



LIMITS OF ACCEPTABLE CHANGE

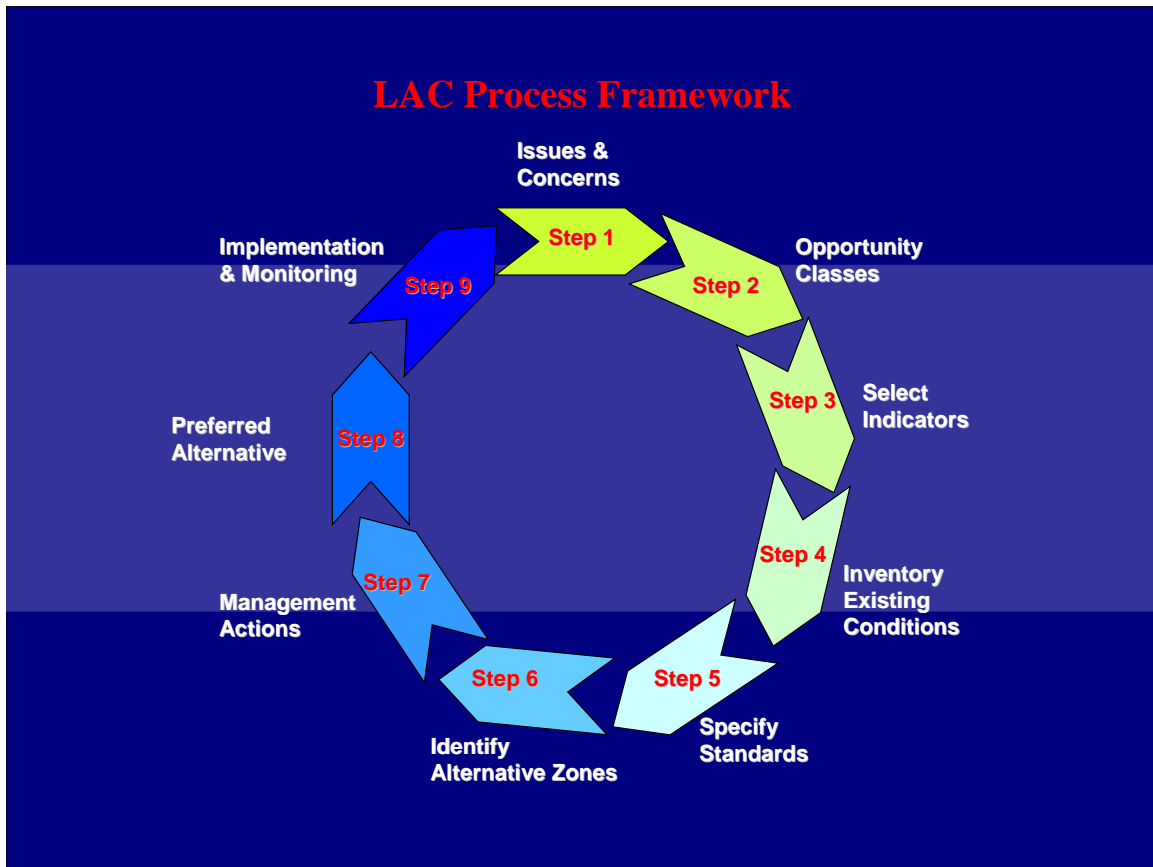
Training Package

Prepared for
LAC Pilot Project Steering Committee

Working DRAFT v.1

LAC Training Package

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Outline of Training Package:

Eight training modules have been developed to assist individuals with gaining an understanding of the LAC process and how it can be utilized.

Each lesson is structured with objectives, learning outcomes, and quizzes to assist learners in gaining value from the content. The courses are listed down the left side of your screen. Click on any lesson to begin. We recommend that you work your way through the lessons consecutively.

