



## Request for Decision Natural Resource Operations Referral

File No: P 151 400  
Reference: 539917  
Date: December 20, 2019

**Subject:** Crown Land Licence of Occupation – Ta Ta Creek / Kootenay Dirt Riders  
**Applicant:** Alex Buterman  
**Location:** Crown Land in the vicinity of Ta Ta Creek  
**Legal:** Various

**Proposal:** A Crown land application pursuant to Sections 56 & 57 of the *Forest and Range Practices Act* to establish a recreation trail / site to allow construction (where required) and maintenance of 65 km +/- of trails in the vicinity of Ta Ta Creek and to construct a designated camping / staging area and designate the trails and staging area as a recreation site.

**Options:**

1. THAT the Ministry of Forests, Lands, Natural Resource Operations and Rural Development be advised that the RDEK supports the Kootenay Dirt Riders Crown Land Licence of Occupation for a trails and staging area recreation site in the Ta Ta Creek area.
2. THAT the Ministry of Forests, Lands, Natural Resource Operations and Rural Development be advised that the RDEK does not support the Kootenay Dirt Riders Crown Land Licence of Occupation for a trails and staging area recreation site in the Ta Ta Creek area.

**Recommendation:** **Option #1:** Establishing the existing trails and staging area as a recreation site will give Recreation Sites and Trails BC the needed tools to further engage collaboratively with the Kootenay Dirt Riders Association in ongoing improvements and recreation management in the area. Recreation Sites and Trails BC will ensure the proposed recreation site designation is consistent with ALC regulations.

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**Property Information:** **OCP Designation:** RR, Rural Resource; includes agricultural, rural residential and rural resource land uses with parcel sizes 8.0 ha and larger. The RR designation also recognizes the use of these lands for public utility use, resource extraction, green space and recreation.

**OCP Policies:**

- Efforts to minimize conflicts between motorized and non-motorized recreation users of Crown land within the plan area are supported.
- The Regional District encourages management of Crown land in an environmentally responsible manner which:
  - a) Protects surface and groundwater sources;
  - b) Manages forest ingrowth;
  - c) Minimize risk of interface fire and wildfire;
  - d) Enhances wildlife habitat;
  - e) Protects views and scenery;
  - f) Protects watershed ecological values, including waterfowl and fish and their corresponding habitat; and,

**Property  
Information -  
cont'd:**

- g) Maintains diverse plant communities by managing invasive plants.

**Zoning Designation:** Most of the identified area is zoned RR-60, Rural Resource Zone, minimum parcel size: 60 ha. Wildland use is permitted. Some portions of the identified land are unzoned.

**Parcel Size:** The area affected is approx. 250 ha. 65 kms +/- of trails plus camping and staging area

**Density:** N/A

**ALR Status:** Mostly within. Pursuant to ALC Act BC Regulation 30/2019 Section 16, a recreation site established under Section 56 of the *Forest and Range Practices Act*, is permitted.

**BC Assessment:** N/A

**Water / Sewer Services:** Onsite. The referral states that the applicants propose to install a pit-toilets in the camping / staging area

**Interface Fire Hazard Rating:** Ranging from low to high. Crown land is serviced by the BC Wildfire Service.

**Flood Hazard Rating:** The proposed trail network crosses several creeks and is in the vicinity of several waterbodies.

**Crown Land  
Management  
Plans:**

N/A

**Lake Management  
Plans:**

N/A

**Shoreline  
Management  
Guidelines:**

N/A

**Additional  
Information:**

- The area is proposed to be designated as an established recreation site under FRPA Section 56 (establishing recreation sites or trails on Crown Land).
- The proposed recreation area is intended for all user groups and the general public.

