



**COUNCIL
AGENDA REPORT**

TO: Mayor Harding and Council
MEETING DATE: August 12, 2020
SUBJECT: Torrance Barrens Conservation Reserve

RECOMMENDATION:

WHEREAS the Torrance Barrens Conservation Reserve is under the jurisdiction and control of the Province of Ontario;

AND WHEREAS the Township of Muskoka community has expressed concerns about the impact of competing activities and their impact on natural values as well as the general appearance and condition of the infrastructure within the Torrance Barrens Conservation Reserve;

NOW THEREFORE BE IT RESOLVED:

THAT the Minister of Environment Conservation and Parks is hereby requested to declare an immediate and temporary ban on camping and associated activities within the Torrance Barrens Conservation Reserve, pending a full review of the related Statement of Conservation Interest;

AND THAT the Minister of Environment Conservation and Parks is hereby further requested to direct Ministry staff to work with Township of Muskoka staff to identify:

- i) a project proponent/community partner to replace the boardwalk infrastructure within the Torrance Barrens Conservation Reserve, and
- ii) the terms of a Memorandum of Understanding between the Province, the Township and the community partner(s) respecting the management and operations of the Conservation Reserve including appropriate resources for public education and enforcement.

APPROVALS:

		Date	Signature
Submitted By:	K. D. Becking P. Eng., Director of Public Works	<u>Aug.6/20</u>	<u>Original signed by K. Becking</u>
Approved:	D. Hammond, CAO	<u>Aug.6/20</u>	<u>Original signed by D. Hammond</u>

SUMMARY:

The report presents a short term work plan to address the immediate needs of the Torrance Barrens with a longer term strategy to move the management of the Barrens towards sustainability.

ORIGIN:

Over the past year, staff and members of Council have received numerous community complaints concerning activities occurring within the Torrance Barrens Conservation Reserve, as well as the deteriorating condition of infrastructure and the general lack of much needed ongoing maintenance.

BACKGROUND:

Provincial Crown Land Conservation Reserve

In researching this matter, staff have determined that the Torrance Barrens Conservation Reserve is wholly located on provincial Crown Land. It is our understanding that the identification of this location as a Dark Sky Preserve started in the early 1990's through an initiative of a group of local astronomical enthusiasts and residents. Those efforts culminated in the Torrance Barrens being designated in 1997 as a Conservation Reserve, pursuant to Ontario Regulation 259/97. This Conservation Reserve and adjoining Crown lands and protected areas, including Hardy Lake Provincial Park, Loon Lake Wetland Conservation Reserve and Severn River Conservation Reserve, collectively provide an important ecological link between Lake Muskoka and Severn River.

The Torrance Barrens Conservation Reserve is 1900 hectares in size and has a tradition of a variety of recreation activities, including camping, hunting, gathering, nature appreciation, walking and hiking, snowmobiling, and, in recent years, night sky viewing. A [Statement of Conservation Interest](#) was approved by the Province in 2006 and currently guides permitted activities within the Conservation Reserve.

Management

Prior to its designation as the Torrance Barren Conservation Reserve, community groups built a trail system on this area of Crown Land. The trail would eventually contain a variety of boardwalk infrastructure in order to protect a variety of species at risk located in the area. The authority to manage Crown Land and what is now known as the Torrance Barrens Conservation Reserve was vested in the then Ministry of Natural Resources (MNR). As the Province had little dedicated financial resources for this Conservation Reserve, the MNR worked with a variety of partners to fulfil the community vision for this area as articulated through [Statement of Conservation Interest](#). After this area was formally recognized as a Conservation Reserve, due to the lack of provincial funding, it appears that eventually the Township, under the direction of the Parry Sound District MNR staff, began to assist with the promotion of the Conservation Reserve, maintenance of the trails and other infrastructure, as well as the provision of temporary washroom facilities and some signage. Initially the Township's contributions were ad hoc, or sporadic, but eventually became more of a consistent effort. It should be noted that these contributions were made in the absence of any formal agreement with the Province which outlined roles and responsibilities.

Late in the summer of 2019, due to a shift of responsibilities between Ministries, the responsibility for management of the Torrance Barrens Conservation Reserve was shifted from the District Manager and the Bracebridge Area Supervisor of the Ministry of Natural Resources and Forestry (MNR), Parry Sound District to the Lands and Waters Division of the Ministry of Environment Conservation and Parks (MECP) from its Sudbury office.

Issues

Over time, the Torrance Barrens has become an extremely well known and popular destination, playing host to thousands of visitors each year. In addition to its reputation as an excellent location for night sky viewing, it has also become popular for those looking for an inexpensive location to hike, recreate, or camp. At the same time, due in part to a consistent lack of provincial funding, absence of clear lines of responsibility and accountability and a diminished involvement of the volunteers, there has been a gradual increase of the following issues:

- A decline in the physical condition of the existing infrastructure (boardwalks and signage). In fact, the boardwalks have now deteriorated to the point that they are a public safety hazard and have resulted in numerous serious injuries;
- Unregulated and conflicting uses (camping and conservation) which have pitted the user groups against one another; and
- Abuse of the resource including harassment and destruction of vulnerable, threatened and at risk species and the deposition of litter and debris throughout the reserve.

The situation has deteriorated to the extent that most recently, there have been physical altercations between users, such that the Ontario Provincial Police were involved. Witnessing the degradation of this area, along with the negative publicity of untimely events, has caused distress amongst many community members, staff and Council.

DISCUSSION:

To assist the community in approaching, as well as dealing with, the Province on how to best mitigate these issues in this provincial Conservation Reserve, staff would suggest that a near and longer term approach be taken.