Training Objectives:

1. Course Objectives

- Explain the legislation, regulations, policies, procedures and practices that guide ILMB in implementing LAC framework;
- Describe carrying capacity and compare with LAC; outline limitations
- Explain the LAC conceptual framework and potential advantages
- Describe the 9 steps of the LAC framework;
- Describe key results from the two LAC pilot projects; and,
- Describe how LAC can be used to meet Crown land stewardship challenges, particularly as they relate to recreation and tourism.

2. Behavioural Objectives

The contents of this course will enable you to:

- Use the LAC process to inform decision making about land use and land use conflicts in a given area;
- Undertake actions and decision in accordance with direction set forth by ILMB, and other ministries and agencies; and,
- Conduct Crown land stewardship activities in a way that is consistent with A) the ILMB LAC framework, within the context of current legislation, regulations, policies and procedures, and B) provincial government's changing role in this area.

Workshop Agenda

To be developed



Lesson 1

Legislation And Policy Framework

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This lesson provides a review of legislative tools relevant to LAC processes, and associated policy.

Why Use LAC?

Growing challenge of balancing the two major needs: encouraging public and commercial recreation and tourism (recognizing their social, fiscal and environmental value to BC) while maintaining the social and environmental values on which they are based.

LAC has proven itself in many jurisdictions throughout the world as a viable and well-supported approach to resolving recreation and tourism related issues. It is an adaptable process that can involve stakeholders and members of the public to varying degrees and can address a wide range of issues in a meaningful and productive fashion.

LAC is based on the core understanding that change to the ecological and social conditions of an area are inevitable, due to both natural and human factors. The goal of management, therefore, is to pre-determine what degree of change is acceptable and to keep the character and rate of change due to human factors within acceptable levels. Unlike the notion of carrying capacity, LAC is based on a rational, objective analysis of the relationship between existing conditions and those judged acceptable.

LAC features several attractive characteristics that make it suitable for resolving the complex recreation and tourism issues that are emerging in BC, in concert with concerns over impacts to the environment and conflict between users, both public and commercial.



Relationship of LAC process to First Nations interests and Treaty Negotiations

LAC processes occur within the existing framework of First Nations relations.¹ This framework is founded on respect, recognition and reconciliation of Aboriginal rights and title. Government has a legal obligation to consult with First Nations about land and resource-related activities on their asserted traditional territories whether or not they are in the treaty process. Ministries across the provincial government work with all First Nations in B.C. to build a New Relationship and to negotiate lasting agreements that will create economic and social development opportunities.

The Ministry of Aboriginal Relations and Reconciliation and other provincial government ministries have discussions on a wide range of topics with First Nations that are outside the treaty process, including LAC processes. In many cases discussions are informal so the level of interaction varies according to specific situations and needs.

They might be about:

- building relationships with First Nations,
- resolving conflicts
- addressing concerns associated with asserted traditional territory.

Interaction with First Nations outside the treaty process also involves coordinating discussions with government representatives, and providing advice to provincial government line agencies on issues related to operations and/or corporate direction. Aboriginal concerns that are the responsibility of other government ministries are addressed through the individual ministry.

Land use plans and planning processes, including LAC, are without prejudice to the treaty process. The province has stated that treaty negotiations will not be limited by land use planning designations, and the use, ownership of lands and the jurisdiction to manage the lands in question may change as a result of negotiating treaties.

Legislation And Policy Framework

In British Columbia, LAC processes are focused on resolving recreation and tourism issues on crown land.

Key pieces of relevant legislation and policy are described below, listed under the agency responsible:

Ministry of Tourism, Sport and the Arts

- *Forest and Range Practices Act*
- *Land Act*

¹ For further training material regarding First Nations interests and planning processes refer to <http://ilmbwww.gov.bc.ca/lup/training/First-Nations/FN0-MO-2.html>.