**Consultation:**

**APC Area E:** Not supported

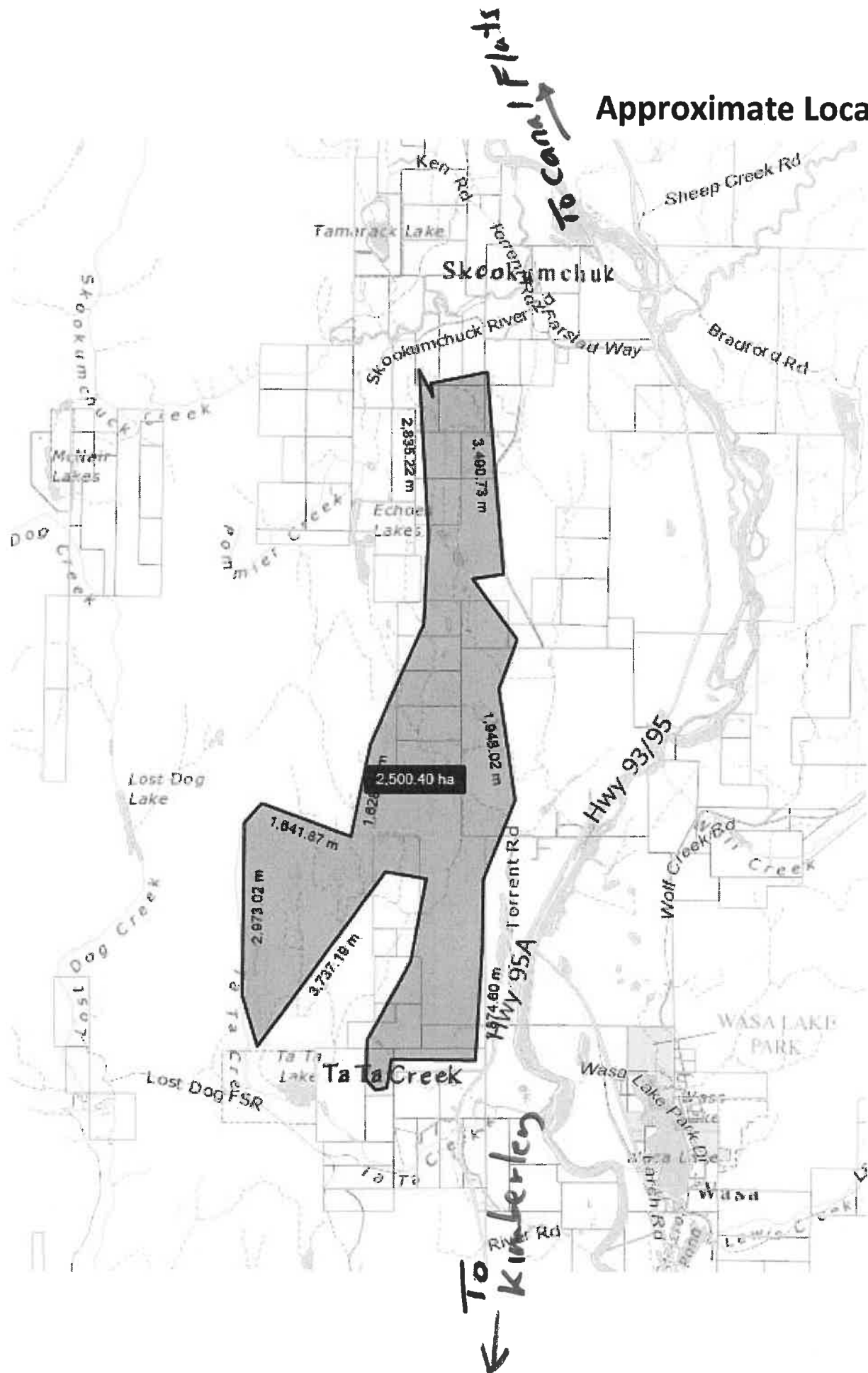
**Documents  
Attached:**

- Location Map
- Proposal
- Maps Provided by Applicant

**RDEK  
Contact:**

Tracy Van de Wiel, Planning Technician  
Phone: 250-489-0306  
Email: [tvandewiel@rdek.bc.ca](mailto:tvandewiel@rdek.bc.ca)

# Approximate Location





16660-20/260438 Tata Creek

July 15, 2019

Dear Recreation Land Referral Recipients

The Kootenay Dirt Riders Association (KDRA) has submitted an application to formally establish an existing dirt bike trail network (~65 km) and to build a designated camping/staging area in the Tata Creek area. This land referral is to designate the trail network as a British Columbia recreation trail and to designate the area highlighted in yellow on the map as a British Columbia recreation site.