Immediate Concerns

Conflicting Uses

A review of the [Statement of Conservation Interest](#) reveals that it recognizes and permits historical recreational uses that occurred on these lands including hunting, gathering, walking and hiking (both trail and non-trail), nature and wildlife viewing, cross-country skiing, snowshoeing, snowmobiling, camping and night sky viewing. The document also recognizes and permits camping and interestingly, notes that garbage problems exist in several locations. It also recognizes night sky viewing is an important recreational activity. Essentially, the document states that, "The known recreation activities that now take place in the conservation reserve are allowed to continue".

In terms of managing these uses, the [Statement of Conservation Interest](#) envisions continued monitoring of existing and permitted activities being undertaken as required to ensure that the conservation reserve values are not being adversely impacted. It goes on to further state that "Efforts will be made to promote cooperative maintenance of high use sites, to address garbage problems and other use issues. Overuse of areas and the subsequent potential to damage the sensitive natural areas is a concern. Where overuse develops, or where use threatens the values for which this conservation reserve was established, specific uses or areas may be limited or closed."

Many of the difficulties being experienced are as a result of the competing demands of the user groups and a lack of proper control of these activities in in this Conservation Reserve. It is our understanding that a number of community groups, most notably, the Guardians of the Dark Sky, would like to see camping and other similar uses prohibited. To effect such change, it would appear that the Province would need to amend the [Statement of Conservation Interest](#). If the Minister of the MECP is to move forward with any changes to the approved uses, he must be convinced that there is a broad base of

support for the changes from within the community and that the requests for change are not the wishes of one user group at the expense of the others.

However, in considering the matter, if the intent and purpose of the [Statement of Conservation Interest](#) is to prevent overuse and protect natural features, activities which are not consistent with this mandate should be curtailed. Should Council concur, a resolution requesting that the Minister of the MECP amend the [Statement of Conservation Interest](#) to eliminate overnight camping and all associated activities. Having said this, in prohibiting such uses, the current lack of apparent plan and dedicated adequate resources for enforcement to properly effect the intent of the document (i.e. protect the natural values of this area) would need to be rectified. Accordingly, the resolution should address the need for adequate enforcement as well.

Replacement of Boardwalks

Another immediate issue is the restoration of the boardwalks. MECP staff have acknowledged that the current boardwalks are in poor condition and represent a hazard to users. They have indicated that they will be removing the boardwalks in early August. As it relates to their replacement, staff have discussed the matter with MECP staff and advised that Council is a willing partner in the project through a Capital; Budget apportionment of \$20,000. In terms of completing the work, the MECP have indicated that they would prefer to establish a relationship with a community partner consisting of a group of local volunteers. Given previous involvement in erecting the boardwalks and knowledge of the area, Ministry staff have suggested that Coel Balmer, General Manager, YMCA Camp Pine Crest would be an ideal candidate to assume the role of project proponent. The project proponent would be responsible for:

- Developing the work plan and securing the work permit from the MNR;
- Enlisting the assistance of local volunteers to construct the boardwalks; and
- Coordinating the activities of the suppliers and the volunteers to get the boardwalks built.

It is our understanding that Mr. Balmer would be interested in discussing this role with the Ministry. We also understand that efforts will be made to complete the work in 2020, however if this proves to be impractical, staff are prepared to proceed with the purchase of the materials so that they are ready and available for construction early in 2021.

Long Term Operating Strategy

If the natural values of the Torrance Barrens Conservation Reserve are to be protected while allowing recreational pursuits in this area, there must be an effective long term operating strategy backed up by sustainable funding for education and enforcement.

As only the Province has the authority to establish and enforce land use policies on Crown land, it is logical that they fulfill these roles. This will obviously require resources.

Given that Council approved funds in the 2020 Capital budget to assist with trail repair, it is assumed that there is an ongoing interest in the Torrance Barrens Conservation Reserve. However, as it would place an additional burden on the municipality in terms of additional administrative and operational costs, exposure to risk and increased insurance costs, staff would not recommend assuming the role of the steward of the Conservation Reserve. Rather than becoming solely responsible for the financial burden of the Conservation Reserve, to be successful, a partnership approach is suggested.

Typically, with Provincial Parks, there is an associated "Friends of" organization. Each Friends group is dedicated to supplementing and enhancing the unique educational, recreational, research and resource protection mandates of the parks with which they are affiliated. As incorporated entities, Friends are governed by a board of directors; they are guided by their organization's by-laws and letters patent; and they are led by a board chair and in some organizations supported by an executive director or general manager. Friends work locally with a park superintendent, natural heritage education leaders, and other

park liaisons as designated by the park superintendent. All parties work together collaboratively to achieve mutually beneficial objectives.

The involvement of such a community partner has the advantage of being more grass roots and therefore more in tune with the needs of the reserve and better able to respond. They would also be able to fund raise directly from the user group and/or apply for grants in order to support the operation.

Going forward, assuming Council wishes to continue to provide support and play a partnership role, it could provide an annual grant of some kind.

Capturing the essence and mechanics of a partnership is best completed through the preparation and execution of a Memorandum of Understanding. Presumably, this document would include the MECF, the Township and the Community partner(s) and identify roles and responsibilities so that they are clearly understood and accepted.

RATIONALE:

The proposed approach addresses the immediate issues and will lead to the establishment of an operating strategy that will ensure the long term sustainability of the reserve.

FINANCIAL:

In the short term there will be the need to fund the replacement of the existing boardwalks. \$20,000 is included in the 2020 capital budget to cover these costs in accordance with an earlier agreement to do so. Longer term financial requirements will be subject to the operating model adopted and will be established at a later date.

CONSULTATIONS:

The following staff assisted or had input to this report:

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