- *Heritage Conservation Act*
- *Motor Vehicle (All Terrain) Act*

Ministry of Environment

- *Park Act*
- *Wildlife Act*

Regional Districts and Municipalities

- *Local Government Act*

Other

- *Ocean and water-based routes or trails*

Wildlife Guidelines for Backcountry Tourism/Commercial Recreation

Ministry of Tourism, Sport and the Arts

- Ministry of Tourism, Sport and the Arts (MTSA):
 - is responsible for managing public and commercial recreation uses on Crown lands outside parks.
 - Under section 11 of the *Land Act*, MTSA can dispose of Crown land for commercial recreation via tenures such as a lease or license of occupation.
 - *Forest and Range Practices Act*: enables establishment or authorization of a recreation trail

The Ministry of Tourism, Sport and the Arts is responsible for managing public and commercial recreation uses on Crown lands outside parks, as well as related recreation and tourism resources in conjunction with other agencies such as the Ministry of Agriculture and Lands, and the Ministry of Forests and Range.

Overarching policy support is intended when the draft Discussion Paper: *An Integrated Policy Framework for Resorts, Adventure Tourism and Public Recreation on Crown Lands* is finalized and the policy framework is completed and approved. The policy vision statement, goals, and principles for sustainability that can guide policy development, contained in the framework, can support both public and commercial recreation trail development and management.

Overarching local-level policy support is provided by the direction in approved strategic land use plans such as Land and Resource Management Plans (LRMPs) and Sustainable Resource Management Plans (SRMPs). For example, any policy direction about the appropriateness of motorized and non-motorized recreation use in specific areas of interests in a land use plan are intended to guide commercial recreation tenure decisions under the Land Act as well as public recreation decisions under FRPA.

MTSA policy regarding public and commercial recreation

Public recreation

www.tsa.gov.bc.ca/publicrec/

Legislation and regulations governing the management of public recreation, including recreation campsites, is covered under FRPA with responsibilities delegated to MTSA Recreation, Sites and Trails (RST) Branch. MTSA RST staff are responsible for determining the



adequacy/appropriateness of management plans including measures incorporated to address resource values. Other agencies such as MOE provide assistance/expertise when deemed necessary. Management agreements with other organizations at recreation facilities such as sites and trails can be entered into with MTSA RST staff. The agreements can specify how other resource values are to be addressed to help ensure sustainable practices.

Commercial recreation

www.tsa.gov.bc.ca/resorts_rec/tenure/commercialrecreation/index.htm

Crown land policies for commercial recreation reside with MTSA Adventure Tourism Branch and address a variety of activities including guided sea kayaking. Commercial recreation policy requires that resource values are addressed in management plans that form part of the tenure document, which and must be adhered to by operators. MTSA Adventure Tourism staff are responsible for determining the adequacy/appropriateness of management plans including measures incorporated to address resource values. Other agencies such as MOE provide assistance/expertise when deemed necessary.

Forest and Range Practices Act

All key recreation-related authorities under the Forest and Range Practices Act (FRPA) have been delegated to the Ministry of Tourism, Sport and the Arts (MTSA). FRPA recreation provisions apply on Crown lands outside of parks and protected areas that have not been addressed in other enactments (like the Land Act).

The Forest and Range Practices Act (FRPA) enables either the:

- establishment by order of a recreation trail through s. 56 ('established trails'), or
- authorization in writing of a trail through s. 57 ('authorized trails').

The many sections under FRPA that can relate to recreation use and resource management, including recreation trails, are thoroughly described in MTSA's draft 2005 Outdoor Recreation and the Forest and Range Practices Act.

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- Ministry of Environment (BC Parks) is responsible for managing resource values and use, including public and commercial recreation use, and recreation trails in provincial parks and protected areas ('parks') designated under the *Park Act*, *Protected Areas of BC Act*, and the *Environment and Land Use Act*.
- Government approved strategic plans guide lower-level plans; i.e., LAC plans.

Heritage Conservation Act

The Heritage Conservation Act applies to all lands including private lands and Crown lands both inside and outside of parks and protected areas. Under section 9, land can be designated as a heritage site by Orders-in-Council. This authority has been used to designate heritage trails as a heritage site. The Act resides with MTSA.

A heritage trail policy and procedures and a Memorandum of Agreement between MTSA and the Ministry of Forests and Range provide for the cooperative management of heritage trails outside of parks. A cornerstone to the agreement is the development of a mutually approved management

