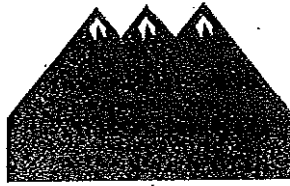


ELECTORAL AREAS

A- GOLDEN-COLUMBIA
B- REVELSTOKE-COLUMBIA
C- SOUTH SHUSWAP
D- FALKLAND-SALMON VALLEY
E- SICAMOUS-MALAKWA
F- NORTH SHUSWAP-SEYMOUR ARM

MUNICIPALITIES

GOLDEN
REVELSTOKE
SALMON ARM
SICAMOUS



781 MARINE PARK DRIVE NE
BOX 978 SALMON ARM BC
V1E 4P1
TEL: (250) 832-8194
FAX: (250) 832-3375
TOLL FREE: 1-888-248-2773
WEBSITE: www.csr.d.bc.ca

September 25, 2013

FILE: 0470 20 10

City of Revelstoke
PO Box 170
REVELSTOKE BC V0E 2S0

Dear Mayor and Council:

RE: Boundary Extension/Revelstoke Adventure Park

At its September 12th regular meeting, the Board discussed the City of Revelstoke's response to a referral from Front Counter BC on an application from the Revelstoke Adventure Park for an Adventure Tourism License of Occupation in the Greeley Creek area (File 4405329) and the associated local media reports as they pertain to a municipal boundary extension into Electoral Area 'B'.

Following these discussions, the Board passed a motion directing staff to correspond with you on these issues. As such, and on behalf of the CSR.D Board, I respectfully request clarification on the City's position relative to the Revelstoke Adventure Park application and on any contemplated boundary expansion initiative.

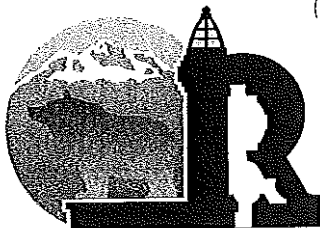
We look forward to your response to the Board's query.

CSR.D staff would be pleased to meet with City staff or Council to discuss these and other issues of mutual interest and concern at your request.

Yours truly,
COLUMBIA SHUSWAP REGIONAL DISTRICT
Per:

Charles Hamilton,
Chief Administrative Officer

cc Board of Directors
Front Counter BC



City of Revelstoke

P.O. Box 170, Revelstoke, British Columbia V0E 2S0
revelstoke.ca

September 4, 2013

OFFICE OF THE MAYOR

s.22

Dear s.22

RE: Letter to the City of Revelstoke
Greely Commercial Recreation Development

Thank you for your letter of August 6, 2013 regarding the proposed commercial recreation development near Greely. Council has asked that I respond to your letter and in doing so, I will restrict my comments to the proposal and not the more general opinions leading into the comments.

Mr. Roe, through one of his companies, has proposed a significant commercial recreation development on vacant Crown Land and adjacent private properties in the Greely area. The proposal is adjacent to land identified in the current Mt. Mackenzie Master Development Agreement and the Revelstoke Mountain Resorts designated commercial recreation area; the City of Revelstoke's ground water supply in the Greely Creek water shed; and within Area 'B' of the Columbia Shuswap Regional District. The jurisdictional responsibilities for the proposal are primarily with the Provincial government for the development on Crown Lands, environmental reviews and standards and the interactions with existing rights and obligations for the Mount Mackenzie resort area. The Province will also address the issues of public access and safety, including the junction with the Trans Canada Highway, bridge over the Illecillewaet River and the maze of permits and tenures. The Regional District will have responsibilities for zoning, permitting and compliance with their bylaws for subdivision, building and waste management on private lands. The City of Revelstoke is concerned with the protection and management of the Greely Creek watershed. The City is pressuring for definitive, legally binding and enforceable and morally assured protection of its primary water supply, not only from the proponents but also from the regulatory bodies who may be permitting this proposal. The City of Revelstoke clearly

Flory → FYI HAA
Revelstoke
→ Park
Sharon FYI
file pls
HAA

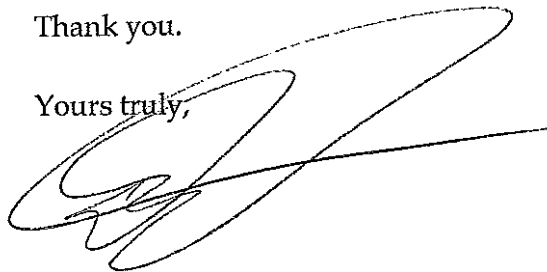
DEVELOPMENT SERVICES	PUBLIC WORKS	FINANCE	FIRE RESCUE SERVICES	PARKS, RECREATION & CULTURE	CORPORATE ADMINISTRATION	COMMUNITY ECONOMIC DEVELOPMENT
(50) 837-3637 development@revelstoke.ca	(250) 837-2001 works@revelstoke.ca	(250) 837-2161 finance@revelstoke.ca	(250) 837-2884 fire@revelstoke.ca	(250) 837-9351 pro@revelstoke.ca	(250) 837-2911 admin@revelstoke.ca	(250) 837-5345 ced@revelstoke.ca

understands the jurisdictional boundaries and history of the resort development on Mount Mackenzie, and has no intention to fetter or accede the responsibilities of the Regional District in this matter.

There is no question that the City, Regional District and Province support business development, job creation and entrepreneurial initiative. Any development of this size will have a positive economic impact through jobs and expenditures in the community. The balanced economy that Revelstoke currently enjoys is predicated on growth in the tourism sector and maintenance of the rail, power and forest industries in the community. We are confident that the proponents of this development can and must adequately and properly address the concerns raised by the regulatory and permitting agencies, including definitive and binding protection of the city's water supply.

Thank you.

Yours truly,



David Raven RPF (Ret.)
Mayor

cc: Columbia Shuswap Regional District
Attention: Charles Hamilton, CAO
Lonnie Parker, Area 'B'

Ministry of Forests, Lands and Natural Resources
Attention: Tony Wideski, Executive Director
Garth Wiggell, District Manager
Terry Platt, Resort Administration

Ministry of Transportation & Infrastructure
Attention: Jack Bennetto, District Manager

DRAFT RESPONSE

Agenda Item #10i.

RECEIVED

①

Aug. 6/2013

AUG 07 2013
Attention: Mayor, Council, Economic Development,
Sustainability Committee, Finance
CITY OF REVELSTOCK Committee, etc.; also Chamber of Commerce.

My Background and Accountability:

s.22

Subject: Greely Recreation Development.
- Jason Roe, Bob Young,
Gilardi (RMR).

s.22

s.22 Just in time
to witness the boom and
bust of B.C.'s newest ski
resort.

s.22 I met John Guenther, new
City Planner when he first came
to town at a coffee house. We
talked almost daily and he got
me to attend city meetings, etc.
Then he tried s.22 to hire me.

s.22

(2)

Revelstoke's problems as a result:

- 1) City has a huge debt burden. - +
- 2) Lawsuits are crippling. ✓
- 3) constant overspending in areas of staff which was put in place in expectations of 20,000 population which is unattainable. } But opinion
- 4) Huge and continuing tax increases on residential, industrial & commercial properties which means less money available to spend by consumers and to keep local economy strong. }
- 5) high rents, leases, property values, which do not reflect accurately Revelstoke's weak and stagnant economy. }
- 6) Revelstoke's declining population and lower school enrollment do not bode well for any possible recovery. } reflects numbers at times
- 7) lack of Bldg. and/or investment due to city's large fee increases and problems with potential investors getting city approval. } Addressed
- 8) Contractors and trades people forced to move or leave home for extended periods to work in northern B.C., Alberta or Saskatchewan as work dried up in Revelstoke. } higher \$
- 9) No future for local youth in terms of employment or affordability.

③

Only viable solutions:

- 1) Draw more tourists & visitors to Revelstoke.
- 2) By allowing new investors opportunity and encouragement by city politicians and staff, to prosper and in growing tax base, and creating jobs.
- 3) cut jobs which are redundant and/or overlapping, and thus waste of tax revenue by city.

I and the guys had the pleasure of Premier Christy Clark's company last summer. She said she loved Revelstoke and if it wasn't for her commitment in gov't and politics she would chose to live here. We discussed election issues and the pipelines etc.

Obviously Revelstoke's problems are serious enough that the province is now involved and will audit City Hall. Hopefully this will be constructive and helpful.

I met Jason and Brydon Roe at public meetings arranged by city in past years.

s.22

s.22

s.22 I have no agenda, will not profit from their proposed developments in any area, but only wish to contribute in solving Revelstoke's financial troubles.

④

Jason Roe has explained to me this year round resort and its objectives and its benefits to the city. He has not asked me to support them, I do this because it is badly needed and makes sense to me as a business-viable and self-sustaining. Jason Roe has told me it will not cost Revelstoke City or taxpayers "one cent". It is thus obviously a boon and windfall to local businesses economically as it will help draw and keep tourists staying in this area for extended times due to wide-ranging activities available. They will eat, sleep, buy gas, spend money in nightclubs and other recreation available in town, as well.

I thus ask Mayor, council, and city staff to energetically and whole heartedly to support their new application which he has assured me meets and removes city and provincial concerns. I, and many others, will be greatly disappointed if this opportunity is wasted and does not come to fruition. I do not wish to think Revelstoke's economy is doomed and there is no hope for recovery.

No Growth → Stagnation → Deterioration.

A citizen who cares,

s.22

PROVINCE OF
BRITISH COLUMBIA

SEP 24 2013

RECEIVED
CRANBROOK, BC

Ministry of Forests, Lands and Natural Resources
PO Box 9049, Stn Prov Govt
Victoria, BC V8W 9E2

Attention: Tony Wideski, Executive Director

4405329
Lohr, Christine P FLNR:EX

From: Lohr, Christine P FLNR:EX
Sent: Monday, October 28, 2013 2:12 PM
To: McCuaig, Rieva FLNR:EX
Subject: Answer to your questions: Adventure Park

Oh sorry Rieva, I realized I did not answer your questions:

- 1) The status of this application is just to allow the proponent on the land to conduct investigations. It does not guarantee a License for an Adventure Park.
- 2) No, they have not applied for a License to Cut, as this is just to allow for assessments.
- 3) I am not sure if this is connected to an EA process underway, possibly, but this is outside of my scope right now.
- 4) Yes, they do need a re-zoning with the CSRD and and a Traffic Impact study with the MOTI.
- 5) I can certainly pass on the information regarding PFR and the desire to include the Neskonlith.

Thanks Rieva and let me know if there is any other information you need.

Take care,
--Chris

Christine Lohr, R.P.F.
Land Officer
Kootenay Boundary Region
Ministry of Forests, Lands and Natural Resource Operations
845 Columbia Avenue, Castlegar, BC V1N 1H3
Ph: (250) 365-8668 Fax: (250) 365-8568

From: McCuaig, Rieva FLNR:EX
Sent: Monday, October 28, 2013 1:49 PM
To: Lohr, Christine P FLNR:EX
Subject: FW: Adventure Park

Hi Chris, I am assuming this is Illecillewaet Development, file 4405329.

Below is response from Neskonlith FN.

They are looking for update as to the status of application – I remember you saying there was a fair amount of opposition.

Also Ruth is looking for some information, on whether a rezoning app has been applied for (which you may or not know), whether a traffic impact study has been done or is underway?

Does this application have any connection with one underway in the EA process?

Also she is asking about a Licence to Cut – I don't think the proponent has applied for one yet, according to my spreadsheet...

And her note about requesting a PFR, and asking proponent to involve Neskonlith.

Thanks, call if you want to discuss (or email)

R

From: Ruth Thomas [<mailto:ruth.thomas@live.ca>]
Sent: Friday, October 18, 2013 2:29 PM
To: McCuaig, Rieva FLNR:EX
Subject: Adventure Park

Hi Rieva,

Before I develop a formal response could you please provide an update on the applications current status? For example has a rezoning application been submitted under BL 2200, whether the Traffic Impact Study has been developed whether an Environmental Assessment has been conducted and if an application for a Licence to Cut has been made?

s.16

s.16 we will request at a minimum that an Environmental Assessment be conducted before any trees are cut and that a full PFR be conducted to identify any possible archaeological and cultural/heritage signs. If this is the case, we would request that members of the Neskonalith Indian Band be allowed to participate in both the PFR and as an Environmental Monitor as part of the Environmental Assessment

Thank you

Ruth Thomas
Referrals
Neskonlith Indian Band
461 1st Nations Road
Salmon Arm, BC
V1E 2Z6
Phone: 250-833-0202
Fax: 250-833-0990

Lohr, Christine P FLNR:EX

From: Lohr, Christine P FLNR:EX
Sent: Monday, October 28, 2013 2:06 PM
To: McCuaig, Rieva FLNR:EX
Subject: RE: Adventure Park
Attachments: KNC Concerns Letter.pdf

Hi Rieva,

Correct, this is the Illecillewaet Development file.

Yes, there was a lot of opposition. I don't recall getting any comments from the Neskonlith the first go around, but you recall the lengthy referral response we got from the KNC. (I scanned it and attached it for your convenience). s.13, s.16
I didn't give the
proponent a copy of KNC's letter, but I described the issues in great detail, and also gave them Dora Gunn's contact info. s.13, s.16

The request for the Temporary Permit is now needed so that the proponent can go ahead and do the environmental and traffic assessments, etc., to meet the various concerns. It would not make sense to disallow the application for the temporary permit due to the concerns voiced by the Neskonlith, s.13 because that is why they need the temporary permit: To get on the land and do these assessments.

Would you please be able to relay the previous letter from KNC to the Neskonlith, and let them know that this Temporary permit is only to allow the proponent on the land to do the assessments, it is NOT to issue a License for an Adventure Park, and it does NOT guarantee that any future license for an Adventure Park will be granted.

It would be extremely useful if Ruth could formally spell out the various concerns and then we can forward them to the client so that they can include them in their assessments.

Let me know if this makes sense, and please call if you need clarification.

Take care,
--Chris

Christine Lohr, R.P.F.
Land Officer
Kootenay Boundary Region
Ministry of Forests, Lands and Natural Resource Operations
845 Columbia Avenue, Castlegar, BC V1N 1H3
Ph: (250) 365-8668 Fax: (250) 365-8568

From: McCuaig, Rieva FLNR:EX
Sent: Monday, October 28, 2013 1:49 PM
To: Lohr, Christine P FLNR:EX
Subject: FW: Adventure Park

Hi Chris, I am assuming this is Illecillewaet Development, file 4405329.

Below is response from Neskonlith FN.

Lohr, Christine P FLNR:EX

From: Frank Gulas [Frank_Gulas@cpr.ca]
Sent: Wednesday, October 30, 2013 6:26 AM
To: Lohr, Christine P FLNR:EX
Subject: RE: INFORM: In reference to "referral request" related to disallowed Adventure Tourism application for an adventure park

Good Morning Christine,

Yes , feel free to contact me if you have questions. However please include Doug Younger as well.

Doug_younger@cpr.ca

Frank Gulas I Right of Way Representative- Western Canada | 401-9th Avenue SW Calgary AB T2P 4Z4
403 319 3436 Canadian Pacific

-----Original Message-----

From: Lohr, Christine P FLNR:EX [mailto:Christine.Lohr@gov.bc.ca]
Sent: Tuesday, October 29, 2013 7:07 PM
To: Frank Gulas
Subject: RE: INFORM: In reference to "referral request" related to disallowed Adventure Tourism application for an adventure park

Thank you Frank, your comments are important and I will ensure that all of your concerns are addressed for the Temporary Works Permit, assuming it gets issued (assuming no show stoppers). Would I be able to contact you if I have any questions on CPR's position?

Kind Regards,
Christine Lohr, RPF
Land Officer

From: Frank Gulas [Frank_Gulas@cpr.ca]
Sent: Tuesday, October 29, 2013 8:25 AM
To: Lohr, Christine P FLNR:EX
Cc: Frank Gulas
Subject: INFORM: In reference to "referral request" related to disallowed Adventure Tourism application for an adventure park

Good morning,

The following comments are in reference to the referral request for temporary permit on crown land intended to conduct research relating to the recently disallowed Adventure Tourism application for an adventure park.

1. Access to Crown Land - the applicant, Illecillewaet Development LP (IDLP) has no authority to cross the Canadian Pacific Railway (CP) tracks and right-of-way. These are private crossings and IDLP is not a named party in any agreement or permit to cross the CP

right-of-way. IDLP will be required to submit applications to CP for temporary crossing permits. CP reserves the right to grant a temporary crossing permit.

2. Proposed Investigative Work - Mountain Road - CP is concerned with the activities proposed adjacent to and above CP's main line tracks. We have previous history of slope instability in this area causing service interruptions and significant remedial work. IDPL's investigative work must not adversely affect CP operations and safety.

3. Impact on Others - There is currently no authorized or approved access to the Crown lands off Greeley Road across the CP track and right-of-way. Any access to date that may have been used is trespass. Right-of way access control is not addressed and this could be a potential impact to CP that will need to be addressed further.

Other comments on the Application to Ministry's letter of June 27, 2013.

Item 1, Terrain Stability - CP concurs with the Ministry's concern regarding key areas having risks to CP tracks and operations. CP has experienced slope failures in this general area and support the Ministry's position on this item.

Item 6, Permit for commercial access - Currently no public access to this area is approved or authorized across the CP tracks and right-of-way. CP has two main tracks in this area with trains meeting and passing here as well as being a temporary staging area. The existing crossings are private by way of private crossing agreements. These are not transferrable to the proposed change of use as identified in this proposal. A grade separated crossing may be required for unfettered public access.

