be very much higher, both to cover agency management costs and to provide the provincial government with a revenue stream comparable with other land uses. Most respondents didn't believe that businesses had been shut down as a result of the Transition Plan. In fact some CR operators argued that several of the proposals that did not result in land-use agreements were probably not tenable in any case.

### ***Contribution of CR to local economies***

Most stakeholders interviewed felt that the Transition Plan made a strong contribution to diversifying local economies. They also felt that more should be done to support tourism in rural areas. Several operators and government officials argued for recognition of the broader benefits of CR development than just the fees paid to the province. Possible benefits mentioned included community development, a broadening of the tax base, provision of employment benefits, and increased use of accommodation and restaurant

facilities. One respondent from an environmental organization suggested that the Transition Plan program did not go far enough, and there was a need to create dedicated 'backcountry recreation zones' where resource extraction would be prohibited. This action would possibly help to take pressure off parks, and preserve the opportunities for wilderness experiences outside of protected areas.

### ***Conflicts with existing resource-based industries***

A number of stakeholders interviewed in Squamish and Pemberton noted that the development of CR had the potential to create conflicts with existing resource-based industries. They reported the emergence of conflict within their communities over the degree to which CR should be prioritized over traditional land uses including timber harvesting, agriculture and hunting. One local government respondent suggested that the Transition Plan had intensified conflicts in communities outside of Whistler.

Both the MoF and InterFor, the tenure-holder for the extensive Tree Farm Licence (TFL) 38 in the western part of the Squamish Forest District, expressed confusion over the role InterFor was expected to play in the Transition Plan process. A respondent from InterFor expressed strong opposition to the use of the word 'tenure' to CR operations making use of land covered by the TFL. The representative argued that tenure was already held by his company. While the specific issues of timing of access for rafting operators and contributions towards maintenance of Forest Service Roads was mentioned, a broader issue appeared to be a lack of understanding of the nature of tenures offered to CR operators.

### ***Integration of First Nations***

The First Nation respondent noted that economic diversification did not necessarily benefit all sectors of the community, and that none of the CR businesses in the Transition Plan process employed any First Nations people. He further argued that granting CR tenures represented a further appropriation of First Nation territory and resources.

### ***Integration with economic diversification programs***

Most stakeholders interviewed did not feel the Transition Plan had been closely integrated with other economic diversification programs. With only two exceptions

respondents did not believe that the provincial government had such programs in place. One operator and one local government official suggested that the existence of BCAL, the development of the CR policy and the implementation of the Transition Plan themselves constituted a provincial effort to diversify rural economies. Several respondents, including local government officials and CR operators, argued that higher fees might be necessary to effectively build the case for CR's value from the perspective of economic diversification.

### ***Conclusions***

Virtually all stakeholders felt that the Transition Plan had been strongly supportive of the development of the CR industry. Their perceptions provided a major endorsement of the value of BCAL's efforts. Some stakeholders suggested that more support should be given to the industry, particularly in the form of dedicated 'backcountry recreation zones'. Several respondents reported that BCAL's support of CR had resulted in conflicts with other resource-based industries and communities in the corridor, and that a key challenge to the economic development of the Sea to Sky continues to be integration of CR with other economic sectors, particularly outside of Whistler. Respondents were in less agreement about how the success of the Transition Plan fitted in with broader economic diversification strategies, or even whether these strategies even existed.

#### **4.3.5 Public Consultation**

Public consultation is defined as a strategic principle in the CR policy in terms of involving other interests through a fair, open and consultative process which takes into account locally established priorities and public interests. Respondents' perspectives on the extent to which this principle was achieved through the implementation of the Transition Plan are summarized in the following paragraphs.

#### ***Difficulties of achieving public input***

The majority of feedback on this criterion centred on the difficulty of achieving genuine public involvement in any decision-making process, rather than the extent to which the Transition Plan had been successful in meeting this criterion. With the exception of the public recreation groups interviewed, most respondents felt that BCAL's performance was reasonably good, with some significant reservations. Most CR operators agreed that opportunities to provide input into the decision-making process were available to those



most interested. However, they felt that a lack of communication later in the process meant it was hard for participants to check if public input on particular tenure applications had been incorporated into final land use agreements with operators.

Respondents from local governments, public user groups and environmental organizations felt that the general public as well as more organised interest groups had been overwhelmed by having to deal with such a large batch of applications all at once. While also noting these issues, respondents from provincial agencies more involved in the formal referral process agreed that batch processing of applications was probably the only realistic option. Several of these respondents suggested that the difficulty of gaining public input was greater with the larger, more complex applications, particularly where management plans went through several iterations.

### ***Media Relations, Community Relations and Website***

Virtually all of the respondents recognized the value of media relations activities undertaken by BCAL to keep the public informed. There was also widespread recognition of the value of establishing a local office in Whistler to build closer links with the community, given the distant location of the agency's regional office. The appointment of a locally-based compliance and enforcement officer was also recognized as an important step in building community links. Concerns were, however, expressed by respondents from public user groups and environmental organizations who had tried to gain up-to-date on the progress of the Transition Plan program from BCAL's website, particularly later in the process. Several respondents experienced high levels of frustration when web pages didn't load or information they had been promised was not present.

### ***Inclusiveness***

There were some strong differences in opinion expressed by respondents over the degree of inclusiveness of public consultation achieved during implementation of the Transition Plan. This was particularly the case with respect to the balance of input requested from local communities and nearby urban populations. A number of local government respondents argued that some local community interests may not have been involved to a significant degree. In particular, it was suggested that agricultural and hunting interests in the Pemberton area had been ignored. At the same time,

respondents from public user groups suggested precisely the reverse. They suggested that local community interests had been given priority over those of the urban public who, it was argued, comprised the majority of users of backcountry areas.

Respondents from public user groups also argued that their interests had been totally ignored during the Strategic Planning for CR process. Finally, one operator felt that there was an almost total lack of public understanding of either the planning or Transition Plan processes, and that public input had therefore been ineffective.

### ***Alternative methods of public consultation***

Several respondents discussed alternative means to involve community interests in both CR planning and in consideration of individual tenure applications. One respondent from BC Parks argued that more public involvement should be sought in the development of strategic management plans which would then be used by the relevant government agency as a framework for decision-making on individual applications. A comparison was made with park management plans, where the public are closely involved at the planning stage, and are relatively less involved in smaller-scale decisions in implementing those plans. (This issue is returned to in more detail under discussions relating to land use planning). The respondent from the RMOW suggested that the annual public reviews of 5-year forestry plans previously held in Whistler could also be used as a model for public involvement in CR planning. A further example of effective public input given by the same respondent was the formation of a 'Forest and Wild Land Committee' composed of Whistler residents. This committee reviewed all CR applications and presented recommendations to Mayor and Council.

### ***Conclusions***

Stakeholders expressed broad agreement over the difficulties of effectively involving public and special interest groups in decision-making processes. A key theme was the difficulty in gaining public input on individual tenure applications, particularly for the larger and more complex proposals. Most recognised the value of the media relations efforts, although there was widespread disappointment about the level of information provided on the BCAL website. A further issue related to the degree of inclusiveness achieved in public consultation. Criticisms suggested that the interests of both the small, rural community of Pemberton and the urban population of Greater Vancouver had to

some extent been ignored in the planning process and in the decision-making process relating to individual tenure applications. Several respondents also suggested that more public consultation should have been undertaken at the planning stage, rather than later on when individual applications were being considered.

#### **4.3.6 Inter-agency Coordination**

Three dimensions of the strategic principle of inter-agency coordination were examined. The research gathered respondents' perspectives on the extent to which the Transition Plan process was effective in 1) managing Crown land in an integrated, cooperative and open manner, gaining involvement from provincial agencies, local governments, First Nations and the public; 2) using agreements between agencies, where they exist, to develop responses to CR applications; and 3) considering all government commitments for resource use.

Since the time of research the provincial referral process has been substantially updated. The formal referral process for each individual application has now been replaced by a process based on reference to MOUs established between LWBC and other relevant agencies.

##### ***Degree of coordination***

Respondents who had not been involved directly in the referral process generally expressed positive views on the degree of inter-agency coordination achieved throughout the Transition Plan process. To these respondents, the various public agencies and levels of government appeared to be functioning well together. However, it also became clear through the interviews that many of them were largely unaware of the details of the inter-agency referral process.

Some of those who had been more closely involved with the referral process were more critical of the extent of inter-agency coordination achieved in the implementation of the Transition Plan. Several of the respondents from larger CR operations, provincial agencies, local governments and public groups referred to administrative complexity and failure to adequately represent public user and environmental interests as being their main concerns. For some respondents, particularly the environmental consultant interviewed, inter-agency coordination was the main area of failing for the whole

Transition Plan. He suggested that BCAL had ‘taken on too much’, generating excessive paperwork, ignoring missing information, and failing to keep track of verbal agreements. Another respondent felt that BCAL was stretched to manage the Transition Plan, and had become burdened with extreme administrative complexity.

### ***Resources required for the referral process***

A key issue with respect to inter-agency coordination was the referral process. Opinions differed widely among provincial agencies and local governments involved in this process on how effectively this aspect of the Transition Plan had been managed. Two representatives from government agencies felt the referral process had become overwhelming, and reported significant difficulties in finding time and staff resources to deal with the applications. A respondent from the Squamish and Lillooet Regional District also had significant doubts about the effectiveness of the referrals process. He reported that his organization had only been able to review applications at a very basic level for compliance with regional land-use zoning. A respondent from the Village of Pemberton also expressed strong dissatisfaction with that agency’s inability to participate effectively in the referral process. He raised concern that BCAL may have incorrectly interpreted no response on applications referred to his agency as being an active endorsement of the proposals.

In contrast, respondents from the RMOW and the MoF suggested that the referral process had been effective from their perspective. The RMOW had taken the most sophisticated approach to reviewing applications. All proposals were subjected to a thorough review by a public committee before being passed to Mayor and Council. The MoF respondents said their organization had already adopted more streamlined approach for referrals, and that that new system was able to cope well with the referrals they received relating to CR tenure applications. A respondent from Squamish District reported little difficulty with the process, thanks again to a streamlined referral system they had recently adopted.

### ***Acceptance of input from referral agencies***

Concern was evident among respondents from several provincial government agencies over the extent to which input provided through the referral process was actually incorporated into tenure offers. An agreement was signed between BCAL and the

Ministry of Environment, Lands and Parks (MELP) in May 2000. This agreement spelled out that among CR applications, 'only those with MELP support will proceed'. The practical experience of attempts to implement this agreement provided the matter for much discussion in this issue area.

Respondents from BC Parks and the MELP's Fish and Wildlife Service felt that giving approval of several of the CR land-use applications would have challenged their mandate. At the same time, they felt that BCAL would have proceeded with offering these applicants land tenure process in any case. They reported that difficulties had arisen over whether 'no means no', i.e. whether referral agencies had the ability to veto a CR land-use application sent to them through the referral process. These respondents questioned why their organization should participate in the referral process at all if BCAL could simply over-ride their rejection of an application.

### ***One-window service***

A 'Protocol on the Administration of *Land Act* Tenures and Park Use Permits' was signed between BC Parks and BCAL in the summer of 1999. The protocol agreement specified that a 'one window' approach should be used for processing land use applications for areas crossing provincial park boundaries. This approach was to include cooperation between BC Parks and BCAL on adjudication of such applications, and the issuing of one tenure document and one invoice. The respondents from BC Parks reported that this protocol agreement had not been used during the Transition Plan. They felt that the decision to require CR operators to make separate applications for park use permits and Crown land tenure had been sensible. They suggested that this decision had avoided adding an extra layer of complexity to the Transition Plan program.

Respondents from provincial agencies as well as from the operators of larger CR operations raised the issue of lines of communications through the stages of the referral process. A key challenge related to balancing the benefits of channelling all communication with applicants through BCAL against the advantages of maintaining direct contact between applicants and referral agencies on particular issues requiring resolution for an application to progress. Respondents from all three of the provincial referral agencies involved in the research reported extensive contact with CR applicants, before and after tenure offers were made. These contacts were initiated at times by the

CR applicant and at other times on BCAL's suggestion. While there was recognition that occasionally applicants needed to gain clarification from referral agencies, agency respondents noted that at times this resulted in applicants going back and forth between different government agencies on the same issue, duplication of work and creation of considerable confusion. Operators commenting on this point said they were at times frustrated by the difficulty of finding out the reasons behind restrictive conditions included in their tenure offers. Several operators said they had found it easier to discuss these conditions directly with the government agency that had proposed these conditions as part of the referral process. This was particularly the case for the larger-scale applications, where the level of complexity was often greater.

### ***Conflicting mandates***

Strong criticism of inter-agency coordination came from the Western Wilderness Committee. The respondent from that organization argued that the Transition Plan illustrated a high level of disconnect between agencies. In particular, he argued that the protectionist mandate of the Ministry of Environment, Lands and Parks was in conflict with the business development mandate of BCAL. The respondent from the Federation of Mountain Clubs of British Columbia was also very critical of the coordination between the MoF, with its mandate to protect public recreation values, and BCAL, with its focus on commercial recreation. He felt that the public recreation plan (Anderson 2000) prepared by the Outdoor Recreation Council (ORC) on behalf of the MoF was incompatible with the plans developed for CR because of the choice of different planning units.

### ***Inter-agency meetings***

The value of inter-agency meetings was recognized as an effective means of reviewing a large number of applications by all the respondents from provincial agencies who had participated in them. However, the importance of keeping good notes was also stressed. A number of respondents had concerns that some of the agreements made were later ignored or forgotten. Some respondents, including both CR operators and agency officials, went further to suggest that inter-agency meetings could be conducted on site, and that proponents should be given a chance to present their case to referral agencies. One CR operator maintained that this opportunity was essential to ensure that their interests were fairly represented, and noted that this had been the case under the

previous CR policy. Broad support was expressed by operators and agency officials for some type of site visit taking place. However, agency officials interviewed also noted that the tight deadlines for the process meant this was not possible in every case.

