

Interim Guidance on Mountain Bike Trail Development within All Season Resorts



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

Integrated Resource Operations
Mountain Resorts Branch

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Background

The Mountain Resorts Branch (MRB) of the Ministry of Forests, Lands, Natural Resource Operations and Rural Development, is a provincial scope, line of site regional delivery operation that provides coordinated, one window approach for the management of destination resorts and community ski areas on Crown land in British Columbia (BC) under the All-Seasons Resort Policy. This program delivery model is intended to provide consistency in the regulatory and policy environment for resorts and community ski areas.

MRB operates and holds authorities under the *Land Act*; *Ministry of Lands, Parks and Housing Act*; *Forest Act*; and the *Resort Timber Administration Act*. The [All-Seasons Resort Policy](#) (under the *Land Act*) and the associated All Seasons Resort Guidelines sets the policy framework for management of Crown land and timber resources for new and existing, sustainable resort development.

BC's mountain resorts are a cornerstone of the tourism sector and range in size and seasonality, from large regional and destination mountain resorts like Whistler Blackcomb to smaller community mountain resorts like Summit Lake Ski Area near Nakusp. Mountain resorts are linked to quality of life and economic development by providing recreational opportunities in rural British Columbia and are directly linked to the tourism branding of BC for international visitors. BC's mountain resorts offer diverse outdoor recreational activities, including skiing, hiking, mountain biking and other adventure tourism offerings, which also provide a strong economic base for other tourism-related small businesses.

Mountain biking, which can trace its roots to the mountains of BC, has increasingly been adopted by mountain resorts and has come to be a primary summer recreation activity at resorts across BC and the world. This is particularly the case as many mountain resorts and community ski areas pursue all season use, beyond the traditional winter season. However, mountain biking in a mountain resort context comes with its own challenges, considerations, and opportunities.

MRB recognizes the tremendous potential for mountain biking at mountain resorts but also the need to offer guidance for the development of trails to ensure long-term viability and success. MRB is currently working on an update to the All-Seasons Resort Guidelines (ASRG) which will contain a chapter on summer use including mountain bike trail development. It is recognized that this work will take time and that many mountain resorts are already looking to build or enhance existing trail networks; therefore, this document is intended to be interim guidance that can be provided to resort operators and developers as the work on the ASRG update continues.

Purpose

The purpose of the Interim Guidance on Mountain Bike Development is to provide resort operators clear direction on the expectation for mountain bike development within British Columbian mountain resorts while more comprehensive guidelines are developed.

Goal

The goal is to promote all-seasons recreation and the development of mountain bike trails at mountain resorts while ensuring sustainable land use that commits to environmental stewardship.

Objectives

- Provide resort operators and developers with interim guidance for the planning, development, approval, maintenance and operations of mountain bike trails and trail networks on Crown land, within the authorized boundary of the mountain resort (Controlled Recreation Area or CRA). This includes;
 - Application requirements, trail authorizations and tenuring requirements
 - Hyperlinks to best management practices for trail construction, rehabilitation and maintenance

- Environmental considerations to ensure the type of trail, trail design, construction and its maintenance is appropriate to the setting
 - Indigenous Peoples and cultural heritage resource considerations
 - Overlapping interests and conflicts
 - Consistency with legislation, regulation and policy requirements
- Reflect the characteristics, demographics, variety of trails and trends within the mountain biking marketplace, including types of mountain bikes, styles of mountain bike riding, and commercial vs recreational biking (lift/non-lift based, electric or Ebikes, adaptive sports, etc.)
 - Be suitable for proponents or third parties looking to create a mountain biking recreational experience within a CRA as either:
 - Part of an existing mountain biking trail network, or
 - New mountain bike trails development.

Authorizations and Overlapping Interests

Master Development Agreement/ Operating Agreement and Master Plan Linkages

An MDA or OA is the legal contractual agreement between the resort developer and the Province. The MDA or OA sets out the conditions and responsibilities of both parties and identifies the outermost boundary of the resort, Controlled Recreation Area (CRA). The new form of MDA and OA allow for all-seasons use and operation and provide a blanket Licence of Occupation over the CRA that permits the construction and operation of access routes and trails.

The Master Plan is integral to the development of recreational infrastructure within a CRA. A proposal for mountain bike trail development must be consistent with the approved Master Plan. If mountain biking is not contemplated in the approved Master Plan, updated Master Plan or Master Plan addendum is required. (See Trail Authorization and Tenure Requirements)

Forms of tenure

- Licence of Occupation (*Land Act*) – either contained within the MDA or OA (CRA Licence) or issued under the Commercial General or Adventure Tourism policy. Please discuss application requirements with MRB before applying directly.
- Occupant Licence to Cut (*Forest Act*) - If any timber removal is necessary for trail development it will be a requirement to apply for cutting authority under the *Forest Act*. The application must be submitted to MRB by a Forest Professional and can be found here:

[Forestry Application](#)