Regards,

Frank Gulas I Right of Way Representative- Western Canada | 401-9th Avenue SW Calgary AB T2P 4Z4
403 319 3436 Canadian Pacific

From: Frank Gulas
Sent: Monday, October 28, 2013 9:40 AM
To: Doug Younger
Cc: Frank Gulas
Subject: FW: Revelstoke Adventure Park

Doug,

If and when you have a moment. Can you provide comments on this project in Revelstoke.. or just East of Revelstoke.

Frank Gulas I Right of Way Representative- Western Canada | 401-9th Avenue SW Calgary AB T2P 4Z4
403 319 3436 Canadian Pacific

From: John Wachowich
Sent: Monday, October 28, 2013 9:33 AM
To: Frank Gulas
Subject: RE: Revelstoke Adventure Park

Frank,

I have only heard about this on the local radio as a proposed entertainment development in the Revelstoke area. It seems that there were significant reasons for the B Provincial Ministry to disallow the request the first time.

The small report attached as the Permit request seems to say there will be no impact to others land. How do the two reports go together.

My initial thoughts are that CP should not be effected by:

- * Tree removal in the adjacent area that could cause instability or say more snow on the tracks. How is this addressed?

- * CP's riparian rights, if any, should not be effected.

- * The CP right of way and track stability should not be effected as you have identified from the letter

- * Some means of keeping trespassers (mountain bikes etc) off CP's right of way should be established now at the operators expense. This could be fencing, gates or some other infrastructure

- * Is a private crossing (no gates etc? being proposed?) to access the site. Maybe flashing lights, bells and gates would be required.

I would say you run this by Doug Younger for comment too and the local engineering folks in Revelstoke.

Best regards,
John

s.22

From: Frank Gulas
Sent: Thursday, October 24, 2013 9:23 AM
To: John Wachowich
Cc: Frank Gulas
Subject: Revelstoke Adventure Park

John,

Have this come across your desk at all. I got a copy back in late summer. But have not reviewed it yet.

Got another copy this morning... basically this is East Of Revelstoke.... South of our tracks. Aside from the obvious issue of being close to our tracks.

There is a something that caught my attention in one of the paragraphs on page 8.....

" The terrain stability report performed by Onsite Engineering identified some key areas as having risks to CP Rail tracks and Greeley Creek, as well as the proposed road itself having high risk of failure in certain sections. "

I have scanned the doc and attached to this email

Looking for your comments when you get a chance...

Thanks

Frank Gulas I Right of Way Representative- Western Canada | 401-9th Avenue SW Calgary AB T2P 4Z4
403 319 3436 Canadian Pacific

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----- IMPORTANT NOTICE - AVIS IMPORTANT -----
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Lohr, Christine P FLNR:EX

From: Egan, Dianne J ENV:EX
Sent: Thursday, November 7, 2013 3:24 PM
To: Lohr, Christine P FLNR:EX
Subject: FW: Province of BC Referral Request on an Adventure Tourism application File 4405329

Hi Christine,
Here are comments from Cory Legebokow for this e-referral. Seems he's not able to add it in e-referrals.

Dianne

From: Legebokow, Cory FLNR:EX
Sent: Thursday, November 7, 2013 1:28 PM
To: Egan, Dianne J ENV:EX; ENV Nelson Referrals ENV:EX
Subject: RE: Province of BC Referral Request on an Adventure Tourism application File 4405329

Hi Dianne,

I provided comments, hit submit and got a **This Response is closed to further input. Thank you for your interest** response. My comments were:

The investigation must be compliant with the Riparian Areas Regulation (RAR). As a result, vegetation alteration, and/or any other "development" (as defined by RAR), cannot occur within 30m of any "stream" in the absence of a Riparian Areas Assessment completed and submitted by a QEP as required by the CSRD;

The proposed removal or alteration of vegetation must be compliant with the Wildlife Act. Specifically, birds, nests, and/or their eggs cannot be harmed as a result of the proposed activities. This may necessitate retention of a QEP to conduct a bird nest survey if vegetation alteration is proposed during the April 1 – July 31st bird nesting period.

Instream works cannot occur in the absence of authority under the Water Act.

The above may necessitate inspections or site visits by NRO staff to ensure compliance with applicable legislation.

Can you please make sure these got through? Thanks for your help!

Cory

From: Egan, Dianne J ENV:EX
Sent: Thursday, November 7, 2013 11:20 AM
To: ENV Nelson Referrals ENV:EX; Legebokow, Cory FLNR:EX; Thornton, Donna L FLNR:EX
Subject: RE: Province of BC Referral Request on an Adventure Tourism application File 4405329

Sorry, just noticed that the deadline is today, so let me know if you need me to request an extension.

Dianne

From: ENV Nelson Referrals ENV:EX
Sent: Thursday, November 7, 2013 11:15 AM
To: Legebokow, Cory FLNR:EX; Thornton, Donna L FLNR:EX
Subject: FW: Province of BC Referral Request on an Adventure Tourism application File 4405329

Hi Cory,

I originally assigned to Donna as it isn't from Regional District of Columbia Shuswap, local govt or a major project, but she has asked that I assign it to you for comment as you provided comments for them in the past.

The deadline was yesterday, but perhaps you could provide comments directly to Christine Lohr if you're not able to add them in e-referrals.

Dianne

From: FrontCounterBC@gov.bc.ca [<mailto:FrontCounterBC@gov.bc.ca>]

Sent: Tuesday, October 8, 2013 12:48 PM

To: ENV Nelson Referrals ENV:EX

Subject: Province of BC Referral Request on an Adventure Tourism application File 4405329

Ministry of Forests, Lands and Natural Resource Operations, Habitat Management - Nelson
Egan, Dianne J ENV:EX

Adventure Tourism/Commercial Recreation

Referral Number: 66231189 - 002

Reference Number: 117446

Request Sent: October 8, 2013

Response Due: November 7, 2013

You are invited to comment on the following Crown land application. A response is optional. If no response is received by the deadline, the application and adjudication process will move ahead.

This Temporary Permit on Crown Land is intended to conduct research relating to their recently disallowed Adventure Tourism application for an Adventure Park.

Proponent: Illecillewaet Development LP (Jason Roe), PO Box 963, Revelstoke BC V0E 2S0 Phone: 250-837-7442 or Email: jroe@blktie.ca

Tenure Type: Tempory Permit

Intended Land Use/background context: The intended use of the Crown land is to conduct research relating to their recently disallowed Adventure Tourism application for an Adventure Park.

BCGS Mapsheet: 82M 010 and 82L 100

Legal Description: Unsurveyed Crown land in the vicinity of Revelstoke, Kootenay District

AOI link: <http://apps.gov.bc.ca/pub/geomark/geomarks/gm-4D84E7D1D21B465BB86825D15884B86E>

Note: the AOI was produced from the above point of reference within the proponents mapped area.

Size (Area) in ha. (approx.): 282 ha+/-

Schedule/Term Of Proposal: 2-year term

Please [Click Here](#) to respond to this referral. You must be logged in using your Government IDIR account to view associated information. Note that forwarding or otherwise distributing this email will provide access to the associated information only if the receiver has a corresponding account.

For "how-to" instructions on how to respond to this request, please visit
http://gwww.nro.gov.bc.ca/business_areas/fcbc/training/

For technical assistance with e-Referrals, please contact FrontCounter BC at 1-877-855-3222.

For more information regarding this referral, please contact the "Email Coordinator" given within the referral.

Note that it can take an extended period of time to connect to the e-Referrals website, this is normal. Avoid re-clicking the "Next" button or you could extend this connection time.

Please do not reply to this email.

Christine Lohr

FrontCounterBC
Land Officer

(250) 420-2174
christine.lohr@gov.bc.ca

Lohr, Christine P FLNR:EX

From: Lohr, Christine P FLNR:EX
Sent: Thursday, December 19, 2013 10:05 AM
To: 'Jason Roe'
Subject: comments from Interior Health, re: drinking water, Revelstoke Adventure Park
Attachments: 20131219095655.pdf

Hi Jason,

I spoke to Rob Fleming at Interior Health, and he agreed to let me pass on to you his comments. This will be one critical piece in resolving issues with the proposed Adventure Park. Rob said that ^{s.22} please feel free to call him if you need clarification on how his concerns can be addressed, and he also offered to meet with you (or you and the City of Revelstoke) to discuss the drinking water / watershed issue specifically. If you do plan a meeting of this kind, would you be so kind as to let me know, as it may be important for me to attend.

Kind Regards and Seasons Greetings!

Christine Lohr, R.P.F.
Land Officer
Kootenay Boundary Region
Ministry of Forests, Lands and Natural Resource Operations
845 Columbia Avenue, Castlegar, BC V1N 1H3
Ph: (250) 365-8668 Fax: (250) 365-8568

From: Christine.Lohr@gov.bc.ca [<mailto:Christine.Lohr@gov.bc.ca>]
Sent: Thursday, December 19, 2013 9:57 AM
To: Lohr, Christine P FLNR:EX
Subject:



Interior Health

November 7, 2013

To whom it may concern:

RE: Illecillewaet Development LP Adventure Tourism/Commercial Recreation
Referral Number: 66231189
Reference Number: 117446

The following is with consideration of the potential health impact by the proponent's proposed use to the Greely Creek Watershed, which is the City of Revelstoke's primary drinking water source. It is paramount to protect this vital resource from contamination and deterioration of raw water quality.

It is understood that this is an application for a *Temporary Permit to Conduct Research* for the proposed Adventure Park near the Illecillewaet River. Proposed activities within the extensive area include: bungee jumping, hiking, mountain biking, horseback riding, zip-lining, tree top adventures and rock climbing. A 2800-m road, several trails, tree topping, and gazebos are proposed to be built.

Portions of the existing trail network cross existing lease and private lands. The proponent is also seeking future tenure on crown land outside the existing private and lease land in an area northwest of the lower end of the Greely Creek Watershed catchment area.

The City of Revelstoke is heavily invested in the preservation and oversight of the Greely Creek Watershed. The city has recently completed their Greely Creek Watershed Source Assessment & Protection Plan. When the proposed tenure area as indicated on the proponents application map known as "Extensive Area Map" is overlain with the city's source protection map developed by Golder Associates known as "Map 2 Land Use Detail In Lower Watershed". The proposed tenure area is outside the watershed catchment area by approximately 300m at the closest point. However, the contours used to generate this area map may not be accurate enough to ensure that the areas do not overlap. A review of these tenure boundaries against the proximity of the watershed catchment area is strongly encouraged prior to granting a license for activities that may impact water quality and increase human health risk. With the proposed activities, trails, and access roads there is the potential for new access into the Greely Creek watershed if boundaries and activities are loosely controlled or if trails continue further south to southeast into the watershed catchment area. This is a concern due to the location of the city's drinking water system intake on Greely Creek and its close proximity to these potential access areas which would be considered vulnerable to human activities within this watershed catchment zone.

A critical component in managing the community drinking water source is a source protection plan; therefore the proposed boundaries at this vulnerable location should be outside the community watershed and adhered to, to limit any potential negative impact from the proposed Adventure Tourism/Commercial Recreation use.

If you have any questions please call me directly at 250-851-7410.

Sincerely,

Rob Fleming CPHI(C)
Specialist Environmental Health Officer



The Best Place on Earth

4405329

Response Roll-up Report

FrontCounterBC

Referral Type: Adventure Tourism/Commercial Recreation
Reference Number: 117446
Legislated Only: No
Referral Number: 66231189
Referral Status: Closed

Recommendations

Request	Other	
3	0	Interests unaffected.
1	0	No objection to approval of project.
6	0	No objection to approval of project subject to conditions outline below.
0	0	Recommend refusal of project due to reasons outline below.
0	0	N/A

Requests

Organization: Ministry of Forests, Lands and Natural Resource Operations, Habitat Management - Nelson
Request Number: 002
Respondent: cory legebokow
Legislated: No
Closed By: Cory Legebokow
Referral Level: Optional
Recommendation: No objection to approval of project subject to conditions outline below.

Yes	No	N/A	Question
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does this application impact your agency's legislated responsibilities? If yes, how will the proposal impact your legislated responsibility and please identify the relevant legislation (section) and what mitigative measures will be required to address these impacts in the response text box at the bottom of the page.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If the proposal proceeds, will the proponent require approval or a permit from your agency? If yes, please explain in response text box at the bottom of the page.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Will on-going compliance monitoring be required by your agency as a result of your legislated responsibilities? If yes, please explain what will be required in the response text box at the bottom of the page.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Will this application affect public use of this area? If yes, please explain in the response text box at the bottom of the page.

Explanation of Response



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The investigation must be compliant with the Riparian Areas Regulation (RAR). As a result, vegetation alteration, and/or any other "development" (as defined by RAR), cannot occur within 30m of any "stream" in the absence of a Riparian Areas Assessment completed and submitted by a QEP as required by the CSRD;

The proposed removal or alteration of vegetation must be compliant with the Wildlife Act. Specifically, birds, nests, and/or their eggs cannot be harmed as a result of the proposed activities. This may necessitate retention of a QEP to conduct a bird nest survey if vegetation alteration is proposed during the April 1 – July 31st bird nesting period.

Instream works cannot occur in the absence of authority under the Water Act.

The above may necessitate inspections or site visits by NRO staff to ensure compliance with applicable legislation.

Organization: Ministry of Environment - Nelson
Respondent: Brad McCandlish
Closed By: Brad McCandlish
Recommendation: Interests unaffected.

Request Number: 003
Legislated: No
Referral Level: Optional

Yes	No	N/A	Question
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does this application impact your agency's legislated responsibilities? If yes, how will the proposal impact your legislated responsibility and please identify the relevant legislation (section) and what mitigative measures will be required to address these impacts in the response text box at the bottom of the page.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If the proposal proceeds, will the proponent require approval or a permit from your agency? If yes, please explain in response text box at the bottom of the page.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will on-going compliance monitoring be required by your agency as a result of your legislated responsibilities? If yes, please explain what will be required in the response text box at the bottom of the page.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will this application affect public use of this area? If yes, please explain in the response text box at the bottom of the page.

Explanation of Response

Organization: Ministry of Forests, Lands and Natural
Resource Operations - Columbia Forest
District - Revelstoke

Request Number: 004

Respondent:
Closed By:

Legislated: No
Referral Level: Optional

Recommendation: No objection to approval of project subject to conditions outline below.

Yes	No	N/A	Question
-----	----	-----	----------



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- ☒ ☐ ☐ Does this application impact your agency's legislated responsibilities? If yes, how will the proposal impact your legislated responsibility and please identify the relevant legislation (section) and what mitigative measures will be required to address these impacts in the response text box at the bottom of the page.
- ☒ ☐ ☐ If the proposal proceeds, will the proponent require approval or a permit from your agency? If yes, please explain in response text box at the bottom of the page.
- ☒ ☐ ☐ Will on-going compliance monitoring be required by your agency as a result of your legislated responsibilities? If yes, please explain what will be required in the response text box at the bottom of the page.
- ☐ ☒ ☐ Will this application affect public use of this area? If yes, please explain in the response text box at the bottom of the page.

Explanation of Response

As stated in the proposal, an Occupational Licence to Cut will be required if the activities result in tree cutting.

Organization: City of Revelstoke
Respondent: Chris Selvig
Closed By: Chris Selvig
Recommendation: No objection to approval of project subject to conditions outline below.

Request Number: 005
Legislated: No
Referral Level: Optional

- | Yes | No | N/A | Question |
|-------------------------------------|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Does this application impact your agency's legislated responsibilities? If yes, how will the proposal impact your legislated responsibility and please identify the relevant legislation (section) and what mitigative measures will be required to address these impacts in the response text box at the bottom of the page. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | If the proposal proceeds, will the proponent require approval or a permit from your agency? If yes, please explain in response text box at the bottom of the page. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Will on-going compliance monitoring be required by your agency as a result of your legislated responsibilities? If yes, please explain what will be required in the response text box at the bottom of the page. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Will this application affect public use of this area? If yes, please explain in the response text box at the bottom of the page. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | For Municipal/Regional Government Use Only: Is the application area zoned for the proposed purpose? If no, please provide the current zoning. In the event the applicant wishes to apply for re-zoning, please also provide the estimated time required for this decision. Your comments can be entered in the response text box at the bottom of the page. |

Explanation of Response



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The City operates a prescribed water supply system (Section 8), and under section 23, the Greely Creek catchment is "a drinking water source" for the prescribed system.

http://www.bclaws.ca/Recon/document/ID/freeside/00_01009_01#section23

The applicant must clearly identify Revelstoke's Greely Creek catchment boundary for the City of Revelstoke's prescribed water supply system and ensure that all work related to the temporary application occurs outside this boundary and has no potential of impacting the "drinking water source" even if it takes place outside the boundary (i.e., offsite impacts).

Organization: Ministry of Forests Lands and Natural Resource Operations - Resort Development Branch - Kamloops
Request Number: 006
Respondent: FLNRO Mountain Resorts Branch
Legislated: No
Closed By: Ben Sampogna
Referral Level: Optional
Recommendation: No objection to approval of project subject to conditions outline below.

Yes	No	N/A	Question
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does this application impact your agency's legislated responsibilities? If yes, how will the proposal impact your legislated responsibility and please identify the relevant legislation (section) and what mitigative measures will be required to address these impacts in the response text box at the bottom of the page.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If the proposal proceeds, will the proponent require approval or a permit from your agency? If yes, please explain in response text box at the bottom of the page.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Will on-going compliance monitoring be required by your agency as a result of your legislated responsibilities? If yes, please explain what will be required in the response text box at the bottom of the page.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Will this application affect public use of this area? If yes, please explain in the response text box at the bottom of the page.

