



Agenda No: 5.1

Mtg Date: Feb 11, 2010

Governance & Services Committee Report

TO: Governance & Services Committee

FROM: Wayne Darlington, Park Planner
Murray Kopp, Director - Parks Services

DATE: February 3rd, 2010

SUBJECT: Proposed Spion Kop Regional Park - Crown Land Acquisition Plan

RECOMMENDATION

THAT the Governance and Services Committee recommend that the Regional Board receive and approve the use of the Crown Land Acquisition Plan for Spion Kop to support an application to the Integrated Land Management Bureau (ILMB) in securing the identified Crown lands for the proposed Spion Kop Regional Park;

AND FURTHER THAT the Governance and Services Committee recommend that the Regional Board authorize staff to prepare and submit an application to ILMB to acquire the identified crown lands;

AND FURTHER THAT an application to ILMB will be submitted subject to the completion of a coordinated agreement with the Okanagan Indian Band;

AND FURTHER THAT the acquisition of the identified crown lands will be subject to the Regional Board approval of the 2010 – 2014 Five Year Financial Plan and the final acquisition agreement.

This is for your information and consideration.

**** Access to the final draft "Crown Land Acquisition Plan for Spion Kop" is available at the Parks Services counter and at the Corporate Services mail room as prepared by Urban Systems.***

BACKGROUND

On August 21st, 2009 staff issued a Request for Proposal (RFP) to receive proposals from qualified consultants in the creation of a Regional Park Crown Land Acquisition Plan for Spion Kop. As a result of the RFP closing and subsequent evaluation, Urban Systems was selected to complete the plan.

ANALYSIS

The Spion Kop Crown lands were identified as a high priority through the process in developing the Regional Board approved "A Central Okanagan Regional Parks Legacy Program – Ten Year Park Land Acquisition Strategy (2007-2017)" project. The Spion Kop Crown lands of interest cover approximately 311 hectares of open and mixed stand of mature Interior Douglas Fir and Ponderosa Pine forest and grassland. These lands are the last large native cohesive ecosystem in the area and include large areas that are relatively undisturbed. In addition, the area is of high regional significance which provides further rationale for conserving the lands as a Regional Park. Also, these lands provide a large ecosystem node as an anchor to the many potential linear connections for recreation and species migration.

In keeping with the conservation theme for the Spion Kop Crown lands as determined through the Acquisition Plan process the consultants created the following vision statement which portrays and provides direction for the future management of the proposed Spion Kop Regional Park:

"Vision Statement

The natural features of Spion Kop, including its trees and grasses, are carefully protected and maintained as part of a region wide ecosystem of diverse habitats and wildlife. The natural environment in turn creates a focal point of regional pride, and a retreat for mind and body on the urban periphery. The exceptional viewing opportunities of the Okanagan Valley and its wildlife are linked by a carefully planned network of trails for walkers, hikers and mountain bikers of all ages and abilities."

The purpose of the development of this acquisition plan is to support and meet the requirements of the Integrated Land Management Bureau Crown land acquisition application process for Community and Institutional Use. The acquisition plan was developed to specifically address these ILMB requirements and to prepare for the creation of detailed park management and operational plans.

Throughout the development of the acquisition plan the following key areas were addressed:

- 1) Planning framework – review of applicable exist policies;
- 2) Planning Considerations – identification of land use, current uses, infrastructure, ownership and land management, site characteristics, and cultural characteristics;
- 3) Park Planning and Development – identification and engagement in a public and key stakeholder consultation process including internet surveys and 2 open houses;
- 4) Park Concept – develop and identification of broad concepts of the park including management zones, amenities, signage, access, and connectivity;
- 5) Potential Park Management Policies – development of guiding policies in the management and operations of the proposed Spion Kop Regional Park including public access management, sensitive areas and habitat management, wildlife management, wildfire management, historical and cultural resource management, trail recreation, active and inactive use, public safety, accessibility, partnerships and community development, education and visitors services, and monitoring and enforcement;
- 6) Implementation – identify how the park concepts and policies can be implemented.

The acquisition plan was developed in consideration of key stakeholders/ public comments, interests, and concerns. The majority of those key stakeholders and the public involved in the consultation process are in support of the proposed Spion Kop Regional Park with conservation of these lands being the highest priority. There is however those affiliated with the local fish and game club and a small unorganized group of off-road motorized users that have concerns about the loss of recreational and hunting opportunities in the area and as such are not supportive of the Regional Park. Currently existing regulatory bylaws for Regional Parks do not support hunting and motorized activities and the Provincial Land and Resource Management Plan for the Okanagan-Shuswap does not identify the area as a motorized recreation area. In addition current municipal zoning and land use for Spion Kop supports the creation of a park and conservation of the lands.