### ***Other government commitments to resource use***

Respondents from both the MoF and InterFor commented on the extent to which the implementation of the Transition Plan had been successfully integrated with government commitments to use of timber resources. The MoF respondents did not feel that there had been a significant level of conflict with timber tenure holders. In contrast, respondents from InterFor, the licensee for Tree Farm Licence (TFL) 38 in the Upper Squamish and Elaho Valleys, raised a number of issues related to the use of Forest Service Roads (FSRs) by CR operators. Of particular concern was InterFor's inability to recoup a proportion of the cost of upkeep of the roads due to CR being considered outside the definition of an 'industrial' user. Another issue related to the difficulty in coordinating use of FSRs between logging trucks and commercial rafting buses and trailers. Further concern was expressed by the one respondent from InterFor that BCAL had not forwarded copies of CR tenure applications to them directly, and that all dialogue had been conducted through the MoF. Finally, strong resistance to the use of the word 'tenure' for CR land use agreements was expressed, the respondent being unaware of any clauses in the CR tenures that recognise rights of timber harvesting tenures.

### ***Alternative land management regimes***

One respondent from BC Parks raised the possibility of shifting to an exclusive tenure system for CR management. This system would involve downloading much of the management responsibility for extensive areas of land to a private-sector organization, thereby overcoming some of the complexities of inter-agency coordination involved in managing multiple CR tenures. He suggested that the system might provide exclusive tenures for CR over extensive areas, and that these tenures would be allocated through a call for tenders. The example of an emerging system for BC Parks' management of kayak tenures at Porteau Cove was put forward as a model. In that case, individual operators dealt with the extensive area tenure-holder, rather than directly with a government agency. Jurisdictional complexities were also raised by the respondent from the Resort Municipality of Whistler, particularly in relation to responsibility for Forest Service Roads and water corridors. Note was again made of USDA Forest Service

management model, where all management functions for a particular area are dealt with by a single agency.

### ***Conclusions***

Much of the stakeholder input on inter-agency coordination was broadly positive, although most respondents were unaware of how much 'behind the scenes' work had gone on. A number of difficulties with the inter-agency referral process were raised by the agencies themselves, with several of them finding the volume of referrals too much to handle with existing resources. Other difficulties were how far BCAL was obliged to incorporate the comments and recommendations of other agencies, to what extent applicants might make direct contact with other agencies, and the complexity of dealing with applications that went through several iterations. Some strong criticisms were made of the referral process, particularly that it had failed to protect public user and wildlife values. The high level of resourcing required to deal with referrals was a problem for some agencies, while inter-agency meetings were strongly supported as a means to deal quickly with a large number of applications. Agreements between agencies intended to facilitate the referrals process had not functioned as intended, with one between BCAL and BC Parks being simply ignored and the other between BCAL and MELP providing a source of friction. A further source of friction was a lack of clarity over the relationship with the licensee for TFL 38, and whether MoF or BCAL should be the primary point of contact on CR issues.

#### **4.3.7 Relationship with First Nations**

Elements of the strategic principle in the CR policy relating to the relationship with First Nations include consulting with First Nations, consistent with provincial and ministerial guidelines, and providing economic development opportunities for First Nations. Perspectives on the application of this strategic principle are presented in the following paragraphs.

##### ***Lack of Awareness of First Nations consultation***

Efforts to include First Nations interests and values in the Transition Plan process included involvement in the formal referral process, preparation of Aboriginal Interest Assessment Reports by an external contractor, active consideration of First Nations interests in decisions made on several applications, direct negotiations with Band chiefs,



and the provision of government funds to support the development of plans by First Nations for CR operations.

A large proportion of respondents from CR operations chose to answer 'don't know' when asked to comment on how well BCAL had handled its relationship with First Nations during the Transition Plan program. Even when pressed for a fuller answer, most would not give a response. Many respondents were unaware of the efforts BCAL had made with respect to First Nations consultation. Several were also unsure as to what level any consultation should be carried out. A small number of operators simply offered an assumption that BCAL had acted 'in line with guidelines'.

Some respondents from government agencies instead chose to address the extent to which operators themselves had managed to work with First Nations. One respondent commented that 'operators have performed miserably' in terms of negotiating directly with First Nations. This view was supported by the only CR tenure applicant to identify First Nations as a significant issue to their business. That respondent suggested that individual operators must attempt to work directly with First Nations, as this was almost certain to emerge as an essential element in the long-term survival of their businesses.

### ***Challenges to effective consultation***

Among the relatively small number of CR operators who chose to respond more fully on this issue, there was widespread recognition that First Nations consultation is a key challenge for many land management initiatives. Even among these respondents there was still a broad lack of understanding of how BCAL managed the consultation process with First Nations. There was, however, broad agreement that genuine consultation (and involvement in economic opportunities) can only operate through continued relationship-building, and that forwarding extensive documents for comment was unlikely to produce meaningful engagement.

### ***Legality of CR tenures***

The respondent from the Western Canada Wilderness Committee suggested that the issue of sovereignty had largely been ignored in CR planning and management, and that tenures allocated without explicit First Nations approval may be illegal. He suggested that comparisons with First Nations challenges to the development of the downhill ski

industry at Melvin Creek and Sun Peaks were very pertinent to the development of the CR industry in the Sea to Sky district. These comments were in many ways similar to the arguments put forwards by the one First Nation interviewed in this research.

### ***Economic opportunities for First Nations***

Virtually all respondents who tackled this issue acknowledged that little in the way of direct economic opportunities had been provided for First Nations through the Transition Plan program. However, there was also some guarded optimism that this might be possible in the longer term. Respondents from provincial and local governments suggested that the provision of economic opportunities for First Nations from the Transition Plan program might involve activities beyond the direct provision of recreational experiences. In particular, the respondents from the MoF referred to successful programs coordinated with the Mount Currie Band, involving construction and management of public recreation facilities. They suggested that involvement with that band could also be sought with respect to CR programs. One local government representative was enthusiastic about the possibilities for heritage-based eco-tourism, giving the example of the extensive knowledge of native use of plants of one of the elders of the Mount Currie Band. In contrast, one CR operator was adamant that in so far as the Transition Plan had created opportunities for any individual it had also created opportunities for members of First Nations.

### ***First Nations input***

The strongest criticism of BCAL's performance with respect to this strategic principle of the CR Policy came from the Squamish First Nation, the one First Nation interviewed as part of this study. Some of the same themes were raised during a preliminary meeting with a representative of the Mount Currie Band, although it was not possible to complete a full evaluation interview in that case.

The First Nation respondent felt that consultation often takes place after the key decisions have already been made, and that provincial guidelines allow for 'tokenistic' consultation, as opposed to genuine engagement in the decision-making process. He argued that recent court cases indicated that provincial consultation guidelines may themselves be legally inadequate. He also raised the issue of financial resources to cover the cost of reviewing proposals, and suggested that if the government was unable

to provide these funds directly, then charges should be levied on the applicants themselves, or sourced from revenues gained through extraction of other resources from traditional territories, notably timber.

With respect to economic opportunities, the respondent suggested that First Nations may not have the money, expertise or access to participate in the CR sector, and that government support of the CR industry represents a continued appropriation of traditional First Nations resources. The case was made that the granting of CR tenures should be linked to meeting the needs of First Nations, possibly involving a cut of revenues generated by CR operations as well as other resource industries. Some appropriate next steps proposed included feasibility studies, marketing studies and the development of appropriate partnerships with existing businesses.

### ***Conclusions***

Many stakeholders in the CR industry in the Sea to Sky Corridor were unaware of the efforts BCAL had made during the Transition Plan to incorporate First Nations interests into the decision-making process, and to assist First Nations in developing proposals for CR operations. Further, only a very limited number of the operators interviewed had made any direct contact with First Nations themselves, and few recognized the issue as one fundamental to the future of their business. Most respondents expressed broad agreement that the formal referral process was of limited value with respect to First Nations consultation. They suggested instead that face-to-face contact and negotiations were more effective. Most respondents felt that no direct economic benefits had yet been generated for First Nations from the Transition Plan.

### **4.3.8 Land-Use Planning**

Ensuring that land allocations decisions are consistent with local, regional and provincial land use plans is the final strategic principle of the CR Policy. Respondents' perspectives on the extent to which this was achieved in the Transition Plan process are summarized in the following paragraphs.

#### ***Sharp disagreement on integration with other planning initiatives***

Despite broad agreement among respondents that the Transition Plan did fit in with existing land use plans at the time of the program, opinion on CR's place with respect to

broader planning issues under way at the time of the research was sharply divided. Much of the discussion related to the lack of a strategic plan for the Sea to Sky Corridor and the upcoming Sea to Sky LRMP.

Two poles of opinion were apparent. Respondents from CR operations and government agencies tended to argue that 'something had to be done' about CR in the Sea to Sky district, and that it was impractical to wait for an LRMP process to conclude before issuing tenures. In contrast, respondents from public user groups and environmental organizations generally argued that tenures should not have been considered in the absence of a strategic land-use plan. Almost all respondents approved of BCAL's limiting of the term of many of the CR tenures issued in order to leave more options open for the upcoming LRMP process.

### ***Issues-based planning***

A number of respondents from government agencies suggested that the Transition Plan program fitted in well with the history of issues-based planning in the Squamish Forest District (Spotted Owl, Protected Areas Strategy, Commercial Recreation). From their perspective, the role of the upcoming LRMP would be to integrate all these strands into one comprehensive plan. Several of these respondents suggested that no land planning exercise starts with a 'clean slate', and that the drawing together of the CR industry under a comprehensive management umbrella provided a much more tangible element to build into a subsequent LRMP.

### ***Strong criticism from public user groups***

Strong criticism of BCAL's performance with respect to planning came from the public user groups, who placed considerable faith in the ability of larger-scale land-use planning to solve difficult resource-allocation issues. From their perspective, the decision to allocate even short-term tenures in advance of the LRMP was seen as evidence of the provincial government's bias against public users, and a betrayal of trust over management of public land. Reference was also made to previous planning efforts, and one respondent from a public user group felt there had been a steady decline in representation of public recreation values from a study by Ric Careless in the early 1990s, through to the Recreation Opportunities study by Randall Chapel in the mid-90s and the Strategic Plan for CR by Doug Leavers at the end of the decade.

## ***Conclusions***

On a strict interpretation of this strategic principle ('approved' land use plans), the outcome of the Transition plan was seen as broadly positive by the majority of stakeholders. However, complexities arose when discussions turned to broader planning issues, and it became clear that for many respondents, the lack of comprehensive planning in the Sea to Sky Corridor represented a major government failing. In particular, respondents commented on the tension between the need to solve immediate problems and the possibility of waiting until an LRMP had been completed before making land-use agreements for CR. Conversely, some respondents also suggested that a successfully completed Transition Plan would provide a more valuable input to a subsequent LRMP process than a continued unmanaged situation.

### **4.3.9 Further Stakeholder Input: Efficiency and Enforcement**

In addition to the eight strategic principles from the CR on Crown Land policy, respondents were also asked to comment on two further points: efficiency and enforcement. Evaluation of efficiency is a standard component in program evaluation. Inclusion of this point in the research served to gather perspectives on issues ranging from the administrative burden of the Transition Plan through to its ability to generate revenue for the Crown. Enforcement was one of the elements of an agreement signed in May 2000 between BCAL and MELP to guide the process of allocating CR tenures on Crown land. Inclusion of this point served to gather stakeholder perspectives on a key element of the Transition Plan not specifically addressed by any of the other criteria.

#### ***Administrative efficiency***

Respondents from a range of stakeholder groups noted that the deadlines for issuing tenures were met by BCAL, and that the Transition Plan had effectively met its goal as a 'catch-up' phase in CR management. Respondents from environmental organizations suggested that the administrative effort taken to implement the Transition Plan should be seen as an investment on behalf of the people of British Columbia. One such comment was that Crown land belongs to 'all the people', and it may not be possible to administer it in a strictly efficient manner. Three of the four public organizations interviewed made the case that public land is extremely valuable, and that it can often be very difficult to cancel rights granted to commercial operations. This meant that the need to consider

applications thoroughly was correspondingly greater. The First Nations respondent put the case even more bluntly, saying simply 'We're the red tape'.

### ***Impatience with the process***

Some CR operators felt the Transition Plan process was too unwieldy for non-mechanized CR operations. Several of them also reported that there had been lengthy periods of little communication followed by sudden deadlines for more information. Further, one operator reported difficulty in actually interpreting the tenure documents once they had been finalized. However, several operators also commented that BCAL staff had been very helpful and responsive during the process, giving good advice and direction.

In contrast with the expressions of frustration, numerous CR operators as well as respondents from several government agencies felt that the process had been very straightforward, and that participation had involved minimal administrative burden. Two of the government agency respondents commented that the workload would have been significantly reduced if better applications and mapping had been provided by applicants at the outset.

### ***Level of fees***

With respect to economic efficiency, most CR operators did not suggest that fees were too high. Other stakeholders argued that CR should make a greater contribution to provincial revenues. One local government respondent suggested that fees should gradually be 'ratcheted up' over time. A further suggestion was that more study needs to be done to assess both the full value of tenures issued, and the net benefit to the community.

Several CR operators expressed doubt as to the suitability of 'per head' basis of pricing mechanism. They suggested that fees should instead be calculated as a percentage of revenue, to simplify calculations and to allow for regional differences in the value of tenures.

