

**BC PARKS TOURISM TENURING INITIATIVE
TOURISM INDUSTRY/ENGO WORKING GROUP
RECOMMENDATIONS ON PARK USE PERMITS**

May 18, 2007

INTRODUCTION

1. The Adventure Tourism Joint Steering Committee (“JSC”), which includes representatives of the Ministry of Tourism Sport and the Arts (Tourism and Resort Development Division), the Ministry of Environment (BC Parks), and sector representatives of the adventure tourism industry (the “Adventure Tourism Sector”) have been engaged since early 2006 in discussions directed at harmonizing Adventure Tourism tenures (issued in relation to crown land) and park use permits (issued in relation to parks). These discussions have encompassed a wide range of issues including tenure term and replacement, multi-tenures, education interests, liability insurance etc.
2. As part of this initiative, BC Parks met with a number of organizations representing environmental interests and outdoor recreation interests (the “ENGO Sector”) on November 15, 2006 to generally brief them on the nature and status of the harmonization discussions. As a result of this briefing, members of the Adventure Tourism Sector¹ and the ENGO Sector² jointly concluded there would be value in undertaking direct discussions regarding a number of issues in relation to park use permits including the length of the tenure term, the tenure renewal process (e.g. automatic renewals at mid term vs. going to competitive bid), a proposed reduction/elimination of user fees for commercial operators involved in recognized education and training programs, and the implementation of a multi-park tenure process.
3. Commencing with their first meeting January 8, 2007, the Adventure Tourism Sector and the ENGO Sector (the “Tourism/ENGO Working Group”) have met a total of five times to discuss these issues. To facilitate discussion, each sector also drafted a position paper articulating their interests in relation to the issues. BC Parks supported the discussions by providing the resources to engage a facilitator.

¹ The organizations participating in these discussions/recommendations for the Adventure Tourism Sector are the Council of Tourism Associations (Peter Larose), Wilderness Tourism Association (Brian Gunn, Sylvia Waterer), Guide Outfitters Association of BC (Dale Brown), BC River Outfitters Association (Jim DeHart), Backcountry Lodges of BC Association (Brad Harrison), BC Commercial Snowmobiling Outfitters Association (Scott Barsby), Association of Canadian Mountain Guides (Peter Tucker), Sea Kayak Guides Alliance of BC (Andrew Jones), and Commercial Bear Viewing Association of BC (Evan Loveless).

² The organizations participating in these discussions/recommendations for the ENGO Sector are BC Nature (Bev Ramey, Eva Durance), BC Spaces for Nature (Ric Careless), BC Wildlife Federation (Ed Mankelow), Campaign for BC Parks (Vicky Husband), Canadian Parks and Wilderness Society (Chloe O'Loughlin), Chilcotin Ark Society (Dave Neads), Earthcare (Lloyd Manchester), Outdoor Recreation Council (Jeremy McCall), and Wildsight (John Bergenske, Ellen Zimmerman).

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4. As a result of these discussions, the following set of recommendations has been agreed to in principle by the Tourism/ENGO Working Group - these recommendations are subject to:
 - a) The recommendations being treated and acted upon as a package of recommendations (i.e. no recommendation enjoys the support of both sectors on a stand alone basis); and
 - b) Finalization of specifics as referenced in Sections 13, 15, 16, and 17 (and as noted in these recommendations, such finalization is to take place through collaborative discussions involving BC Parks, the Adventure Tourism Sector and the ENGO Sector).
5. In delivering these recommendations, both the Adventure Tourism Sector and the ENGO Sector:
 - a) Acknowledge that parks are special in terms of their recreation and conservation values;
 - b) Believe parks need to be managed in a manner that clearly identifies and respects these special values;
 - c) Concur this is most likely to be achieved in relation to adventure tourism activities if such activities are undertaken by a stable group of operators (i.e. low turnover) with a demonstrated track record for progressive environmental stewardship;
 - d) Understand the need for certainty and security for all stakeholders and a park management system that works for everybody;
 - e) Believe the present park use permit system is inadequate and needs to be revised to better reflect the management and operating realities of today; and
 - f) Believe stakeholders want a permit system that balances tourism and park protection, is fair in respect of tenure granting, renewal and fee setting, and has an acceptable administrative load for all concerned.

RECOMMENDATIONS

Park Use Permits - Term

6. The term for adventure tourism park use permits should, subject to the renewal provisions described below, be as follows:
 - a) The standard term should be ten (10) years;
 - b) In no circumstances should the term exceed ten (10) years; and
 - c) In some limited circumstances it may be appropriate for terms to be less than ten (10) years (e.g. movie filming, hiking tours, one time events and other circumstances yet to be defined).

