



February 22, 2019

BCTS Chinook Area
C/O Ralph Schroeder
46360 Airport Road
Chilliwack, BC
V2P 1A5

RE: Authorization for the installation, maintenance and operation of a gate at 1.7 km on the Peers FSR

Dear Ralph Schroeder,

Pursuant to section 6 of the *Forest Service Road Use Regulation* regarding traffic control devices to restrict access, authorization for the installation, maintenance and operation of a gate to be located at 1.7 km on the Peers FSR as shown and described on the attached map is hereby granted to:

BCTS Chinook Area
46360 Airport Road
Chilliwack, BC V2P 1A5
604-702-5700

This authorization is in effect from the date of signature until otherwise specified by the District Manager. Closure will be determined after a completed Statement of General Conformance submission has been approved by the District Manager.

1) INSTALLATION, MAINTENANCE AND OPERATION REQUIREMENTS:

The holder of this gate must:

- a) ensure that the construction, maintenance and use (**Works**) of the gate is carried out to the satisfaction of the District Manager and is in accordance with the requirements, conditions and special clauses set out under this authorization,
 - i) Placed in a conspicuous location, marked with permanent reflective material and be clearly visible to the operator of a motor vehicle from a safe stopping distance.
 - ii) Metal chain or wire rope, regardless of any covering material utilized, are deemed to be unsafe and must not be utilized
- b) provide the District Manager with a notice in writing of an intention to initiate **Works** or otherwise interfere with the Peers Forest Service Road (FSR) at least seven days prior the commencement of **Works**,
- c) provide free unobstructed access to any person appointed by the District Manager for the purpose of inspecting **Works** related to this authorization,
- d) post and maintain signage along the FSR throughout the term of this authorization

warning road users of the potential safety hazards of the **Works**,

- i) A “**GATE AHEAD**” sign must:
 - (1) be located at a safe stopping distance and clearly visible to the operator of a motor vehicle on both approaches to the gate, and
 - (2) be of an industrial standard, see Road Closure and Gate sign specifications Appendix A and B of this document, and
 - (3) include contact information of the person responsible for the gate, (company name, contact name, phone number, email address).
- e) brush signage sightlines regularly to ensure clear visibility.
- f) take all reasonable steps to ensure that the Peers FSR remains free, clear and open to traffic during times when the FSR is open, and will forthwith remove debris, equipment or any other thing associated with the execution of **Works** to allow unhindered use of the FSR,
- g) ensure that any bridge, culvert, ditch, or other existing work affected by the **Works** are properly maintained throughout the term of this authorization,
- h) indemnify and save the Crown harmless from any and all claims, demands, suits, actions, causes of action, costs, expenses and losses faced as a result, directly or indirectly, of the execution of the **Works** by the holder of the authorization, their employees or persons who perform work either directly or indirectly under contract with them.

2) CONDITIONS OF THE GATE AUTHORIZATION

- a) The **Works** are subject to the provisions of the *Forest & Range Practices Act* of British Columbia and the *Forest Act* of British Columbia and its regulations.
- b) The District Manager may suspend any of the **Works** provided for under this gate authorization at any time.
- c) All **Works**, improvements or other installations brought on to, laid or erected upon or buried in or under the Peers FSR right-of-way under this gate authorization become the property of the Crown.
- d) Any of the aforementioned **Works**, improvements or other installations may be annexed or affixed to a freehold, at any time or from time to time or may be removed in whole or in part by the Crown.
- e) Notwithstanding any rule of law or equity or paragraphs 2 (c) and 2 (d) any **Works**, improvements or other installations not removed within one (1) year after termination of this gate authorization may be removed by the Crown at the expense of the holder of this authorization at the date of issuance.
- f) The District Manager reserves the right to grant the use of the Peers FSR right-of-way for any purpose across the **Works**.
- g) This authorization may be cancelled by the District Manager by notice in writing to the holder of this authorization, for any breach of the requirements, conditions, or special clauses set out under this gate authorization.

3) SPECIAL CLAUSES:

- a) The holder of the authorization shall ensure that the gate is constructed and maintained for the safe operation of all road users.