### ***Compliance and enforcement***

Most respondents from CR operations gave positive feedback on enforcement activities, focusing on the appointment of a compliance and enforcement officer and the establishment of a monitoring network. Respondents representing government agencies, as well as those from environmental and public user groups, suggested there was a need for more officers in this capacity, although this was balanced by widespread recognition of the limitations imposed by the current fiscal climate. The majority of respondents agreed that most untenured operators had been effectively dealt with. Several respondents from provincial government agencies noted the importance of links that had been forged at the field level between agencies including MWLAP, MoF and the DFO. The feeling was that this network of enforcement efforts adds up to very much more than the sum of its parts. Operators also commented that the tenuring process had greatly increased the self-policing capacity of the CR industry, which they expected to be much less tolerant of non-tenured operators as a result of the implementation of the Transition Plan.

### ***Challenges for effective enforcement***

Despite the positive comments of most CR operators, outstanding concerns included the following issues:

- The need to implement effective strategies to manage public recreation activities.
- The presence of rental operators in the field, which continued to create a perception that untenured operators had not been effectively dealt with.
- The need to extend the scope of the Transition Plan program to include guided fishing, due to increasing impacts of those activities.
- The need to manage CR use of the area being made by operators based outside the Sea to Sky district, particularly those from Washington State.

Some respondents, particularly from environmental organizations, expressed a lack of faith in the enforcement and compliance process to effectively ensure conditions in the management plan were adhered to. One respondent suggested: 'The conditions in the management plan are only as good as enforcement efforts to back them up.' The First Nations respondent suggested BCAL 'didn't have the teeth' to implement requirements out in the field. The possibility of First Nations involvement in the enforcement process was raised.

## **Conclusions**

Feedback relating to administrative efficiency was mixed. The majority of respondents recognized the time and effort spent on implementing the Transition Plan as an investment to protect environmental and public user values, as well as the resource base on which the CR industry depends. However, several respondents suggested that the administrative burden had been too much for smaller, non-mechanized operators. From an economic perspective, opinion was less divided. A number of respondents, particularly those from government agencies, argued that fees should be increased over time, to generate higher levels of revenue for the Crown. Several respondents also criticized the 'per-head' basis used for calculating operators fees, and suggested instead that a percentage of gross revenue should be charged.

Respondents expressed almost universally strong support for the appointment of a compliance and enforcement officer. However, there were doubts over whether one officer would be sufficient to effectively manage such a large area of land. At the same time, the success of efforts to build a network of monitoring officials was recognized, and most respondents felt the industry now had an increased incentive for self-policing. Stakeholder input also suggested the need for regulation and enforcement of public recreation activities, and for other commercial activities not covered by the Transition Plan.

## **4.4 Agency Perspectives: Process**

In this section the results of a BC Assets and Land debriefing session at the conclusion of the CR Transition Plan program are presented. The results are structured according to the five main stages through which an application to use Crown land was processed by that agency. Several issues presented were of relevance to more than one stage of the application process. In such cases, these are discussed at the stage when they were first raised, and are not returned to in subsequent stages of the process.

### **4.4.1 Stage 1: Preparing for the Applications**

Activities undertaken at this stage in the process included meetings with other government agencies to aid coordination of the program, development of a media



strategy, hiring of a compliance and enforcement officer, opening of an area office in Whistler, and circulation of notification letters to all the CR operators in the Sea to Sky district. Feedback from participants in the debriefing session on how effectively this first process stage was conducted is summarized in the following paragraphs.

### ***Applicants' preparation for the process***

A major part of the feedback related to preparing the applicants for the process into which they were entering. Several participants in the debriefing felt that applicants were not well prepared for the process, and may not even have read the CR Policy. Despite the tailoring of the application package specifically for CR operators, several staff members felt that many applicants were not sure exactly what was required of them.

In particular, staff suggested that some applicants did not know where to access the CR Policy, and may not have known whether or not they were required to apply for tenure. They felt that this communications gap was at least partly responsible for the low quality of many of the applications received. One solution proposed was that all potential applicants should be encouraged to meet with BCAL prior to submitting an application, 'like you might do for a bank loan'. In a broader sense, one participant suggested that BCAL needed to 'spend some money' to develop communications materials which clearly explained what was the fundamental service the agency provided, and how people could effectively access that service.

### ***Spatial data and GIS capabilities***

Further feedback related to the high spatial data requirements of the Transition Plan process, and the limits of BCAL's ability to meet those requirements. The majority of participants in the debriefing noted the importance of spatial data and GIS capabilities for administering a program as complex as the Transition Plan, and felt that BCAL resources were inadequate for the task at hand. A specialized spatial and attribute database program had been designed by MELP specifically for use in managing applications for CR land tenure. However, BCAL was unable to use this program during the Transition Plan, leaving the agency with no solid information base with which to implement the plan.

The importance of mapping capabilities to support the process was also recognised. In the absence of an in-house capability, BCAL land managers found that the only solution was to purchase mapping services from an external supplier. This was costly, time-consuming, and ultimately inadequate for decision-making purposes. Finally, feedback from tenure applicants also indicated that they were having difficulty preparing mapping or obtaining suitable base maps to accompany their applications.

Several participants in the debriefing commented on a proposal they had developed to provide electronic base maps as a free service to applicants, once a suitable GIS capability was in place. This would enable applicants to submit maps of a consistent standard to accompany their management plans. The officers suggested that increased revenue, faster turnaround times and more effective land management would more than pay for the cost of preparing the maps.

### ***The nature of many CR applicants and businesses***

BCAL staff members suggested that management of the Transition Plan program had been more difficult than other business programs administered by BCAL due to the nature of the CR applicants themselves. Compared with applicants under other land tenure programs administered by BCAL, staff believed that CR applicants were more likely to be motivated by lifestyle choices as opposed to more conventional business reasons, and that many of them worked on their CR business on a part-time or second-job basis. As well, they felt that many CR applicants did not have substantial business experience. Staff suggested that these factors had contributed to the poor quality of the mapping and management plans submitted with CR tenure applications. Staff were in agreement that a solution to this problem was improved communications, especially brochures to explain BCAL's mandate and the CR tenure application process. A further solution proposed was to increase levels of contact with applicants during early stages of the application process.

### ***Conclusions***

Two key issues were raised by BCAL staff concerning this first stage in the application process. The first issue concerned their agency's lack of spatial data and mapping capabilities, and the problems associated with outsourcing these services. The second issue related to communications with CR tenure applicants. Staff felt that BCAL should

have provided more effective communications materials, and would have been wise to have held introductory meetings with applicants to more fully explain the application process to them.

#### 4.4.2 Stage 2: Initial Review of the Applications

At this stage in the process, applications were checked for completeness in advance of the formal referral process. This referral process involved providing copies of CR tenure applications to relevant organizations for comment. Table 4.5 provides a summary of the organizations to whom some or all of the tenure applications were referred for comment.

<b>Table 4.6: Referral list for CR tenure applications</b>	
Provincial agencies	<ul style="list-style-type: none"> <li>• Fish &amp; Wildlife (MELP)</li> <li>• BC Parks</li> <li>• Ministry of Forests</li> <li>• Ministry of Transport and Highways</li> </ul>
Local government	<ul style="list-style-type: none"> <li>• Squamish District</li> <li>• Resort Municipality of Whistler</li> <li>• Village of Pemberton</li> <li>• Squamish and Lillooet Regional District</li> </ul>
First Nations	<ul style="list-style-type: none"> <li>• Mount Currie (Xit'olacw)</li> <li>• Squamish (Skxwumish)</li> <li>• Anderson Lake (N'Quatqau)</li> <li>• Skookumchuk (Skatin)</li> <li>• Douglas (Xa'atsa)</li> </ul>
Other	<ul style="list-style-type: none"> <li>• Sea to Sky Commercial Recreation Association</li> </ul>

For applications considered complete, management plans and mapping were photocopied and distributed to organizations on the referral list relevant to that particular application. For applications considered incomplete, BCAL staff contacted the applicants and attempted to fill information and mapping gaps, or requested resubmission of entire application packages. Feedback from participants in the debriefing session on how effectively this second process stage of the Transition Plan program was conducted is summarized in the following paragraphs.

### ***Quality of the applications***

Participants in the debriefing expressed considerable frustration with the quality of applications received under the Transition Plan. Many of the applications were perceived to be below the standard of what staff had come to expect from experiences with other business programs. The two main problem areas were inadequate management plans, and poor quality mapping. BCAL staff felt that in many cases it was unclear precisely what activities the tenure applicant was proposing to undertake, and what area they were proposing to use for these activities.

Staff reported that filling in the missing gaps in applications was very difficult. Difficulties included finding correct contact details for applicants, repeated requests for more information being ignored by applicants, and inconsistent information being supplied by applicants. Staff also reported that in several cases they had to 'patch together' management on behalf of applicants.

Frustration also resulted from a perceived inability to refuse applications that were of a very much lower standard than the norm for other land tenure programs administered by the agency. Staff reported that many of the poor-quality applications had been rejected at a later stage in any case. They felt that allowing low-quality applications into the process had caused delays and confusions later on that might better have been resolved at an earlier stage.

Several staff members felt that it would probably be necessary to continue to 'hand hold' applicants through the process in the future. They proposed that ways to develop the capacity to deliver this kind of service through the private sector should be explored. One particular suggestion was that the agency should be more proactive in working with consultants used by CR tenure applicants, particularly in terms of clarifying the purpose of the management plan, and sharing mapping resources.

Finally, most staff members acknowledged that the acceptance of sub-standard applications had been necessary because nearly all of the tenure applications had come from businesses that were already operating on Crown land. This situation was reinforced by the political imperative to avoid closing down businesses and putting people out of work.

### ***Staff resources***

The level of staff resources required to administer the Transition Plan program was a further issue discussed by participants in the debriefing. At its peak, nearly the entire staff of BCAL's Lower Mainland regional office was involved with administering the Transition Plan process in some way or other. This focus on one program area meant that attention had to be diverted for some time away from other program areas. A further consequence was that staff morale suffered due to work overload. Staff reported frustration with having to meet what seemed like impossible deadlines, and of being obliged to make decisions with only a limited and poor quality information base. Some staff acknowledged that the problem of declining staff morale was intensified due to the high profile of the Transition Plan program, and the degree of conflict between CR stakeholders that the program was attempting to resolve.

### ***Hard-copy documents and maps for the referral stage***

Participants in the debriefing reported that the task of preparing documents and maps for the referral stage was extremely time-consuming. Applicants were asked to provide multiple copies of maps and management plans, so they could be distributed to referral agencies and other organizations. However, staff reported that many of the applicants did not comply with this request, and BCAL staff had to perform this task themselves. As well, coordination of the process was very cumbersome when maps or management plans required updating. A further source of logistical difficulties was that additional referees were added to the referral list as the project developed, as a result of the identification of new issues that had not been considered at stage one of the Transition Plan process.

A number of staff members felt that BCAL should adopt an electronic application system. They believed that this would assist the task of keeping application documents current, and that it would simplify the referral process.

### ***External communications***

Participants in the debriefing reported that external communications became pressured during this stage of the Transition Plan process. This situation was aggravated by the fact that different applications proceeded through the system at different speeds, making it more difficult for BCAL staff to provide easily understandable progress reports. It had

been expected that the majority of external communications would be channelled through BCAL's corporate website, although staff reported that this proved difficult in practice. In particular, the lengthy approval process required for placement of material on the website meant that information was often outdated by the time it was finally uploaded.

### ***Conclusions***

BCAL staff felt that the scale of the Transition Plan had at times stretched both staff resources and morale to the limit. A considerable level of frustration resulted from the poor quality of many of the applications. The complexity of the project also meant that it was also difficult to keep tenure applicants up to date on the progress of their applications. Preparation of hard copy documents for the referral process was very time-consuming. Communicating to external audiences was challenged by the complex process for updating relevant pages on BCAL's corporate website.

#### **4.4.3 Stage 3: Evaluating the Applications**

Activities included in evaluating the applications included the formal referral process, the soliciting of public input through the placing of notices in local newspapers, inter-agency meetings to review and discuss the applications, and ongoing media briefings to keep applicants and stakeholders informed of the progress of the program. Feedback from participants in the debriefing session on how effectively this third process stage was conducted is summarized in the following paragraphs.

For other business programs administered by BCAL, checks on the prior ownership and tenure status of parcels of land for which applicants were seeking tenure were also normally conducted at this stage. However, these checks were deferred to the next process stage for the purposes of the Transition Plan program. Feedback on of this issue is discussed in section 4.4.4.

#### ***Materials for public review***

In other business programs administered by BCAL, applicants were required to advertise their tenure applications in local newspapers. In the Transition Plan program, advertising of CR tenure applications was handled by BCAL on behalf of the applicants. The cost of the advertisements was later charged back to the applicants. The majority of the

advertisements appeared in one double-page spread. The advertisements stated that copies of the applications were available for review in the local libraries. Most staff members felt that very few people actually referred to these copies placed in libraries. However, most of them still considered this service valuable, as it contributed to the provision of an open evaluation process. Most staff also felt that the extra administrative effort involved in arranging the advertising on behalf of the applicants was worthwhile because the two full pages of advertisements were highly visible to readers. As well, the fact that the agency placed the advertisements meant that staff avoided the time-consuming task of scanning newspapers to confirm that applicants had placed advertisements.

### ***Inter-agency meetings and the formal referral process***

In advance of the formal referral process, the decision was taken to 'fast track' a group of applications for which the majority of the application materials were complete. Provincial government agencies were sent copies of those application packages, and inter-agency meetings were scheduled to give BCAL staff the opportunity to introduce the Transition Plan program and to discuss these 'fast track' applications. At the meetings, agencies discussed their own land use plans and concerns over the potential impacts of CR operations on other resource users. Each of the 'fast-track' applications were also discussed.