Explanation of Response

The project area overlaps with a Controlled Recreation Area (Revelstoke Mtn Resort) issued under the All Seasons Resort Policy. Our branch is familiar with the management plan for the project and is broadly supportive of it provided the proponent has a letter of consent (from the RMR tenure holder) to operate within the RMR CRA.

Any tenures established within the CRA overlap area should be tenures under the existing RMR MDA administered through the MRB

The temporary permit itself will not affect public use of the area, but public use may be affected should the proponent seek subsequent tenuring after temp permit expiry



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Organization: Ministry of Transportation and Infrastructure - Rocky Mountain District - Cranbrook
Request Number: 008
Respondent: Alley Bates
Legislated: No
Closed By:
Referral Level: Optional
Recommendation: Interests unaffected.

Yes	No	N/A	Question
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does this application impact your agency's legislated responsibilities? If yes, how will the proposal impact your legislated responsibility and please identify the relevant legislation (section) and what mitigative measures will be required to address these impacts in the response text box at the bottom of the page.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If the proposal proceeds, will the proponent require approval or a permit from your agency? If yes, please explain in response text box at the bottom of the page.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will on-going compliance monitoring be required by your agency as a result of your legislated responsibilities? If yes, please explain what will be required in the response text box at the bottom of the page.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Will this application affect public use of this area? If yes, please explain in the response text box at the bottom of the page.

Explanation of Response

Organization: Columbia Shuswap Regional District - Development Services
Request Number: 009
Respondent: Jan Thingsted
Legislated: No
Closed By:
Referral Level: Mandatory
Recommendation: No objection to approval of project subject to conditions outline below.

Yes	No	N/A	Question
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does this application impact your agency's legislated responsibilities? If yes, how will the proposal impact your legislated responsibility and please identify the relevant legislation (section) and what mitigative measures will be required to address these impacts in the response text box at the bottom of the page.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If the proposal proceeds, will the proponent require approval or a permit from your agency? If yes, please explain in response text box at the bottom of the page.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will on-going compliance monitoring be required by your agency as a result of your legislated responsibilities? If yes, please explain what will be required in the response text box at the bottom of the page.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will this application affect public use of this area? If yes, please explain in the response text box at the bottom of the page.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	For Municipal/Regional Government Use Only: Is the application area zoned



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for the proposed purpose? If no, please provide the current zoning. In the event the applicant wishes to apply for re-zoning, please also provide the estimated time required for this decision. Your comments can be entered in the response text box at the bottom of the page.

Explanation of Response

The proposed Revelstoke Adventure Park is in an area zoned "Rural" in Rural Revelstoke Land Use Bylaw No. 2200 and is designated "Rural Resource" in the Electoral Area 'B' Official Community Plan (OCP). The proposed research would be permitted in this zone but will require a re-zoning and OCP amendment for the proposed commercial recreation uses.

Additionally, the proposed development is within the Commercial Development Permit Area and Watercourse Development Permit Area identified in the OCP and will therefore require the applicable permits prior to any construction.

Organization: Interior Health Authority -Southern
Interior (all offices)
Request Number: 010
Respondent: Clare Audet
Legislated: No
Closed By:
Referral Level: Optional
Recommendation: No objection to approval of project subject to conditions outline below.

Yes	No	N/A	Question
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does this application impact your agency's legislated responsibilities? If yes, how will the proposal impact your legislated responsibility and please identify the relevant legislation (section) and what mitigative measures will be required to address these impacts in the response text box at the bottom of the page.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If the proposal proceeds, will the proponent require approval or a permit from your agency? If yes, please explain in response text box at the bottom of the page.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Will on-going compliance monitoring be required by your agency as a result of your legislated responsibilities? If yes, please explain what will be required in the response text box at the bottom of the page.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will this application affect public use of this area? If yes, please explain in the response text box at the bottom of the page.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	For Municipal/Regional Government Use Only: Is the application area zoned for the proposed purpose? If no, please provide the current zoning. In the event the applicant wishes to apply for re-zoning, please also provide the estimated time required for this decision. Your comments can be entered in the response text box at the bottom of the page.

Explanation of Response

Attachments Exist



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The proximity to the Greeley Creek Community Watershed, the water intake and the water treatment plant which is the primary water source for the City of Revelstoke requires that the proponents' development and activities mitigate the risk to the drinking water supply system.
Source protection documentation must be reviewed and followed if activity is to occur within an area of concern.

Organization: Ministry of Forests, Lands and Natural Resource Operations - Recreation and Trails - Revelstoke
Request Number: 013
Respondent: Ken Gibson
Legislated: No
Closed By: Kenneth Gibson
Referral Level: Optional
Recommendation: No objection to approval of project.

Yes	No	N/A	Question
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does this application impact your agency's legislated responsibilities? If yes, how will the proposal impact your legislated responsibility and please identify the relevant legislation (section) and what mitigative measures will be required to address these impacts in the response text box at the bottom of the page.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If the proposal proceeds, will the proponent require approval or a permit from your agency? If yes, please explain in response text box at the bottom of the page.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will on-going compliance monitoring be required by your agency as a result of your legislated responsibilities? If yes, please explain what will be required in the response text box at the bottom of the page.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Will this application affect public use of this area? If yes, please explain in the response text box at the bottom of the page.

Explanation of Response

Public access should not be restricted

Organization: Recreation Sites & Trails - Kootenay Boundary
Request Number: 014
Respondent: Kenneth Gibson
Legislated: No
Closed By: Kenneth Gibson
Referral Level: Optional
Recommendation: Interests unaffected.

Yes	No	N/A	Question
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does this application impact your agency's legislated responsibilities? If yes, how will the proposal impact your legislated responsibility and please identify the relevant legislation (section) and what mitigative measures will be required to address these impacts in the response text box at the bottom of the page.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If the proposal proceeds, will the proponent require approval or a permit from your agency? If yes, please explain in response text box at the bottom of the page.



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- ☐ ☒ ☐ Will on-going compliance monitoring be required by your agency as a result of your legislated responsibilities? If yes, please explain what will be required in the response text box at the bottom of the page.
- ☒ ☐ ☐ Will this application affect public use of this area? If yes, please explain in the response text box at the bottom of the page.

Explanation of Response

Pulic access should not be restricted

Contact

FrontCounterBC

Contact: Christine Lohr
E-mail: christine.lohr@gov.bc.ca

Lohr, Christine P FLNR:EX

From: Lohr, Christine P FLNR:EX
Sent: Wednesday, February 19, 2014 2:45 PM
To: McCuaig, Rieva FLNR:EX
Subject: PFR completed in 2012 for original Revelstoke Adventure Park application (Lands File 4405329)
Attachments: Greely Property PFR report 2012.pdf

Hi Rieva, found it....can you please share this with FN, and I do apologize for not including this in the original referral. I will make sure to do this, if ever I get a "re-application" again! So I think this will probably cover off Neskonlith's request for a PFR I hope? I will make sure that I include the other concerns in the letter. And if you do have to revise the consultation report...my apologies....

Take care,

Christine Lohr, R.P.F.
Land Officer
Kootenay Boundary Region
Ministry of Forests, Lands and Natural Resource Operations
845 Columbia Avenue, Castlegar, BC V1N 1H3
Ph: (250) 365-8668 Fax: (250) 365-8568



Splatsin

PO Box 460, Enderby, BC V0E 1V0

Telephone: (250) 838-6496 * Fax: (250) 838-2131

Preliminary Field Reconnaissance

Project Information

Project: Greely Property Development Preliminary Field Reconnaissance

Proponent: Black Tie Properties LP

Proponent Contact: Bill Black (250) 837-7969

First Nations: Splatsin

First Nations' Contacts: Splatsin: Cory Lee (250) 838-6496.

Trim Map Reference: 82M/010

NTS: 82M/01

Location: Illecillewaet River valley, Revelstoke, B.C.

Report Author: Ian Cameron, RPCA

Report Date: 30 November 2012

Study Objectives

The objectives of the PFR described in this report were: (1) to assess the potential for archaeological sites including forest utilized sites comprised of CMTs within the proposed development area, and (2) to identify the need and appropriate scope of further archaeological field studies. The current PFR is not intended to identify areas in which no physical remains of past human activities can be found, such as berry picking sites and fishing locations, as the identification of these types of sites are more appropriately addressed in a Traditional Use Study (TUS).

Methodology

PFR/AOA Source: (1) Published and unpublished ethnographic and archaeological literature sources; (2) data on previously recorded sites as stored in the Provincial Heritage Resource Inventory accessed via the Remote Access to Archaeological Data (RAAD); (3) TRIM and NTS (1:50,000) maps.

Assessment: For this assessment, information was derived from a background literature review, and a TRIM-based topographic map (82M.010) obtained via RAAD. Based on the review of these documents, recommendations are made regarding the need for further archaeological work in respect of this project.

Survey Crew: Ian Cameron (Field Director, Ursus), Gerry Narcisse (Splatsin).

Survey Date: July 17, 2012

Traverse Type: Judgmental

Traverse Width: 40-60 m

Forest District: Selkirk

Greely Property Development PFR

Field Survey Methodology Description: The field survey consisted of a two person field crew traversing the project area. Ground surfaces were examined for the presence of artifacts, cultural materials, and other evidence of past human settlement and land use. Tree throws were also examined visually for such evidence. Standing trees, fallen logs and stumps were examined for the presence of cultural modification. Bedrock exposures and boulders were inspected for pictographs and petroglyphs as well as for the possible presence of seams of flakable lithic raw materials. Landforms, vegetation, aspect, and sources of potable water were noted in the field. See Figure 2 for location of survey traverses.

Recorded Site Information

No archaeological sites are located within the proposed project area. No previously recorded archaeological sites are located within a five kilometre radius of the project area.

Development

The project area consists of the Greely property and surrounding Crown land which is located by the confluence of Greely Creek and the Illecillewaet River, 12 km east of Revelstoke, B.C. The proposed project area has an area of approximately 120 hectares (Figure 1).

Field Survey Results & Assessment of Archaeological Potential

The terrain at this location was steep to level with a northern aspect. Disturbance by land clearing, logging, farming, railway construction, road construction was observed throughout the project area. Quarrying activities were observed in the southwest quadrant. A large section of the Greely property consists of cleared farm fields.

The southern side of the project area is fairly steep with slopes ranging from 20 to 70%. Forest cover in this area consists primarily of Douglas fir with little undergrowth (though blueberry and thimbleberry was observed in patches). The terrain was highly disturbed by quarrying activities, logging and road building (Figure 5). Archaeological potential was determined to be low along the south side of the project area due to its predominantly steep ground (Figure 6), high level of disturbance, young age of the tree stand and lack of landscape features commonly associated with archaeological sites.

In the northern side of the project area, a high potential zone was identified along the southern river terrace by the south shore of the Illecillewaet River. Greely Creek runs into the Illecillewaet River, west of this high potential area. The high potential area consists of one large level bench with several smaller level terrace edges nearby. The area which should be inspected under a Section 14 Heritage Inspection Permit is approximately 1000 m x 150 m and has a northwestern aspect. Tree cover at this location consists of western redcedar, western hemlock, cottonwood and birch. Ground cover consists of Saskatoon berry, cow parsnip, huckleberry, thimbleberry, devil's club, twisted stalk and alder. See Figure 1 for the location of the high archaeological potential area.

No archaeological sites were identified during the field assessment of the project area. As the forest is predominantly immature, there is low potential for the presence of protected culturally modified tree sites.

Recommendation

For the high archaeological potential zone located in the northeast part of the project area, it is recommended that an archaeological impact assessment with subsurface testing take place at the level benches and terraces by the Illecillewaet River and wetland near the east side of the project area (Figures 1 to 3). The rest of the project area is considered to have low archaeological potential and no further archaeological work is recommended outside of the area of archaeological potential indicated in Figure 1.

Site Protection

Archaeological sites that pre-date 1846 are automatically protected under the *Heritage Conservation Act (HCA)* whether public or private land. Sites that are of an unknown age that have a likely probability of dating to prior to 1846 (i.e., lithic scatters) as well as aboriginal pictographs, petroglyphs, and burials which are considered to have historical or archaeological value are also automatically protected. Sites that are protected under the *HCA* may not be altered, damaged, moved, excavated in, or desecrated in any way without a permit issued under Section 12 or 14 of the *HCA*.

Note

The preliminary field reconnaissance is concerned with potential impacts to archaeological resources by the development of the Greely Property, south of the Illecillewaet River, east of Revelstoke. It does not address potential impacts to traditional use sites by this development. It is not the intent of this report to document First Nations' interest in the land. The study was conducted without prejudice to First Nations' treaty negotiations, Aboriginal rights, or Aboriginal title.

The possibility that any unidentified sites may be identified within the proposed development is considered to be low. However, in the event that any archaeological remains not identified during the preliminary field reconnaissance are identified, it is recommended that:

- The proponent should halt all activities in the immediate vicinity of the previously unidentified site and promptly inform the Archaeology Branch, Ursus, and the appropriate First Nations of the location of the previously unidentified site and the nature of the disturbance. Management recommendations regarding emergency impact mitigation will then be determined in consultation with the Archaeology Branch and the appropriate First Nations.

For more information on this review of archaeological potential, please contact the report authors.



Cory Lee, Title and Rights Project Manager, Splatsin



Ian Cameron, MSc, RPCA

2012 November 30

Date

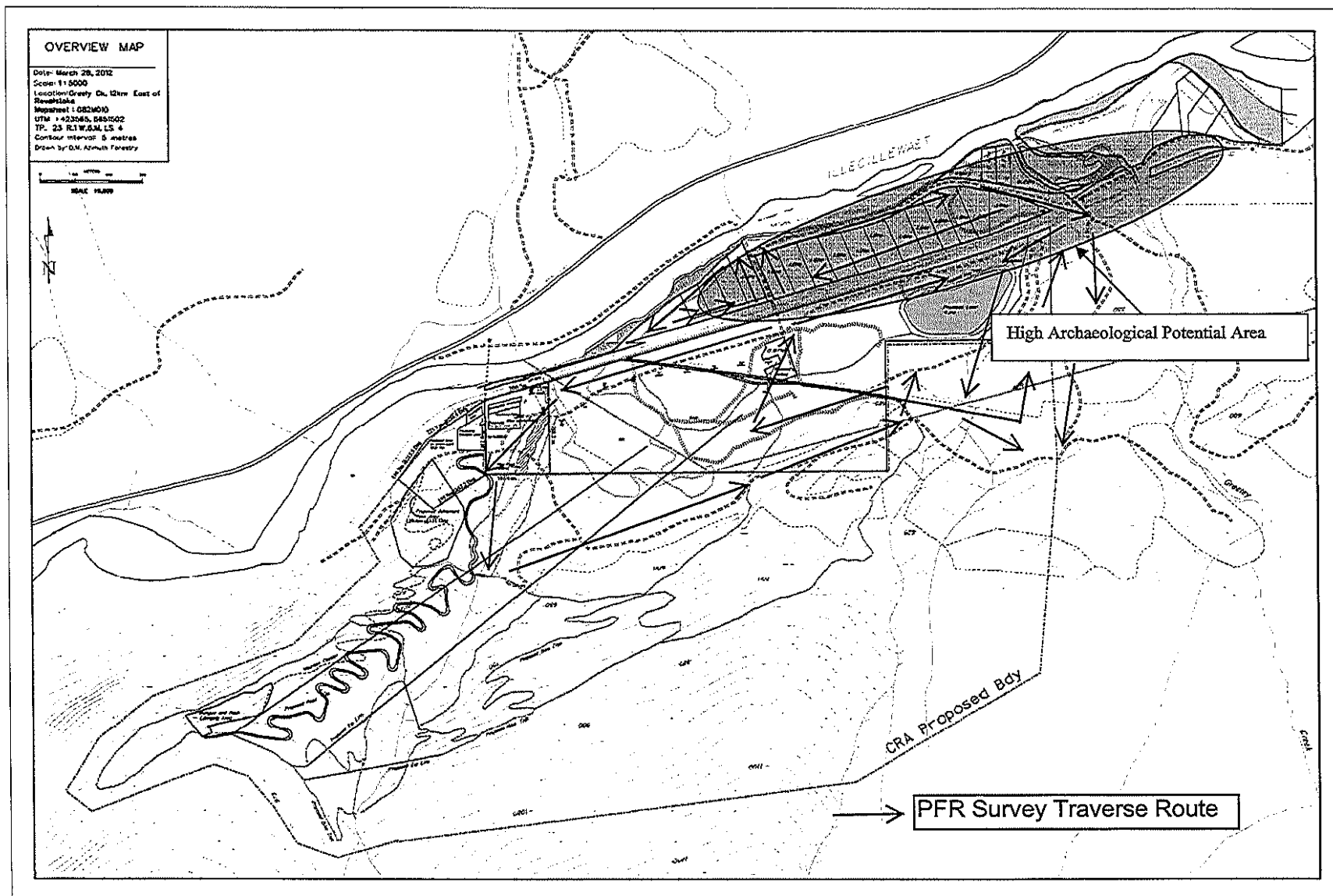


Figure 1. Greely Property Development Plan, and high archaeological potential area.