A critical component in completing the ILMB process is the engagement of First Nations in the process at the on-set of the project. Regional District Parks Services staff has actively been engaged in discussion with First Nations since 2008. A proposed Memorandum of Understanding agreement has been discussed as model for future regional park management at the site which would include appropriate integration of First Nation park site management objectives which respects First Nation cultural interests for the area.

Park concepts and potential management policies for Spion Kop were identified and developed in conjunction and consideration of the current management policies and direction of all existing Regional Parks in the Central Okanagan. The developed policies will provide the guidance in implementing the concepts into the development of amenities in the proposed Spion Kop Regional Park. Implementation of the concepts are to occur over three phases with no time frames given to provide flexibility in implementing the phases and to appropriately identify the required funding in the Regional District's five year financial plans.

The first phase includes securing the property using fencing and regulatory signage and the completion of the necessary management and operational plans. These plans would be completed to ensure that the future management of Spion Kop meets or exceeds the expectations as outlined in the acquisition plan as well as the on-going increased awareness for sustainability. The Spion Kop Park Management plan to be completed in phase one would include the following components: Site Analysis, Ecological Masterplan, Park Masterplan, Fuel Management Plan, and a Maintenance Plan. The second and third phases would expand on the detailed identification of work to be completed from phase one and include the design, construction, installation, and review of the various park amenities. The implementation phase table attached as an appendix identifies the rough magnitude costing to implement each action and phase. Greater detailed costs estimates will be determined at the point of completion of each plan in phase one and for consideration in future Regional District five year financial plans.

CONCLUSION

In conclusion the outcomes of this acquisition plan provide a solid and supportive document that addresses the requirements as outlined by the Province. Therefore it is recommended that the Governance and Services Committee recommend to the Regional Board to receive and approve this acquisition plan for use in an application to the Province to acquire these lands as a lease of up to 30 years under the Community and Institutional Use or regular crown land lease program. The application and acceptance of tenure for the Crown lands would be subject to the completion of a coordinated management agreement with First Nations, and the Regional Board approving the 2010 – 2014 Five Year Financial Plan, and the final acquisition agreement between the Crown and the Regional District.

Respectfully submitted,



Wayne Darlington, AScT
Park Planner

Approved for inclusion



Murray Kopp
Director – Parks Services

Attachments:

- 1) . Executive Summary
- 2) : Implementation Table
- 3) Maps



REPORT

Regional District of Central Okanagan

Crown Land Acquisition Plan for Spion Kop

Draft Final Plan



This report is prepared for the sole use of Regional District of Central Okanagan. No representations of any kind are made by Urban Systems Ltd. or its employees to any party with whom Urban Systems Ltd. does not have a contract.

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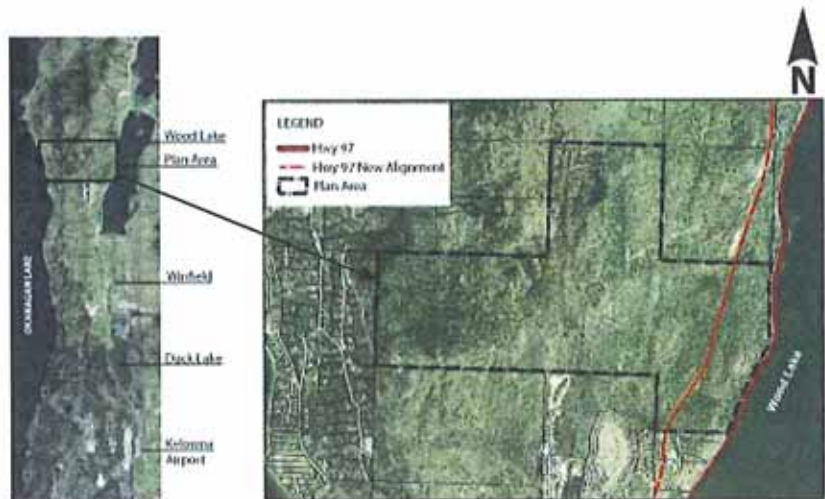
EXECUTIVE SUMMARY

The Regional District of Central Okanagan (RDCO) currently has 28 Regional Parks situated from Peachland in the south to Lake Country in the north. The rationale for park land acquisition and management is grounded in a long term park planning framework set out by RDCO, which includes the Official Regional Park Plan (ORPP), Regional Parks and Greenways Plan (RPGP) and the Central Okanagan Regional Parks Legacy Program (RPLP).