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Commentary: A ten year term, in conjunction with the recommended renewal provisions (see below), will provide business certainty for parks-based tourism operators who demonstrate progressive environmental stewardship. At the same time, a performance/incentive based renewal system helps ensure tourism based activities in BC parks will be conducted with the highest level of environmental stewardship.

Park Use Permits - Renewal

7. **Objective** - Renewal of park use permits should be based on a system that:
 - a) Creates an incentive for progressive environmental stewardship/performance in BC parks by parks-based tourism operators; and
 - b) Increases certainty and security for environmentally-progressive parks-based tourism operators who demonstrate such stewardship/performance.
8. **Establish a Report Card For Use in the Park Use Permit Renewal Process** -A "Parks Stewardship Report Card" should be established to assess and score Park Tourism Operators for their actual environmental performance:
 - a) The use of a Park Stewardship Report Card in conjunction with an incentive based renewal approach is based on the shared belief that parks are special for the societal conservation and recreation values they offer to present and future generations;
 - b) The primary objective of a Park Stewardship Report Card is to provide an objective, performance based (not prescriptive) measurement tool to best enable the management and renewal of park use permits.
9. **Report Card Criteria/Targets** - The Park Stewardship Report Card should be based on clear criteria with identifiable, measurable targets in relation to environmental stewardship and the quality of user experience.
10. **Report Card Scoring System**- Scoring in the Park Stewardship Report Card should be based on the following system:
 - a) For each Report Card criteria:
 - i) Performance that meets the base line target would score neutral (0)
 - ii) Performance that exceeds the baseline target - score positive (+)
 - iii) Performance that doesn't meet the baseline target - score negative (-)
 - b) The scoring associated with each target should be score-weighted to reflect the importance of that criteria relative to other criteria (this might be accomplished by sorting the criteria into different groups based on relative importance with a different scoring range assigned to each group);
 - c) The scoring system should include a criteria/mechanisms to reflect the operator's "track record" over time such that:
 - i) Operators with a lengthy track record of being scored above the baseline are rewarded in their overall scoring;
 - ii) Operators with a lengthy track record of being scored below the baseline are penalized in their overall scoring; and

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- iii) There is a neutral impact on the overall scoring of operators who have a lengthy track record of being scored at the baseline; and
- d) The scoring/weighting system needs to address circumstances where there are criteria not applicable to a certain type of tourism operation.

11. Report Card Assessment – The performance of a tourism operators performance under the Report Card should be undertaken as follows:

- a) At a minimum, assessments will be undertaken at the a tenure’s mid-point (e.g. at five years for a ten year tenure) and at the time of application for a renewal;
- b) Where an operator wishes, an operator may undertake an assessment more frequently (e.g. annually) to build a demonstrated track record;
- c) The purpose of the Report Card assessment is strictly to enable operator to demonstrate his/her stewardship performance within the context of an incentive based tenure renewal system – the Report Card assessment is not intended to impact the status of a tenure during its term (only terms and conditions of the tenure itself are relevant in this regard);
- d) Assessments should be undertaken as follows:
 - i) Assessments should be undertaken by operators on a “self assessment” basis i.e. they complete the Report Card themselves and submit it to BC Parks;
 - ii) Once a Report Card is completed and submitted by an operator, it should be reviewed, approved, and signed off upon approval by BC Parks staff within 60 days and a copy returned to operators; and
 - iii) Report Cards completed and submitted by operators should be subject to random, spot check audits; and
- e) All approved assessments (Report Cards) should be available to the public on request with no requirement for FOIPP Act request.

12. Park Use Permit Renewal – Renewals of Park Use Permits should take place as follows:

- a) Subject to (b) below, an operator may apply for renewal of a park use permit any time within two years of expiry;
- b) Operators who receive a significantly positive rating (to be defined through the recommendation in Section 13) at the midpoint assessment, or at any time thereafter, may apply for a renewal immediately;
- c) Where operators with an overall significantly positive rating (to be defined through the recommendation in Section 13) apply for renewal, they will be offered a new park use permit without any requirement for a competitive process;
- d) Where operators with an overall neutral rating (to be defined through the recommendation in Section 13) apply for renewal:
 - i) In certain defined circumstances (to be defined through the recommendation in Section 13), they could be offered a new park use permit without competition; otherwise
 - ii) The application for renewal will be subject to competition (i.e. others may apply); and
 - iii) Those with a scoring above a cumulative “0” will be provided with a competitive relative to other applicants with that advantage being based on

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- a sliding scale (i.e. the higher they score, the greater the competitive advantage will be); and
- e) Operators with an overall significantly negative score (to be defined) will not qualify for renewal.