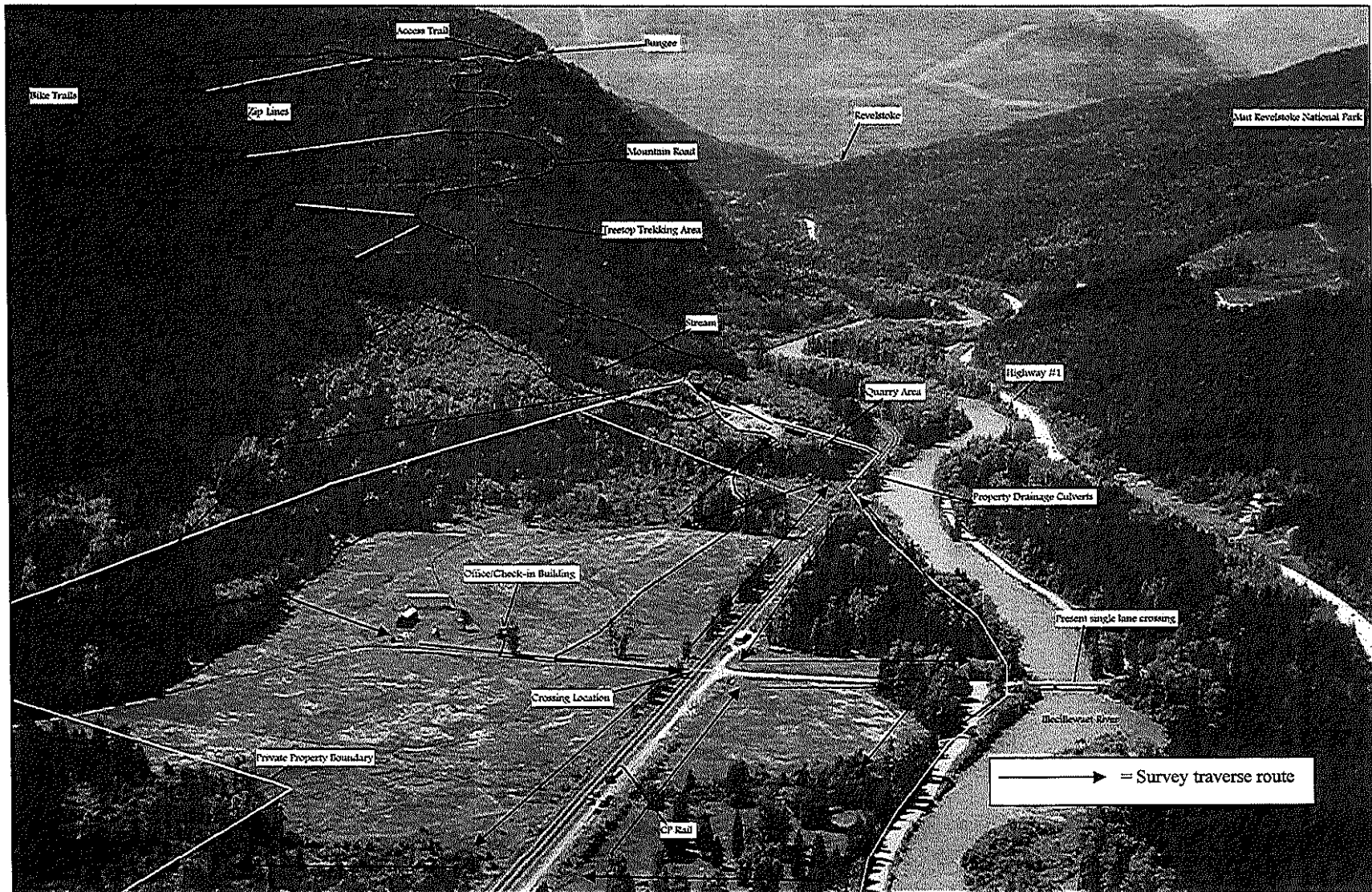


Figure 2. View west of Greely Development Property, and survey traverse route.

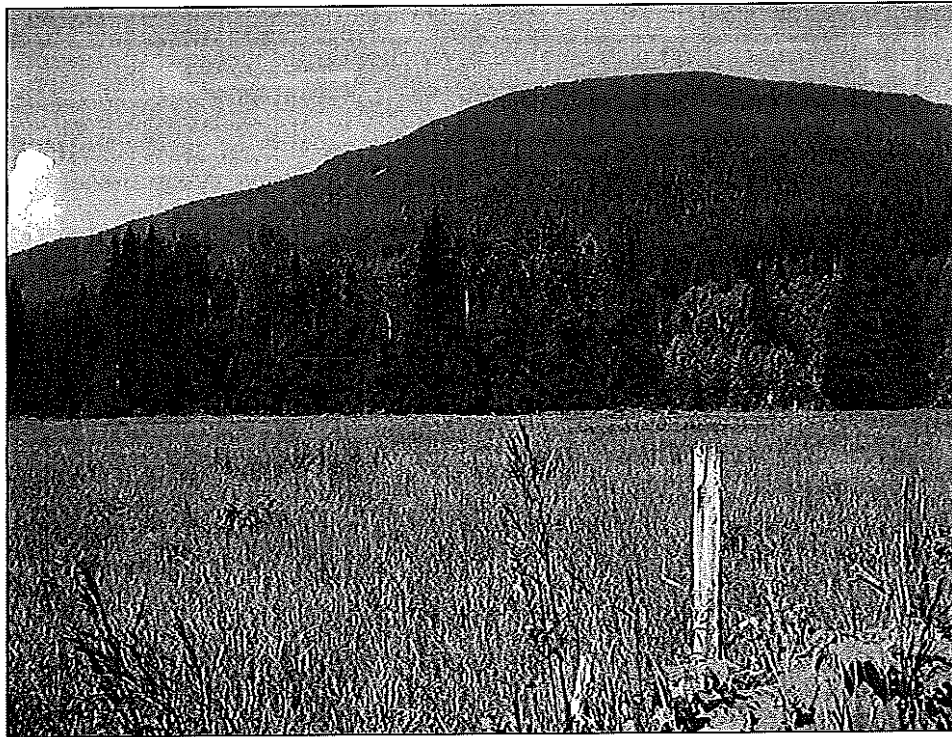


Figure 3. View northwest of high archaeological potential area and south terrace of Illecillewaet River.



Figure 4. View north from railway of high archaeological potential area and south terrace of Illecillewaet River.

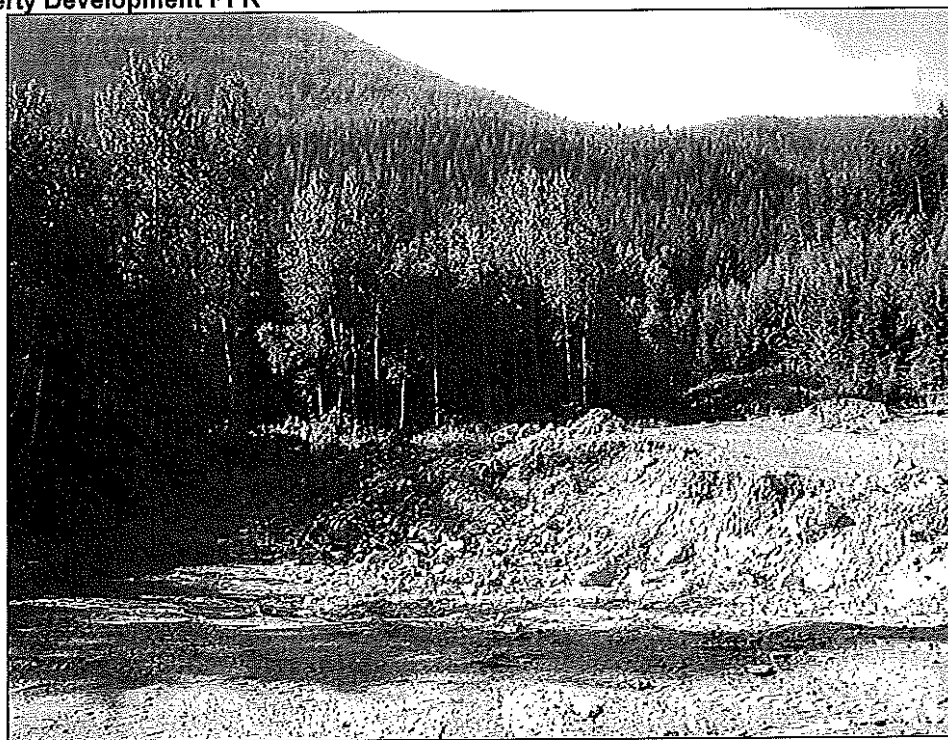


Figure 5. View south of gravel quarry in southwest quadrant of project area.



Figure 6. View northeast of proposed zipline corridor in southwest quadrant of project area.

Christensen, Cathy FLNR:EX

From: McCuaig, Rieva FLNR:EX
Sent: Monday, October 7, 2013 2:31 PM
To: Christensen, Cathy FLNR:EX
Subject: RE: DRAFT Referrals File 4405329 Illecillewaet ATS117446

And please note Cathy,

Address for Neskonlith and Splatsin, in addition to Ktunaxa and Shuswap, is by email.

Rieva

From: McCuaig, Rieva FLNR:EX
Sent: Monday, October 7, 2013 1:24 PM
To: Christensen, Cathy FLNR:EX
Cc: Lohr, Christine P FLNR:EX
Subject: RE: DRAFT Referrals File 4405329 Illecillewaet ATS117446

Sorry Cathy, it is in the ATS working file

From: McCuaig, Rieva FLNR:EX
Sent: Monday, October 7, 2013 1:23 PM
To: Christensen, Cathy FLNR:EX
Cc: Lohr, Christine P FLNR:EX
Subject: RE: DRAFT Referrals File 4405329 Illecillewaet ATS117446

Hi Cathy, FN letter finalized. Thx for edits Chris

Rieva

From: Lohr, Christine P FLNR:EX
Sent: Monday, September 30, 2013 10:41 AM
To: McCuaig, Rieva FLNR:EX; Christensen, Cathy FLNR:EX
Subject: FW: DRAFT Referrals File 4405329 Illecillewaet ATS117446

Here is the FN letter, ready for Rieva (sorry, forgot to hit "forward" in my last email.)
Take care,

Christine Lohr, R.P.F.
Land Officer
Kootenay Boundary Region
Ministry of Forests, Lands and Natural Resource Operations
845 Columbia Avenue, Castlegar, BC V1N 1H3
Ph: (250) 365-8668 Fax: (250) 365-8568

From: Christensen, Cathy FLNR:EX
Sent: Friday, September 27, 2013 1:52 PM
To: Lohr, Christine P FLNR:EX
Cc: McCuaig, Rieva FLNR:EX
Subject: DRAFT Referrals File 4405329 Illecillewaet ATS117446

Here is the fixed FN letter Now sent to Rieva instead of Ian.

E-Referral Link:

<https://1200.gov.bc.ca/int/ereferral/Default.aspx?PossePresentation=NewReferral&PosseObjectId=66231189>

For your review and finalization

Cathy Christensen

Client Services Assistant

FrontCounter BC

Ministry of Forests, Lands and Natural Resource Operations

1902 Theatre Road

Cranbrook, BC

Tel: 250-426-1794

Fax: 250-426-1767

Toll Free: 1.877.855.3222

www.frontcounterbc.gov.bc.ca

How did we do? You are invited to take our customer satisfaction survey.



Temporary Permit – Adventure Tourism - Revelstoke

Engagement Letter

Lands File: 4405329
ATS Project: 117446

COPY

October 8, 2013

BY EMAIL:
Ktunaxa Nation Council
referrals@ktunaxa.org

Dear Ray Warden, Manager, KLRA:

The Province of British Columbia has received an application for the above-noted project and is initiating consultation with you to inform our decision making process. We invite your input on how this proposal may impact Aboriginal interests you may have in the area.

Table 1: Project Overview

ACTIVITY TYPE: The activity is a Temporary Permit - Adventure Tourism, further to the <i>Land Act</i> .
PROJECT DESCRIPTION: The intended use of the Crown land is to conduct research relating to their recently disallowed Adventure Tourism application for an Adventure Park. Research will involve proponent and consultants walking / accessing the proposed tenure area, and may possibly involve access for drilling (see attached management plan from the proponent). The proponent advises that if tree removal is required, that they will apply for a Licence to Cut. An application for a Licence to Cut would be referred to First Nations.
PROVINCIAL APPROACH: Single-agency decision <input checked="" type="checkbox"/> or Multi-agency project <input type="checkbox"/>
PROPONENT: Illecillewaet Development LP (Jason Roe), PO Box 963, Revelstoke BC V0E 2S0 Phone: (250)-837-7442 or Email: jroe@blktie.ca
BCGS Map Ref (1:20,000): 82M 010 and 82L 100
AREA Size: 282 hectares, more or less
PROVINCIAL GOVERNMENT CONTACT PERSON: Rieva McCuaig, First Nations Relations, <i>Ministry of Forests, Lands and Natural Resource Operations</i> at Phone: (250) 426-1713 or E-mail: Rieva.McCuaig@gov.bc.ca

RESPONSE TIME: Please respond within 30 days so that your interests can be fully considered in the decision making process.

Authorizations required for the proposal are as follows:

Table 2: Provincial Authorizations

Activity	Legislation, Tenure Type and Term	Area Size	Agency Responsible & Decision Maker (position)	File Number & Application Status
To conduct research relating to their recently disallowed Adventure Tourism application for an Adventure Park	<i>Land Act:</i> Temporary Permit, 2-year term	Approx area 282 ha +/-	MFLNRO Lands	Date Accepted: 2013-09-04 Enclosed in this package <input checked="" type="checkbox"/> File: 4405329

Background Information:

The Province has used Schedule 1 of the Ktunaxa Nation/Province of BC Strategic Engagement Agreement (SEA) to assess potential impacts of the activities proposed to Ktunaxa Nation's Aboriginal Rights.

The Province's initial assessment of the appropriate engagement level is: Level 2. A modifier has not been applied.

The Province proposes 30 days from the KLRA review Date for the KLRA to submit its comments on the application. Please direct comments to the Project Rieva McCuaig, First Nations Relations at Phone: (250) 426-1713 or E-mail: Rieva.McCuaig@gov.bc.ca

Calculated dates:

KLRA Review Day: October 16, 2013

KLRA Initial Response Day: October 23, 2013

Proposed timeframe for KLRA to submit comments: November 14, 2013

Yours truly,



Cathy Christensen
Client Services Assistant
Ministry of Forests Lands and Natural Resource Operations
FrontCounter BC
Kootenay/Boundary

Attachments: Management Plan & Mapping

Christensen, Cathy FLNR:EX

From: Christensen, Cathy FLNR:EX
Sent: Tuesday, October 8, 2013 1:59 PM
To: 'Referrals Referrals'
Cc: McCuaig, Rieva FLNR:EX
Subject: Ktunaxa Final Adventure Tourism 4405329 Illecillewaet
Attachments: Ktunaxa final.pdf; Management Plan and Maps Temporary Permit.pdf

For your review and comments.

Thanx

Cathy Christensen

Client Services Assistant
FrontCounter BC

Ministry of Forests, Lands and Natural Resource Operations

1902 Theatre Road

Cranbrook, BC

Tel: 250-426-1794

Fax: 250-426-1767

Toll Free: 1.877.855.3222

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Temporary Permit – Adventure Tourism - Revelstoke

Engagement Letter

Lands File: 4405329
ATS Project: 117446

COPY

October 8, 2013

BY EMAIL:
Neskonlith Indian Band
Ruth Thomas, Referrals
ruth.thomas@live.ca

Dear Chief Judy Wilson and Council:

The Province of British Columbia has received an application for the above-noted project and is initiating consultation with you to inform our decision making process. We invite your input on how this proposal may impact Aboriginal interests you may have in the area.

Table 1: Project Overview

ACTIVITY TYPE: The activity is a Temporary Permit - Adventure Tourism, further to the <i>Land Act</i> .
PROJECT DESCRIPTION: The intended use of the Crown land is to conduct research relating to their recently disallowed Adventure Tourism application for an Adventure Park. Research will involve proponent and consultants walking / accessing the proposed tenure area, and may possibly involve access for drilling (see attached management plan from the proponent). The proponent advises that if tree removal is required, that they will apply for a Licence to Cut. An application for a Licence to Cut would be referred to First Nations.
PROVINCIAL APPROACH: Single-agency decision <input checked="" type="checkbox"/> or Multi-agency project <input type="checkbox"/>
PROPONENT: Illecillewaet Development LP (Jason Roe), PO Box 963, Revelstoke BC VOE 250 Phone: (250)-837-7442 or Email: jroe@blktie.ca
BCGS Map Ref (1:20,000): 82M 010 and 82L 100
AREA Size: 282 hectares, more or less
PROVINCIAL GOVERNMENT CONTACT PERSON: Rieva McCuaig, First Nations Relations, <i>Ministry of Forests, Lands and Natural Resource Operations</i> at Phone: (250) 426-1713 or E-mail: Rieva.McCuaig@gov.bc.ca

In order to adequately address any concerns prior to the decision deadlines for the authorizations under review, please contact the Project Contact **noted above** within 45 days from the date of this letter.

Yours truly,



Cathy Christensen
Client Services Assistant
Ministry of Forests Lands and Natural Resource Operations
FrontCounter BC
Kootenay/Boundary

Attachments: Management Plan & Mapping

Christensen, Cathy FLNR:EX

From: Christensen, Cathy FLNR:EX
Sent: Tuesday, October 8, 2013 1:58 PM
To: 'ruth.thomas@live.ca'
Cc: McCuaig, Rieva FLNR:EX
Subject: Neskonlith Final Adventure Tourism 4405329 Illecillewaet
Attachments: Management Plan and Maps Temporary Permit.pdf; Neskonlith Final.pdf

For your review and comments.

Thanx

Cathy Christensen

Client Services Assistant
FrontCounter BC

Ministry of Forests, Lands and Natural Resource Operations
1902 Theatre Road

Cranbrook, BC

Tel: 250-426-1794

Fax: 250-426-1767

Toll Free: 1.877.855.3222

www.frontcounterbc.gov.bc.ca

How did we do? You are invited to take our customer satisfaction survey.



