

**Progress and Background
Report
2023**

**Callaghan's Rapids Conservation Area
Crowe Valley Conservation Authority**

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Executive Summary

Callaghan's Rapids Conservation Area is midway through an historical transformation. This recreation and nature park is being rehabilitated from a defacto ATV waterpark into a safe place for picnicking, hiking, wading, geocaching, bird watching, cross-country skiing and snowshoeing: as it was always intended. The primary purpose of this community based initiative is public safety first, and secondly protection of the natural environment.

The reason why Callaghan's fell into this undesirable state was a combination of limited funding and its remote location. The current funding model for some Authorities limits the necessary finances to develop and maintain their conservation areas. The remoteness, which gives this park a sense of wilderness, made it problematic for the Eastern Ontario Trails Alliance (EOTA), the Ontario Provincial Police (OPP) and the Crowe Valley Conservation Authority (CVCA) to enforce rules and regulations. The solution to this conundrum was the construction of barricades at minimal expense to prevent unauthorized motor vehicle access, which will allow regular trail maintenance and in the future, nature education.

The time frame for this project was estimated to take five years and through the efforts of the above noted agencies, volunteers and municipal support, we have recently completed year three: a testament to our resolve. Funding for this project came from donations, the CVCA and EOTA. Labour comes from the CVCA but mainly from volunteers. The long-term strategy is to organize a registered charitable organization that will maintain and develop this park employing a model similar to that used by O'Hara Mill Homestead with the Quinte Conservation Authority. This charity would be responsible for fund raising, liability insurance, labour, capital and operational expenses, summer student staffing, recreation and nature program development and delivery. In short, under a contract with the CVCA, this organization would be a park management sub-contractor on the one hand and a nature and recreation business on the other.

The proposed timeline to organize and incorporate this charitable foundation is the fall of 2024; then negotiate and ratify a contract with the CVCA during the winter of 2025. In the interim we will continue to fortify Callaghan's, build and maintain barricades, parking areas, trails, and study the park's ecosystems. It is with great pleasure to announce that the current fortifications have achieved a 99% effectiveness in terms of deterring and preventing unauthorized motor vehicle access to this park.

As part of this multi dimensional approach, the enlargement and grading of the main visitor parking lot and periphery barricades are very effective. Currently, short sections of barricades require minor additions or enhancements as a handful of ATV operators continue to test our fortifications. However, the CVCA does not want to be exclusive, as ATVers are invited to enjoy this conservation area, but must now park their vehicles in designated parking areas.

The Transportation Department of the Municipality of Marmora and Lake continues to grade and snowplough Callaghan Rapids Road into the main visitor parking area to maintain this vital commercial vehicle turnaround (school buses, garbage and recycling trucks, etc.). This important routine maintenance makes Callaghan's an attractive four season recreation and nature park destination. The

rehabilitation of Callaghan's is a model example of cost effectiveness, partnerships and community driven initiatives that enhances the quality of life for visitors and residents alike.

Repairs and enhancements of existing trails is also ongoing, but will take several more years for completion. Currently, the most significant work is the Mucking Trail Project. Mucking trails were unlawfully carved out by some ATV operators. An estimate places the damages to the riparian zone above \$200,000. Clearly, this was not just trespass, but was significant mischief (vandalism) and wanton destruction. The Mucking Trail Project consists of barricades, back filling huge ruts with peat obtained from free floating cattail mats on Crowe Lake, and planting saplings to re-forest these trails. This sub-project is a model example of restoration and cost effectiveness.

The hydrology of the park (excluding the Crowe River itself) has been mapped and studied. Vernal streams cross trails in five places: each requiring catchment improvements to prevent trail erosion and improve pedestrian access, particularly during spring runoff or wet rainy summers.

Callaghan's Rapids Conservation Area helps to make the Marmora area a great day trip destination, and coincidentally a safe place to raise a family or build a retirement home.

Park History

The CVCA purchased this four-hundred-acre package of land from Ontario Hydro in 1974. Ontario Hydro had ostensibly conducted a hydro-electric assessment during the sixties and determined that this site was unsuitable for a hydroelectric dam. In addition, the roughness of the terrain (hence the rapids and waterfalls), shallow poor soil and exposed bedrock made this location unsuitable for agriculture and logging. However, the exposed bedrock provided an excellent base for bridge abutments, and accordingly Canadian Pacific Railways chose this site for their railway bridge crossing (Crowe River) and tracks during the late 1800s.

In 1973, Ontario Hydro put the Callaghan's Rapids property up for sale. Funding to purchase this land was made available by a philanthropist, the Province of Ontario and the CVCA. The philanthropist was a gentleman named John Seeback, who with his son and as part of their family legacy and love for nature, donated one third of the cost to expedite the purchase of four hundred acres of land and encourage the development of a conservation area. In John's prophetic words, "To find wilderness now, you have to drive for hours. Unfortunately, just by finding it, we destroy it". Although Callaghan's was unsuitable for hydro development, it was ideal for a conservation area.