In the debriefing session, there was broad agreement that inter-agency meetings were effective in introducing the Transition Plan program to other agencies, and in reviewing multiple applications at one time. However, several staff also suggested that notes taken during the inter-agency meetings should have been more comprehensive, as disagreements over what had been said had subsequently arisen. Other participants in the debriefing felt that these meetings would have been more productive if the applicants themselves had been invited. This would have enabled applicants to present their own case directly, and to provide immediate answers where more detailed information was required.

With respect to the formal referral process, several BCAL staff felt the specifics of making decisions on applications were not clear to them. This was particularly the case where decisions might involve legislative infringement on another agency's mandate. In

some cases, BCAL staff felt that other agencies had provided far too much information, not all of which was directly relevant to the application in question. One participant in the debriefing meeting characterized this feedback as 'wish lists' instead of feedback based on strict interpretation of that agency's legislative responsibility. Staff felt there was a need to communicate more clearly with other provincial agencies to explain their role in the referral process and the types of comments and information required of them. As well, staff felt that referral agencies did not always stick to deadlines, which caused delays in the decision-making process.

BCAL staff also felt that other provincial agencies, particularly the Fish and Wildlife Branch of the MELP, exhibited reluctance to participate in the Transition Plan program. Staff felt that the importance of the program should have been more clearly relayed to other provincial agencies at the executive level possible. Staff also suggested that acceptance of the program by other provincial agencies had been increased by BCAL's decision to issue only relatively short-term tenures to CR operators, as compared with the maximum terms specified in the CR Policy.

### ***First Nations consultation***

A 'risk management' approach was initially attempted with respect to First Nations comment on the applications. Staff had anticipated that comment on formal referrals on CR applications would not be forthcoming from First Nations, based on experience with other business programs. However, following discussions with Band leaders, large batches of applications relevant to their respective territories were subsequently sent for comment to the Mount Currie and Squamish First Nations. Further referrals were also sent to the Anderson Lake, Skookumchuk and Douglas First Nations. Formal responses to all of these applications was very limited.

BCAL staff generally agreed that the formal referral process had been overwhelming for First Nations. They felt that this was largely because of lack of administrative capacity among the First Nations organizations. Staff agreed that there was a strong need for the Transitions Plan program to provide benefits for First Nations in the Sea to Sky district. While resources had been provided to the Mount Currie band to assist them with development of proposal for a CR businesses, the outcome of that initiative was unclear at the time of the debriefing meeting. However, staff felt that referral responses from the



Mount Currie band had been more substantial than most responses received from other First Nations, in part as a result of the higher level of dialogue achieved with that band.

Lastly, staff suggested that avoidance of potential direct conflicts with First Nations in the Sea to Sky Corridor over the Transition Plan's implementation had probably been achieved by building strong inter-personal relationships with representatives of several First Nations. The value of building trust through long-term working relationships with band chiefs was stressed as a means of avoiding conflict. This was seen as an alternative to simply forwarding 'faceless' referral documents.

### ***Aboriginal Interest Assessment Reports***

Aboriginal Interest Assessment Reports (AIARs) were compiled for each CR tenure application by a private-sector company based in Victoria. These reports were intended to give an indication of the likelihood that CR activities would prejudice First Nations interests. Much of the content related to First Nations archaeological sites, and the potential for damage caused by CR operations. This focus on archaeological sites was a result of the lack of available information on other First Nations values in the area.

Some BCAL staff said they found it difficult to include information provided by the AIARs in the decision-making process for CR tenure applications. A particular problem was how to determine the relative importance of information in the AIAR compared to other factors. Staff also suggested that poor mapping supplied by CR applicants further affected the value of the information in the AIAR since it was unclear whether proposed CR activities would impinge on archaeological sites.

Most staff in the debriefing agreed that the AIARs did provide a valuable tool for risk management for many of the tenure applications. They felt that the reports had provided some level of assurance that there were no major 'show-stopper' issues that other aspects of the application evaluation process might not have identified. Finally, staff agreed that while useful, the AIARs were no replacement for direct consultation with First Nations.

### ***Sea to Sky Commercial Recreation Association***

The Sea to Sky Commercial Recreation Association (SSCRA) was formed specifically to represent the interests of the more established CR operators in the Sea to Sky district during the implementation of the Transition Plan. Membership consisted of the holders of the three existing CR tenure holders in the area, plus one other long-term operator whose CR tenure had expired. Operators applying for tenure through the Transition Plan process were invited to a meeting with the SSCRA to explain their proposal, and the association provided feedback to BCAL on the applications.

In the debriefing session, staff expressed agreement that the support of the existing CR tenure-holders for the Transition Plan process was important for the overall success of the program. They felt that having 'the industry' behind the Transition Plan had been essential during many of the complex negotiations involved in implementing the plan. However, several members of staff said they felt that the role of the association had at times been unclear. These staff members were unsure how much weight should be given to comments made on applications by the SSCRA compared with input made by government agencies with formal land management responsibilities. Other staff felt that it had been clearly understood by both BCAL and the SSCRA that the association was providing feedback on applications in an advisory capacity only.

### ***Field Inspections***

Staff agreed that more field inspections of the areas for which CR operators were applying for tenure would have helped in the decision-making process. They reported that the agency's ability to conduct more inspections had been limited by the time and human resources pressures associated with implementing the Transition Plan. However, staff also reported that face-to-face contact with applicants in the field had increased steadily as the Transition Plan unfolded. This was due to the community-level activities of the compliance and enforcement officer, as well as the need for direct negotiations with applicants once tenure offers had been sent out.

### ***Media briefings***

Early on in the process, BCAL staff became aware that local news reporters did not understand the purpose of the Transition Plan. As a consequence, media coverage had initially been very sensationalist. Several news stories had suggested that BCAL was

likely to close down many CR 'illegal' operations, and that the economic consequences of the Transition Plan were likely to be severe for the local economy. The decision was made to open direct channels of communication with reporters to clarify the aims of the program, and regular media briefings were held in Whistler throughout the Transition Plan process.

Most BCAL staff felt the media relations efforts had been extremely valuable in building a positive public perception of the Transition Plan program. They felt that the time spent by senior staff attending the meetings and the travel costs involved were an investment in the success of the program. Staff suggested that proactive engagement with the media had avoided 'fire fighting' further negative news stories that might otherwise have arisen. They also felt that media relations efforts had helped set a positive tone for relationships with applicants. 'We created an environment where there was nobody listening to negative stories,' commented one participant in the debriefing session.

### ***Conclusions***

A key issue at Stage 3 of the process was the impact of the high volume of applications on BCAL's limited staff and resources. Staff felt that holding inter-agency meetings to review 'fast-track' applications and handling newspaper advertising on behalf of clients had been effective in dealing with this administrative workload. They felt that some other government agencies had been reluctant to participate in the Transition Plan process. However, they also believed that BCAL's commitment to issue limited-duration tenures had overcome this reluctance to some degree. Gaining formal input from First Nations on tenure applications been difficult. Staff suggested that informal contacts with band leaders had been valuable in ensuring 'buy-in' to the Transition Plan process. Aboriginal Impact Assessment Reports were also recognized as useful tool to minimize the risk of damage to First Nations heritage sites. An agreement with an association of existing CR operators was successful at ensuring industry participation in the program. Similarly, a pro-active media relations campaign helped establish a positive atmosphere for negotiations with stakeholders.

#### **4.4.4 Stage 4: Decision on the Applications**

In this section, feedback from BCAL staff on the fourth stage of the Transition Plan process is summarized. Activities undertaken at this stage included the decision on

whether or not to approve a tenure application, land status checks to establish ownership and the existence of other land-use agreements on parcels of land applied for, and the preparation of formal tenure or rejection letters. In many cases, this stage also included further meetings with applicants to resolve outstanding issues in advance of preparing the final tenure documents, or to address problem areas once tenures had been issued.

### ***Communications and client expectations***

Staff reported that communications and the need to manage client expectations became increasingly important as the process reaches the decision stage. When the tenure offers themselves were sent out, a number of applicants were shocked at the clauses and conditions attached to the offer, and at the amount of money they had to pay 'up front'. In particular, staff reported that many applicants had not been aware that they would be required to pay a security deposit before their tenure was confirmed. As well, many applicants only learned at this stage that they were required to obtain substantial liability insurance coverage. Staff responsible for the preparation of the formal tenure offer documents felt very strongly that these requirements should have been made clear to CR operators in the original application package. One suggestion was that a sample tenure document should have been included in the application package sent to applicants. Some staff suggested that many applicants might have thought they were applying for a simple 'rubber stamp permit' to use Crown land. One Land Officer commented on a 'bewildering lack of understanding of BCAL and land management'. The possibility of a broader outreach program to inform the public that a tenure is needed to use Crown land was raised again.

### ***Client meetings***

Once they had received their offers of tenure, a number of clients requested meetings to discuss the details of the offer and the conditions attached to them. Staff felt that it was important to explain to applicants that a tenure offer was in many ways the beginning and not the end of the process, and tenure holders should expect to work with Land Officers on an ongoing basis to address their needs as part of tenure management.

BCAL staff also recognized that client meetings had formed a useful communications tool with operators who had not had their applications approved. A commitment was

made to deliver all rejection letters by hand, as opposed to by post. This meant that proponents found out directly about the rejection of their application, rather than through the 'rumour mill'. In several instances this method also resulted in a review of the decision or an agreement that the proponent should reapply at a later stage, an outcome which might not have been possible with a direct letter.

### ***Land status checks***

Land status checks were carried out for all tenure applications to confirm land ownership and the existence of any other tenures over the parcels of land being sought. With applications for land use under other business programs administered by BCAL, these checks were done at Stage 3 of the process. During the Transition Plan program, the decision was made to defer land status checks until Stage 4. This decision was made because the requested areas were often poorly mapped, and in many cases applicants were only likely to be offered tenure over a small portion of what they had applied for. At the time of the research, BCAL had only indirect access to cadastral information held by another provincial agency, and considerable time and effort was required to conduct status checks over extensive plots of land. Consequently, the decision was taken to delay the status checks until it became clearer what areas of land were under consideration.

Most staff agreed that in the absence of more detailed mapping information and more direct access to cadastral information the decision to delay the land status checks had been a good one. However, they also acknowledged that investigating land status after a preliminary decision had already been made had created extra work in a number of cases. Alternative solutions discussed by staff included insisting that applicants provide better spatial data, and developing better GIS capabilities within the agency. Another solution staff had adopted was a 'rough-and-ready' status check carried out when the initial application was received to identify any real 'show-stopper' issues. Finally, several staff members commented that tenures issued through the Transition Plan were of relatively short-term duration, thus providing a cushion for correcting any minor errors in tenure documents.

### ***Limited-term tenure approach***

A limited-term tenure approach was adopted in a number of instances to help process applications in the absence of full information, and to help gain the support for the Transition Plan process from other government agencies. This approach involved offering tenures of significantly shorter duration than the maximum timespans specified in the CR Policy.

Most staff agreed that the approach had been successful with respect to these two points. However, several staff pointed out that once even a short-term tenure was in place it would be hard to cancel it if new information suggested that the tenure should not have been offered. Several staff members suggested there was also the potential for renewed problems between the government and CR operators when short-term tenures come up for renewal.

Staff hoped that increased knowledge and information would aid the development of longer-term CR tenures once the current round of applications had been in place for a while. They also agreed that issuing of limited-term tenures was probably not a good tool to use agency-wide. It was felt that it would create higher program costs for BCAL, and increased uncertainty for tenure-holders.

### ***Conclusions***

Many of the challenges experienced by staff at this stage reflected issues that had not been sufficiently addressed at previous stages in the process. The gap between client expectations and the actual tenures offered became apparent, especially with respect to the up-front costs many applicants had to pay for security deposits and for liability insurance. The value of face-to-face meetings was stressed again, especially for those who had their applications rejected. The shifting of the land status checks to this late stage in the process emphasized the importance of gaining high quality mapping from applicants, and BCAL's lack of capacity to use GIS technology. The issuing of limited-term permits was recognized as a 'make-do' solution. Although it was necessary under the circumstances, respondents generally felt that this approach would eventually result in higher management costs as tenures came up for renewal sooner. They also felt that it had reduced business certainty for operators.

#### **4.4.5 Stage 5: Monitoring and Enforcement**

In this section, feedback from BCAL staff on the last formal stage of the Transition Plan process is summarized. Monitoring and enforcement activities included follow-up meetings with new clients, and efforts to identify and non-applicants who might still be operating in the area. As well, several outstanding policy issues were identified, and tools necessary for the management of the new CR tenures were developed.

##### ***Enforcement efforts***

Prior to the Transition Plan, staff felt there was a widespread perception that BCAL had no enforcement capability in the Sea to Sky district. They also felt that some consultants had been advising their CR clients to ignore BCAL and the associated call to apply for tenure. The majority of staff felt that these perceptions had changed enormously, thanks in large part to the hiring of a compliance and enforcement officer. They felt that the benefits in terms of saving problems for the regional office had more than exceeded the cost of employing this new staff member.

Many BCAL staff felt that the presence of a compliance and enforcement officer working in the field had also contributed to the emergence of an extended, informal monitoring network comprised of officers from different government agencies. This network had provided benefits at the logistical level, for example sharing of resources and conducting joint site visits, as well as at the information level.

##### ***Follow-up visits***

Staff felt that conducting follow-up site visits with newly tenured CR operators had allowed for first-hand comments and complaints from the operators to be heard. They felt these visits had been beneficial by assuring operators that BCAL was willing to work with them. They also felt that visits had been useful in providing an opportunity to explain the contents of the tenure document, to introduce the compliance and enforcement officer and his function, and to strengthen positive relationships with CR operators.

##### ***Enforcement challenges***

Staff pointed out that the number of untenured CR operations in the neighbouring Sunshine Coast and Chilliwack Forest Districts, the other two districts in the Lower Mainland Region, continued to pose a management challenge. Over 30 non-applicants

were provisionally identified in the region at that time. Staff acknowledged that the continued operation of these businesses without land tenure contributed to negative perceptions of BCAL's enforcement efforts.