Temporary Permit – Adventure Tourism - Revelstoke

Engagement Letter

Lands File: 4405329
ATS Project: 117446

October 8, 2013

BY EMAIL:
Shuswap Indian Band
referrals@kinbasket.net; gary@kinbasket.net

COPY

Dear Shuswap Band Chief and Council:

The Province of British Columbia has received an application for the above-noted project and is initiating consultation with you to inform our decision making process. We invite your input on how this proposal may impact Aboriginal interests you may have in the area.

Table 1: Project Overview

ACTIVITY TYPE: The activity is a Temporary Permit - Adventure Tourism, further to the <i>Land Act</i> .
PROJECT DESCRIPTION: The intended use of the Crown land is to conduct research relating to their recently disallowed Adventure Tourism application for an Adventure Park. Research will involve proponent and consultants walking / accessing the proposed tenure area, and may possibly involve access for drilling (see attached management plan from the proponent). The proponent advises that if tree removal is required, that they will apply for a Licence to Cut. An application for a Licence to Cut would be referred to First Nations.
PROVINCIAL APPROACH: Single-agency decision <input checked="" type="checkbox"/> or Multi-agency project <input type="checkbox"/>
PROPONENT: Illecillewaet Development LP (Jason Roe), PO Box 963, Revelstoke BC VOE 250 Phone: (250)-837-7442 or Email: jroe@blktie.ca
BCGS Map Ref (1:20,000): 82M 010 and 82L 100
AREA Size: 282 hectares, more or less
PROVINCIAL GOVERNMENT CONTACT PERSON: Rieva McCuaig, First Nations Relations, <i>Ministry of Forests, Lands and Natural Resource Operations</i> at Phone: (250) 426-1713 or E-mail: Rieva.McCuaig@gov.bc.ca

RESPONSE TIME: Please respond within 45 days so that your interests can be fully considered in the decision making process.

Authorizations required for the proposal are as follows:

Table 2: Provincial Authorizations

Activity	Legislation, Tenure Type and Term	Area Size	Agency Responsible & Decision Maker (position)	File Number & Application Status
To conduct research relating to their recently disallowed Adventure Tourism application for an Adventure Park	<i>Land Act:</i> Temporary Permit, 2-year term	Approx area 282 ha +/-	<i>MFLNRO</i> Lands	Date Accepted: 2013-09-04 Enclosed in this package <input checked="" type="checkbox"/> File: 4405329

Background Information:

The Province recognizes that your First Nation has asserted Aboriginal interests in the proposal area, and is interested in understanding further the nature of these aboriginal interests and how they may be impacted by this project. To assist understand how the project may impact your Aboriginal interests, the Province will be relying on information you provide, or otherwise arises during this consultation process, as well as the information noted below. The information may also be used to inform the development of potential measures to mitigate or avoid impacts to your aboriginal interests.

- Shuswap Indian Band: Review of Anthropological and Historical Sources Relating the Use and Occupation of Land. MAG. 2009.

In order to adequately address any concerns prior to the decision deadlines for the authorizations under review, please contact the Project Contact *noted above* within 45 days from the date of this letter.

Yours truly,

A handwritten signature in dark ink, appearing to be 'CC' or 'Cathy Christensen'.

Cathy Christensen
Client Services Assistant
Ministry of Forests Lands and Natural Resource Operations
FrontCounter BC
Kootenay/Boundary

Christensen, Cathy FLNR:EX

From: Christensen, Cathy FLNR:EX
Sent: Tuesday, October 8, 2013 1:55 PM
To: 'rreferrals@kinbasket.net'
Subject: Shuswap FN Final Adventure Toursim 4405329 Illecillewaet
Attachments: Shuswap final.pdf; Management Plan and Maps Temporary Permit.pdf

For your review and comments.

Thanx

Cathy Christensen

Client Services Assistant

FrontCounter BC

Ministry of Forests, Lands and Natural Resource Operations

1902 Theatre Road

Cranbrook, BC

Tel: 250-426-1794

Fax: 250-426-1767

Toll Free: 1.877.855.3222

www.frontcounterbc.gov.bc.ca

How did we do? You are invited to take our customer satisfaction survey.

Temporary Permit – Adventure Tourism - Revelstoke

Engagement Letter

Lands File: 4405329

ATS Project: 117446

October 8, 2013

COPY

BY EMAIL:

Splatsin

Ray Cormier, Title and Rights Director

Ray_cormier@splatsin.ca

Dear Chief Wayne Christian and Council:

The Province of British Columbia has received an application for the above-noted project and is initiating consultation with you to inform our decision making process. We invite your input on how this proposal may impact Aboriginal interests you may have in the area.

Table 1: Project Overview

ACTIVITY TYPE: The activity is a Temporary Permit - Adventure Tourism, further to the <i>Land Act</i> .
PROJECT DESCRIPTION: The intended use of the Crown land is to conduct research relating to their recently disallowed Adventure Tourism application for an Adventure Park. Research will involve proponent and consultants walking / accessing the proposed tenure area, and may possibly involve access for drilling (see attached management plan from the proponent). The proponent advises that if tree removal is required, that they will apply for a Licence to Cut. An application for a Licence to Cut would be referred to First Nations.
PROVINCIAL APPROACH: Single-agency decision <input checked="" type="checkbox"/> or Multi-agency project <input type="checkbox"/>
PROPONENT: Illecillewaet Development LP (Jason Roe), PO Box 963, Revelstoke BC V0E 2S0 Phone: (250)-837-7442 or Email: jroe@blktie.ca
BCGS Map Ref (1:20,000): 82M 010 and 82L 100
AREA Size: 282 hectares, more or less
PROVINCIAL GOVERNMENT CONTACT PERSON: Rieva McCuaig, First Nations Relations, Ministry of Forests, Lands and Natural Resource Operations at Phone: (250) 426-1713 or E-mail: Rieva.McCuaig@gov.bc.ca

RESPONSE TIME: Please respond within 45 days so that your interests can be fully considered in the decision making process.

Authorizations required for the proposal are as follows:

Table 2: Provincial Authorizations

Activity	Legislation, Tenure Type and Term	Area Size	Agency Responsible & Decision Maker (position)	File Number & Application Status
To conduct research relating to their recently disallowed Adventure Tourism application for an Adventure Park	<i>Land Act:</i> Temporary Permit, 2-year term	Approx area 282 ha +/-	MFLNRO Lands	Date Accepted: 2013-09-04 Enclosed in this package <input checked="" type="checkbox"/> File: 4405329

Background Information:

The Province recognizes that your First Nation has asserted Aboriginal interests in the proposal area, and is interested in understanding further the nature of these aboriginal interests and how they may be impacted by this project. To assist understand how the project may impact your Aboriginal interests, the Province will be relying on information you provide, or otherwise arises during this consultation process, as well as the information noted below. The information may also be used to inform the development of potential measures to mitigate or avoid impacts to your aboriginal interests.

- Secwepemc: A Review of the Historical and Ethnographic Sources. Deidre Duquette, MAG. 2008. Revised Oct 28th 2009.

In order to adequately address any concerns prior to the decision deadlines for the authorizations under review, please contact the Project Contact noted above within 45 days from the date of this letter.

Yours truly,



Cathy Christensen
Client Services Assistant
Ministry of Forests Lands and Natural Resource Operations
FrontCounter BC
Kootenay/Boundary

Attachments: Management Plan & Mapping

Christensen, Cathy FLNR:EX

From: Christensen, Cathy FLNR:EX
Sent: Tuesday, October 8, 2013 1:53 PM
To: 'ray_cormier@splatsin.ca'
Cc: McCuaig, Rieva FLNR:EX
Subject: Splatsin FN Final Adventure Tourism 4405329 Illecillewaet Dev
Attachments: Splatsin final.pdf; Management Plan and Maps Temporary Permit.pdf

For your review and comments.

Thanx

Cathy Christensen

Client Services Assistant

FrontCounter BC

Ministry of Forests, Lands and Natural Resource Operations

1902 Theatre Road

Cranbrook, BC

Tel: 250-426-1794

Fax: 250-426-1767

Toll Free: 1.877.855.3222

www.frontcounterbc.gov.bc.ca

How did we do? You are invited to take our customer satisfaction survey.



Temporary Permit – Adventure Tourism - Revelstoke

Engagement Letter

Lands File: 4405329
ATS Project: 117446

October 8, 2013

Okanagan Nation Alliance
101 - 3535 Old Okanagan Hwy.
Westbank BC V4T 3J6

Dear Chair, Okanagan Nation Alliance:

The Province of British Columbia has received an application for the above-noted project and is initiating consultation with you to inform our decision making process. We invite your input on how this proposal may impact Aboriginal interests you may have in the area.

Table 1: Project Overview

ACTIVITY TYPE: The activity is a Temporary Permit - Adventure Tourism, further to the <i>Land Act</i> .
PROJECT DESCRIPTION: The intended use of the Crown land is to conduct research relating to their recently disallowed Adventure Tourism application for an Adventure Park. Research will involve proponent and consultants walking / accessing the proposed tenure area, and may possibly involve access for drilling (see attached management plan from the proponent). The proponent advises that if tree removal is required, that they will apply for a Licence to Cut. An application for a Licence to Cut would be referred to First Nations.
PROVINCIAL APPROACH: Single-agency decision <input checked="" type="checkbox"/> or Multi-agency project <input type="checkbox"/>
PROPONENT: Illecillewaet Development LP (Jason Roe), PO Box 963, Revelstoke BC V0E 2S0 Phone: (250)-837-7442 or Email: jroe@blktie.ca
BCGS Map Ref (1:20,000): 82M 010 and 82L 100
AREA Size: 282 hectares, more or less
PROVINCIAL GOVERNMENT CONTACT PERSON: Rieva McCuaig, First Nations Relations, Ministry of Forests, Lands and Natural Resource Operations at Phone: (250) 426-1713 or E-mail: Rieva.McCuaig@gov.bc.ca

RESPONSE TIME: Please respond within 45 days so that your interests can be fully considered in the decision making process.

Authorizations required for the proposal are as follows:

Table 2: Provincial Authorizations

Activity	Legislation, Tenure Type and Term	Area Size	Agency Responsible & Decision Maker (position)	File Number & Application Status
To conduct research relating to their recently disallowed Adventure Tourism application for an Adventure Park	<i>Land Act:</i> Temporary Permit, 2-year term	Approx area 282 ha +/-	MFLNRO Lands	Date Accepted: 2013-09-04 Enclosed in this package <input checked="" type="checkbox"/> File: 4405329

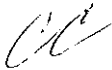
Background Information:

The Province recognizes that your First Nation has asserted Aboriginal interests in the proposal area, and is interested in understanding further the nature of these aboriginal interests and how they may be impacted by this project. To assist understand how the project may impact your Aboriginal interests, the Province will be relying on information you provide, or otherwise arises during this consultation process, as well as the information noted below. The information may also be used to inform the development of potential measures to mitigate or avoid impacts to your aboriginal interests.

- Okanagan Nation: Review of Anthropological and Historical Sources. MAG. Jan 30, 2011.

In order to adequately address any concerns prior to the decision deadlines for the authorizations under review, please contact the Project Contact noted above within 45 days from the date of this letter.

Yours truly,



Cathy Christensen
Client Services Assistant
Ministry of Forests Lands and Natural Resource Operations
FrontCounter BC
Kootenay/Boundary

Attachments: Management Plan & Mapping



Temporary Permit – Adventure Tourism - Revelstoke

Engagement Letter

Lands File: 4405329

ATS Project: 117446

October 8, 2013

Okanagan Indian Band
12420 Westside Road
Vernon BC V1H 2A4

Dear Chief Byron Louis and Council:

The Province of British Columbia has received an application for the above-noted project and is initiating consultation with you to inform our decision making process. We invite your input on how this proposal may impact Aboriginal interests you may have in the area.

Table 1: Project Overview

ACTIVITY TYPE: The activity is a Temporary Permit - Adventure Tourism, further to the <i>Land Act</i> .
PROJECT DESCRIPTION: The intended use of the Crown land is to conduct research relating to their recently disallowed Adventure Tourism application for an Adventure Park. Research will involve proponent and consultants walking / accessing the proposed tenure area, and may possibly involve access for drilling (see attached management plan from the proponent). The proponent advises that if tree removal is required, that they will apply for a Licence to Cut. An application for a Licence to Cut would be referred to First Nations.
PROVINCIAL APPROACH: Single-agency decision <input checked="" type="checkbox"/> or Multi-agency project <input type="checkbox"/>
PROPONENT: Illecillewaet Development LP (Jason Roe), PO Box 963, Revelstoke BC V0E 2S0 Phone: (250)-837-7442 or Email: jroe@blktie.ca
BCGS Map Ref (1:20,000): 82M 010 and 82L 100
AREA Size: 282 hectares, more or less
PROVINCIAL GOVERNMENT CONTACT PERSON: Rieva McCuaig, First Nations Relations, Ministry of Forests, Lands and Natural Resource Operations at Phone: (250) 426-1713 or E-mail: Rieva.McCuaig@gov.bc.ca

RESPONSE TIME: Please respond within 45 days so that your interests can be fully considered in the decision making process.

Authorizations required for the proposal are as follows:

Table 2: Provincial Authorizations

Activity	Legislation, Tenure Type and Term	Area Size	Agency Responsible & Decision Maker (position)	File Number & Application Status
To conduct research relating to their recently disallowed Adventure Tourism application for an Adventure Park	<i>Land Act:</i> Temporary Permit, 2-year term	Approx area 282 ha +/-	MFLNRO Lands	Date Accepted: 2013-09-04 Enclosed in this package <input checked="" type="checkbox"/> File: 4405329

Background Information:

The Province recognizes that your First Nation has asserted Aboriginal Interests in the proposal area, and is interested in understanding further the nature of these aboriginal interests and how they may be impacted by this project. To assist understand how the project may impact your Aboriginal interests, the Province will be relying on information you provide, or otherwise arises during this consultation process, as well as the information noted below. The information may also be used to inform the development of potential measures to mitigate or avoid impacts to your aboriginal interests.

- Okanagan Nation: Review of Anthropological and Historical Sources. MAG. Jan 30, 2011.

In order to adequately address any concerns prior to the decision deadlines for the authorizations under review, please contact the Project Contact noted above within 45 days from the date of this letter.

Yours truly,



Cathy Christensen
Client Services Assistant
Ministry of Forests Lands and Natural Resource Operations
FrontCounter BC
Kootenay/Boundary

Attachments: Management Plan & Mapping



Temporary Permit – Adventure Tourism - Revelstoke

Engagement Letter

Lands File: 4405329
ATS Project: 117446

October 8, 2013

Adams Lake Indian Band
PO Box 588
Chase BC V0E 1M0

Dear Chief Nelson Leon and Council:

The Province of British Columbia has received an application for the above-noted project and is initiating consultation with you to inform our decision making process. We invite your input on how this proposal may impact Aboriginal interests you may have in the area.

Table 1: Project Overview

ACTIVITY TYPE: The activity is a Temporary Permit - Adventure Tourism, further to the <i>Land Act</i> .
PROJECT DESCRIPTION: The intended use of the Crown land is to conduct research relating to their recently disallowed Adventure Tourism application for an Adventure Park. Research will involve proponent and consultants walking / accessing the proposed tenure area, and may possibly involve access for drilling (see attached management plan from the proponent). The proponent advises that if tree removal is required, that they will apply for a Licence to Cut. An application for a Licence to Cut would be referred to First Nations.
PROVINCIAL APPROACH: Single-agency decision <input checked="" type="checkbox"/> or Multi-agency project <input type="checkbox"/>
PROPONENT: Illecillewaet Development LP (Jason Roe), PO Box 963, Revelstoke BC V0E 2S0 Phone: (250)-837-7442 or Email: jroe@blktie.ca
BCGS Map Ref (1:20,000): 82M 010 and 82L 100
AREA Size: 282 hectares, more or less
PROVINCIAL GOVERNMENT CONTACT PERSON: Rieva McCuaig, First Nations Relations, Ministry of Forests, Lands and Natural Resource Operations at Phone: (250) 426-1713 or E-mail: Rieva.McCuaig@gov.bc.ca

RESPONSE TIME: Please respond within 45 days so that your interests can be fully considered in the decision making process.

Authorizations required for the proposal are as follows:

Table 2: Provincial Authorizations

Activity	Legislation, Tenure Type and Term	Area Size	Agency Responsible & Decision Maker (position)	File Number & Application Status
To conduct research relating to their recently disallowed Adventure Tourism application for an Adventure Park	<i>Land Act:</i> Temporary Permit, 2-year term	Approx area 282 ha +/-	MFLNRO Lands	Date Accepted: 2013-09-04 Enclosed in this package <input checked="" type="checkbox"/> File: 4405329

Background Information:

The Province recognizes that your First Nation has asserted Aboriginal interests in the proposal area, and is interested in understanding further the nature of these aboriginal interests and how they may be impacted by this project. To assist understand how the project may impact your Aboriginal interests, the Province will be relying on information you provide, or otherwise arises during this consultation process, as well as the information noted below. The information may also be used to inform the development of potential measures to mitigate or avoid impacts to your aboriginal interests.

- Secwepemc: A Review of the Historical and Ethnographic Sources. Deidre Duquette, MAG. 2008. Revised Oct 28th 2009.

In order to adequately address any concerns prior to the decision deadlines for the authorizations under review, please contact the Project Contact noted above within 45 days from the date of this letter.