The proposed recreation trails will provide beginner to intermediate trails for off road motorcycling and promote a family friendly riding opportunity. By designating these informal trails, it will allow for focused management and application of Recreation Sites and Trails BC standards and regulations. As well, the proposed recreation site will formalize the existing uncontrolled camping and provide adequate facilities for camping ie pit toilets. The complete Section 57 application form is included in the referral package with further details.

A trail inventory was completed in 2017 which identified portions of trail that have problems with sustainability or connectivity which will be considered for mitigation. The Tata Creek Recreation Trail Inventory and Assessment is available for review for stakeholders looking for that level of information. Chapter 10 of the *Recreation Manual* and the Great Trails: Providing Quality OHV Trails and Experiences are the industry standards that will apply to this proposed trail network if approved.

The application is made under Section 57 of the *Forest and Range Practices Act (FRPA)* (allowing construction, rehabilitation, and maintenance) and will subsequently be designated as an established Recreation Trail under FRPA Section 56 (establishing Recreation Sites or Trails on Crown Land). The designation will give Recreation Sites and Trails BC (RSTBC) the needed tools to further engage collaboratively with the Kootenay Dirt Riders Association in the ongoing improvements and recreation management in the area.

KDRA is an active non-profit stewardship group promoting responsible off-road motorcycling in the Tata Creek area. If authorization proceeds, the club will be required to enter into a 10 year Partnership Agreement with Recreation Sites and Trails BC for stewardship and maintenance of these proposed dirt bike trails. KDRA is committed to providing leadership for sustainable trails that can be enjoyed by all ages and abilities.

I welcome your comments on the proposed trail network and camping/staging area.

Yours truly,

A handwritten signature in dark ink, appearing to be 'L Cox', written in a cursive style.

Lisa Cox  
Recreation Officer  
Rocky Mountain District  
Recreation Sites and Trails Branch



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

## Proposal for Construction or Maintenance of Trails or Recreation Facilities on Crown Land

### For Office Use Only (form for applications from the public pursuant to section 57, *Forest and Range Practices Act*)

Date Received	Received By	Recreation District	File no (if applicable)

All applications must include a completed application form, and for proposals involving previously 'un-managed' trails or facilities or new trails or facilities, the application must also include a general location map, a specific location map and submission of digital geo-spatial information as described in the *Application Information and Guidelines* associated with this Form. **Incomplete applications will not be considered.**

### Part 1. Proponent Name and Contact Information

**Proponent Name:**

FULL LEGAL NAME of Individual(s), Organization or Society

Kootenay Dirt Riders Association

**Proponent Mailing Address:**

8983 Highway 95A

Kimberley B.C.

V1A 3M5

**Contact Name for Organization or Society:**

Alex Buterman

**Proponent Contact Numbers:**

[Redacted] Cell

Phone:

Daytime Phone:

Fax:

Email Address:

### Part 2. General Proposal Description

**Purpose or intended use of proposed trail or recreation facility:** To establish, maintain and protect habitat for motorcycle use in the Tata Creek area. To have an area to be enjoyed and respected for future dirt bike use in a sustainable, forward thinking way. To work with the existing infrastructure to produce + provide safe, sustainable trail systems.

**Brief description of proposed trail or recreation facility and any work or activities planned:**

To enhance and cohabitate motorcycle terrain with existing eco-systems and interests. To create a three phase approach to the area: ① maintain/improve existing trails, ② To establish a riding area that has outdoor toilets, camping area and safe staging Area, ③ To uphold Stewardship and Responsibility for future and existing riding community.

**Location of proposed trail or recreation facility:**

Tata Creek area B.C.