A further enforcement problem raised by staff concerned operators who claimed incidental use of the land base. A clause in the CR policy allows CR operators to use Crown land for non-motorized activities for fewer than 14 days in a 6-month period without holding formal land tenure. The compliance and enforcement officer reported that a number of operators had claimed this status, but as non-applicants they had not submitted management plans, reports of previous user-days, or even provided contact details to BCAL. It had therefore been almost impossible for the agency to assess the accuracy of the operators' claims that their use had been only incidental. To deal with this situation, staff proposed that the onus of proof be reversed. They suggested that this could be achieved through the compliance and enforcement officer issuing a 'cease and desist' order on encountering such operations in the field. This order would provide a basis from which to investigate an operator's status more fully. At the same time, this approach could be backed up with an explanation to the operator of the longer-term benefits of gaining tenure.

Several BCAL staff members also commented on management challenges posed by companies offering snowmobiles and ATVs for rent to the public. These challenges were felt to be particularly severe in the case of vehicles being delivered to the renter directly to a location on Crown land. Staff felt that this practise caused conflicts with other tenure holders, and contributed to public perceptions of BCAL not performing its enforcement role adequately. One participant in the debriefing session suggested that rental operators were in fact entering into a contract to provide services on Crown land to their customers, for example through their commitment to deliver breakdown and rescue services. On this basis, the case was made that this type of operation could possibly be brought into the existing framework of the CR Policy.

### ***Conclusions***

Staff were more divided in their opinion on the success of monitoring and enforcement efforts than on other issues. However, there was broad agreement that the appointment of the field compliance and enforcement officer had been of great benefit. Many felt this



had been especially valuable in terms of building relationships with the community, when compared with a more narrow 'policing' role. Several staff felt this officer's role was also useful in providing a hub for an extended, informal monitoring network of operators and field staff from other agencies. Challenges for enforcement efforts were the continued existence of untenured operators, the need for policy clarification over the 'incidental use' clause in the CR policy, and problems with defining snowmobile rental operations with respect to the CR policy.

#### **4.5 Case Study Conclusions**

The case study highlighted the unique position of the Sea to Sky district with respect to strategic land-use planning, as well as the high levels of recreational pressure on the land base. As a result of a combination of both of these factors, conflict between CR operators had become apparent by the end of the 1990s. In 1998, the issuing of the *Commercial Recreation on Crown Land Policy* and the formation of BC Assets and Land Corporation, with a mandate to implement the policy, presented an opportunity to bring CR operations into a management framework. This task was tackled through the undertaking of Strategic Planning for CR, followed up by implementation of the Transition Plan.

Interviews with stakeholders in the CR industry, including CR operators themselves, suggested that there was widespread stakeholder approval of the Transition Plan program in that it successfully brought untenured operations into compliance with the new policy. However, the interviews also suggested that the Transition Plan program had been less successful in ensuring the long-term protection of the resource base and the 'wilderness' experiences on which the CR industry depends. Many stakeholders mentioned the need for some kind of carrying capacity program, unaware that a pilot application of a guide for BC's recreation managers to evaluating recreation capacity had been initiated then abandoned. A further key issue raised in the stakeholder interviews was the failure of the program to deliver tangible benefits to First Nations communities in the Sea to Sky district, despite this being one of eight strategic aims of the CR Policy. As a result of these and other issues, a number of criteria-specific recommendations aimed at improving the management of CR in British Columbia are made in Section 5.1 of the following chapter.

A debriefing session with agency staff responsible for the implementation of the Transition Plan program revealed a high level of pride in the program's success, in particular the fact that it had resulted in almost complete policy compliance where previous programs had failed. However, staff also felt that administration of the program had stretched computing, staff and morale resources to the limit. They felt that a significant part of the demands placed upon the agency reflected the particular nature of the CR industry, and the fact that the CR Policy was a new management tool. Accordingly, process-specific specific recommendations at improving the administration of the CR Policy are made in Section 5.2 of the following chapter.

# CHAPTER 5: MANAGEMENT IMPLICATIONS

## 5.1 Criteria-specific Recommendations

The analysis of stakeholder responses revealed numerous challenges to the successful implementation of the Transition Plan for CR in the Sea to Sky district. This section provides recommendations following from the case study's findings. These suggestions may assist subsequent programs to implement the Commercial Recreation Policy in other areas of the province of British Columbia.

### 5.1.1 Environmental Stewardship

*Protect and maintain environmental integrity*

Feedback from stakeholders was sharply divided on this issue. Virtually all respondents agreed that some form of management intervention was necessary to limit the potential negative impacts of CR on the natural environment, but viewpoints differed widely on how far this had been achieved through the Strategic Planning for CR and Transition Plan processes. Many stakeholders suggested that some form of environmental carrying capacity program should be implemented, although a detailed understanding of how this might be achieved was not evident.

**Outcome Recommendation (1-1): Work with stakeholders to develop and implement a system of indicators, standards and monitoring to manage the environmental impacts of recreation in the Sea to Sky district.** This monitoring system should also include economic, experiential and socio-economic elements as part of a comprehensive system to manage growing recreational use of the area. The Limits of Acceptable Change (LAC) model (Chapter 2, Section 2.4) provides a basic framework of how this can be achieved. The pilot application of a recreational carrying capacity program begun in one commercial recreation sub-unit in the Sea to Sky district was also based on the LAC model (Jackson and Leavers 2001). However, this pilot application was not fully implemented, even in that one CR sub-unit. Any subsequent attempt to implement a recreational carrying management

program would therefore need to avoid the pitfalls of that proposal. In particular, stakeholder engagement must be much greater right from the start of the process, especially the CR operators themselves. As well, the system of indicators must be suited to local conditions. Monitoring of the indicators proposed for the Cougar Mountain sub-unit would have involved technical and costly methodologies, and it is unlikely that this type of monitoring could have been extended across the entire CR management area. The Tourism Optimization Management Model (TOMM) provides an example of how an LAC model can be adapted to a tourism context, and of how more readily measurable indicators can be developed (Chapter 2, Section 2.4). In future applications of the CR Policy, development of the monitoring system should be an integral part of CR planning, rather than an element to be added on after a plan has been implemented.

**Outcome Recommendation (1-2): Ensure the guidelines proposed in the consultation report *Draft Guidelines for Mitigating the Impacts of Commercial Backcountry Recreation on Wildlife in British Columbia* (Brown 2001) are followed with respect to CR applications.** This report offers guidelines for minimizing the impact of CR operations on numerous animal and bird species, as well as on components of wildlife habitat.

**Outcome Recommendation (1-3): Work with CR operators to develop an environmental management training program for CR operators.** This would initially be on a voluntary 'best practices' basis, but could be developed into a formal requirement for tenure applicants.

### **5.1.2 Public Access and Use**

*Maintain public access, and provide a balanced mix of recreation experiences.*

Views on how well this policy objective was achieved differed greatly. Larger CR operators felt that unmanaged public recreation posed a threat to the development of the CR industry in the area, while public recreation groups argued that CR was destroying public recreation opportunities. Many respondents expressed concern over the increasing level of recreational use of the area, particularly mechanized recreation.

They suggested that a social carrying capacity program should be implemented, but were unsure of what precise form this should take.

**Outcome Recommendation (2-1): Formally designate the ‘intensive use’ area of the Sea to Sky district as a ‘Backcountry Recreation Area’.** This could be achieved through designating the seven ‘intensive-use’ landscape units in the Sea to Sky Corridor (Chapter 4, Section 2) as a Special Management Zone (SMZ) as part of the Sea to Sky LRMP process (Chapter 2, Section 2.3). The Backcountry Recreation Area should be managed on joint-management basis, with a lead role being played by LWBC, MoF, RMOW and First Nations. Responsibilities of the management body would include provision of signage on trails used jointly by public and commercial recreational users, and development of a mechanism to share costs for grooming of trails in winter. The body would also have authority to charge parking fees to public recreationists in high-use areas. These fees would go towards maintenance costs of facilities shared by public and CR users and administration costs. The bulk of revenues, however, should be provided from provincial government agencies and the tourism industry.

**Outcome Recommendation (2-2): Develop one integrated recreation plan to include both commercial and public recreation.**

The provision for developing a comprehensive recreation plan, considering all aspects of recreation within a given area, is clearly stated in the CR Policy (Section 13.2). As well, the possibility of more than one government agency taking the lead in taking the lead in developing such a land-use plan is also clearly stated in the policy (Section 13.0). This type of comprehensive planning would be facilitated by the designation of a dedicated Backcountry Recreation Area.

**Outcome Recommendation (2-3): Work with stakeholders to develop and implement a system of indicators, standards and monitoring to manage the experiential impacts of recreation in the Sea to Sky district.**

The CR plans developed for the Sea to Sky district were based on recreational opportunities alone, and consideration of desired experiential conditions were largely ignored. In the limited recreational capacity management planning that did take place, indicators were proposed based

on information from the literature and on 'expert opinion'. However, research indicates that for recreational carrying capacity programs to be truly effective, stakeholder engagement in the selection (and usually the monitoring) of indicators is usually essential. In future applications of the CR Policy, this monitoring and management system should be developed as part of the initial CR planning process, rather than added on afterwards.

**Outcome Recommendation (2-4): Ensure that public recreation groups are fully involved in the development of a recreation plan.** The academic literature suggests that a major reason for the failure of recreational management programs is lack of stakeholder support. Public user groups felt that their values had not been adequately represented in the Sea to Sky district. Frustrations increased during the latter part of the process, as these groups did not have the capacity to participate fully in the referral process for individual CR tenure applications. A 'Backcountry Forum' process sponsored by BCAL at the close of the Transition Plan made significant progress in resolving conflicts between mechanized commercial operators, snowmobile enthusiasts, and non-mechanized wilderness enthusiasts. Ideally, this kind of process should be part of the development of the initial recreation plan, rather than a reaction to conflicts resulting from the implementation of a CR plan.

**Outcome Recommendation (2-5): Support efforts to improve legislation applying to snowmobiles in British Columbia.** This legislation is currently weak, and no government agency has been willing to actually enforce the very limited provisions it contains. A key element of such legislation should be that snowmobile users must be a member of a recognised club in order to register and use their machines in the province. Management of public snowmobile use would help to resolve one of the principle sources of conflict between public and commercial recreational users of Crown land. It would enable these two groups to work more effectively on developing joint strategies to share the land and resource base.

**Outcome Recommendation (2-6): Initiate the development of legislation to deal with growing off-road use of ATVs in British Columbia.** As a summer activity, ATV use has the potential to significantly degrade fragile alpine environments when the snow cover has melted. At present, there is little in the way of legislation to control ATV use of these areas.

**Outcome Recommendation (2-7): Involve local recreation clubs, particularly snowmobile clubs, in the ongoing management of areas of high recreational use.** Self-regulation may prove the most effective means of dealing with some of the management challenges posed by growing use of winter backcountry areas by snowmobiles, especially with respect to high-use parking areas at trailheads and on busy access trails. The management body for a 'Backcountry Recreation Zone' could also work with snowmobile clubs to identify a mechanism to share costs of trail grooming with commercial operators. The utility of this recommendation would be strengthened if all public snowmobile users were required to belong to a recognized club in order to use their machine, as per outcome recommendation (2-5).

**Outcome Recommendation (2-8): Initiate inter-agency discussions to resolve signage and parking issues.** At the time of the research, no government agency had taken on the responsibility for providing signage at trailhead parking areas and along trails used jointly by public and commercial recreation users. Lack of clarity over how busy trails and parking areas should be used has been the cause of one of the key areas of conflict between public and commercial interests. Provision of adequate signage would help remove this conflict. Ideally, this management activity should be implemented as part of a broader recreational planning process, rather than as a reaction to conflicts following the implementation of a CR plan.

### **5.1.3 Business Certainty for Tenured Operators**

*Ensure that new CR applications are compatible with the operational needs of existing operators*

Respondents were divided on how well this issue had been dealt with. Several tenure applicants suggested that existing tenure-holders would benefit from the overall regulations of the CR sector. Conversely, respondents from a range of stakeholder groups suggested that the existing tenure-holders had struggled to maintain what they perceived as their rights under previous land-use agreements. A key issue raised was that of overlapping tenures, one which several respondents suggested was not adequately specified in the CR Policy.

**Outcome Recommendation (3-1): Ensure industry participation in the development of recreation plans.** The SSCRA industry association was effective in providing feedback on individual applications during the Sea to Sky Transition Plan program. Ideally, input from more established CR operators should be established earlier, at the planning stage. The recreational planning frameworks based on the Limits of Acceptable Change (LAC) model all include provisions for stakeholder involvement, the Tourism Optimization Management Model (TOMM) providing a particular example of how stakeholder input can be used to shape natural area management plans in tourism settings (Chapter 2, Section 2.4).

**Outcome Recommendation (3-2): Complete the conversion of pre-existing CR tenure agreements issued under other policies into new agreements based on the CR policy.** This step would ensure that all CR businesses are operating on a 'level playing field'. It would facilitate the resolution of any issues relating to overlapping tenures when the agreements are revisited.

**Outcome Recommendation (3-3): Ensure all CR operators are aware of the provisions of the CR policy with respect to overlapping tenures.** The CR policy clearly states that overlapping tenures may be authorized for all CR land-use agreements except those relating to specific intensive use sites. As well, a section in the accompanying *Guidelines for Staff and Applicants* contains a description of what types of overlap are appropriate. Communication of these provisions should be made clear in printed and online material developed for applicants, and in meetings with CR operators.