The ORPP states that the purpose of the Regional Parks System is to *conserve and enhance regionally significant natural features and ecological values*. Recreation is also a consideration, as is culture and heritage; however these values are secondary to the natural environment and ecosystem values in the current framework. It is based on these characteristics that the Regional District identified a number of areas as potentially regionally significant through the park planning framework. As such, RDCO policy states that "future park land acquisitions will strive to protect lands which will augment an existing provincial, regional and municipal parks system such that these parks collectively represent a complete range of ecosystems for the Central Okanagan" (RDCO, Regional Parks and Greenways Plan).

Urban Systems Ltd. was commissioned by the Regional District to develop the Crown Land Acquisition Plan for Spion Kop. The Plan was guided by the framework described in the previous paragraphs and focused on delivering an important piece of an application to the Province of BC for Community and Institutional Use of Crown Land tenure. As part of the planning process, a significant amount of input and feedback was solicited from the public and key stakeholders asking their priorities and what they foresee as the potential benefits and conflicts associated with a regional park on Spion Kop.

Spion Kop is located in the District Municipality of Lake Country, north of Winfield and south of Carr's Landing/Oyama, between Okanagan Lake to the west and Wood Lake to the east. Spion Kop (see context map) is approximately 311 hectares (768 acres) in size. The area is characterized by open, mixed stands of mature interior Douglas-fir and ponderosa pine as well as an abundant cover of grass and moss plant species.





The terrain consists of many steep sloped areas which attract a variety of wildlife and creates outstanding viewing opportunities of the surrounding valley. The terrain also attracts a wide range of uses and user groups to Spion Kop, including hiking, horseback riding, hunting and motorized recreation. Additionally, Spion Kop is attractive because of the proximity to existing residential development and the fact Spion Kop consists entirely of Crown Land designated as a reserve under section 15 of the Land Act of BC. The purpose of the section 15 reserve is defined as Environment, Conservation and Recreation, with a sub-purpose listed as a Use, Recreation and Enjoyment of the Public (UREP) reserve.

Not surprisingly, the most common theme arising from the public consultation was identified as the potential conflict of the current mixture of uses and user groups. Should a regional park be established, the Regional District's regulatory framework would prohibit both hunting and motorized recreation. Despite this, the planning process examined all potential uses, including hunting and motorized recreation in the context of Spion Kop.

Spion Kop has a long tradition as a hunting destination and more recently motorized recreation. However, as urban and rural boundaries encroach on each other, these activities become less appropriate in areas such as Spion Kop. A small proportion of the public comments and feedback gathered through this process indicated they would like the area to remain open for hunting. Motorized recreation in the form of dirtbiking and ATVing, was identified as a popular use of Spion Kop by many of the respondents involved in the consultation process. As a result, a great deal of effort was made to accommodate motorized recreation in the Conceptual Park Plan. The rationale for not including motorized recreation is described below:

- The Okanagan and Shuswap Land and Resource Management Plan (LRMP) process did not identify Spion Kop as a potential motorized recreation area.
- From an environmental perspective only a small area of Spion Kop would be suitable for motorized recreation.
- Private land surrounds Spion Kop. If land authorized for motorized recreation existed to the north or south of Spion Kop (such as Crown hinterland), consideration for maintaining linkages to these areas would be considered. The Regional District cannot maintain nor provide trails for motorized traffic to private land where unauthorized use of motorized recreation would occur.
- The online survey responses and community open house #1 discussions would indicate that the *entire* Spion Kop area is desired for motorized recreation. Therefore, confining it to only a small area of Spion Kop might not satisfy motorized vehicle users.



- The overall results of the public consultation indicate that the many public and key stakeholders are generally in agreement with prohibiting motorized recreation.

In addition to gathering public comment and feedback, the planning process examined a wide range of existing park planning considerations. Perhaps most significant, was the ongoing detailed design of the Highway 97 re-alignment and four-laning. This new transportation corridor will require a right-of-way of varying width through the eastern portion of Spion Kop. Direct vehicular access from the new Highway 97 corridor to the Spion Kop area is not being proposed; however the design includes two underpasses intended for non-vehicular park traffic and the odd service vehicle. These underpasses are not directly accessible from the new highway.