The CVCA began a program of park development in the eighties just before the Province of Ontario was faced with a debt service crisis. In the early nineties, the province downloaded many costs to counties and municipalities, and many public services were privatized. The funding model for conservation authorities was restructured and authorities with a small tax base like the CVCA had no choice but to cut most secondary programs, including Callaghan's Rapids Conservation Area development initiatives.

Rail passenger demand declined rapidly during the nineteen sixties as travellers took to the skies and highways. By the nineties CP and CN had closed many of its smaller, less profitable passenger rail trunks. The unused railway right of ways were systematically repurposed as snowmobile trails, and with the subsequent growth of the ATV industry during the nineties, also became ATV trails. This is an important industry in Ontario and EOTA deserves a lot of recognition for the development and maintenance of these recreational trails in Hastings County. EOTA made every effort to enforce their trail and trespass regulations, but the CVCA, EOTA and the OPP were overcome by the sheer numbers of irresponsible ATV operators.

Snowmobiles never posed a problem at Callaghan's because they do not and cannot travel up and down the riverbed, but ATVs could and did. The combination of deliberately engineered ATVs, easy access to the riverbed (via EOTA trail and main parking lot) and little to no enforcement at Callaghan's led to it becoming an unauthorized ATV waterpark: it was the perfect storm, but no longer.

In 2019, a local citizen's advocacy group called the Crowe River Group was created to lobby local authorities with a clear message: take back Callaghan's from these ATVers. This group is no longer necessary and is essentially inactive because the CVCA (along with other partners) have moved forward with a positive and sensible response. The writer was one of the original founding members of this advocacy group, and some members of this group have and continue to (volunteer) help build tactical barricades and repair trails. The Crowe River Group is currently transforming into a solution driven volunteer organization that will hopefully become a long-term support organization for the CVCA and a future model for The Gut Conservation Area and the McGeachie Conservation Area.

Many jurisdictions throughout the world are confronted with the very same problem: trespass by ATVers onto private property, including state parks and conservation areas. This phenomenon is costing society billions of dollars every year worldwide. In the United States of America, the problem is so large that the Justice Department has a special division to deal with the problem. They asked the United States Department of Agriculture to investigate means and ways of engineering gates and barricades to prevent unauthorized trespass by motorized vehicles (mainly ATVs and some snowmobiles). The result was an eighty-six-page engineering booklet, *Vehicle Barriers: Their Use and Planning Considerations* (2006) that contains barrier designs and recommendations. Some of this information was applied to Callaghan's. Scotland is no exception and the USDA/CVCA borrowed their Cavaletti horse friendly gate design from them.

Signs with rules and regulations were clearly posted throughout the park. One rule, namely the prohibition of unauthorized motor vehicles like ATVs in particular, was systematically ignored by many ATVers and also some passenger vehicles. The OPP made a genuine effort to enforce trespass, mischief and driving under the influence, but it was problematic to enforce because of the remoteness of the trail

system and multiple escape routes for offenders. The CVCA and OPP, like most government agencies have budgetary constraints that limits their capacity to execute their respective mandates.

Unfortunately, out of financial necessity, Callaghan's was deemed a secondary priority and a more permanent solution was required. ATVers that descended upon the riverbed and park trails always did so unlawfully. Many caused significant damage to trails, the riverbed flora/fauna and riparian zone. Some used abusive and threatening language when they were asked to leave the park. In fact, the writer was assaulted this past summer by an ATVer when they were asked to vacate the premises. These individuals were criminals, not just trespassers and were violating the Criminal Code of Canada, Section 403 called mischief (vandalism).

Some operators consumed alcohol or recreational drugs, and as such were operating a vehicle while under the influence. These circumstances posed a real and present danger to public safety and damage to the environment. A solution was imperative, especially in the context that ATVers were criminals as well as trespassers. This message has never been so clearly articulated in no uncertain terms until now: ATVers were criminals as well as trespassers. Many had assumed an entitlement, some a birth right, to enter the park unfettered because they had done so for decades. All ignored signs that clearly prohibited ATVs and other motorized vehicles from entering the park. Finally, a tangible, permanent and cost-effective solution is underway and the speed of construction and effectiveness of the CVCA barricade program has resulted in ATVers experiencing a bit of culture shock.

Now, Callaghan's can once again be deemed as a recreation and nature park. During summer months when the water level is low, the riverbed becomes a natural splashpad and wading pool. Parents from all over Eastern and Central Ontario bring their children to picnic along the riverbed. They have a reasonable expectation that they and their children will be safe. The CVCA has an opportunity to re-educate and reset their expectations. This portion of the five-year rehabilitation program is progressing extremely well.