**Outcome Recommendation (3-4): Exercise extreme caution in issuing CR tenures that overlap with existing or new CR tenures.** While the policy does allow for overlap of tenures where activities are considered ‘compatible’, experience with the Transition Plan program suggests that conflicts can still arise between operators even when the activities themselves might be considered compatible. Experience also suggests that carrying capacity issues are likely become more serious when multiple tenures are issued over a particular area. Setting management objectives for CR zones within a visitor management program as proposed in Outcome Recommendation 2-3 would assist in the allocation of tenures for a particular area. Monitoring of appropriate quality indicators would also highlight where management intervention is required to address issues of conflict or overcrowding.

#### **5.1.4 Economic Diversification**

*Support the CR industry and ensure that CR operations are considered as integral parts of diversification strategies*

Stakeholders were in agreement that the Transition Plan program had provided strong support for the development of the CR industry. Some stakeholders suggested that even more support should be given by designating the Sea to Sky Corridor as a ‘Backcountry Recreation Area’. However, respondents were unsure about how the success of the Transition Plan fitted in with broader economic diversification strategies, or even whether these strategies even existed.

**Outcome Recommendation (4-1): Work with key stakeholders to develop a system of economic indicators relating to the development of the CR industry in the Sea to Sky district, along with standards for those indicators and a system of monitoring.**

Economic and market issues were not considered in the CR planning process for the Sea to Sky district. Without these elements, it will not be possible to assess how well the industry is developing over time. Management of economic impacts should be part of the broader process of

managing environmental and experiential impacts covered in previous recommendations. The application of the Tourism Optimization and Management Model (TOMM) (Chapter 2, Section 2.4) at Kangaroo Island in South Australia involved monitoring of economic indicators including tourism expenditure, employment in the tourism industry, and the proportion of visitors that matched target market segments.

**Outcome Recommendation (4-2): Commission a study to assess the full economic impact of the CR industry, and the potential for diversification of local economies.** At present, the revenue stream provided to the Crown in the form of fees charged to CR operators is unlikely to cover even the cost of administering the tenures. However, the benefits of the industry in terms of employment, regional development and diversification of the provincial economy are likely to be more substantial. A study of these benefits would assess their scale, and suggest the degree of provincial support that the CR industry should receive.

**Outcome Recommendation (4-3): Take steps to build closer working relationships between the timber harvesting and CR industries.** In particular, CR coordinators from LWBC should attend annual forestry plan reviews hosted by holders of Tree Farm Licensees in their districts.

### **5.1.5 Public Consultation**

*Involve other interests through a fair, open and consultative process which takes into account locally established priorities and public interests.*

Stakeholders were generally positive regarding the level of public consultation achieved. Key challenges highlighted through the research were the need to include all relevant interest groups in consultation, and the difficulty of gaining public input on individual tenure applications. Several respondents suggested that more public consultation should have been undertaken at the planning stage, rather than later on when individual applications were being considered.

**Outcome Recommendation (5-1): Ensure the general public is made aware of a CR management program early in the planning stage, rather than when decisions are being made on individual tenure applications.**

Developing a broad understanding among the general public of what the implementing agency is proposing can help provide a positive environment for subsequent management actions. Experience in the Sea to Sky district highlighted the value of media relations activities to explain the Transition Plan program, but suggested that efforts to provide unaffiliated members of the public information on individual tenure applications had proved less valuable.

**Outcome Recommendation (5-2): Ensure all affected stakeholder groups and communities are given the opportunity to participate in CR planning, and to comment on individual applications.**

In the Sea to Sky district, feedback indicated that members of the predominantly agricultural community of Pemberton and backcountry recreationists from the Greater Vancouver urban area had felt excluded from the process. The number and range of communities and stakeholder groups to be consulted will vary depending on the nature of the CR planning area.

**Outcome Recommendation (5-3): Encourage the development of community committees composed of members of the public to participate in CR planning and in reviewing subsequent tenure applications.**

The 'Forest and Wild Land Committee' established in Whistler was successful in providing public input on CR tenure applications. As well, this process dealt with some of the administrative burden that would otherwise have fallen on local government officials.

**Outcome Recommendation (5-4): Improve communication with the general public.** Set up a dedicated website for any subsequent major CR initiatives, with management authority at the regional level. Also consider other types of communication, particularly a printed newsletter, colour brochure or email newsletter.

### **5.1.6 Inter-Agency Coordination**

*Manage Crown land in an integrated, cooperative and open manner, gaining involvement from provincial agencies, local governments, First Nations and the public. Use agreements between agencies, where they exist, to develop responses to CR applications, and consider all government commitments for resource use.*

Much of the input from CR operators on inter-agency coordination was positive, although most of these respondents were unaware of how much 'behind the scenes' work had gone on. Several agencies who had actually been involved in the referral process found it difficult to handle the volume of applications forwarded for review with existing resources, while other organizations managed the task successfully by streamlining their process. Significant challenges arose in resolving the sometimes conflicting mandates of provincial agencies, and in apportioning weight to the input made by different agencies to the decision-making process.

**Outcome Recommendation (6-1): Implement an on-line referral process.** This recommendation would be part of a broader goal of shifting from a paper-based to an on-line application system. Instead of forwarding 'hard copy' materials to referral organizations, these organizations would instead be referred to materials on the CR management agency's website.

**Outcome Recommendation (6-2): Establish early, high-level contact between the CR management agency and other land use agencies to set the scope of referrals.** During the Transition Plan process, BCAL staff felt that some other agencies had provided much more information than could be used in the decision-making process. Clarification of the extent of input required on applications would help scope the resources required to meet the demands of the referral process.

**Outcome Recommendation (6-3): Institute a system of inter-agency MOUs to enable the CR management agency to deal with most issues relating to individual CR tenure applications internally.** A system of MOUs would enable other provincial agencies to make input to a CR management process at a broad scale, and avoid duplication of comments on numerous different applications with similar management issues. It would also allow more resources to be allocated to dealing with specific issues

that were pertinent to a fewer number of CR tenure applications. The development of such a process was already in its early stages as the Transition Plan came to a close.

**Outcome Recommendation (6-4): Use inter-agency meetings to deal with a large number of issues or applications at one time.** Respondents consistently reported the value of face-to-face meetings in moving larger batches of applications on through the process. The frequency and focus of such meetings would vary according to the requirements of the specific CR program. The advantages of this more informal, face-to-face approach to dealing with tenure applications should be maximised by ensuring that good notes are taken during the meetings.

**Outcome Recommendation (6-5): Cancel the ‘One-window’ agreement signed with BC Parks.** The processes for land-use planning inside and outside of provincial parks are sufficiently different that the creation of tenures that cross park boundaries is in most cases impractical. As well, other recommendations in this report suggest that ‘Backcountry Recreation Areas’ should be created where CR is considered the most suitable land use. It is likely that the land-use objectives for these areas will differ substantially from those of provincial parks.

**Outcome Recommendation (6-6): Encourage private-sector administration of CR tenures, through the issuing of extensive ‘umbrella’ tenures.** Where several CR businesses are using the same geographical area for their operations, administrative efficiencies may be achieved through granting of one extensive tenure. The holder of that tenure would then develop sub-tenure agreements with individual operators. This mechanism could substantially decrease the amount of inter-agency coordination required to manage a particular area, since the extensive tenure holder would be responsible for all management issues in that area. This type of arrangement would be most suited for activities where several smaller operations share use of a resource, for example a river corridor.

**Outcome Recommendation (6-7): Ensure timber harvesting companies are invited to participate in CR planning and referral processes.** LWBC, in cooperation with MoF, must ensure that all timber operations are invited to participate in CR planning and in the referral process. This is particularly

important in the case of the larger companies holding Tree Farm Licenses (TFLs). Conversely, CR coordinators from LWBC should attend annual reviews of Forestry Plans conducted by TFL licensees.

**Outcome Recommendation (6-8): Resolve outstanding policy issues relating to use of Forest Service Roads.** These issues include the ability of the CR management agency to offer tenure over FSRs, clarification as to whether CR operations constitute ‘industrial’ use of an FSR, and a mechanism to enable cost-sharing of maintenance costs for FSRs where these are currently maintained by TFL licensees. These issues must be resolved in consultation with the MoF. However, it is recommended that CR use of FSRs should be interpreted as ‘industrial’ use, and that LWBC should therefore be able to require CR operators to enter into tenure agreements to use FSRs. Where appropriate, these agreements should include a mechanism to contribute to the upkeep of FSRs.

#### **5.1.7 Relationship with First Nations**

*Consult with First Nations, consistent with provincial and ministerial guidelines, and provide economic development opportunities for First Nations.*

Many stakeholders in the CR industry in the Sea to Sky Corridor were unaware of the efforts BCAL had made during the Transition Plan to incorporate First Nations interests into the decision-making process. Further, only a very limited number of operators had made any direct contact with First Nations themselves. Respondents expressed broad agreement that the formal referral process is of limited value with respect to First Nations consultation. Most stakeholders felt that no direct economic benefits had yet been generated for First Nations from the Transition Plan. However, most respondents felt that CR programs should aim to meet the direct policy aim of providing economic development opportunities for First Nations, and many did express hope that progress could be made on this strategic principle .

**Outcome Recommendation (7-1): Involve First Nations as a partner in the joint management body responsible for a Backcountry Recreation**

**Area.** Models of First Nations involvement in co-management of parks and protected areas across Canada can be adapted to this new context.

**Outcome Recommendation (7-2): Involve First Nations in the early stages of CR planning, rather than only at the referral stage once plans are already complete.** Forwarding applications for comment once the planning has already been completed is unlikely to result in significant feedback. Genuine relationship-building over the longer term is likely to prove a more effective route towards meaningful participation than paper-based referrals

**Outcome Recommendation (7-3): Identify successful models for First Nations CR businesses.** As an example, two First Nations guided tour operations conduct at least a part of their activities in the Lower Mainland Region, and could provide useful models: Aboriginal Journeys <http://www.aboriginaljourneys.com/> and Takaya Tours [www.takayatours.com](http://www.takayatours.com). Other CR opportunities may be developed around First Nations traditional knowledge of plants and wildlife, or around First Nations heritage sites.

**Outcome Recommendation (7-4): Involve First Nations in CR programs in other ways than in the direct provision of CR activities.** This may include employing First Nations people in a monitoring and enforcement capacity, or involving First Nations people in maintenance of trails and signage. These latter activities might be undertaken in partnership with CR operators. An example of successful First Nations involvement in recreation programs was provided by the MoF, who reported working with the Mount Currie Band in the provision of public recreation facilities in the Squamish Forest District.

**Outcome Recommendation (7-5): Establish a program to support the development of CR operations marketing and management skills among First Nations people.** Elements of such a program might include provision of scholarships for courses such as those provided by the

Adventure Programs Department at the University College of the Cariboo, or work experience placements with existing CR operators.

### **5.1.8 Land Use Planning**

*Ensure that land allocations decisions are consistent with approved local, regional and provincial land use plans.*

The majority of CR operators felt that the Strategic Planning for CR process had been well integrated with existing land use plans. However, the lack of a comprehensive strategic plan for the Sea to Sky Corridor represented a major government failing in the eyes of respondents from public recreation and environmental organizations. Respondents commented on the tension between the need to solve immediate problems and the possibility of waiting until an LRMP had been completed before making land use agreements for CR. Some respondents also suggested that a successfully completed Transition Plan would provide a more valuable input to a subsequent LRMP process than a continued unmanaged situation.

**Outcome Recommendation (8-1): In situations where a strategic land use plan has not been completed, work closely with public recreation groups to ensure that values they had hoped would be recognized through such a plan are not lost through the development of the CR industry.** The escalating level of conflicts that came to characterize CR in the Sea to Sky district suggest it may not have been possible to simply wait for a strategic plan to have been developed before implementing a program such as the Transition Plan. This is also likely to be the case in other areas where strategic plans have yet to be developed, including the other two Forest Districts in the Lower Mainland Region. Other recommendations in this report relate to the need to fully involve public recreation groups in the planning process, and to develop a coordinated approach to commercial and public recreation planning.

**Outcome Recommendation (8-2): Where the approval of large-scale or intensive-use CR operations may significantly prejudice the outcome of**



**a subsequent strategic planning exercise, issue tenures of a limited duration.** Although limited-term tenures create higher program costs for the CR management agency, as well as increased levels of uncertainty for CR operators, they may enable applications to be processed without foreclosing options for future planning processes.

#### **5.1.9 Further Stakeholder Input - Efficiency and Enforcement**

*Administer the program efficiently, and adequately enforce the provisions of land-use agreements*

Feedback from stakeholders on administrative efficiency was mixed. The majority of stakeholders viewed the time and effort spent as an investment to protect environmental and public user values, as well as the resource base on which the CR industry depends on. From an economic perspective, opinion was less divided, with more respondents arguing that fees should probably be higher in the longer term. Stakeholders expressed almost universally strong support for the appointment of a compliance and enforcement officer, but were concerned about a perceived continued presence of untenured operators in the district. Stakeholder input included the possibility of regulation and enforcement for public recreation and for other activities not covered by the Transition Plan.

#### **Outcome Recommendation (9-1): Increase fees, over time, for CR operations offering motorized or mechanized recreational experiences.**

Fees and rents charged to operators should at least cover the costs of managing a CR program. As well, increased revenue for the provincial government would help place the emerging industry on a par with other resource sectors. This would help build the case for dedicated 'Backcountry Recreation Areas', and for increased monitoring and enforcement efforts. Both of the two factors would assist in the ongoing development of the CR industry.

#### **Outcome Recommendation (9-2): Create a new, streamlined mechanism to process applications from operators offering non-motorized, non-**

**mechanized CR experiences.** The great majority of comments on the possible negative impacts of CR focused on mechanized or motorized businesses. As well, feedback from CR operators suggested that the application process was an excessive burden only for the smaller operators, typically offering non-motorized, non-mechanized experiences. To suit the needs of these operators, a new type of tenure should be created, with many of the conditions of the two short term tenure options, but with an extended duration of up to ten years.