Yours truly,



Cathy Christensen
Client Services Assistant
Ministry of Forests Lands and Natural Resource Operations
FrontCounter BC
Kootenay/Boundary

Attachments: Management Plan & Mapping

McCuaig, Rieva FLNR:EX

From: McCuaig, Rieva FLNR:EX
Sent: Wednesday, February 12, 2014 9:01 AM
To: 'Ruth Thomas'
Subject: RE: Illecillewaet Development, Crown Lands application file no. 4405329

Hi Ruth,

I wanted to follow up with you on the email below, regarding the referral of an application for a Temporary Permit by Illecillewaet Development, our file number 4405329.

As mentioned the Temporary Permit will allow the proponent to conduct environmental assessment as well as other investigations. It does not guarantee a Licence for an Adventure Park.

I had asked you in this email whether Neskonlith could outline their specific concerns so that the proponent can be made aware of issues that need further clarification or need to be addressed.

One thing I had noted of course was concern regarding archaeological resources, and also environmental management.

The Province would also be interested in hearing what Aboriginal Interests Neskonlith have in the proposed area.

Sincerely,

Rieva

From: McCuaig, Rieva FLNR:EX
Sent: Thursday, November 14, 2013 4:07 PM
To: 'Ruth Thomas'
Subject: Illecillewaet Development, Crown Lands application file no. 4405329

Hi Ruth, I apologize in the delay to respond on this one. Your comments in black, mine following in blue:

Before I develop a formal response could you please provide an update on the applications current status? The current status is that the application made by Illecillewaet Development has been disallowed by our Ministry for a number of reasons.

There was a lot of opposition

s.16

The request for the Temporary Permit is now needed so that the proponent can go ahead and do the environmental and traffic assessments, etc., to meet the various concerns. The status of this application is just to allow the proponent on the land to conduct investigations. It does not guarantee a License for an Adventure Park. Also, the proponent has not applied for a Licence to Cut, as this current application is only to allow for assessment.

For example has a rezoning application been submitted under BL 2200, whether the Traffic Impact Study has been developed whether an Environmental Assessment has been conducted and if an application for a Licence to Cut has been made?

We are unsure as to whether this is connected to an EA process underway, possibly, but we have not been advised of any connection.

The proponent will need a re-zoning with the CSRD and a Traffic Impact study with the MOTI.

Further to the initial disallowance of this application, the proponent has applied for a Temporary Permit. The temporary permit is only to allow the proponent on the land to do the assessments, it is NOT to issue a License for an Adventure Park, and it does NOT guarantee that any future license for an Adventure Park will be granted.

We can certainly pass on the information regarding PFR to the proponent, and interest by Neskonlith in participating in both PFR and environmental monitoring.

It would be extremely useful to us if Neskonlith could outline specific concerns so that the proponent be aware of what issues need further clarification or need to be addressed.

Thanks, Rieva

From: Ruth Thomas [<mailto:ruth.thomas@live.ca>]
Sent: Friday, October 18, 2013 2:29 PM
To: McCuaig, Rieva FLNR:EX
Subject: Adventure Park

Hi Rieva,

Before I develop a formal response could you please provide an update on the applications current status? For example has a rezoning application been submitted under BL 2200, whether the Traffic Impact Study has been developed whether an Environmental Assessment has been conducted and if an application for a Licence to Cut has been made?

s.16

s.16 we will request at a minimum that an Environmental Assessment be conducted before any trees are cut and that a full PFR be conducted to identify any possible archaeological and cultural/heritage signs. If this is the case, we would request that members of the Neskonlith Indian Band be allowed to participate in both the PFR and as an Environmental Monitor as part of the Environmental Assessment

Thank you

Ruth Thomas
Referrals
Neskonlith Indian Band
461 1st Nations Road
Salmon Arm, BC
V1E 2Z6
Phone: 250-833-0202
Fax: 250-833-0990

McCuaig, Rieva FLNR:EX

From: Lohr, Christine P FLNR:EX
Sent: Monday, October 28, 2013 3:06 PM
To: McCuaig, Rieva FLNR:EX
Subject: RE: Adventure Park
Attachments: KNC Concerns Letter.pdf

Hi Rieva,

Correct, this is the Illecillewaet Development file.

Yes, there was a lot of opposition. I don't recall getting any comments from the Neskonlith the first go around, but you recall the lengthy referral response we got from the KNC. (I scanned it and attached it for your convenience). s.13, s.16
I didn't
give the proponent a copy of KNC's letter, but I described the issues in great detail, and also gave them Dora Gunn's contact info.

The request for the Temporary Permit is now needed so that the proponent can go ahead and do the environmental and traffic assessments, etc., to meet the various concerns. It would not make sense to disallow the application for the temporary permit due to the concerns voiced by the Neskonlith, s.13 because that is why they need the temporary permit: To get on the land and do these assessments.

Would you please be able to relay the previous letter from KNC to the Neskonlith, and let them know that this Temporary permit is only to allow the proponent on the land to do the assessments, it is NOT to issue a License for an Adventure Park, and it does NOT guarantee that any future license for an Adventure Park will be granted.

It would be extremely useful if Ruth could formally spell out the various concerns and then we can forward them to the client so that they can include them in their assessments.

Let me know if this makes sense, and please call if you need clarification.

Take care,
--Chris

Christine Lohr, R.P.F.
Land Officer
Kootenay Boundary Region
Ministry of Forests, Lands and Natural Resource Operations
845 Columbia Avenue, Castlegar, BC V1N 1H3
Ph: (250) 365-8668 Fax: (250) 365-8568

From: McCuaig, Rieva FLNR:EX
Sent: Monday, October 28, 2013 1:49 PM
To: Lohr, Christine P FLNR:EX
Subject: FW: Adventure Park

Hi Chris, I am assuming this is Illecillewaet Development, file 4405329.

Below is response from Neskonlith FN.

They are looking for update as to the status of application – I remember you saying there was a fair amount of opposition.

Also Ruth is looking for some information, on whether a rezoning app has been applied for (which you may or not know), whether a traffic impact study has been done or is underway?

FNR-2014-00175
Page 66

Does this application have any connection with one underway in the EA process?

Also she is asking about a Licence to Cut – I don't think the proponent has applied for one yet, according to my spreadsheet...

And her note about requesting a PFR, and asking proponent to involve Neskonlith.

Thanks, call if you want to discuss (or email)

R

From: Ruth Thomas [mailto:ruth.thomas@live.ca]

Sent: Friday, October 18, 2013 2:29 PM

To: McCuaig, Rieva FLNR:EX

Subject: Adventure Park

Hi Rieva,

Before I develop a formal response could you please provide an update on the applications current status? For example has a rezoning application been submitted under BL 2200, whether the Traffic Impact Study has been developed whether an Environmental Assessment has been conducted and if an application for a Licence to Cut has been made?

s.16

s.16 we will request at a minimum that an Environmental Assessment be conducted before any trees are cut and that a full PFR be conducted to identify any possible archaeological and cultural/heritage signs. If this is the case, we would request that members of the Neskonlith Indian Band be allowed to participate in both the PFR and as an Environmental Monitor as part of the Environmental Assessment

Thank you

Ruth Thomas
Referrals
Neskonlith Indian Band
461 1st Nations Road
Salmon Arm, BC
V1E 2Z6
Phone: 250-833-0202
Fax: 250-833-0990



Ktunaxa Nation Council - Lands & Resource Agency
7468 Mission Road, Cranbrook, BC V1C 7E6
Tel: (250) 417-4022 :: Fax: (250) 489-2438 :: www.ktunaxa.org

Referral Response

To: Rieva McCualg

KLRA File No.: 3600-10/13-0062

Your File No.: 4405329

Your Project Id.:

Date: April 08, 2013

Re: Revelstoke Adventure Park

Proponent: MFLNRO

Location: 10km East of Revelstoke BC

Background:

Dear Sir/Madam,

The proposed land and resource development activity falls within the territory of the Ktunaxa Nation in south-eastern British Columbia. Ktunaxa Nation has Aboriginal Rights, including Title that are protected under Section 35 of the Constitution Act, 1982 of Canada.

Further the Ktunaxa Nation filed a "Statement of Intent" to negotiate its outstanding Aboriginal Title and Treaty Rights in their traditional territory of December of 1993 and negotiations are ongoing.

Referral Comments

◦ Terrestrial Concerns:

The following issues of concern were identified and require further explanation or assessment:

s.16, s.13

Nakisqnal

Lower Kootenay

St. Mary's

Tobacco Plains



Klunaxa Nation Council - Lands & Resource Agency
7468 Mission Road, Cranbrook, BC V1C 7E6
Tel: (250) 417-4022 :: Fax: (250) 489-2438 :: www.klunaxa.org

Referral Comments

s.16, s.13

f

Nakisgnak

Lower Kootenay

St. Mary's

Tobacco Plains



Ktunaxa Nation Council - Lands & Resource Agency
7468 Mission Road, Cranbrook, BC V1C 7E5
Tel: (250) 417-4022 :: Fax: (250) 489-2438 :: www.ktunaxa.org

Referral Comments

s.16, s.13

In summary, this is a substantial development which will convert a large area to predominately recreational use, which when coupled with other overlapping and adjacent recreational activities (ski hill, bike trails, etc.), could result in some adverse cumulative effects to wildlife (e.g., harlequin ducks) and wildlife habitats (e.g., riparian, wetland and mature ecosystems), especially within and adjacent to Revelstoke Park and the Illecillewaet River. More careful evaluation of the listed and regionally significant wildlife species using the footprint area, the key wildlife habitats and habitat elements represented (e.g., wildlife trees) and an assessment of the potential impacts of the development on these elements is necessary, in order to determine whether certain proposed activities or features of the project should be dropped or altered to avoid or mitigate impacts.

In closing I request a response that outlines how the information we have provided and other information you may have gathered from your assessment of potential infringements on Aboriginal Rights and Title was used and considered in the decision-making process. If you have any questions, please contact Dora Gunn at 250-417-4022, extension 3115.

Takwaka

Lower Kootenay

St. Mary's

Tobacco Plains



Ktunaxa Nation Council - Lands & Resource Agency
7468 Mission Road, Cranbrook, BC V1C 7E5
Tel: (250) 417-4022 :: Fax: (250) 489-2438 :: www.ktunaxa.org

Regards,

A handwritten signature in cursive script that reads "Dora Gunn".

Dora Gunn
Manager, Lands Stewardship
Ktunaxa Nation Council
250-420-2736
dgunn@ktunaxa.org

Taklaqna

Lower Kootenay

St. Mary's

Tobacco Plains



Ministry File #	4405329
FrontCounter BC File #	ATS 117446

Identifying Protected Archaeological Sites

Revised Oct 2012

Archaeological sites are the physical remains of past human activity. In British Columbia (BC), the importance of archaeological sites is recognized in legislation—the *Heritage Conservation Act* (HCA). It is against the law to alter an archaeological site without a permit. If you are considering development that may impact an archaeological site, you must hire an eligible consulting archaeologist* to determine the steps required to minimize or avoid impacts to the site.

Receipt of this completed form indicates that FrontCounter BC has reviewed the records of the Archaeology Branch to determine if your proposed activities will impact a **protected** archaeological site. By identifying overlaps with archaeological sites early in the planning/development process, costs can be significantly reduced. You should be aware that there are limitations concerning this review and we ask that you read the disclaimer** below.

Your proposal falls into the selected category:

☐ Direct Overlap with a known archaeological site

Provincial records indicate that a protected archaeological site is recorded within, or may extend into, the proposal area.

- It appears your development will result in impacts to this site.
- It is necessary that you hire an eligible consulting archaeologist* to determine the steps in managing impacts to the archaeological site.
- The archaeological impact assessment process is described on the back of this form. For more information, visit the Archaeology Branch website (www.for.gov.bc.ca/archaeology) or contact the Branch at 250-953-3334.
- Any disturbance of an archaeological site without a permit is a breach of the legislation and may result in substantial fines.

☒ Direct Overlap with an area of significant archaeological potential

Provincial records indicate that the proposal area has significant potential to contain an archaeological site protected under the *Heritage Conservation Act* (HCA).

- It is necessary that you hire an eligible consulting archaeologist* to determine if an archaeological impact assessment is warranted.
- The archaeological impact assessment process is described on the back of this form. For more information, visit the Archaeology Branch website (www.for.gov.bc.ca/archaeology) or contact the Branch at 250-953-3334.
- Archaeological sites are automatically protected by the HCA even if they are undocumented. Any disturbance of an archaeological site without a permit is a breach of the legislation and may result in substantial fines.

☐ No record of overlap

Provincial records contain limited information concerning archaeological sites in the proposal area.

- There is a possibility that protected archaeological sites exist in the proposal area, and it is likely that the proposal area has not been assessed for archaeological sites.
- Undocumented archaeological sites are also protected under Provincial legislation. Should the Province receive reliable information at a later date concerning the location of a previously unknown archaeological site, you may be informed at that time that an archaeological impact assessment is required.
- If an archaeological site is encountered during development, activities must be halted and the Archaeology Branch contacted for direction at 250-953-3334.

***Eligible Consulting Archaeologists:** An eligible consulting archaeologist is one who is able to hold a Provincial heritage inspection permit that allows them to conduct archaeological studies. Ask an archaeologist if he or she can hold a permit, and contact the Archaeology Branch (250-953-3334) to verify an archaeologist's eligibility. Consulting archaeologists can be contacted through the BC Association of Professional Archaeologists (www.bcapa.ca) or through local directories.

****Provincial Disclaimer:** The Archaeology Branch of the Province of BC is responsible for the administration of the *Heritage Conservation Act*. It is not administered by FrontCounter BC. In completing this form, FrontCounter BC staff are relying on information provided by the Archaeology Branch. Any questions regarding this document should be directed to the Archaeology Branch at the address and telephone number below or to an eligible consulting archaeologist. The information in this document is based on a search of provincial archaeological records. There are archaeological sites in BC which are unknown and not recorded in these records. The Province makes no representations or warranties with respect to the accuracy or completeness of this information. Persons relying upon it do so at their own risk.



Ministry of Forests, Lands and Natural Resource Operations

INVESTIGATIVE PERMIT – ADVENTURE TOURISM REPORT

TENURE: New ☒ Replacement ☐ Amendment ☐ Cancellation ☐

FILE NUMBER: 4405329

LEGAL

- That part of the remainder of the Northeast 1/4, Section 32, Township 23, Range 1, W6M, Kootenay District; that part of Section 33, Township 23, Range 1, W6M, Kootenay District; that part of the remainder of the NW 1/4, Section 33, Township 23, Range 1, W6M, Kootenay District, that part of RW over Section 34, Township 23, Range 2, W6M, Kootenay District and parts of Section 33, Township 23, Range 1, W6M, Kootenay District, as shown on Plan 11280 filed in Nelson Land Title Office; together with unsurveyed Crown land in the vicinity of Greeley Creek, Kootenay District, more particularly shown on the Legal Description Schedule and containing 284.0 hectares more or less

LOCATION

- 10km East of Revelstoke

REPORTED DATE

- February 20, 2014

APPLICANT LEGAL NAME:

- Illecillewaet Development Limited Partnership (IDLDP)

ADDRESS:

- PO Box 963
Revelstoke, BC V0E 2S0

CONTACT NAME (if corporation):

- Jason Roe

CONTACT NUMBERS: (250) 837-7442, (250) 837-7424

EMAIL ADDRESS: jroe@blktie.ca

AGENT NAME:

- n/a

PROPERTY TAX:

- N/A

CORPORATE REGISTRY:

- Corporate Registry in good standing (print on file)

BC ASSESSMENT ON FILE: ☐ n/a**BCA**

- n/a

LAND TITLE ON FILE: ☐ n/a**INSPECTED**

- NFI

LAND USE

- Research and Assessments

AREA

- 284 hectares +/-

MAP SHEETS

- 82L.100 / 82M.010

FOREST/PROVINCIAL FOREST

- Arrowhead Provincial Forest

ALR

- Partly, yes

HOUSE NO.

- n/a

CONFLICTS

- 4403775 – Revelstoke Mountain Resort Limited Partnership (RMR) – Development Agreement for Alpine Skiing, Commercial Recreation Area (CRA). RMR provided its consent to the proposed Adventure Park via the Adventure Tourism Operator Input Form (ATOIF) signed by Tom Gaglardi November 16, 2012 (ATOIF located in Appendix 7 of the management plan for the Adventure Park).

This consent was based on the fact that there would be no conflict due to different seasons of operation. This consent is thus transferable to the Investigative Permit, as its purpose is to support the proposed Adventure Park, and the investigative activities would occur in the snow-free season, thus not affecting the Alpine Skiing operation.

- 4490047 – Map Reserve for Alpine Skiing: This Map Reserve was amended in 2006 to add areas that Mt Mackenzie Ski Resort suggested might be logical areas for possible expansion of the ski resort in the future. Because Revelstoke Mountain Resort (RMR) holds the agreement for the Mt. Mackenzie Ski Resort, and they have already consented to the overlap for an Adventure Park, there would be no concern.
- C;1000591 – Mineral / Placer Reserve. No conflict anticipated.
- T;330232 – Placer Reserve, No conflict anticipated
- Lands file 0349134 and Water licensed work, ID# 288529513 – These are the *Land Act* and *Water Act* authorities, respectively, for a Water Line (tenure holder: City of Revelstoke). The water line crosses the application area, and connects to the water intake / treatment plant located ~500m outside of the subject area (to the east). There are concerns from the Interior Health Authority and the City of Revelstoke regarding the protection of water intake infrastructure and contamination of drinking water (see Referral summary below). For the purposes of an Investigative Permit, there is no conflict, but there will be a Proviso to protect the licensed waterworks, and a Limitation that the water line has prior rights. The proponent will be provided with a map showing the location of the water structures.
- 4400957 and 4400987 – Canadian Pacific Railway (CPR) licenses of occupation for communication sites. No conflict anticipated.
- TR0433T009 – Active trapline. No conflict anticipated.