NAD 1983 UTM Zone 11N

<b>This proposal is for:</b> (refer to <i>Application Information and Guidelines</i> for explanation of proposal types)		
Authorization under Section 57 of the <i>Forest and Range Practices Act</i> to construct, rehabilitate or maintain a trail or recreation facility on Crown land: (please select one choice from each column)		
<input type="checkbox"/> construction <input type="checkbox"/> maintenance <input type="checkbox"/> rehabilitation	<input type="checkbox"/> a managed trail or recreation facility <input type="checkbox"/> an unmanaged trail or recreation facility <input type="checkbox"/> a new trail or recreation facility	For an existing trail, is it a Heritage Trail or known to have heritage, or historic values? <input type="checkbox"/> designated Heritage Trail <input type="checkbox"/> known Historic or Heritage Value <input checked="" type="checkbox"/> no known heritage values


Part 3. Detailed Trail or Recreation Facility Description	
Approximate trail or recreation facility size:	Proposed work start dates:
Approximate trail or facility length x width:	Proposed work completion dates:
Describe the anticipated or proposed trail or recreation facility uses (check all that apply):	
<input checked="" type="checkbox"/> Camping <input checked="" type="checkbox"/> Picknicking <input type="checkbox"/> Fishing <input type="checkbox"/> Hiking <input type="checkbox"/> Mountain Biking <input type="checkbox"/> Horseback Riding <input type="checkbox"/> Cross Country Skiing <input type="checkbox"/> Boating <input type="checkbox"/> Snowmobiling <input type="checkbox"/> ATV's (ORVs) <input checked="" type="checkbox"/> Trail bikes (Motorized) <input type="checkbox"/> Other _____ (Please Specify)	
Are you aware of any potential land conflicts or constraints, including overlap with private property, grazing leases, provincial parks or protected areas, Old Growth Management Areas, or is the proposed trail or recreation facility located within a community watershed?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Describe: Possible cattle grazing tenure, Possible horse back riding tenure	
Identify any construction or maintenance guidelines or standards that will be followed when conducting works, any infrastructure that will be required, or signage to be installed:	
Any work that would be done on existing trails would have warning flagging or signage that trail maintenance was in effect. All work performed will be approved by proper Authority before starting any work	
Describe any significant water features including creeks, streams, rivers or wetlands the proposed recreation trail or facility might cross or potentially impact, and how you plan to protect these areas:	
We will work with professional support to decommission trails that affect water features. We will work to re route, bridge over water features	
<b>Digital geo-spatial information provided with application</b> Format: <input type="checkbox"/> gpx file <input type="checkbox"/> shape file <input type="checkbox"/> kml file (must be based on field collected gps data) File name(s):	<b>Maps &amp; Photos Included</b> <input type="checkbox"/> General Location Map <input type="checkbox"/> Specific Location Map <input type="checkbox"/> Colour Photographs
(see <i>Application Process Information Package</i> for spatial data requirements and map requirements associated with this application)	

#### Part 4. Additional Information

**Describe any discussions or communications with potentially impacted stakeholders, interest holders or First Nations regarding this proposal:** Members of our board of KDRA have had successful conversations with immediate neighbors to the lake creek area. We have been met with optimism that someone credible will be taking a responsible approach

**Describe your or your organization's capacity and commitment for ongoing maintenance of the proposed trail or recreation facility, should it be approved:** KDRA is a growing organization, members of KDRA will be assigned to trail maintenance teams that will do work on existing trails to ensure the risks are controlled by design, trails are environmentally sustainable and within the limits of the agreement with the Ministry. Our goal with KDRA is to pass down a legacy of riding in the East Kootenays to future generations

(attach additional pages as necessary, including any letters of support from stakeholders, summaries of correspondence, etc)

<p>Applicant Signature</p>  <p>Alex Buterman</p> <p>Printed Name of Applicant</p>	<p>April 5/2019</p> <p>Date</p>
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PLEASE RETAIN A COPY OF THIS APPLICATION FOR YOUR RECORDS

**NOTE:** The information you provide will be subject to the *Freedom of Information and Protection of Privacy Act*. If you have any questions regarding the treatment of your personal information, please contact the Office of the Information & Privacy Commissioner for British Columbia. Visit [www.oipc.bc.ca/](http://www.oipc.bc.ca/) for more information.

The submission of this form does not in any manner convey any rights to use or occupy Crown land.