***Commentary:** In general terms, this approach provides environmentally progressive operators with certainty in terms of renewal. Further, the rationale for (d)(i) is to provide an incentive for continual improvement, particularly in the case of new operators – the thought process here is that if the assessment shows a trend towards a significantly positive rating, there may be circumstances where renewal without a competitive process (but possibly with conditions) may be appropriate.*

13. **Finalization of Specifics of the Criteria/Targets, Report Card, Scoring System, Assessment Process, and Renewal Process** - BC Parks Staff and the Tourism/ENGO Working Group should engage in discussions on a priority basis to finalize the specifics associated with criteria/targets, report card, scoring system, assessment process, and renewal process in a manner that:
 - a) Is based on the above recommendations; and
 - b) Builds on the draft report card attached as Appendix "A".

***Commentary:** The draft Report Card attached as Appendix "A" is considered to be directionally correct and the basis for the Adventure Tourism Sector and the ENGO Sector engaging in collaborative discussions with BC Parks to refine and finalize specifics required in relation to weighting mechanisms, mechanisms to address operational history, carrying capacity, limits of acceptable change etc.*

Applications for New Park Use Permits or Expansion of Scope of Existing Permits

14. The assessment of applications for new park use permits, and applications to expand the scope of existing park use permits, should include, amongst other things, an assessment based on environmental stewardship:
 - a) An assessment tool similar in nature to the Report Card (i.e. a tool that considers similar criteria and targets) should be developed for this purpose; and
 - b) This assessment should consider carrying capacity, the cumulative impact of tenures, and compatibility with other users.

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Commentary: *Given that conservation and public recreation values are a key societal attribute of BC Provincial Parks, ensuring that cumulatively excessive tenuring or inappropriate overlapping commercial recreational tenures does not occur which can exceed the ecological or recreational carrying capacity of a park must be a crucial consideration in the Park Use Permitting process, particularly when new tenures are being considered. The Joint Steering Committee has developed useful procedures to address overlapping tenures issues called the Overlapping Adventure Tourism Tenure Application Procedures. These procedures have been incorporated into the recently revised Adventure Tourism Policy. BC Parks may want to consider adopting the same procedures.*

15. BC Parks Staff and the Tourism/ENGO Working Group should engage in discussions on a priority basis to finalize a stewardship assessment tool that can be used for assessment of applications for new park use permits and applications to expand the scope of existing park use permits.

Multi-Park Permits

16. BC Parks Staff and the Industry/ENGO Working Group should engage in discussions on a priority basis to explore different options for multi-park permits.

Commentary: *The present permit system where operators are charged for each park they might want to use (in addition to user fees) is both unfair and logistically problematic. Operators need to pay an application/permit fee (\$250) for every park they want to use even if they only want to use it one day in a season. This gets expensive for operators that want to use several parks extensively or intermittently. Industry proposes a system where multiple parks could be attached to one permit. The proposed Crown Land License of Occupation, where one application could cover the whole province was discussed and its applicability to park permits. The various other models that Parks are looking at were also discussed (e.g. the zonal system and the graduated system). The ENGO sector would be more comfortable with a zonal system or graduated system rather than one permit that would cover the whole province.*

Both sectors agree-in-principle with the concept of multi-park permits, however we need further discussion on proposed options and the effects of each. The ENGO sector is comfortable with non-motorized, light impact, extensive use applying under this system, but there are issues around motorized use with this proposal that need to be clarified. We need to discuss what types of activities and uses could be included in a multi-park permit system. We also need to look at park management issues such as wildlife and carrying capacity and how permit management plans will be developed for incidental/extensive use operators etc.

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Fee Exemption/Reduction for Commercial Operators Involved With Recognized Education and Training

17. BC Parks Staff and the Tourism/ENGO Working Group should engage in discussions on a priority basis to:
 - a) Explore further the concept of fee exemption/reduction for operators involved with recognized education and training; and
 - b) Develop recommendations on the nature and scope of education and training programs that would qualify for fee exemptions/reductions.

***Commentary:** Some commercial operators using BC Parks dedicate some of their capacity/expertise for educational purposes, whether it is Primary or Secondary school groups, or Post-Secondary Outdoor/Adventure Training Programs. Most often these programs are operated at cost or significantly below retail rates and the associated park user fees create a financial burden to running such programs. Industry proposes a structure where operators engaged in officially recognized education and training be exempt from park user fees or at least a significant reduction in fees is implemented. This proposal would only apply to backcountry use/sites and operators would need to avoid popular use/camping sites. Under this system operators would still pay their normal permit fees and continue to pay for regular tour groups. Education components would need to be clearly documented and endorsed.*

Both sectors generally agree on the concept of permit fee exemptions/reductions for commercial operators involved with recognized education and training, however we need further discussion on specifics. We first need to decide what constitutes or qualifies as "education and training" under this system. ENGOs want environmental/stewardship education be a major part of any program. There was also discussion about this concept applying to other youth groups (e.g. cadets, scouts/guides, YMCA camps etc.).