- A Change Approval or Notification (*Water Sustainability Act*) - works in and about a stream require authorization under Section 11 of the *Water Sustainability Act*. It is required that a Qualified Person is engaged if there are any suspected fisheries values, *Riparian Areas Regulation* requirements or work that requires a change approval. Apply for a change approval or submit notification of instream work here:

[Change Approval or Submit Notification of Instream Work](#)

- Public Recreation Permit (*FRPA*) – If the trails are not commercial in nature, they may be designated as public recreation trails under the *Forest Range Practices Act*. Public recreation trails are administered by the Recreation, Sites and Trails Branch (RSTBC). Proposals that will require that significant time be invested in the pre-application stage, engage early and work with resort developers, RSTBC, MRB and other stakeholders prior to submitting an application.

[Public Recreation Permit](#)

Overlapping Interests

- Identification of overlapping interests whether they are tenure conflicts, environmental constraints, geographic features or archeological sites should be taken into account when planning to develop a mountain bike trail or network. Below are several web-based tools that can assist in the proactive planning and development of Mountain Biking within Controlled Recreation Areas:

Natural Resource Online Services - [Explore by Location](#)

Integrated Land and Resource Registry - [ILRR](#)

Front counter BC Discovery Tool (opens in Google Earth) - [BC Discovery Tool](#)

BC Web Map Library – KML with Ground Overlays for use in Google Earth –
[BC Web Map Library](#)

Trail Authorization and Tenuring Requirements

- (a) Development proposals for mountain bike trail construction, rehabilitation or maintenance within CRAs (that has not been already permitted) must be submitted to MRB for review and authorization if necessary.
- (b) Prior to submitting a formal proposal and/or application, preliminary communication between the resort developer and MRB, is critical to ensure the most efficient and effective review process occurs. MRB will provide direction, specific to each situation, to ensure that the proposal is reviewed and processed in a timely manner. MRB will also be available for on-site and/or inter-agency meetings which will allow for more timely and efficient information sharing and processing.
- (c) All proposals for mountain bike trail development must be consistent with the approved Master Plan for the resort. If mountain biking is not contemplated in the approved Master Plan, it is a requirement that the Master Plan be updated or an addendum containing relevant mountain bike trail development information consistent with the terms of the resort Master Development Agreement (MDA) or Operating Agreement (OA) be submitted and accepted.

- (d) Mountain bike proposals which require multiple authorizations under various forms of legislation (including but not limited to *Land Act*, *Forest Act*, *Water Sustainability Act*,) should be identified during pre-application discussions so that Provincial agencies can coordinate review and/or approval processes and information requirements, including First Nations consultation.
- (e) If it is determined that a formal application is required, applications should be submitted to the appropriate FrontCounter BC office([FCBC Application](#)). MRB staff are available to guide resort developers through the authorization process and will be notified of the application to initiate the review.
- (f) Proposals which contain complete information will ensure efficient and timely review and approval process (if required) and should include the following:
- Application Form (if required)
 - General Location Map (s) at a scale of 1:50,000 to 1:250,000 indicating general location of the area under application and the location of access roads, watercourses and other major landmarks (including shapefile or kml if available).
 - Detailed Site Map(s) outlining in detail the area under application, showing the exact perimeter boundaries of the application area including the dimensions (in metres) and area (ha), including watercourses, district lots etc. (including shapefile or kml if available).
 - Description of goals, objectives and existing conditions, including market analysis
 - Description of the types of mountain bike trails being proposed, phased development, site mapping and trail network design mapping, environmental conditions and mitigation measures, construction and maintenance standards (i.e. sediment and erosion control) and safety considerations.
 - Supporting information and reports that address any environmental impacts and mitigation measures, cultural and/or heritage impacts or any other relevant documentation.

Best Management Practices for Trail Construction, Rehabilitation and Maintenance

This interim guidance document is not intended to be prescriptive in the methods or to provide detailed technical specifications used for construction, rehabilitation and maintenance of mountain bike trail networks. The MDA and OA conditions are clear in the responsibilities that are held by the mountain resort developer and operator in terms of environmental, legislative and regulatory obligations as well as the need to reduce liability and the potential for public and environmental safety risks. It is highly recommended that MDA/OA holder contract out trail construction, rehabilitation and maintenance to established trail construction companies and use contractors that are familiar with and will utilize the established industry standards such as:

- Whistler Trail Standards: Environmental and Technical Trail Features, Edition 1. See [LINK](#)
- Trail Solutions: IMBA's Guide to Building Sweet Single track. See [LINK](#)
- Managing Mountain Biking: IMBA's Guide to Providing Great Riding [LINK](#)
- Best Management Practices for Recreational Activities on Grasslands in the Thompson and Okanagan Basins: [LINK](#)
- RSTBC Recreation Manual, Trail Section: [LINK](#)

Environmental and Other Resource Considerations

During the planning, construction, rehabilitation and maintenance of mountain bike trail networks, the resort developer should take into consideration environmental impacts and take appropriate steps to avoid or mitigate these impacts. They must also ensure that the specific MDA/OA environmental conditions are being addressed. Consideration should be given to potential impacts on wildlife, species at risk, invasive weeds, sensitive sites, riparian areas, alpine trails, terrain stability and sediment and erosion. Other resource values that should be considered include timber values, access issues, cultural heritage and traditional use values.