As a result, the primary access to Spion Kop has been determined as likely being through 'The Lakes' development, along public road right-of-way dedicated to the District of Lake Country. However, currently not all phases of the development are complete and as such sections of the future public road right-of-way are not yet dedicated to the District of Lake Country. An access easement could be formalized between the RDCO, the District of Lake Country and 'The Lakes' developer. This access easement would be on the area to be dedicated as public road right-of-way in the future.

Vision and Goal Statements for Spion Kop

In cooperation with RDCO staff, and using the information from site visits, background research, ideas and input gathered from the community and stakeholders, a Vision Statement, Goal Statements and a Conceptual Park Plan (See Figure H & Figure I in the report), were developed to help guide the development of a potential regional park on Spion Kop.

Vision Statement:

The natural features of Spion Kop, including its trees and grasses, are carefully protected and maintained as part of a region wide ecosystem of diverse habitats and wildlife. The natural environment in turn creates a focal point of regional pride, and a retreat for mind and body on the urban periphery. The exceptional viewing opportunities of the Okanagan Valley and its wildlife are linked by a carefully planned network of trails for walkers, hikers and mountain bikers of all ages and abilities.

Goal Statements:

- To protect significant natural features by locating uses, trails and facilities at appropriate distances, and promoting education and awareness through signage, leadership and programming.
- To provide quiet areas for nature watching and observing views of the valley.



- To enhance existing and future connections to the region and develop a network of hiking trails for all levels of user - leisurely to challenging.
- To provide attractive, environmentally-friendly park facilities.
- To promote and enhance volunteerism, community involvement and cooperation with community groups in order to capitalize on expertise in specialized areas and co-management opportunities.
- To offer activities and access on a year around basis that raise the profile of Spion Kop as a destination and that contribute to the economy of the region both directly and indirectly.

The Conceptual Plan identifies Management Zones that are in accordance with the ORPP (Figure H), for the following zones (see report for detailed description):

- Special Preservation,
- Ecosystem,
- Natural Environment,
- Outdoor Recreation,
- Park Services.

The Plan also identifies a Conceptual Trail Network consisting of existing major trails (13.8 km), future major trails (2.3 km), existing minor trails (0.3 km) and future minor trails (2.6 km). Along this Conceptual Trail Network the Plan identifies a number of viewpoints, trailheads and potential trail closures which encroach on to private property. Furthermore, consideration for connectivity to regional trails is considered through the Trans-Canada Trail and plans by the District Municipality of Lake Country to establish parkland along the current Highway 97 corridor (after the Highway is relocated).

Implementation

Based on the Conceptual Plan and feedback received through the process, a phased implementation strategy has been developed including initial budgetary cost estimates, in order to guide and plan for the establishment of a potential Regional Park on Spion Kop. Estimated budgets were provided by the Regional District of Central Okanagan, and should be refined throughout the process as additional information and detailed costs are obtained.

**Phase 1**

Action Item	Estimated Budget
1. Fencing to delineate Spion Kop Regional Park boundary	\$40,000
2. Regulatory Signage	\$10,000
3. Develop Management Plan and cooperative management agreements with stakeholder groups, including First Nations to address the following: <ul style="list-style-type: none">○ Detailed environmental and ecological site analysis○ Detailed archaeological site analysis○ Fire hazard condition assessment and fuel management○ Trail network○ Trailheads and lookouts○ Parking areas and facilities○ Areas for ecological restoration○ Trail closures and rehabilitation○ Signage and wayfinding plan○ Site furniture and kiosk details○ Maintenance plan○ Cost estimates○ Public consultation, presentations to Regional Board	\$75,000
4. Existing Trail Works	\$40,000
5. Preliminary Trail Closures	\$15,000
6. Develop Basic Parking Area	\$25,000
<i>Estimated Total for Phase 1</i>	\$205,000

**Phase 2**

Action Item	Estimated Budget
1. Develop Detailed Design drawings and cost estimates	\$15,000
2. Obtain environmental approvals as required for Phase 1 work	\$5,000
3. Conduct fuel management operations (on-going in concert with existing forest health operations)	\$20,000
4. Phase 1 Construction <ul style="list-style-type: none">o Parking area #1 constructiono Enhanced trailhead facilitieso New trailso Decommissioning of selected trailso Directional and safety signageo Ecological restoration	\$100,000
5. Educational Program Development	\$10,000
<i>Estimated Total for Phase 2</i>	\$150,000