**Outcome Recommendation (9-3): Ensure all CR activities are included in management programs.** The Transition Plan program did not deal with commercial recreational hunting and fishing operations, or with operations offering recreation experiences on salt water that launched from Crown land. Bringing all operators into the same management fold would help to minimize perceptions that no enforcement activities are being taken against untenured operations.

**Outcome Recommendation (9-4): Develop brochure and website content to effectively communicate what tenures have been granted to CR operators.** This would help to reassure the public that only tenured operators are being allowed to continue their operations. It would also help to maximise public participation in monitoring efforts.

**Outcome Recommendation (9-5): Extend the mandate of the compliance and enforcement officer to include public recreation.** This proposal would be particularly valuable with respect to public snowmobile use. Implementation of this recommendation would only be possible if other recommendations in this report relating to closer management of public and commercial recreation and to snowmobile licensing were adopted.

## 5.2 Process Recommendations

The analysis of the internal agency debriefing revealed further challenges to the successful implementation of the Transition Plan for CR in the Sea to Sky district. This section provides recommendations intended to address these challenges.

### 5.2.1 Preparing for the Applications

Many applicants were not aware of what was expected of them at the outset of the application process. BCAL staff felt that part of the problem was that many applicants had not read the *Commercial Recreation on Crown Land Policy*. They also suggested that application materials provided by the agency had not adequately explained the process. It was felt that applicants under the CR program may differ significantly from those applying for other types of land use administered by BCAL, and may therefore require significantly more help with navigating their way through the application process. The high spatial data and mapping requirements of the program became apparent at this stage, and outsourcing of mapping services was very problematic for the agency. Applicants also had great difficulty providing maps of their proposed operating area.

**Process Recommendation (1-1): Develop a specific application package to suit the needs of CR operators.** Applicants under this type of program are likely to differ significantly from applicants under other land-use programs in their business experience and in their motivation for running a business. As a result, application materials should use more direct, less formal language. They should also be more visually appealing, with more use of colour and photographs. Materials should be available online as well as in printed format.

**Process Recommendation (1-2): Ensure CR applicants are able to review the CR policy before they make their land-use application.** A 'user-friendly' version of the policy should be developed containing its key provisions in simple, non-technical language. Maintaining the same general arrangement and section numbering would enable cross-referencing with the actual policy document.

**Process Recommendation (1-3): Develop full-colour publicity materials to explain the nature of LWBC's services, and how those services can best be accessed.** A

clearer understanding of the agency's purpose and way of doing business will reduce the amount of management effort required throughout the tenure application process. A significant step towards this goal has already been achieved through the renaming of the Crown corporation to Land and Water BC.

**Process Recommendation (1-4): Provide free base mapping to applicants.** This would help ensure higher-quality applications, give faster turnaround times, facilitate more effective management, and ultimately yield higher levels of revenue.

**Process Recommendation (1-5): Ensure relevant LWBC regional offices have robust in-house spatial data and mapping capabilities before embarking on a major CR management program.** Elements would include a spatial attributes database system such as the CURTS program developed for the Transition Plan program, and at least a basic cartographic capability. These systems should be administered directly by LWBC, instead of through the Ministry of Sustainable Resource Management.

### **5.2.2 Initial Review of the Applications**

Both staff resources and morale were stretched to the limit as the Transition Plan progressed. As well, the complexity of the project meant it was also difficult to keep proponents up to date on the progress of their applications. A considerable level of frustration among agency staff also arose from trying to process poor quality applications. In particular, maps often did not adequately specify which areas of land were to be included in the tenure application. As well, management plans often did not adequately specify the range of proposed CR activities and what steps would be taken to mitigate negative environmental impacts.

**Process Recommendation (2-1): Provide levels of staff resources fully adequate for administering a major CR program.** Meeting the staff resourcing demands of a large-scale program will best be met by ensuring sufficient pre-planning is undertaken. It is important to recognize that the maximum workload will fall on different sections of the administration team at different stages in the process. In particular, sufficient staff must be allocated to deal with the production of tenure offers and agreements, since their high workload may be masked by the lightening of the load for 'front-line' staff as a program approaches completion.

**Process Recommendation (2-2): Develop electronic application process for the CR program.** Working with ‘hard copy’ documents was particularly challenging for BCAL staff as well as for several of the operators with more complex CR proposals. On-line applications would substantially improve the ability of managers to incorporate changes and to efficiently distribute proposals to referral agencies.

**Process Recommendation (2-3): Ensure updates to web pages can be done at the regional as opposed to corporate level.** A web-based communications strategy for a program can only be effective if the capability to update the website on a regular basis is located in the office responsible for the program’s administration.

**Process Recommendation (2-4): Help develop capacity among private-sector consultancies to deliver a higher level of service to CR applicants.** This support should take the form of closer data sharing with CR consultancies, provision of base mapping, and invitations to participate in CR planning meetings. These steps would help to ensure that applications prepared by consultants meet more fully the needs of land managers. Closer involvement of consultants would be especially important with respect to larger CR business, who are more likely to use consultancy services. Experience with the Transition Plan program suggests it is these larger operations that present the majority of the management challenges faced by land managers.

### **5.2.3 Evaluating the Applications**

A key issue at this stage of the process was related to the high volume of applications, and the high level of pressure that placed on BCAL staff and resources. Staff also reported that some other government agencies were reluctant to participate fully in the process. Gaining formal input from First Nations was difficult, although the value of high-level informal contacts to ensure ‘buy-in’ and the use of Aboriginal Impact Assessment Reports to minimize the risk of damage to heritage sites was noted. An agreement with an association of existing CR operators was successful at ensuring industry participation in the program, and a pro-active media relations campaign helped establish a positive atmosphere for negotiations with stakeholders.

**Process Recommendation (3-1): Schedule inter-agency meetings at key stages through the CR management program to keep other government agencies informed of the progress of the program.** Experience gained through the Transition Plan program highlighted the importance of gaining ‘buy-in’ to the program from other government agencies.

**Process Recommendation (3-2): Review batches of applications at inter-agency meetings as an alternative to the formal hard-copy referral process.** Inter-agency review and batching of applications was a productive strategy in the Transition Plan, although consideration should be given in future processes of having applicants present at the meetings. The importance of taking good quality notes to enable reference to be made back to verbal agreements must be stressed.

**Process Recommendation (3-3): Seek First Nations involvement above and beyond the formal, paper-based referral process.** Genuine involvement is most likely to be achieved through long-term building of working relationships, and through provision of economic and employment benefits for First Nations. The example of the MoF involving members of the Mount Currie band in the provision of public recreation facilities and services might provide a useful model.

**Process Recommendation (3-4): Develop positive working relationships with CR operators and a good knowledge of the land base.** As well as aiding in the decision-making process, a thorough knowledge of the CR operations in the area and the land base they are using will help build the credibility of LWBC.

**Process Recommendation (3-5): Encourage the formation of an industry association to represent the views of the CR industry.** Involvement of the Sea to Sky Commercial Recreation Association in the Transition Plan process helped achieve buy-in from existing tenure-holders. Several of these tenure holders had strong economic and political leverage in the district. Their involvement helped maximise support for the program, and helped minimize conflict between longstanding CR interests and relative newcomers to the industry.

**Process Recommendation (3-6): Commit to issuing limited-term tenures in cases where full resolution of issues can not be achieved, or where insufficient information is available to make a conclusive decision on a tenure application.**

Making stakeholders aware that BCAL was ready to issue tenures shorter in term than the maximums specified in the CR policy helped to overcome opposition to the program from several stakeholders. Without flexibility on all sides, it is unlikely that a program such as the Transition Plan program would have reached its conclusion.

#### **5.2.4 Decision on the Applications**

The gap between applicants' expectations and what was actually offered to them in tenure documents became apparent at this stage. In particular, BCAL staff working on the preparation of formal tenure offers reported that many applicants were surprised at the up-front amounts they had to pay for security deposits and for liability insurance. A major management challenge was also reported due to the shift of land status checks to this late stage in the process, emphasizing the importance of both high quality mapping from applicants and BCAL's capacity to use GIS technology. The issuing of limited-term permits was recognized as a 'make-do' solution, which, although necessary under the circumstances, would result in increased management costs as tenures came up for renewal sooner, and in reduced certainty for operators.

**Process Recommendation (4-1): Take steps to manage client expectations as early as possible in the application process.** This need has already been addressed in the Lower Mainland Region through the appointment of a dedicated Client Services Coordinator to guide applicants to all programs through the process. Other steps should include provision of clearer material in the CR tenure application package, and the holding of orientation sessions for new applicants.

**Process Recommendation (4-2): Provide on-line tracking capability for operators to follow the status of their application.** Information on how their application is progressing would cut the amount of frustration suffered by applicants, and reduce the level of surprise once the decision is made.

**Process Recommendation (4-3): Ensure LWBC has direct access to cadastral information held by the Crown land registry.** The ability to easily confirm status and

ownership of land parcels relevant to CR applications early on in the process would overcome the need to defer checks until the precise boundaries of parcels offered for tenure were confirmed. Experience with the Transition Plan program showed that conducting checks at a later stage in the process involved time-consuming and costly alterations to formal tenure documents.

### **5.2.5 Monitoring and Enforcement**

There was broad agreement that the appointment of the compliance and enforcement officer had been of great benefit. Ongoing challenges for enforcement efforts were the continued existence of untenured operators, some from outside the area, and the need for policy clarification over the 'incidental use' clause in the policy. A further challenge was how to define snowmobile and ATV rental operations with respect to the CR Policy. Other management issues highlighted at this stage included the complexity of calculating fees for operators and the need for a recreational carrying capacity program for the Sea to Sky district.

**Process Recommendation (5-1): Conduct follow-up meetings with all newly tenured operators to strengthen personal relationships and to outline ongoing responsibilities of the CR operator and of LWBC.** The focus of these meetings should be to convey to operators that the tenure agreement represents the beginning of a longer-term working relationship with LWBC, instead of simply a 'rubber-stamp' permit to operate. The meetings provide an opportunity for LWBC staff to explain more fully the terms of an operator's tenure agreement. As well, staff should suggest the benefits for the CR operator of working in cooperation with LWBC to monitor CR activity in the area, particularly the activities of untenured operators.

**Process Recommendation (5-2): Revise the CR Policy's section on 'incidental use' of Crown land such that LWBC staff may require CR operators claiming this status to provide documentary evidence of their level and type of land use.** The aim of this policy revision should be to place the 'onus of proof' on the operator, rather than on LWBC staff. The policy should provide an enforcement mechanism such as a 'cease and desist' to enable LWBC staff to prohibit continued activities should a CR operator not comply with a request for this information.



**Process Recommendation (5-3): Revise the CR Policy such that snowmobile and ATV rental operations using Crown land must apply for land tenure.** Where delivery to the renter of recreational vehicles takes place on Crown land, the supplier of the vehicles must be understood to be using Crown land as part of the service they operate. Feedback from tenured operators suggests that rental companies regularly used sites maintained by themselves at significant cost, and conflict was escalating between tenured and rental operations.

**Process Recommendation (5-4): Ensure that all CR operations are targeted in a CR management program.** During the Transition Plan, guided hunting and fishing operations were not required to apply for land tenure. However, the growing popularity of guided fishing outings in the district contributed to the perception that BCAL was not adequately enforcing the terms of the Transition Plan. Requiring all CR operations to apply for tenure would help to minimize these negative perceptions of the agency's enforcement capabilities.

**Process Recommendation (5-5): Adopt fee schedule for CR operators based on a percentage of gross revenues as opposed to one based on 'user days'.** This approach would considerably cut administrative complexity, both for operators and for LWBC. This approach has already been tested and proved effective under the Commercial Alpine Ski Policy.

**Process Recommendation (5-6): Adopt a comprehensive, standard-based carrying capacity program for the intensive use area of the Sea to Sky district.** This program should include environmental, social and economic components, as discussed in process recommendations 1-1, 2-3 and 4-1 in Section 5.1 of this report.

# CHAPTER 6: CONCLUSIONS

## 6.1 Conclusions

This study aimed to evaluate the effectiveness of the CR Policy as a tool for managing commercial recreation on Crown land in British Columbia. This task was approached through a case study of a pilot application of the policy in the Sea to Sky district. This application consisted of two components, the first being a planning phase, Strategic Planning for Commercial Recreation, the second being an implementation phase, the Transition Plan for CR. Three research questions were posed in Chapter 1 of this report:

1. How has strategic planning for CR in the Sea to Sky district evolved?
2. What were stakeholder perspectives on the outcomes of the Strategic Planning for Commercial Recreation and Transition Plan processes in the Sea to Sky district?
3. How did the implementing agency perceive the process for administering the CR Policy in the Sea to Sky district?

### ***Evolution of Strategic Planning for CR in the Sea to Sky District***

The research highlighted the lengthy evolution of CR planning in the Sea to Sky district. This evolution had been constrained until 1998 by the lack of policy with which to deliver land tenure to CR operators. Once the new *Commercial Recreation on Crown Land Policy* was in place, staff at the Lower Mainland regional offices of the newly formed British Columbia Assets and Land Corporation moved quickly to prioritize implementation of the policy in the Sea to Sky district. Planning was undertaken by an external contractor, and implementation of the CR plan began in September 2000.

The case study offered the opportunity to compare approaches to recreation management identified in the literature with the approach adopted in the Sea to Sky district. In terms of planning, the approach taken corresponded most closely with the Recreation Opportunity Spectrum (ROS) framework. An attempt was made to build a carrying capacity element into this approach, based on the Limits of Acceptable Change (LAC) framework. However, a pilot application of this carrying capacity component was left uncompleted in one CR planning sub-unit, and carrying capacity management was not initiated in the remainder of the case study area. The failure to implement the

capacity management program can most likely be attributed to a change in the leadership of the CR management team at a crucial stage in the implementation of the CR program, and to a lack of clarity in the capacity management documentation.