- b) Access for other authorized Road Use Permit holders must be maintained,
- c) First Nations must be allowed access for traditional and/or cultural use purposes,
- d) All future maintenance and costs of the **Works** and any eventual removal of the **Works** will be borne by the holder of this gate authorization,
- e) Temporary gates are not to be located for the purpose of closing entire drainage's, but only for the restricting access to the sub-basin area where protection of assets is required.
- f) A sufficiently large turnaround location in the vicinity of the gate must be maintained at all times to the satisfaction of the District Manager,
- g) Ensure the gate is secured open or secured closed as not to swing freely causing safety concerns.
- h) Ensure signage is maintained and contact information is kept updated,
- i) Repair gate as needed to maintain in good working condition,
- j) The holder of this authorization must construct the gate to the satisfaction of the District Manager,
- k) Upon installation of a gate, two copies of the gate keys will be promptly supplied to the District Manager at no cost.
- l) Upon installation, promptly supply the District Manager photos of the gate and signage from various angles (digital format).
- m) Within one week of completion of the installation, submit a Statement of General Conformance signed by the appropriate professional to the District Manager.
- n) Upon removal of the gate do everything reasonable to remove debris, equipment or any other thing associated allowing unhindered and safe use of the FSR to resume as quickly as possible. All signage, other obstructions, railings, barriers created as a result of the **Works** must be removed. Any "excavated materials" must be replaced to its original state.
- o) Within one week of the removal of the gate submit a Statement of General Conformance signed by the appropriate professional to the District Manager.

If you have any questions, please contact the District Engineering Department at 604-702-5700.

Sincerely,

 Digitally signed
by Mike Peters
Date:
2019.02.25
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Mike Peters
District Manager
Chilliwack Forest District

Attachments: Access Management Bulletin



MINISTRY OF FORESTS, LANDS,
NATURAL RESOURCE OPERATIONS
AND RURAL DEVELOPMENT

Location Map

MAP OF:
Access Control Authorization
AC8126-19-01
PEERS FSR

BCTS Chinook

FOREST REGION: RSC
FOREST DISTRICT: DCK
TSA: 30 - FRASER
LAND DISTRICT: YDYG
MGT UNIT TYPE: Timber Supply Area
MGT UNIT NO: 30
UTM: 10
NAD: NAD83
DRAWN BY: Chilliwack Forest District
DATE: February 22, 2019