It is expected that, to mitigate the potential issues of mountain bike trail development and use and their impacts on environmental and other resource values, the proponent will apply the following strategies (as appropriate to specific situations):

- a) Proactive Planning – Ensure that areas appropriate and suitable for mountain bike trail development/use are identified through planning processes that consider sensitive environmental and other resource values (e.g., wetlands, unstable soils, valuable habitats, cultural heritage and traditional use and values).
- b) Environmental Design – As part of the authorization process, work with land managers in a process to identify/map sensitive values, and design and construct trails accordingly. Apply the accepted industry standards for environmental design (e.g., stream crossings, drainage, habitat considerations, appropriate trail widths, environmentally sensitive construction materials and best practices).
- c) Monitoring and Impact Mitigation – Monitor environmental impacts from trail development and use (e.g. erosion, water quality, vegetation disturbance, wildlife disturbance), and mitigate problems as they arise. Mitigation may involve the need to permanently or temporarily close or relocate a trail or trail segment (e.g., during wet periods, during wildlife breeding periods, fire season), rehabilitate an area, re-design a trail segment or feature, educate riders, etc. This work should be the responsibility of an Environmental Monitor.
- d) Qualified Person – use of a qualified professional is required for the planning and development of mountain bike trail plans and supporting studies and assessments.

Indigenous Peoples, Archaeology and Cultural Heritage Resources

Archeology

- Archaeology in BC is governed by the *Heritage Conservation Act*; any mountain bike proposal prior to construction may require an Archaeological Overview Assessment, Preliminary Field Reconnaissance or an Archaeological Impact Assessment as a part of the application process. Please see the link below for further guidance regarding the requirements for Archaeology and Heritage when working on Crown land in British Columbia

[Archeology Link](#)

Proponent Engagement with First Nations

- The Province is legally obligated to consult and accommodate First Nations, where required, on land and resource decisions that could impact their Aboriginal Interests. While the Province is responsible for ensuring adequate and appropriate consultation and accommodation, it may delegate and involve the proponent in the procedural aspects of consultation. Proponents are generally encouraged to engage with First Nations as early as possible in the planning stages to build relationships and for information sharing purposes that may support consultation processes.
- More information is available in the following guidelines and procedure manuals designed to assist government officials and proponents with meeting consultation obligations with First Nations. For further assistance, MRB staff can provide proponents with information and guidance on engagement with Indigenous Peoples.

Engaging First Nations: Proponent Resources

- [Building Relationships with First Nations: Respecting Rights and Doing Good Business](#) - English, ([Mandarin](#)), ([Japanese](#)), and ([Korean](#)): Provides practical advice and strategies to help businesses develop strong working relationships with First Nations.
- [Building Relationships with First Nations: Respecting Rights and Doing Good Business – Interactive Guide](#): An interactive guide that provides advice and strategies to help businesses develop strong working relationships with First Nations.
- [Guide to Involving Proponents When Consulting First Nations](#): Assists the business sector with a better understanding of the range of proponent’s roles in First Nations consultation.
- [Proponent: First Nations Engagement Communication Log](#) (Excel): A useful tool for proponents to track First Nations engagement communications.
- [Updated Procedures for Meeting Legal Obligations When Consulting First Nations](#): Describes the Province’s approach to consulting and accommodating First Nations where a proposed decision or activity by the Province may affect claimed or proven Aboriginal rights (including title) or treaty rights. Proponents wanting more detailed information on the consultation process may consider reviewing this document in conjunction with the Guide to Involving Proponents When Consulting First Nations.

Sector-Specific Proponent Guides

Informative guides to the industry best practices for resort development in British Columbia:

- [Best Practices Guide for Resort Development in BC](#) (PDF)
- [Guide to Creating Resort Partnerships with First Nations](#) (PDF)
- [Consulting with First Nations](#)

Cultural Heritage

- It may be requirement for an assessment of cultural heritage resources such as traditional use information, traditional resource gathering sites, culturally significant areas and other interests related to Aboriginal rights and not identified under an archeological review to assist achieving a better understanding to the impacts to First Nation interests within a development proposal.

United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration)

- It is generally expected that proponents, working as stewards of the land, will respect the connection of Indigenous people to the lands on which activities are proposed or exist. The Provincial government has passed legislation to implement the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration), which the Truth and Reconciliation Commission confirms as the framework for reconciliation. The new Declaration on the Rights of Indigenous Peoples Act creates a path forward that respects the human rights of Indigenous peoples while introducing better transparency and predictability in the work we do together.