This year we posted a caution to ATVers regarding their legal rights and responsibilities. Interestingly, in the past, signs of this nature were the target of vandalism (outright removal), but for some reason or other all these signs remain in place. This sign is direct and to the point: ATVs and motorcycles are not welcomed in this park, and operators are subject to the Laws of Canada.

Unfortunately, a few ATVers continue to look for weaknesses in the fortifications at this time, mainly along the EOTA trail because the parking lot fortifications are more formidable. Therefore, more work is required. The Ontario Provincial Police is most interested in our program because they have already noticed a reduction in calls at Callaghan's. This will free up some of their time for higher priority duties and in the long run save money for the Municipality. The OPP has a special division, the East Region SAVE Team stationed in Smith Falls that currently delivers support for EOTA during the summer months. Equipped with ATVs they can and do provide RIDE program support in Eastern Ontario. Their contact is Constable Sean McCaffrey (sean.mccaffrey@opp.ca). 2 The same phenomenon occurs in inter-city slums

whereby entire neighbourhoods (hence the term hoodlum) are systematically overrun and occupied through threats and intimidation: Callaghan's was an example of this.

Constable McCaffrey met with the writer at Callaghan's this summer and discussed technical and operational concerns regarding public safety. The General Manager of EOTA forwards a written request every year to this division to provide some targeted support on their trail system. This is an important procedure because it enables the OPP to budget and schedule resources for this activity. For example, shortly after the assault at Callaghan's this past summer, the OPP conducted a RIDE program at the two bridges along the EOTA trail. Just one ATV RIDE program at the bridges every year will send a clear message to the recreational vehicle operator that public safety has always been and continues to be a top priority for our community.

Conclusions

Callaghan's Rapids Conservation Area was conceived and championed by father and son, John Seeback in 1974. Prior to that, the two-mile stretch of rapids and waterfalls along the Crowe River had always been a destination for outdoor enthusiasts since at least Confederation. Still further back and an important part of our history, First Nations fished the salmon run in the spring, the American eel run in the fall, and hunted deer for food and clothing. Due to funding shortages that began in the early nineties, the CVCA abandoned their development plans for Callaghan's. In parallel, EOTA and their predecessors developed the Hastings Heritage trail that goes through the North end of the park after CP discontinued their passenger rail service. The overwhelming success of the recreational vehicle (ATV and snowmobile) industry in general coupled with easy access to the interior of the park, and minimal enforcement of rules and regulations resulted in the unauthorized development of an ATV waterpark. The Conservation Area continued to serve the public as a traditional recreation and nature park, but the recklessness and numbers of ATVs posed a real and present danger to public safety including environmental damage.

A five-year program of fortifications to deter unwanted intrusions commenced in 2020.

The writer championed this important rehabilitation program beginning in 2019, but it was an impossible task without community partners like the OPP, EOTA, CVCA, Municipality of Marmora and Lake, including and ironically some ATVers, Crowe River Group, and volunteers. We made this worthy project materialise and succeed. Tim Pidduck, General Manager of the CVCA, has been instrumental in the capacity of liaison and organisational leadership. EOTA continues to promote the recreational vehicle industry and enlighten their trail riders on the importance of proper and safe conduct while visiting Callaghan's. The OPP is working with EOTA and CVCA to maximize their effectiveness regarding enforcement and prevention. More donations and volunteers are slowly coming forward to fill the gap left by funding shortages at the CVCA.

The main visitor parking lot is at the end of Callaghan Rapids Road. It is essentially a Cul de Sac. Callaghan Rapids Road is the township boundary between Rawdon and Marmora Townships. Under a long-standing agreement between the two Municipalities, Marmora and Lake maintains that section of Callaghan Rapids Road between Tiffin Road and Callaghan's parking lot. This includes drainage, grading, surface improvements and snowploughing in the winter.

As such, keeping the parking lot and roadway cleared in the winter and pothole free in the summer is a high priority for the Transportation Department. The writer and the manager of the Transportation Department work closely to ensure that the entrance to and egress from Callaghan's is safe and clear for passenger and commercial vehicles. The Transportation Department erected a 911 address at the parking entrance two years ago (2021) to improve public safety (now 564 Callaghan's Rapids Road). Therefore, the Municipality of Marmora and Lake makes a huge and unspoken contribution to Callaghan's since the parking lot is a turn around for many commercial vehicles such as school buses, garbage trucks, recycling trucks, delivery trucks, snowploughs, graders, and tandems hauling trailers.

New smaller but necessary barricades were erected along the EOTA trail to prevent ATVs from descending the steep rail bed embankment, especially between the two bridges. This activity was trespass and reckless behaviour, sometimes involving children. It amazes the writer that a parent would descend such a dangerously steep embankment with a child on board their ATV: unquestionably very irresponsible.