REFERRAL SUMMARY

Agency Referrals

- Canadian Pacific Railway (CP), Frank Gulas, Right of Way Representative for Western Canada: e-mail dated October 29, 2013:
 - 1) IDLP has no authority to cross CP's railroad tracks, as the current agreement is for a private crossing only, and the authority is not transferable for the use proposed. IDLP will need to apply for a temporary crossing permit. A grade separated crossing may be required for unfettered public access.
 - 2) The proposed "Mountain Road" is a concern: CP has experienced slope failures in this general area and supports the Ministry's position regarding concerns over terrain stability. The investigative work must not adversely affect CP operations and safety.
 - 3) There is currently no authorized or approved access to the Crown lands off Greeley Road across the CP track and right of way. Any access to date that may have been used is trespass. Right of way access control must be addressed (e.g. keeping mountain bikes, etc off of CP's right of way. Fencing gates may need to be established at the operator's expense).

This information will be relayed to the proponent in the Final Review Letter.

- Ministry of Forests, Lands and Natural Resource Operations (MFLNRO), Habitat Management, Cory Legebokow: Approval of project supported, subject to conditions:

- 1) The investigation must be compliant with the *Riparian Area Regulations* (RAR). No vegetation alteration or development would be allowed within 30m of a stream, unless an assessment has been completed by a Qualified Environmental Professional (QEP);
- 2) Vegetation alteration must comply with the *Wildlife Act*, for example, to protect nesting birds. A QEP may need to do a bird nest survey if alterations are proposed during April 1 – July 31 nesting period.
- 3) In-stream works require authority under the *Water Act*.

The information regarding complying with RAR, *Wildlife Act* and *Water Act* will be relayed to the proponent in the Final Review Letter.

- Interior Health Authority, Southern Interior, Clare Audet: No objection to approval of project, subject to conditions:
 - 1) The proximity to the Greeley Creek Watershed, water intake and water treatment plant requires that the proponent's development and activities are done so as to mitigate risk to the drinking water system;
 - 2) Source protection documentation must be reviewed and followed if activities are to occur in the area of concern.
 - 3) Attached was a detailed letter from Rob Fleming, Specialist Environmental Health Officer (letter dated November 7, 2013):
 - a) The Greeley Creek Watershed is the City of Revelstoke's primary source of drinking water. It is paramount to protect this from contamination or deterioration.
 - b) The City of Revelstoke is heavily invested in the preservation and oversight of the Greeley Creek Watershed. They recently completed the Greeley Creek Watershed Source Assessment and Protection Plan.
 - c) The proposed tenure area is outside of the mapped watershed catchment area by ~300m; however, contours used to generate this map may not be accurate enough to ensure the areas do not overlap.
 - d) He strongly recommends that the tenure boundary relative to the proximity of the watershed catchment be reviewed prior to allowing activities.
 - e) The proposed activities (trails, access roads) may lead to new access into the watershed if boundaries and activities are loosely controlled or if trails continue further into the catchment area. This is a concern due to the City's water intake structure and its vulnerability to human activities
 - f) To manage the watershed's drinking water, the proponent needs to ensure there is a source protection plan. Boundaries must be outside of the watershed and adhered to.

As per permission from Rob Fleming, I forwarded the letter to the Jason Roe on December 19, 2013. The recommendations made by Interior Health will be listed in the Final Review Letter. The proponent will be advised to direct research towards these issues.

- Ministry of Environment, Nelson, Brad McCandlish (e-Referral response): Interests unaffected.
- MFLNRO, Resource Operations, Columbia Forest District (Revelstoke): No objection to approval of project subject to conditions:
 - 1) An Occupant License to Cut will be required prior to any cutting;
 This will be a Proviso in the Permit. To ensure consistency, I will send MFLRNO timber tenures staff in Revelstoke an informational e-mail explaining the potential request for a cutting authority, and the need to consider the existence of the water line and the proximity to the Greeley Creek Community Watershed and water intake.
- MFLNRO, Recreation Sites and Trails, Revelstoke, Ken Gibson: No objection to approval of project, subject to conditions:
 - 1) Public access should not be restricted.
 This is a condition of the Permit, and this will be reiterated in the Final Review letter.
- City of Revelstoke, Chris Selvig: No objection to approval of project subject to conditions:
 - 1) The Greeley Creek catchment is a drinking water source for the City. Applicant must clearly identify the catchment area boundary to ensure that all work related to this temporary application occurs outside of this boundary and has no potential of impacting the drinking water source, even if it takes place outside of the boundary.
 The proponent will be informed of the City's concerns, and it will be recommended that identifying the catchment area boundary is a primary research goal. It is acknowledged that the City desires the catchment area boundary to be identified prior to any Investigative activities; but this requirement is felt to be excessively onerous.
 Current legal requirements in the FRPA *Forest Planning and Practices Regulation* prohibit road building and timber harvesting within a 100 m radius upslope of a licensed waterworks where the water is diverted for human consumption, unless the timber harvesting or road construction will not increase sediment delivery to the intake. (See excerpt of Regulation attached at the end of this report.)
 Therefore, it will suffice to require the same level of constraint for this Permit. There will be a Proviso that the proponent cannot cut trees, drill, or cause mechanical ground disturbance within a 100m radius upslope of the licensed waterworks, unless a QEP has prescribed that a closer distance would not increase sediment delivery to the intake.
- MFLNRO, Resort Development Branch (Kamloops), Ben Sampogna: No objection to approval of project, subject to conditions:
 - 1) Project overlaps with Rocky Mountain Resort's (RMR's) Controlled Recreation Area (CRA), issued under the All Seasons Resort Policy. They are broadly supportive of the project, provided that there is a letter of consent from RMR allowing the proponent to operate within the CRA.

- 2) Any tenures established within the CRA overlap area should be tenures issued under the existing RMR Master Development Agreement (MDA), administered by the Mountain Resort Branch;
- 3) Public use may be affected in the future if the proponent seeks tenuring for the Adventure Park, after the Temporary Permit expires.

RMR provided its consent to the proposed Adventure Park via the Adventure Tourism Operator Input Form (ATOIF) signed by Tom Gaglardi November 16, 2012 (ATOIF located in Appendix 7 of the applicant's management plan).

As a standard clause within the Temporary Permit, and also for Licenses of Occupation, public access to Crown land must not be restricted. The proponent will be informed of this, and asked to consider how this will be managed and ensured if they re-apply for a license of occupation in the future for the Adventure Park.

Regarding the comment that the Mountain Resort Branch should be administering any tenures within the CRA overlap, this is an internal government issue. The issue will be identified to the Section Head of Land Authorizations.

- Ministry of Transportation and Infrastructure (MOTI), Rocky Mountain District, Cranbrook, Alley Bates: Interests unaffected.
- Columbia Shuswap Regional District (CSRD), Development Services, Jan Thingsted: No objection to approval of project, subject to conditions:
 - 1) The proposed adventure park is in an area zoned "Rural" in Rural Revelstoke Land Use Bylaw No. 2200 and designated "Rural Resource" in Electoral Area "B" Official Community Plan (OCP). No concerns with the research activities, but a re-zoning and OCP amendment would be required for the proposed commercial use.
 - 2) The area is within the Commercial Development Permit Area and Watercourse Development Permit area identified in the OCP and will require applicable permits prior to any construction.

This information will be provided in the Final Review Letter.

First Nations and Archaeology

- An engagement letter was sent to First Nations on October 8, 2013.
- An e-mail from Ruth Thomas, Neskoniith Indian Band, was received on October 18, 2013, in which the following concerns were identified:
 - 1) The application will be strongly objected, considering the concerns of so many.
 - 2) They request a full environmental assessment (EA) and full preliminary field reconnaissance (PFR) prior to any trees being cut, to identify any possible

archaeological and cultural heritage signs, and request that members of the Neskonlith participate in these.

- Rieva McCuaig responded to these concerns, stating that we aware of the concerns and issues, and that the Temporary Permit was needed so that the proponent could get on the land to do the assessments. It was confirmed that the issuance of the Permit does not guarantee that a License for an Adventure Park would be granted in the future.
- There were no other responses from FN. FN Consultation Record is on file, dated February 12, 2014, signed by Rieva McCuaig. No specific accommodation is required, as FN did not specify infringement of aboriginal rights.
- However, Rieva recommended that the results of archaeological assessments be shared with FN. Additionally, she recommended that the proponent engage the Neskonlith directly to build a relationship with them, and involve them in the environmental assessments.
- Based on these recommendations, the proponent will be given the Neskonlith contact information, and will be advised to involve them in the environmental assessments. Additionally, the request for EA prior to tree cutting will be shared with Timber Tenures staff in Revelstoke, so that when the proponent applies for an Occupant License to Cut, MFLNRO staff will be aware of FN requests. The proponent will be advised of request for an EA prior to cutting in the Final Review Letter.
- A PFR over the high potential areas of of the proposed Adventure Park area was already conducted in 2012 (see Splatsin PFR report on file). A digital copy of this was forwarded to Rieva McCuaig on February 19, 2014, so she could share it with other FN.

DISCUSSION

- In January 2013, the proponent applied for a License of Occupation for the "Revelstoke Adventure Park", which was to include ~ 280 hectares of Crown land, in combination with his adjacent private land. The Adventure Park would provide the following summer recreational activities to clients: tree-top adventures, mountain coasters, bungee jumping, zip-lining, hiking, mountain biking, horse-back riding, river rafting, sky swing, and rock climbing. The improvements planned were: an access road winding its way up the steep terrain to a higher elevation point, gazebos, portable sanitation units, and eventually a chairlift, sky swing, heli-pad and full-service mountain lodge.
- June 27, 2013: The application was disallowed due to several significant reasons (see Disallowance letter on file):
 - 1) Terrain instability concerns around the proposed road;
 - 2) Concerns about impacts to the Greeley Creek Watershed and on the City of Revelstoke's drinking water;

- 3) City of Revelstoke does not provide support or direction until the boundary extension process is concluded and until the proposed development is satisfactorily incorporated into RMR's master development agreement;
 - 4) The proposed land use conflicts with Columbia Shuswap Regional District zoning and official community plan;
 - 5) Mountain Resorts Branch, Columbia Shuswap Regional District and City of Revelstoke require clarification on how the proposed development will be incorporated into RMR's master development agreement;
 - 6) MOTI requires a permit for commercial access off of the highway which would necessitate a Traffic Impact Study and any highway upgrades to be completed;
 - 7) MOTI does not approve of the raft put-in site at Albert Canyon Bridge as it is located on a MOTI reserve; and
 - 8) Concerns regarding wildlife, wildlife habitat and cumulative effects voiced by First Nations.
- On August 19, 2013, the proponent applied for an Investigative Permit in order to conduct research on the Crown land relating to the recently disallowed license application. This is the subject of this report. The permit is requested so that he can address the various reasons for disallowance.
 - The Temporary Permit Management Plan included the following information:
 - 1) Research would involve hiking through the land to study and assess terrain stability of the proposed boundaries. Drilling, tree cutting and brush clearing may be required on some for the investigations.
 - 2) The topics of research would be:
 - a) "Mountain Road" –proposed 2.8 km road which was identified as having terrain stability issues;
 - b) Mountain bike area – terrain will be studied and possible trails will be marked
 - c) Wildlife study – a QEP will conduct a study including assessment of the potential impacts of the proposed commercial development.
 - d) Bungee Centre – a study will assess the suitability of the proposed Bungee Centre.
 - The application was advertised in the local newspaper on October 9 and 16, 2013. No public comments were received.
 - Concerns from internal and external agencies were brought forward during the Referral process. It is important to understand that the current application is for investigations activities only, not for commercial activities. Additionally, the issuance of this Investigative Permit would not guarantee that any future application for the Adventure Park will be approved. Therefore there is low risk in issuing this Investigative Permit.

- Despite the low risk of these investigations, the referral process was able to identify some additional key issues that should be considered in planning the Adventure Park:
 - 1) Interior Health and the City of Revelstoke confirmed that, even if the proposed Park is outside of the mapped Community Watershed, there are still concerns regarding the City's drinking water. The actual watershed catchment area needs to be clearly identified so that the Adventure Park can be located outside of it. Additionally, access to water intake structure outside of the proposed park would need to be controlled, and a source protection plan must be developed;
 - 2) Canadian Pacific Railway (CP) identified the need for access control over CP's railroad tracks; and
 - 3) First Nations identified the need for an environmental assessment.

These three topics were not included in the Management Plan and so the proponent will be strongly encouraged to include them in the research.

- The applicant requires access to the land for analyses, inventories and other investigations. No buildings or improvements were requested or are authorized. Therefore it is recommended that a 2-year Investigative Permit be offered.

VALUATION

- As per Section 7.2.1 of the Adventure Tourism Operational Policy, the minimum annual rent for two years is \$500.

RECOMMENDATIONS

TENURE

- I recommend issuing an Investigative Permit for Research and Assessment purposes

TERM

- 2 years

CONSIDERATION

- Rent: \$500, prepaid for the term.
- Replacement Fee: \$n/a
- Amendment Fee: \$n/a
- Back Rent: \$n/a

INSURANCE

- \$2 million dollars general liability insurance

PERFORMANCE GUARANTEE

- As per Section 9.3 of the Adventure Tourism Operational Policy, \$1000 is normally required for License of Occupation and Leases. However, as this is an short-term Investigative Permit with mostly low-impact activities, no Security Deposit is deemed to be necessary.

- According to the management plan, drilling or tree cutting may be required for some of the investigations, but there will be Provisos and legal restrictions that adequately control these more invasive activities (ie., Cutting authority required, no activities within 100m of water intake).

SURVEY

- n/a

PRECONDITIONS (for Notice of Final Review)

- None

PROVISOS (for tenure document)

- Please add the following provisos:

- **IMPROVEMENTS (Must pick one option below only).**

For non-Aquatic use Boilerplate or one of the following:

- ☒ **Per Management Plan – Dry – Generic**

For all non-aquatic tenures with Management Plan - only this option is applicable.

- **CUT OR REMOVE TIMBER (Optional pick):**

You must not cut or remove timber on or from the Land without:

- ☒ **Granted the Right**

Use when there is a low risk of timber being harvested without proper authority

- **RESTORE SURFACE (Must pick one option below only):**

You must restore the surface of the Land:

- ☒ **As per Commencement Date**

- **REMOVE HAZARDOUS SUBSTANCES (Must pick one option below only):**

Remove from the Land all Hazardous substances

- ☒ **Under This Agreement**

- **ADDITIONAL FREE FIELD PROVISOS:**

- a) You must ensure that your activities do not damage the licensed waterworks located within your tenure area;
- b) You must not cut trees, drill, or cause mechanical ground disturbance within a 100m radius upslope of the licensed waterworks, unless a Qualified Environmental Professional has prescribed that a closer distance would not increase sediment delivery to the intake;

LIMITATIONS

- Please add the following Limitation:
 - 1) You agree with us that the *Land Act* tenure (Lands file 0349134) and *Water Act* authority (Water licensed work, ID# 288529513) for a Utilities / Water Line, held by the City of Revelstoke, has prior rights.

MANAGEMENT PLAN (supply cover page if applicable)

- On file. Cover page must be signed by the proponent and returned to us.

INFORMATION TO INCLUDE IN NOTICE OF FINAL REVIEW

- For your information, Columbia Shuswap Regional District (CSRD) staff have noted that the proposed adventure park is in an area zoned "Rural" in Rural Revelstoke Land Use Bylaw No. 2200 and designated "Rural Resource" in Electoral Area "B" Official Community Plan (OCP). No concerns with the research activities, but a re-zoning and OCP amendment would be required for any future commercial use. Additionally, the area is within the Commercial Development Permit Area and Watercourse Development Permit area identified in the OCP and would require applicable permits prior to any construction.
- You are reminded that you must allow public access to the land without interference, and this is a standard clause within the Temporary Permit, and also for Licenses of Occupation. You may consider how public access will be managed and ensured if you re-apply for a license of occupation in the future for the Adventure Park.
- For your information, there is an existing licensed water work located in the northern part of your tenure area and water intake / water treatment structures located 500m outside (to the east). Attached is a map identifying the location of these structures. Your activities must not damage these licensed water work structures.
- Please be advised that during the referral process for this application, we received information that we strongly encourage you to incorporate as additional research under this Investigative Permit, in addition to the topics already included in your management plan:
 - a) An Environmental Assessment (EA) is recommended due to concerns regarding certain values such as ecology, wildlife, terrain, and cultural heritage. It is strongly recommended that an EA be completed prior to any tree cutting.
 - b) Concerns regarding the protection of drinking water: you are encouraged to direct research towards clearly identifying the *actual* (not mapped) watershed catchment area boundary. This will assist in ensuring that future tenure boundaries are outside of the watershed and are adhered to. Additionally, there is concern that proposed commercial activities (trails, access roads) may lead to new access into the watershed if boundaries and activities are loosely controlled or if trails continue further into the catchment area. This is a concern due to the City of Revelstoke's water intake structure and its vulnerability to human activities. For any future contemplated Adventure Park in close proximity to the drinking water infrastructure, you will need to ensure there is a source protection plan.