#### FrontCounter BC Contact Information

##### Phone

Call FrontCounter BC toll free at: 1-877-855-3222  
Call from outside North America at: ++1-778-372-0729

##### Email

[FrontCounterBC@gov.bc.ca](mailto:FrontCounterBC@gov.bc.ca)

##### Website

For information on the nearest FrontCounter BC location, or other information regarding your Natural Resource Application, visit

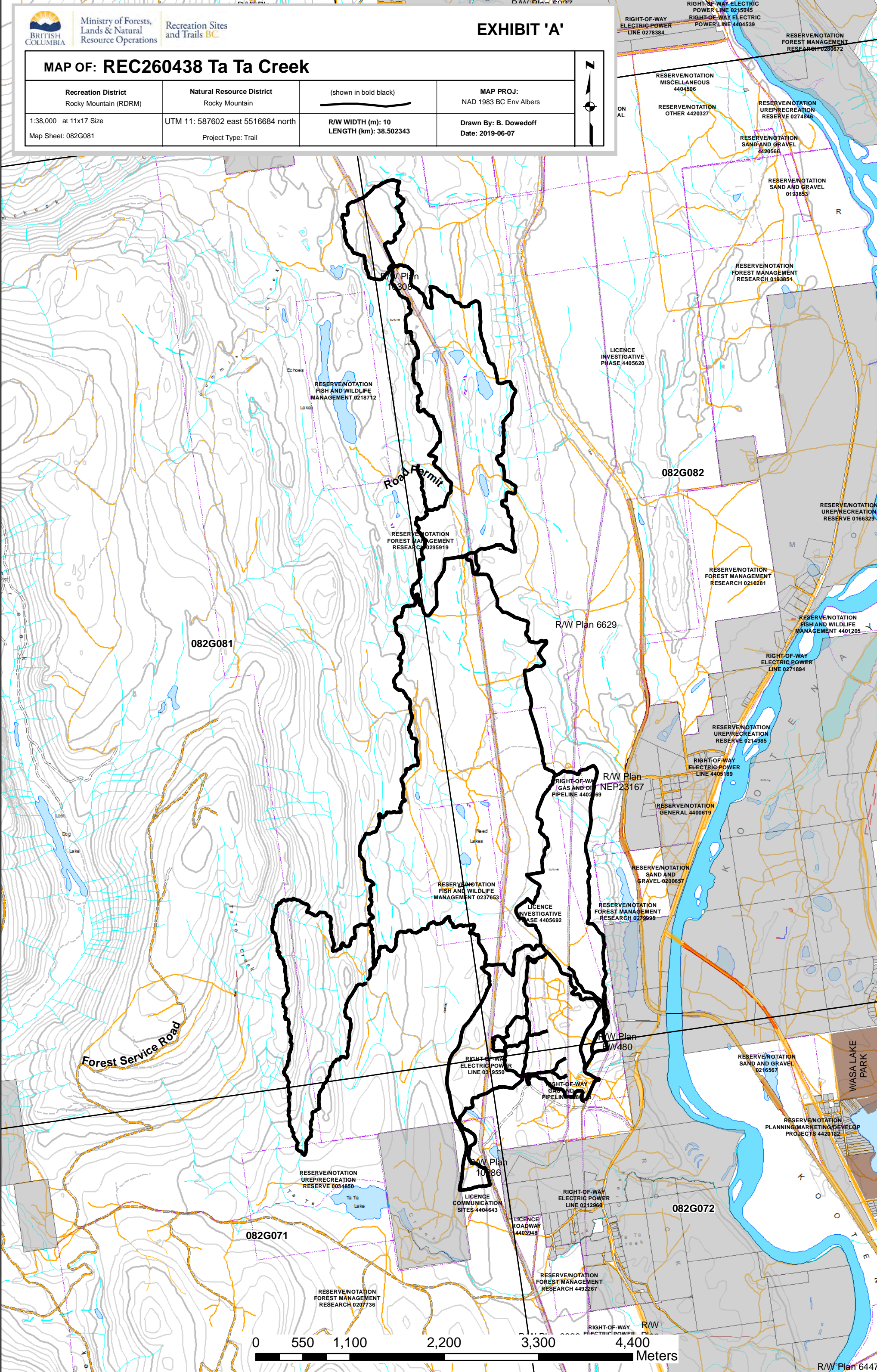