This rehabilitation program will be successful in the long run if and only if we show more resolve than the trespassers. In short, our resolve will outlast unwanted intrusions by systematically removing their self allotted entitlements and access. After thirty years of incremental and unconstrained trespass and misbehaviour, the problem became generational and some trespassers believed they owned the park. This bad habit will be difficult to break and some will resist or even retaliate with additional vandalism. In anticipation of reprisal, our programs are carefully introduced over time in a step wise fashion to allow for minor setbacks until the dust settles.

We anticipate completion by 2026. This project is sometimes more like an exercise in economics, psychology and sociology with a dash of criminology, than park management. Though the writer enjoys the tangible aspects of this construction project, the intangibles are the most complex and difficult to characterize and address. Human behaviour and human expectations are the foundation of this project.

In the specific case of Callaghan's, we are trying to address and ameliorate two long standing and polarized set of values: nature conservation and motorized recreation. It is ironic the striking natural beauty and wilderness of Callaghan's Rapids Conservation Area attracted these two groups. The writer is confident that as time goes on, the notion of peaceful wilderness, as John Seebach understood it will prevail.

Appendix A



Photo 1: ATVs equipped with snorkels, mud tires and lift kits travel along the riverbed. On weekends up to twenty or more ATVs were in the river at the same time!



Photo 2: Children also play along trails and in the river. ATVs always posed a safety hazard. On weekends over one hundred waders could be in the river at the same time.



Photo 3: Mucking Trail barricade constructed from local materials and volunteer labour. Note that forest soil was worn away down to bedrock by ATVs.



Photo 4: ATV mucking trail damage to riparian zone. Soil has been eroded down to bedrock. When the mud is gone, they simply moved on to another location. 3 m. 30 cm.

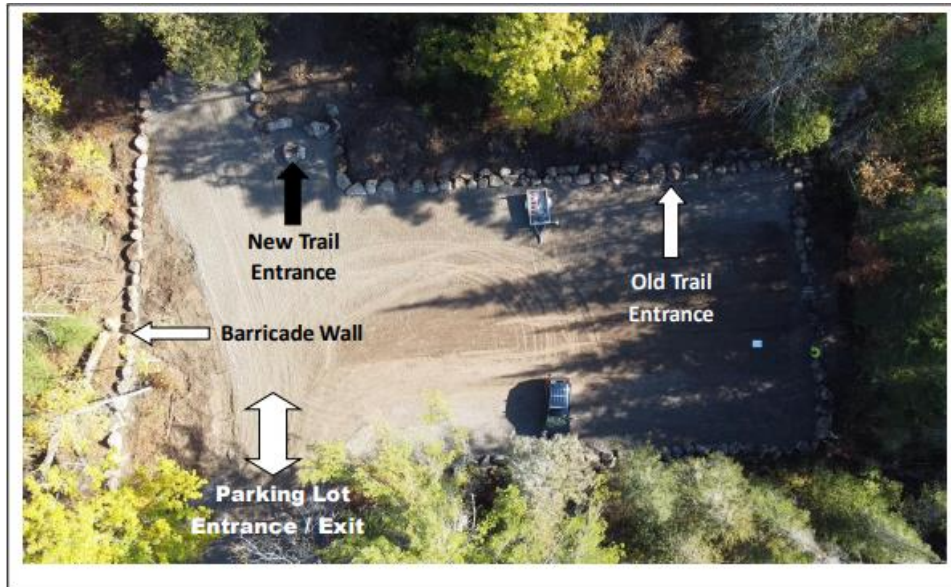


Photo 5: Aerial view of new enlarged main visitor parking lot taken from a drone. Very Large Off Ramp EOTA Trail Passenger Vehicle LARGE CLEARING Entrance to Park and Riverbed



Photo 6: Aerial photo of large ramp off the EOTA Trail prior to construction of barricade. New Trail Entrance Old Trail Entrance Parking Lot Entrance / Exit Barricade Wall



Photo 7: Construction of a large barricade (Phase III) at location of ramp.



Photo 8: Phase III barricade/crib that now acts as an ATV parking area along EOTA trail. Public Safety is first and foremost. This park was purchased with the explicit purpose of owning and operating a safe recreation and nature park.

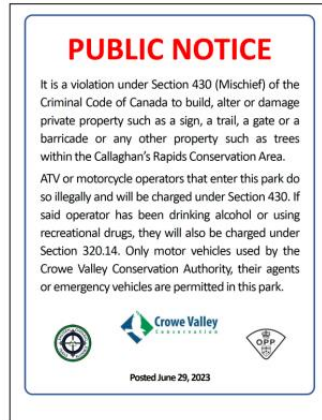


Figure 1: Public notice issued and posted throughout Callaghan's on June 29, 2023.