



March 25, 2006

Ministry of Tourism, Sport and the Arts
East Annex, Parliament Buildings
Victoria BC V8V 1X4

Attn: Honourable Olga Ilich, Minister

Dear Minister Ilich,

Re: Public access in Colpitti Creek near Golden.

The Federation of Mountain Clubs of BC (FMCBC), which represents the interests of over twenty outdoor recreation clubs and some 4000 members, is very concerned about a public access issue in the Golden area. One of our member clubs, the Kootenay Mountaineering Club (KMC), had planned to hold their annual summer hiking camp in the Colpitti Creek area of the Esplanade Range. However it appears that the local commercial tenure holders have successfully blocked access to the club.

The club had chosen this location based on the terrain features it offered, the ease of helicopter access and the fact that it was physically removed from the commercial lodges in the area. When the club contacted the chosen helicopter operator, Alpine Helicopters (AH), the pilot suggested that the club contact the lodge owners in the area out of courtesy to advise of their plans. Following on this advise the clubs did contact the two companies that operated lodges in the immediate area. One of the operators (Sentry Mountain Lodge) responded in a very hostile manner citing that the camp would impact their business. He did however offer that the camp participants stay at his lodge for a significant cost. The second operator, Golden Alpine Holidays (GAH), initially did not offer any concerns since they did not use area in question. However, after an initial quote was received from Alpine Helicopters, the KMC was contacted by AH and it was suggested that our proposed camp location would interfere with the business of GAH, and as AH "did not want to bite the hand that feeds", they withdrew the contract for helicopter charter. It seems very likely that after speaking to the KMC, GAH had a change of heart and pressured AH into declined to accept KMC's business.

When a second helicopter company, Canadian Helicopters (which services Sentry Mountain Lodge), was contacted about flying in to Colpitti Creek the KMC was informed that they would be booked up all summer. It seems suspicious that a helicopter company would be fully booked for the summer 7 – 8 months in advance and otherwise turn down over \$15,000 worth of business. It seems obvious to us that the commercial tenure holders and the helicopter companies held some form of discussion after being made aware of the KMC's summer camp plans. As a result, the two helicopter companies refused to provide service to this public group. It is thus reasonable to believe that there was a conspiracy to deny this public group access to Colpitti Creek unless additional money was paid to Sentry Mountain Lodge and possibly Golden Alpine

Holidays. Thus this public group was in a sense being forced to pay for access to crown lands which otherwise should be free.

A commercial tenure holder cannot deny access to the public by any physical means except in intensive use sites as stipulated in their tenure agreement and management plan. The area in question is clearly designated as extensive use and according to the still current Commercial Recreation Policy does not allow the tenure holder to curtail public access over the license area. It should hold true that the same tenure holders should not be able to deny access by threats of loss of business to publicly licensed carriers such as helicopter companies. It is clear to us that the Commercial operators have contravened their tenure rights.

We are satisfied with and support the work of the Golden Backcountry Recreation Access Committee (GBRAC), and their management plan, which does include provisions for unlimited aerial landing in Colpitti Creek and surrounding area. The area is zoned Aerial Recreational Access 3 (ARA 3), which provides for low environmental/social sensitivity. The area is also zoned Recreation Management 2 (RM2) which provides for moderate development and use. The activities of the KMC hiking camp are well within this management strategy, which includes moderate acceptance for formal structures, trails, changes in landscape and incidences of human contact etc. It should be noted that the KMC has operated their hiking camps for over 30 years in various backcountry areas and it is well documented how minimal an impact these camps have had on the local ecosystems. The camp location will generally not be revisited for 25 years or more.

The FMCBC has been an active participant in provincial land use planning processes where consensus has been achieved on appropriate developments and land uses. We understand that there is a need and corresponding opportunity for some tourism and commercial recreation development on the land base. However, this development cannot be at the expense of public recreation use and access, especially the low-impact use conducted by our membership.

MTSA staff were contacted regarding this and to date have failed to address this issue and the concerns of the public. We urge you to consider carefully the impacts that arise from this issue and look forward to receiving your comments on this matter. Please feel free to contact myself at 604-873-6096 with any questions.

Thank you.



Pat Harrison, President
Federation of Mountain Clubs

Steven Myros, President
Kootenay Mountaineering Club

cc. Honourable Gordon Campbell, Premier
Honourable Pat Bell, Minister of Agriculture and Lands
Virginia Greene, Deputy Minister, Tourism, Sports and the Arts
Mike Lambert, Assistant Deputy Minister, Integrated Land Management Bureau
Jim Yardley, Assistant Deputy Minister, Commercial Tourism and Resort Division
Dave Bacon, Manager Adventure Tourism Section
Bill Marshall, Director, Recreation Sites and Trails