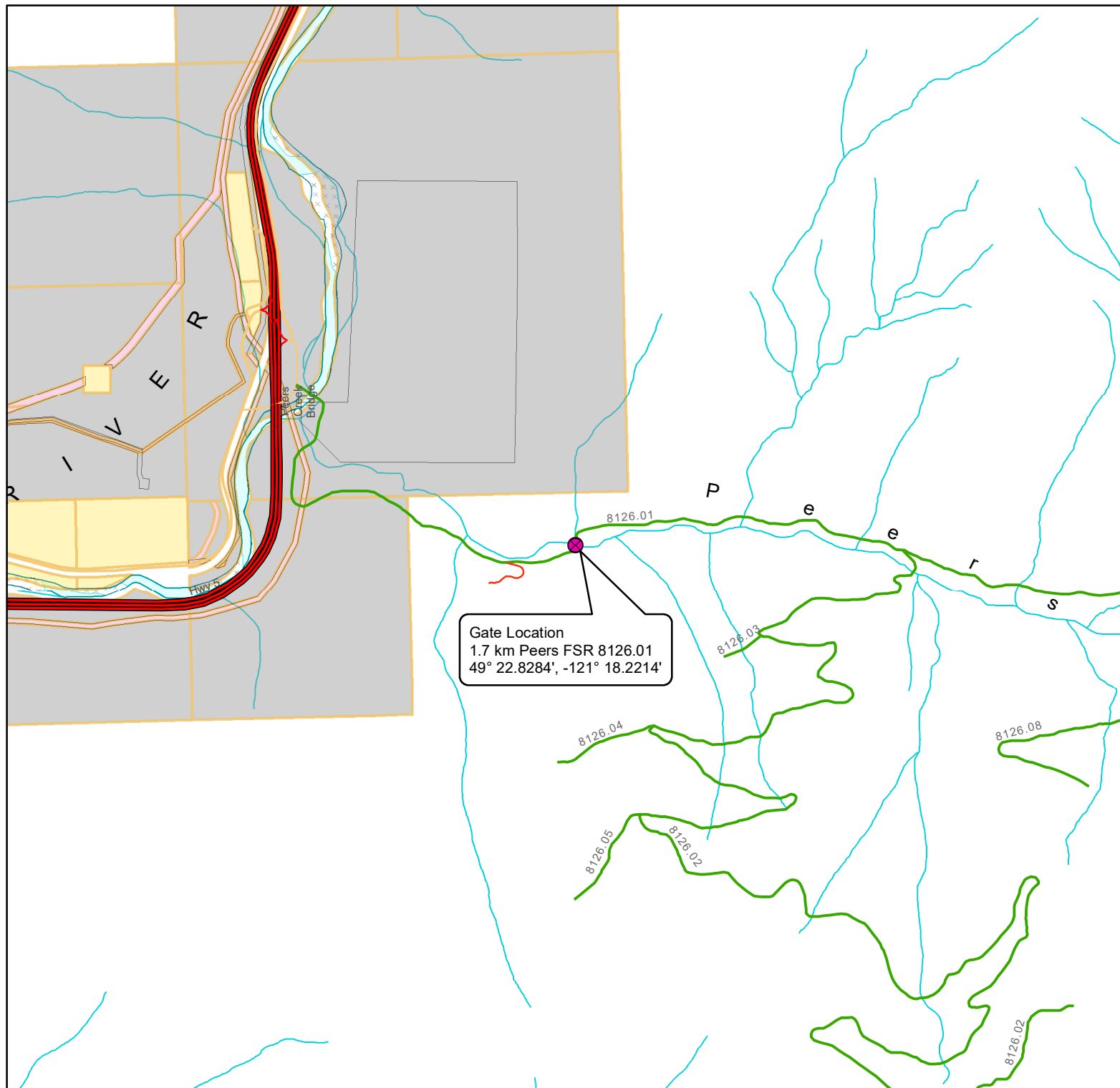
Legend

- Forest Service Road
- Road Permit
- Freeway
- Lane, unknown
- Local
- Ramp
- Tenures
- PMBC - Outlined
- PMBC - Crown Provincial
- PMBC - Private
- PMBC - None
- River or Stream
- River, Stream or Canal

Digitally signed
by Mike Peters
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CHILLIWACK NATURAL RESOURCE DISTRICT

ALL ROAD USE PERMIT HOLDER BULLETIN

May 2, 2017

Traffic Control Devices and Access Management - Responsibility

The purpose of this bulletin is to provide clarification and reference to legislative requirements for the installation and maintenance of traffic control devices/structures on crown lands.

During the past few years there has been an increased level of concern expressed from the general public, clients and other natural resource users over access restrictions on forest roads.

Government has a policy of maintaining the existing levels of free public access to resource roads on Crown Land. Closing of a road or restriction of its use **must** be approved by the District Manager. Closures and restrictions are balanced so that natural resource values are coordinated and integrated as required to achieve the purposes of section 4(b) and (c) of the *Ministry of Forests and Range Act*.

If a traffic control device is proposed on a Forest Service Road, authorization by the District Manager to Construct Works within a Forest Service Right-of-Way is required.

Responsibilities:

It is the proponent's responsibility to ensure that permits are in place. All companies and organizations are required to supply information related to existing traffic control devices that are on crown lands. A statement of general conformance signed by a professional must be submitted upon installation and removal.

If a gate is installed the District office also requires to be loaned two copies of all keys. The ministry respectfully recognizes that these are the proponent's gates and will only authorize use of loaned gate keys to government personnel and its agents for government related business. Where possible, the holder of the authorization should attempt to reduce overall numbers of keys by using keyed-alike locks throughout their operational area.

Access restrictions are not to stop the public or organizations from using areas but rather controlling access. Management of access is generally intended as a balance that enables access for recreational and other natural resource activities, while accounting for the potential negative impacts from the minority who choose to misuse our forest lands. In many cases, users should be able to gain access by registering and obtaining a key for the locked gate from licensee contacts.

Section 22.2 of [FRPA Division 2 - Roads](#) provides for control devices on Forest Service Roads and Road Permit Roads, under the proviso the purpose meets the following

criteria per 22.2(2)(c): *use of the road under subsection (1) would likely*

- (i) cause significant damage to the road,*
- (ii) cause significant sediment delivery, or*
- (iii) endanger property, public health or public safety,*

The minister's authority has been delegated to the District Manager.

Section 6 of the FSR Use Regulation [Traffic Control Devices](#) also provides the district manager to authorize gates and traffic restrictions on Forest Service Roads.

(2) Without limiting the generality of subsection (1), a traffic control device may be used in any of the following ways:

- (a) to close the road to all traffic or to specified categories or sizes of motor vehicles including those not engaged in commercial activities;*
- (b) to close the road totally, or for a specified period of time;*
- (c) to regulate the movement of traffic;*
- (d) to require the use of 2-way radio systems during certain hours in order to coordinate the movement of traffic, including specifying the radio frequency to be used on portions of forest service roads;*
- (e) to restrict the use of vehicles having characteristics that could damage the forest service road or create a safety risk;*
- (f) to warn drivers of hazardous or unusual conditions existing on forest service roads.*

(3) A person must not erect a traffic control device on a forest service road without the prior consent of the district manager in whose district the road is situated.