Phase 3

Action Item	Estimated Budget
1. Obtain environmental approvals as required for Phase 2 work	\$5,000
2. Phase 2 Construction: <ul style="list-style-type: none">o Parking area #2 constructiono Enhanced trailhead facilities (kiosks, site furniture)o Washroom facilitieso Viewpoint and trail rest area facilitieso Interpretive Signageo Ongoing ecological restoration and maintenance	\$130,000
3. Ecological Health Review	\$10,000
4. Educational Program Review	\$5,000
<i>Estimated Total for Phase 3</i>	\$150,000

FIGURE H: CONCEPTUAL MANAGEMENT ZONES

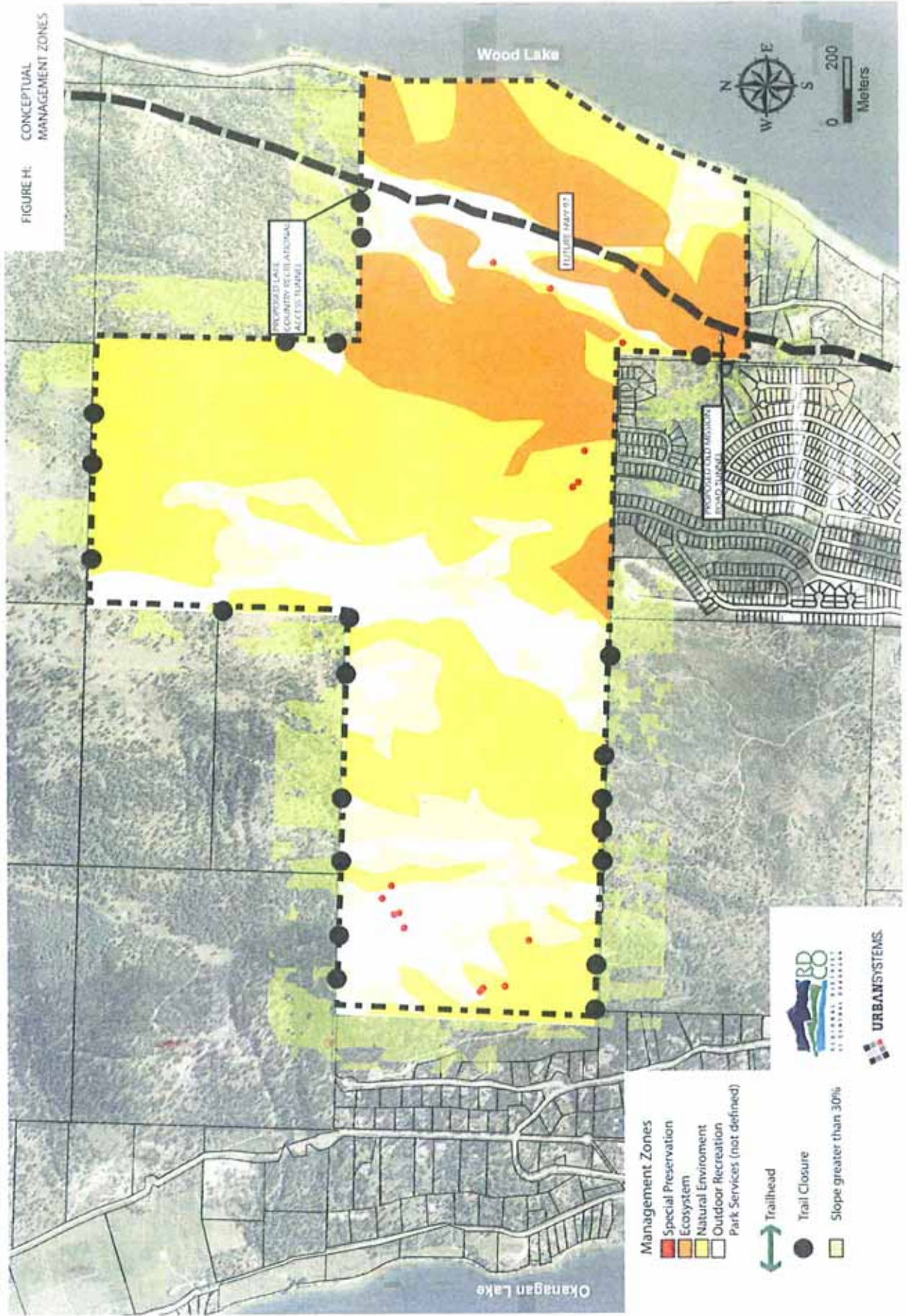
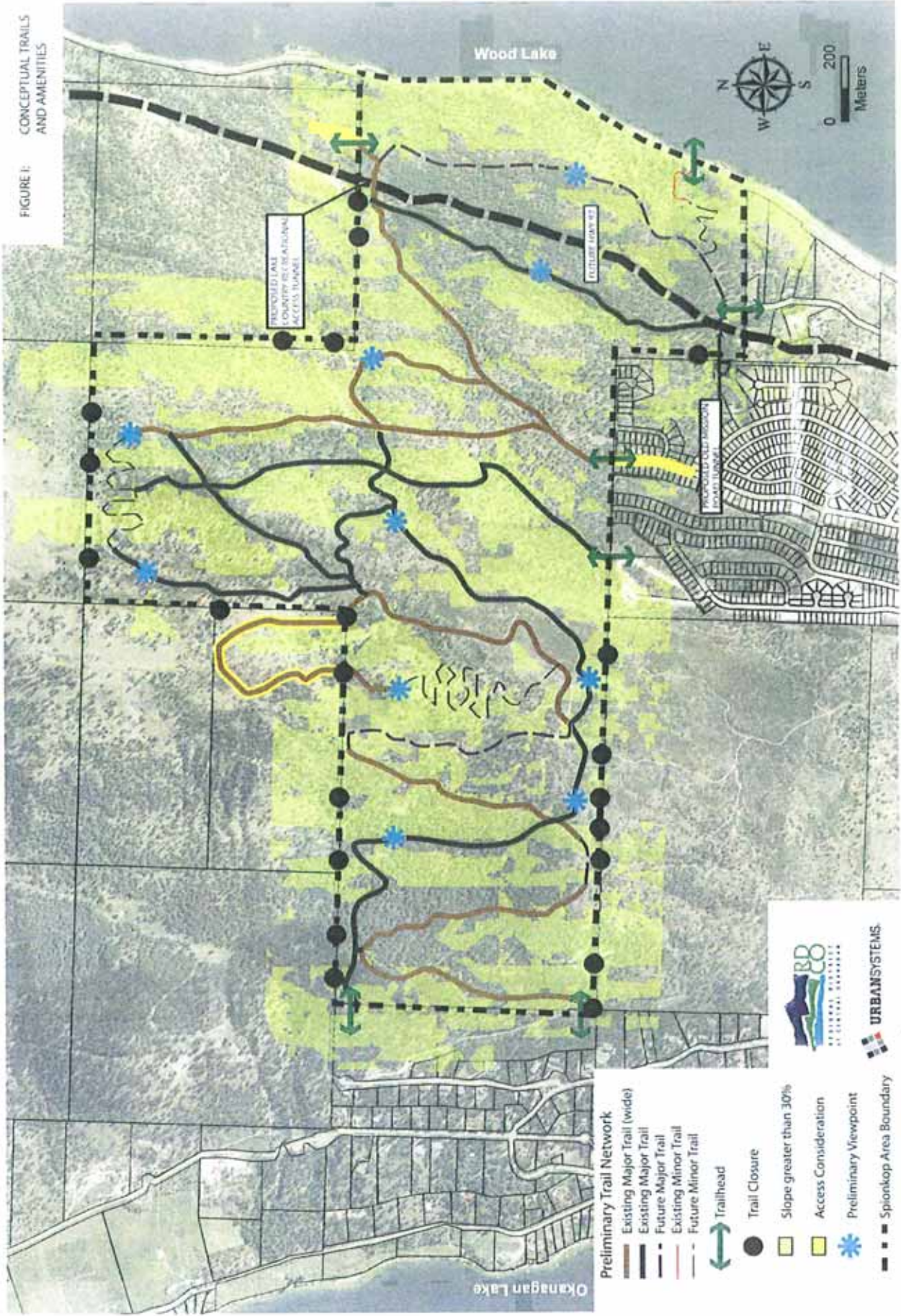


FIGURE 1: CONCEPTUAL TRAILS AND AMENITIES



- Preliminary Trail Network**
- Existing Major Trail (wide)
 - Existing Major Trail
 - Future Major Trail
 - Existing Minor Trail
 - Future Minor Trail
- Trailhead
- Trail Closure
 - Slope greater than 30%
 - Access Consideration
 - Preliminary Viewpoint
 - Spionkopp Area Boundary