<http://www.frontcounterbc.gov.bc.ca/>





MAP OF: REC260438 Ta Ta Creek

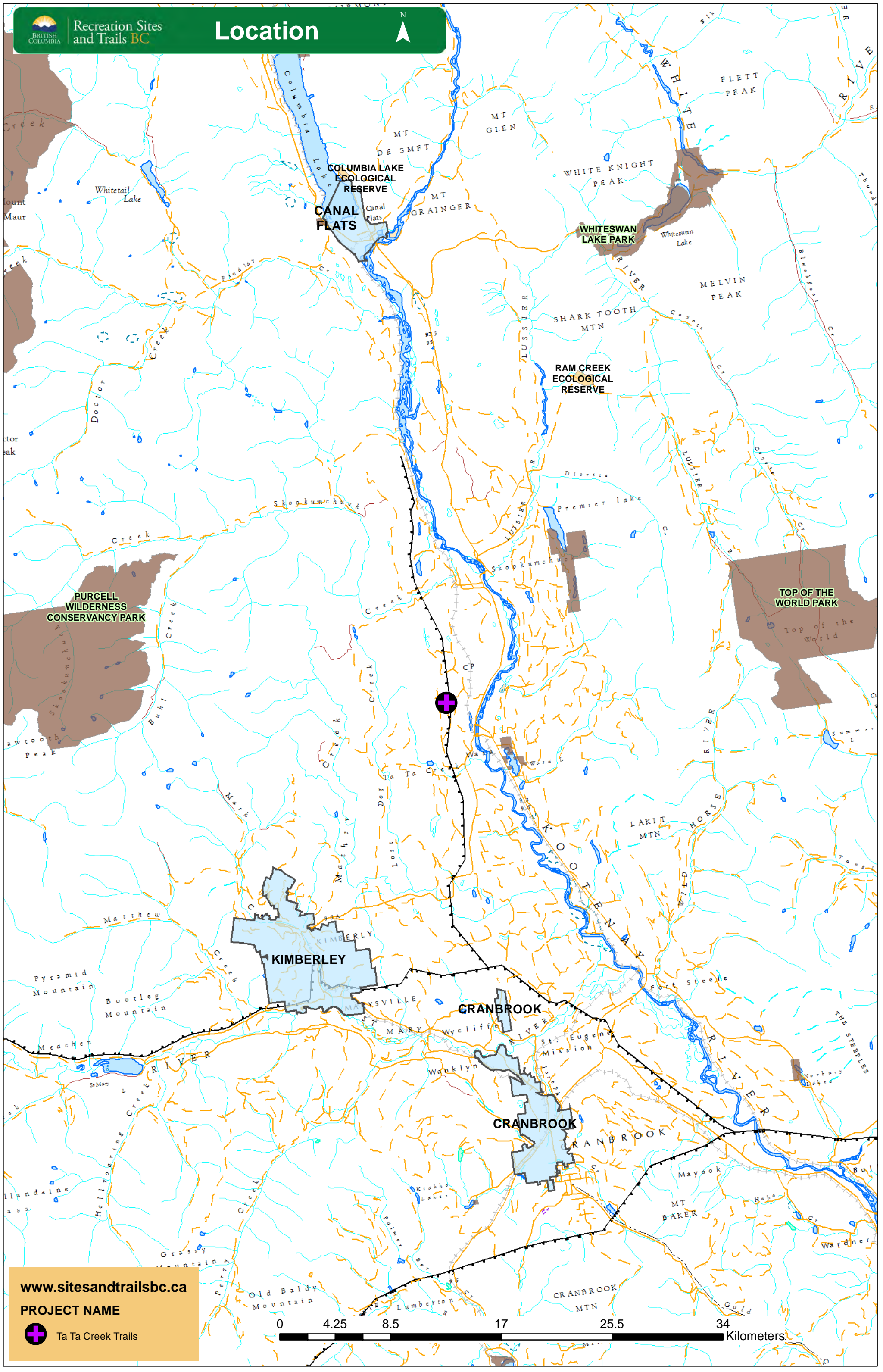
Recreation District Rocky Mountain (RDRM)	Natural Resource District Rocky Mountain	(shown in bold black) 	MAP PROJ: NAD 1983 BC Env Albers
1:38,000 at 11x17 Size Map Sheet: 082G081	UTM 11: 587602 east 5516684 north Project Type: Trail	R/W WIDTH (m): 10 LENGTH (km): 38.502343	Drawn By: B. Dowedoff Date: 2019-06-07