APPLICATION, INSTALLATION, MAINTENANCE, AND REMOVAL REQUIREMENTS:

Access Control Devices Currently Installed - Requirements

Proponents that currently have access control devices/structures installed on Forest Service Roads (FSRs) without a permit must make application to the District Manager by **July 31, 2017**. This will avoid any non-compliance actions that may result. Complete the application form attached and email to FTA.DCKDSQ@gov.bc.ca. Include as part of the application a detailed rationale as to the purpose of the access restriction and the company/organization's access control policy regarding public requests for access. Also include a location map (mapview pdf at 1:20,000 scale - digital format), GPS coordinates and labelled photos of both approaches and signage.

The detailed rationale for the access restriction must include reasons for the authorization request and why other means of traffic control are not sufficient.

The proponent must show proof that the existing structures are installed and/or upgraded to district

standards by completing and submitting to the District Manager a Statement of General Conformance Form with the application.

Application Requirements

Complete the application form and email to FTA.DCKDSQ@gov.bc.ca. Information required includes map illustrating the location of the access control device (mapview pdf at 1:20,000 scale - digital format) and GPS coordinates. Include a detailed rationale for the purpose of the restriction and the company/organization's access control policy. This rationale will help determine whether or not the District Manager authorizes the request. Applications without a rationale will not be accepted.

The detailed rationale for the access restriction must include reasons for the authorization request and why other means of traffic control are not sufficient.

Installation Requirements

The construction of the access control device must be carried out to the satisfaction of the District Manager in accordance with the requirements, conditions and special clauses set out under the authorization,

- a) All structures must be placed in a conspicuous location, marked with permanent reflective material and be clearly visible to the operator of a motor vehicle from a safe stopping distance,
- b) A GATE AHEAD or RESTRICTED ACCESS sign must be located at a safe stopping distance and clearly visible to the operator of a motor vehicle on both approaches to the gate,
- c) The GATE AHEAD or RESTRICTED ACCESS sign must include contact information of the person responsible for the structure, (company name, contact name, phone number, email address),
- d) A sign must be placed on the structure and must include contact information of the person responsible for the structure (company name, contact name, phone number, email address),
- e) All signage must be of industrial standard as defined in the authorization,
- f) All structures must have a sufficiently large turnaround location in the vicinity and must be maintained at all times,
- g) Metal chain or wire rope, regardless of any covering material utilized, are deemed to be unsafe and must not be utilized.

Upon installation a Statement of General Conformance Form must be completed and submitted to the District Manager. Photos of the structure, signage and approach from various angles (digital format) must also be submitted.

Maintenance Requirements

Maintain signage and approaches along the FSR throughout the term of this authorization, as to ensure the Works will not be, or become a hazard to the users of the road,

- a) The structure must be maintained to the satisfaction of the District Manager,
- b) Ensure all signs are maintained and contact information is kept updated,
- c) Brush signage sightlines regularly to ensure clear visibility. Keep the turnaround and both approaches clear and maintained at all times,
- d) Ensure that any bridge, culvert, ditch, or other existing work affected by the **Works** are properly maintained,
- e) Ensure that the FSR remains free and clear of obstructions when open to traffic, and remove debris, equipment or any other thing to allow unhindered use of the FSR,
- f) If a gate is used ensure it is secured open or secured closed as not to swing freely causing safety concerns. Repair gate and other structures as needed to maintain in good working condition,
- g) Access for other authorized Road Use Permit holders must be maintained.

Removal Requirements:

After completion of operations the structure and all signage, other obstructions, railings, barriers created as a result of the **Works** must be removed. Any "excavated materials" must be replaced to its original state. Do everything reasonable to remove debris, equipment or any other thing associated allowing unhindered and safe use of the FSR to resume as quickly as possible.

Upon removal a Statement of General Conformance Form must be submitted to the District Manager for approval.

If you have any questions on the above, please contact our engineering department by phone at 604-702-5700 or email at: Forests.ChilliwackDistrictOffice@gov.bc.ca

Sincerely,

A digital signature of Mike Peters, consisting of a stylized cursive script.

Digitally signed
by Mike Peters
Date:
2019.02.25
08:14:06 -08'00'

Mike Peters
District Manager
Chilliwack Natural Resource District