In terms of direct management of CR operations, a regulatory strategy was adopted, as directed by the CR Policy. This strategy was based on the use of licences and leases with conditions included in the tenure documentation, typically in the form of an approved management plan. Following the implementation of the formal CR program, a more informal process was initiated by stakeholders who were concerned about issues relating to sharing the landbase between commercial and public recreationists, and between motorized and non-motorized activities. While it was supported by a number of government agencies, this informal process represented a voluntary strategy with respect to recreation management.

### ***Stakeholder perspectives***

The perspectives of CR stakeholders were gathered through the use of a framework of nine evaluative criteria. Of these criteria, feedback was most positive with respect to economic diversification, particularly in terms of support for the CR industry. Some stakeholders, however, suggested that even more could be done to support the industry, and proposed that a dedicated 'Backcountry Recreation Area' should be designated to provide a clear management direction for the part of the Sea to Sky district most intensively used by CR operations. If the CR industry continues to develop at anything like the present rate, this kind of step will become essential in the near future. A suitable opportunity to allocate land for backcountry recreation use will be presented by the upcoming Sea to Sky LRMP. Respondents were generally in agreement that restrictions should be imposed upon CR operators through conditions attached to their licence and lease documents, although there was also widespread concern as to whether compliance and enforcement efforts would be adequate to ensure that these conditions were adhered to. Two steps in particular may be taken to ensure greater compliance in the future. First, increased compliance and enforcement efforts in the shape of more field officers can be funded through increased revenues generated by the ongoing development of the CR industry. Second, voluntary compliance can be encouraged through the implementation of strategies such as accreditation and certification, and codes of conduct and guidelines.

Of the nine evaluative criteria, stakeholder feedback was most critical with respect to environmental stewardship, public access and use, and the implementing agency's relationship with First Nations. To manage negative impacts on the environment and on the quality of backcountry users' experiences, many stakeholders felt that a comprehensive recreational carrying capacity program should have been implemented. While respondents were not clear on what precise form this program should have taken, it was also evident that none had been aware of the preliminary carrying capacity planning efforts that had been undertaken during the CR planning process. As well, public recreationists felt that their values had not been effectively integrated at an early stage in the planning process. Reference to the literature suggests that capacity management planning should ideally be undertaken as an integral part of recreation planning, rather than as a separate element that can be added on after the bulk of planning has been completed. In applications of the Limits of Acceptable Change (LAC) framework, public involvement has typically been sought in the development of indicators and monitoring systems. The Tourism Optimisation and Management Model (TOMM) is a more recent adaptation of the basic LAC approach, and was especially designed for tourism contexts. The model aims to integrate input from a variety of stakeholder perspectives, and to provide for coordination of management efforts among several different government agencies. As such, it may provide a valuable model for ongoing CR planning in the Sea to Sky district, as well as in other areas of BC.

With respect to the BCAL's relationship with First Nations, many stakeholders were unaware of the extent to which the implementing agency had attempted to integrate First Nations concerns into the decision-making process. Many suggested that First Nations involvement should also have been sought earlier on in the planning process. Virtually all stakeholders agreed that First Nations communities had not gained directly from the application of the CR Policy in their traditional territories, despite this being an explicit aim of the policy. The development of a response to this failure must be the responsibility of CR operators as well as the provincial government. A first step might be an exploratory meeting between the SSCRA and relevant First Nations chiefs, facilitated by members of LWBC. The example of First Nations involvement in recreation programs administered by the MoF may provide a possible model for greater First Nations involvement in CR management. The literature also offers numerous examples of co-

management of natural resources as a route to providing First Nations with tangible benefits from resources within their traditional territories. In the Sea to Sky district, First Nations participation in the management of a dedicated 'Backcountry Recreation Zone' may offer a means of providing benefits to First Nations communities. Such benefits might include direct employment in CR management programs, or participation in training programs funded by CR operators.

### ***Implementing agency perspectives***

Staff at the Lower Mainland regional offices of British Columbia Assets and Land Corporation expressed considerable pride in what they felt was a successful program to manage CR in the Sea to Sky district. Most staff felt that virtually all CR operations had been brought into a management framework, a task that previous CR programs had failed to achieve. However, they also reported a number of key challenges they had faced in implementing the CR Policy in the Sea to Sky district. A primary concern related to the resources required to manage a large and complex CR program. In particular, staff felt that the agency's GIS and mapping capabilities had been inadequate to meet the program's requirements, and that staff resources had also been stretched by the high demands of the program. Considerable problems had also arisen because of the poor quality of many of the tenure applications, an issue which the agency has now taken a number of steps to address. Finally, the research highlighted a number of areas of concern in the CR Policy itself, particularly the 'per-head' pricing mechanism used to calculate operators' fees, the 'incidental use' clause and the application of the policy to companies renting ATVs and snowmobiles to the public.

Solutions to the administrative challenges raised by BCAL staff include increased access to spatial data management tools, a greater level of engagement with tenure applicants at the early stages of the application process, streamlining of the referral process, and resolution of a number outstanding issues in the CR Policy. It would appear that significant progress has already been made in all of these areas. Planning functions for provincial resource management ministries and agencies have been regrouped within the new Ministry of Sustainable Resource Management, creating a greater potential for data-sharing. The Crown Land Registry has also been moved within this new ministry, in order to allow greater access to cadastral information to land management ministries and agencies. In terms of relationships with tenure applicants, BC Assets and Lands

Corporation has now become Land and Water BC, a title which more clearly explains the organization's role. As well, all regional offices of LWBC now have a dedicated client services coordinator, who works closely with new tenure applicants to ensure that they fully understand the application process and what is required of them. The inter-agency referral process was significantly updated at the time of the completion of the Transition Plan. An agreement was reached with eight provincial agencies to clarify and simplify the responsibilities and procedures with respect to referrals of Crown land applications. Finally, a number of new policy directives relating to the CR policy were issued during the first four months of 2003. It is to be hoped that all of these improvements together will significantly improve the efficiency with which the CR Policy is administered.

## **6.2 Areas of Further Research**

The study highlighted three areas in particular which would benefit from further research in the context of CR planning and management in British Columbia. These relate the identification of a system of indicators suitable for use in recreation carrying capacity management programs, identification of ways to create direct economic benefits for First Nations from CR management programs, and assessment of the value of CR activities in relation to other types of resource use.

### ***Recreational carrying capacity management***

The literature contains numerous examples of the application of standard-based approaches to recreational carrying capacity management in North America. A common conclusion is that stakeholder engagement in the development of the system of indicators and associated standards is critical to the success of such approaches (Krumpe 2000, Newsome et al 2002). Given that the settings for capacity programs, and the stakeholder groups involved, are likely to vary widely, it is also likely that the most suitable system of indicators and standards is also likely to vary. In the case study, only very limited information was identified relating directly to the development of indicators, and all of this was drawn from literature sources (Leavers and Jackson 2000a). The fact that a pilot program to apply a carrying capacity management system based on these indicators was not adopted across the case study area, despite numerous stakeholders suggesting there was a strong need for such a system, suggests that there is a pressing need for research to identify a more locally relevant set of indicators. It is likely that these

indicators would need to have three key characteristics. First, given that maintenance of the quality of recreational experiences over time is likely to be of prime importance to CR operators as well as public recreationists, they should include behavioural and experiential components, as well as more physical, environmental components. Second, given the tourism setting for the program, the system should include indicators relating to economic and marketing factors. The application of the TOMM planning framework at Kangaroo Island in South Australia (McArthur 2000) illustrates how indicators relevant to the tourism industry, as well as capable of being provided by that industry, can be integrated into a carrying capacity program. Third, given that stakeholder acceptance is frequently the critical element in implementing recreational carrying capacity programs, the indicators should be developed in close consultation with CR stakeholders, rather than being based simply on a review of the literature or on 'expert opinion'.

### ***Economic benefits for First Nations***

Virtually all respondents in Phase II and Phase III of the case study research agreed that First Nations communities had gained no direct economic benefits from the application of the CR Policy in the Sea to Sky district, despite this being a key part of one of the eight objectives of the policy. There is therefore a need to find ways to involve these communities in this and other CR management programs across the province. Research might assist in this task in a number of ways. First, research could seek to identify successful examples of First Nations CR operations in other parts of the province, to provide role models for new operations, as well as a network of contacts for mutual support. Two possible examples exist in the Southern BC: Takaya Tours, operated by the Tsleil-Waututh First Nation in North Vancouver, and Aboriginal Journeys, operated by the Laichwiltach people from Campbell River. Second, research could seek to identify ways in which resource management programs have successfully delivered benefits to First Nations, and propose ways in which these might be adapted to suit the context of CR on Crown land. One example is provided by the 'Haida Watchmen' program at Gwaii Haanas National Park Reserve (Hawkes 1995). Under this program, Haida First Nation people are present at campsites used by kayakers around the national park reserve. Their dual role involves interpretative activities with tourists built around First Nations heritage and protection of heritage sites from vandalism and theft. The program is run within the broader co-management framework of the Archipelago Management Board, established by Parks Canada and the Haida First Nation in 1993.

Finally, research could examine the level of interest among participants in existing CR activities in additional activities with a First Nations component in them. Such activities might include those with a heritage component, or those with an element related to traditional knowledge and use of wildlife and plants. This information could then be used to assist the development of new tourism products, possibly in partnership with existing CR operators.

### ***The value of CR development***

While the case study showed that the majority of stakeholders in the CR industry felt that the implementation of the Transition Plan in the Sea to Sky district had supported the development of the industry, there is no information available to compare the value of this industry compared with other types of resource use. This information would be of value in assisting decisions over trade-offs between different types of land use, particularly within the context of a land-use planning exercise such as the current Sea to Sky LRMP process. Research into the value of CR development in the Sea to Sky district could focus on the direct expenditures of participants in CR activities, or on the role of CR activities in providing an attraction and therefore supporting the development of the tourism industry as a whole. The research could also explore other areas in which CR development makes an impact on the local economy, particularly in terms of employment.



# APPENDIX 1: Outcome of Original 53 Applications to the CR Transition Plan

The outcome of the original 53 applications for CR use of Crown land under the Transition Plan are here broken into four categories:

- A) Tenure offers made (32)
- B) Short-term permits issued (4)
- C) Applications disallowed (9)
- D) Not appropriate to Transition Plan (8)

## ***A) Tenure offers made (32)***

### Tenure offers accepted by the applicant (19)

Offers of tenure were accepted by 19 applicants. It should be noted that the level or geographical extent of activities proposed in the original applications were not necessarily reflected in the actual tenure offers made to applicants.

### Decision on tenure offer pending (7)

Representatives of the water-based CR industry sector had negotiated a draft policy directive with the Provincial Government relating specifically to that sector. The seven the water-based operators in the Sea to Sky district responded jointly to their tenure offers, arguing that the provincial agreement had not been respected. This issue had still not been resolved at the time of writing (August 2003)

### Tenure offers declined by the applicant (3)

Three offers of tenure were declined by proponents. All of these business offered activities that included an airborne element.

### Tenure offers rescinded by BCAL (3)

Three tenure offers made were subsequently rescinded (i.e. withdrawn) by BCAL. One offer was rescinded because no response to the offer was received from the proponent (despite numerous follow-up calls) and two because a number of issues arose as the proposals moved into the implementation stage.

## ***B) Short-term permits issued (4)***

In addition to offers of formal tenure, four short term permits were issued.

#### Investigative Use Permit (1)

One permit was issued for investigative use. This type of permit allows for quick authorization for a proposal to explore an area for possible commercial use. In this case, the proponent went on to make a full application for tenure to operate.

#### Temporary Permit (3)

Three applications resulted in the granting of temporary permits. One of these applications related to an event held on an annual basis for which formal tenure was not considered appropriate. For the other two applications, temporary permits allowed the applicants to operate for one season on a trial basis, to help to establish whether the area relevant to their application was in fact suitable for the proposed activities.

### ***C) Applications disallowed (9)***

Nine applications were disallowed for a variety of reasons.

#### Inadequate application (3)

Three applications were disallowed because BCAL and referral organizations were unable to review material supplied by the applicants due to inadequate mapping and imprecise management plans.

#### Conflict with other land use (2)

Two applications were disallowed because of incompatibility with other land use developments. One application proposed to use land inside the Whistler Interpretative Forest, under development by RMOW as a display of forestry practices. Another application proposed to use an area of Brohm Ridge under consideration as part of the proposed Garibaldi at Squamish development.

#### Unresolved issues (4)

Four applications were disallowed due to a range of issues that were not expected to be resolved within the timeframe of the Transition Plan. These issues included proposed use of trails that had not been approved by the MoF, proposals for site access not considered safe by the Ministry of Transport and Highways and BC Rail, and First Nations issues centred on possible damage to heritage sites and disruption of fishing activities.

### ***D) Applications not appropriate to the Transition Plan (8)***

A total of 8 applications were received that were considered outside the terms of the Transition Plan.

#### Duplicate applications (2)

One operator had made three separate applications, and the decision was made to combine all of these into one application.

#### Incidental use (1)

One application outlined activities that would fall under the incidental use clause in the CR Policy, and would therefore not require formal tenure.

#### Ongoing tenure management (2)

Two applications were from the holder of an existing tenure issued under a previous policy. Many of the issues raised in that application related to that previous tenure agreement, rather than new activities or areas of use. The decision was therefore made to consider these two applications under ongoing tenure management rather than as new applications under the Transition Plan program.

#### General Commercial policy (2)

Two applications did not involve guided activities on Crown lands. These applications were transferred out of the Transition Plan program to be considered under the General Commercial policy.

#### Transferred to another BCAL regional office (1)

For one of the applications, most of the land relevant to the tenure proposal lay in the Southern Interior region. As a result, the application was transferred to BCAL's Kamloops office for consideration.

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