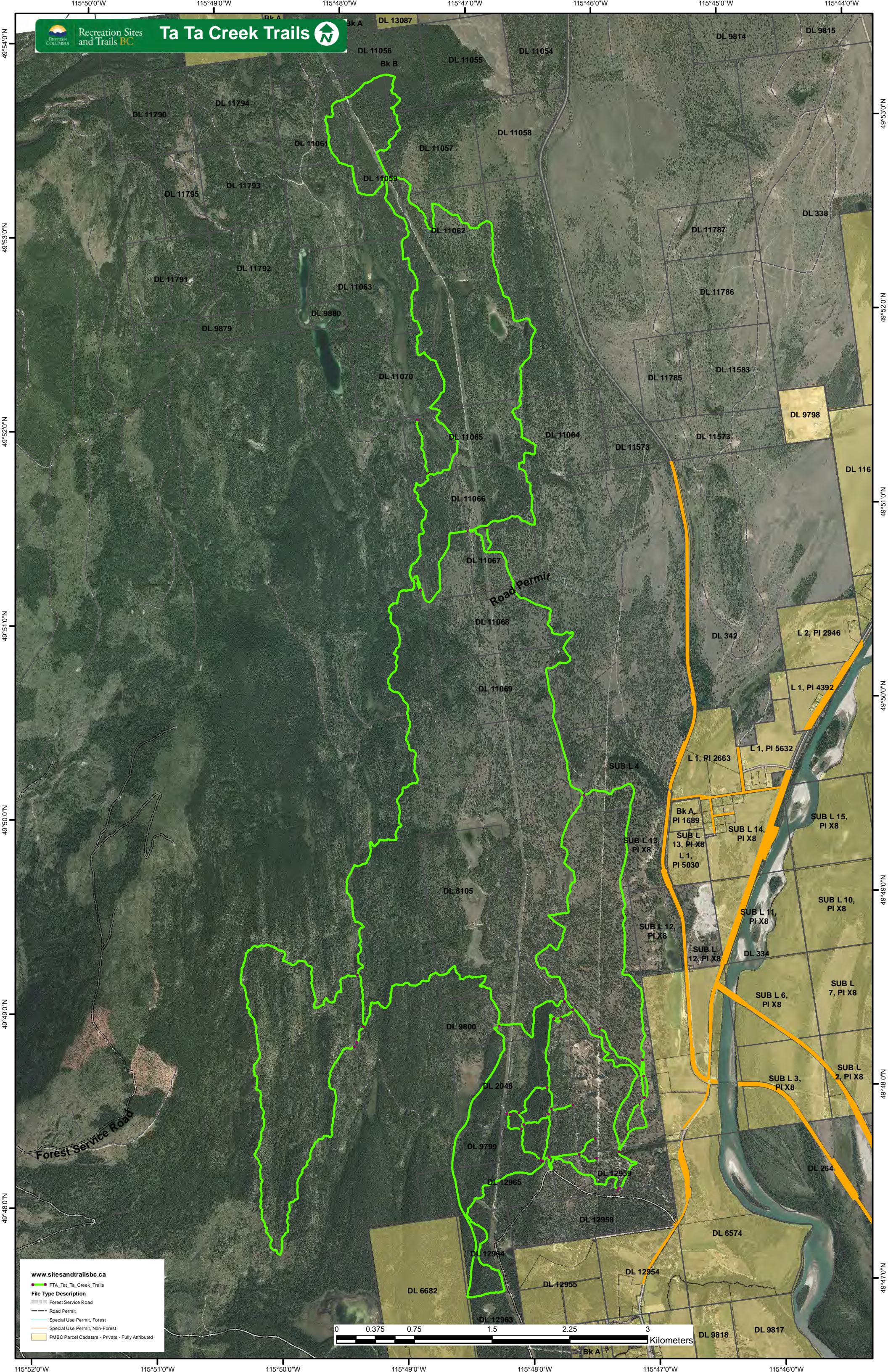




# Location











Sketch showing staging area and trail features/issues