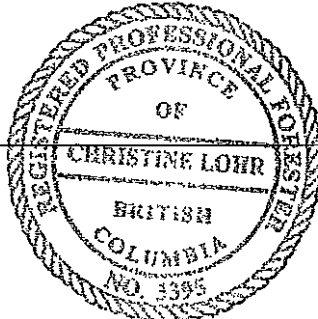
- c) Right of way access control over Canadian Pacific Railroad tracks should be addressed (e.g. keeping mountain bikes, etc off of CP's right of way). Research should be directed towards exploring how this access control could be achieved.
- Please note that prior to any tree cutting or brush cutting, you will require authority under the *Forest Act*. Please contact MFLNRO staff in Revelstoke at (250) 837-7611 to obtain the proper authorization.
- In order to develop a relationship with the Neskonlith Indian Band and in order to better understand First Nations concerns, the Province encourages you to contact Ruth Thomas of Neskonlith Indian Band at (250) 833-0202. Ruth recommends that you involve members of their band in the environmental assessment.
- Please note that the investigation must be compliant with the *Riparian Area Regulations* (RAR). No vegetation alteration or development would be allowed within 30m of a stream, unless an assessment has been completed by a Qualified Environmental Professional (QEP);
- Additionally, vegetation alteration must comply with the *Wildlife Act*, for example, to protect nesting birds. A QEP may need to do a bird nest survey if alterations are proposed during April 1 – July 31 nesting period.
- You are also reminded that in-stream works require authority under the *Water Act*.
- Please also note that Canadian Pacific Railways (CP) has informed us that:
 - 1) IDLP has no authority to cross CP's railroad tracks, as the current agreement is for a private crossing only, and the authority is not transferable for the use proposed. IDLP will need to apply for a temporary crossing permit. A grade separated crossing may be required for unfettered public access;
 - 2) CP has experienced slope failures in this general area and expressed concern that investigative work must not adversely affect CP operations and safety;
 - 3) There is currently no authorized or approved access to the Crown lands off Greeley Road across the CP track and right of way. Any access to date that may have been used is trespass. Right of way access control should be addressed (e.g. keeping mountain bikes, etc off of CP's right of way. Fencing gates may need to be established at the operator's expense).

NOTE TO PORTFOLIO ADMINISTRATOR

- Please attach to the Final Review Letter:
 - a) Map showing location of licensed water works and water intake.

Christine Lohr

Christine Lohr, RPF
Land Officer
Kootenay Boundary



**Excerpt from the *Forest Planning and Practices Regulation*
under *Forest and Range Practices Act (FRPA)***

Protecting water quality

- 59** An authorized person who carries out a primary forest activity must ensure that the primary forest activity does not cause material that is harmful to human health to be deposited in, or transported to, water that is diverted for human consumption by a licensed waterworks.

December 2004 (B.C. Reg. 580/2004)

Licensed waterworks

- 60** (1) An authorized person who carries out a primary forest activity must ensure that the primary forest activity does not damage a licensed waterworks.
- (2) An authorized person must not harvest timber or construct a road in a community watershed if the timber harvesting or road construction is within a 100 m radius upslope of a licensed waterworks where the water is diverted for human consumption, unless the timber harvesting or road construction will not increase sediment delivery to the intake.

December 2004 (B.C. Reg. 580/2004)

Excavated or bladed trails

- 61** An agreement holder who
- (a) carries out timber harvesting, and
 - (b) constructs an excavated or bladed trail in a community watershed
- must ensure that doing so does not cause sediment that is harmful to human health to enter a stream, wetland or lake from which water is being diverted for human consumption by a licensed waterworks.

December 2004 (B.C. Reg. 580/2004)

Roads in a community watershed

- 62** (1) To prevent interference with the subsurface flow path of a drainage area that contributes to a spring that is a source of water for a licensed waterworks, the minister may
- (a) identify a spring in a community watershed,
 - (b) specify a distance from the spring within which a person who constructs a road must not locate the road, and
 - (c) permit a person who constructs a road to locate the road closer to the spring than the distance specified under paragraph (b).
- (2) If the minister does not specify a distance under subsection (1) (b), a person who constructs a road must not locate the road closer than a 100 m radius upslope of the spring identified under subsection (1) (a), unless the construction does not interfere with the subsurface flow path of a drainage area that contributes to the spring.

December 2004 (B.C. Reg. 580/2004)

[illegible]

From: Lohr, Christine P FLNR:EX
Sent: Friday, February 21, 2014 9:31 AM
To: Farrell, Brent FLNR:EX; McPherson, Brian FLNR:EX
Subject: Occupant License to Cut that may be applied for, by Jason Roe (Illecillewaet Development LP), re: Investigative Permit under Lands File 4405329
Attachments: Licensed Water Works Relative to 4405329.pdf; 4405329_TenureMap.pdf

Good morning!

You are probably aware that the above company applied for an Adventure Tourism license last year "Revelstoke Adventure Park", ~ Jan 2013, located near the Greeley Creek Watershed. Their application was disallowed for a number of reasons.

The proponent (Jason Roe) has now recently applied for an Investigative Permit, so he can do research and try to resolve issues that led to the disallowance. We are recommending that a 2-year Investigative Permit be issued to the client. (not issued yet**offer needs to be accepted, and needs government signature.)

*****Just a heads up that they will likely be applying for an Occupant License to Cut, as some of the assessments may require some tree cutting / brush clearing.***

Some of the assessments planned are:

- Engineer to review field location of proposed "Mountain Road", which is located on steep, unstable terrain. Drilling, tree cutting and brush clearing may be required.
- Mountain bike park / specialist to try to mark out planned bike routes. Again, possibly some tree cutting may be involved.
- Wildlife / environmental assessment by a QEP

The Investigative Activities will likely just involve field reconnaissance, and so the activities are fairly low impact. However, due to concerns raised during agency referrals and FN consultation, we included the following requirements:

1. Legal Requirement to obtain a cutting authority prior to any tree cutting
2. Due to proximity to the Greeley Creek Watershed and water intake / treatment structures (see attached map), City of Revelstoke expressed concern about investigative activities that could affect their drinking water. As such, I included a Proviso in the Investigative Permit that is similar to Section 60 FPPR. The proviso states:

You must not cut trees, drill, or cause mechanical ground disturbance within a 100m radius upslope of the licensed waterworks, unless a Qualified Environmental Professional has prescribed that a closer distance would not increase sediment delivery to the intake;

And we have strongly recommended the following : (not a requirement):

3. Concern from Neskonlith about tree cutting, and they desired a full Environmental Assessment prior to cutting trees. They also asked their band members could be involved in the EA, and act as environmental monitors. A preliminary field reconnaissance (PFR) of the "high archaeological potential" areas has been conducted, with no findings. Because the Neskonlith did not specify any aboriginal right infringement, and because a PFR was

conducted, we are not going to require the proponent to do the EA prior to cutting. However, we have strongly encouraged the proponent to build a relationship with the Neskonlith, and contact them, and involve them in an EA prior to tree cutting.

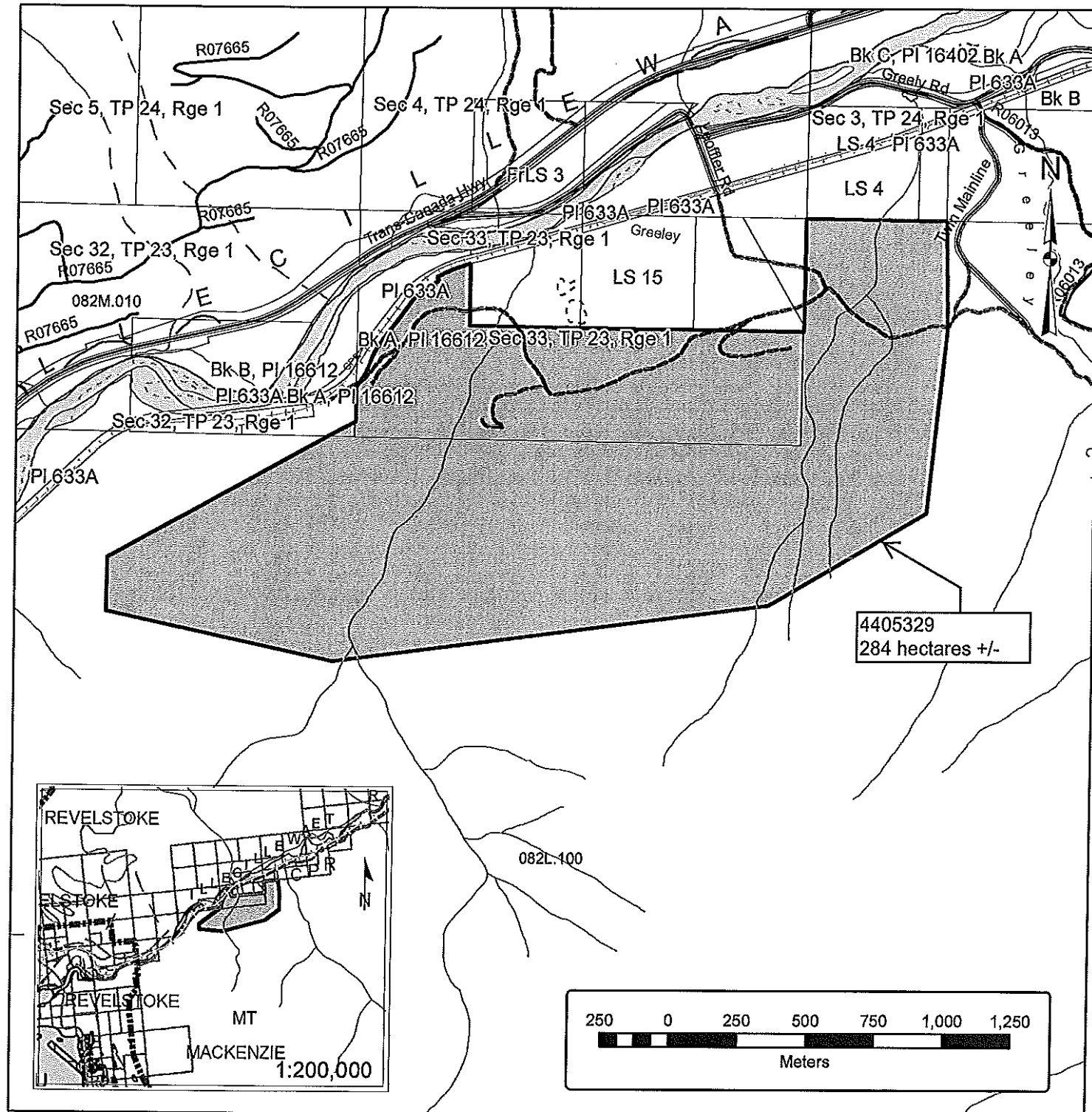
Bottom line here is that the amount of tree cutting will likely be quite minimal, but I just wanted to inform you of the issues in the *Land Act* tenure, for your consideration when issuing the cutting authority.

Please call or email me if you have any questions or concerns.

Kind Regards,

Christine Lohr, R.P.F.
Land Officer
Kootenay Boundary Region
Ministry of Forests, Lands and Natural Resource Operations
845 Columbia Avenue, Castlegar, BC V1N 1H3
Ph: (250) 365-8668 Fax: (250) 365-8568

That part of the remainder of the Northeast 1/4, Section 32, Township 23, Range 1, W6M, Kootenay District; that part of Section 33, Township we, Range 1, W6M, Kootenay District; that part of the remainder of the NW 1/4, Section 33, Township 23, Range 1, W6M, Kootenay District, that part of RW over Section 34, Township 23, Range 2, W6M, Kootenay District and parts of Section 33, Township 23, Range 1, W6M, Kootenay District, as shown on Plan 11280 filed in Nelson Land Title Office; together with unsurveyed Crown land in the vicinity of Greeley Creek, Kootenay District, more particularly shown outlined in red below and containing 284.0 hectares more or less



MFLNRO KB Consultation Record

Land File: 4405329

ATS Project: 117446

Temporary Permit

Revelstoke, BC

Table 1: Project Overview

ACTIVITY TYPE: The activity is a Temporary Permit - Adventure Tourism, further to the <i>Land Act</i> .
PROJECT DESCRIPTION: The intended use of the Crown land is to conduct research relating to their recently disallowed Adventure Tourism application for an Adventure Park. Research will involve proponent and consultants walking / accessing the proposed tenure area, and may possibly involve access for drilling (see attached management plan from the proponent). The proponent advises that if tree removal is required, that they will apply for a Licence to Cut. An application for a Licence to Cut would be referred to First Nations.
PROVINCIAL APPROACH: Single-agency decision <input checked="" type="checkbox"/> or Multi-agency project <input type="checkbox"/>
PROPONENT: Illecillewaet Development LP (Jason Roe), PO Box 963, Revelstoke BC VOE 250 Phone: (250)-837-7442 or Email: jroe@blktie.ca
BCGS Map Ref (1:20,000): 82M 010 and 82L 100
AREA Size: 282 hectares, more or less
PROVINCIAL GOVERNMENT CONTACT PERSON: Rieva McCuaig, First Nations Relations, <i>Ministry of Forests, Lands and Natural Resource Operations</i> at Phone: (250) 426-1713 or E-mail: Rieva.McCuaig@gov.bc.ca

Table 2: Provincial Authorizations

Activity	Legislation, Tenure Type and Term	Area Size	Agency Responsible & Decision Maker (position)	File Number & Application Status
To conduct research relating to their recently disallowed Adventure Tourism application for an Adventure Park	<i>Land Act</i> : Temporary Permit, 2-year term	Approx area 282 ha +/-	MFLNRO Lands	Date Accepted: 2013-09-04 Enclosed in this package <input checked="" type="checkbox"/> File: 4405329

TABLE 3. Preliminary Assessment

First Nation	Information Sources Considered	Known or Identified Aboriginal Interest	Strength of Claimed Aboriginal Right/Title:	SOC Level	Potential Impact/ Concern Identified	Impact Level
Ktunaxa Nation Council	CAD, RAAD, and information contained on 12495-20 series of FN files, in Lands filing system. RAAD indicates areas of high archaeological potential within proposed tenure area.	Rights to hunt, fish, gather and carry out cultural practices.	Rights: Low. It is likely that the Ktunaxa made occasional use of this area to practice aboriginal Rights. Title: Low as tenure is subject to overlap with other nations, making exclusive occupation of land unlikely. There is no evidence in reports on file of continuous occupation in and about 1846.	Low Low		Low
Neskonlith	CAD, RAAD, and information contained on 12495-20 series of FN files, in Lands filing system. RAAD indicates areas of high archaeological potential within proposed tenure area.	Rights to hunt, fish, gather and carry out cultural practices.	Rights: Low. It is likely that Neskonlith made occasional use of this area to practice aboriginal Rights. Title: Low as tenure is subject to overlap with other nations, making exclusive occupation of land unlikely. There is no evidence in reports on file of continuous occupation in and about 1846.	Low Low		Low
Adams Lake Indian and	CAD, RAAD, and information contained on 12495-20 series of FN files, in Lands filing system. RAAD indicates areas of high archaeological potential within proposed tenure area.	Rights to hunt, fish, gather and carry out cultural practices.	Rights: Low. It is likely that Adams Lake Indian Band made occasional use of this area to practice aboriginal Rights. Title: Low as tenure is subject to overlap with other nations, making exclusive occupation of land unlikely. There is no evidence in reports on file of continuous occupation in and about 1846.	Low Low		Low

Splatsin	CAD, RAAD, and information contained on 12495-20 series of FN files, in Lands filing system. RAAD indicates areas of high archaeological potential within proposed tenure area.	Rights to hunt, fish, gather and carry out cultural practices.	Rights: Low. It is likely that Splatsin made occasional use of this area to practice aboriginal Rights. Title: Low as tenure is subject to overlap with other nations, making exclusive occupation of land unlikely. There is no evidence in reports on file of continuous occupation in and about 1846.	Low Low		Low
Shuswap Indian Band	CAD, RAAD, and information contained on 12495-20 series of FN files, in Lands filing system. RAAD indicates areas of high archaeological potential within proposed tenure area.	Rights to hunt, fish, gather, and carry out cultural practices.	Rights: Low. It is likely that the Shuswap made periodic use of this area to practice aboriginal Rights. Title: Low as tenure is subject to overlap with other nations making exclusive occupation of land unlikely. There is no evidence in reports on file of continuous occupation in and about 1846.	Low Low		Low
Okanagan Nation Alliance Okanagan Indian Band	CAD, RAAD, and information contained on 12495-20 series of FN files, in Lands filing system. RAAD indicates areas of high archaeological potential within proposed tenure area.	Rights to hunt, fish, gather, and carry out cultural practices.	Rights: Low. It is likely that members of the ONA made occasional use of the area to practice aboriginal Rights. Title: Low. Tenure is subject to overlap with other nations, making exclusive occupation of land unlikely. There is no evidence in reports on file of continuous occupation in and about 1846.	Low Low		Low

TABLE 4. Aboriginal Concerns and Accommodations Tracking Table

First Nation	Consultation Stage	Aboriginal Concerns	Analysis of Potential Impact/ Concern Identified	Potential Accommodation
Ktunaxa Nation Council	All	None identified.	No concerns identified.	Accommodation not suggested, however results of archaeologist work should be shared with First Nations.
Shuswap Indian Band	All	None identified.	No concerns identified.	Accommodation not suggested, however results of archaeologist work should be shared with First Nations.
Okanagan Nation Alliance Okanagan Indian Band	All	None identified.	No concerns identified.	Accommodation not suggested, however results of archaeologist work should be shared with First Nations.
Adams Lake Indian Band	All	None identified.	No concerns identified.	Accommodation not suggested, however results of archaeologist work should be shared with First Nations.
Neskonlith	All	Oppose the application, as well as the previous application for Adventure Park (which Province disallowed, same Land file number 4405329). Have archaeological and environmental concerns.	Neskonlith have not provided the Province with their Aboriginal Interests specific to the proposed area but have expressed concerns related to archaeology and environment. According to RAAD, there are areas of high archaeological potential within the application area. The Province has requested the applicant retain eligible consulting archaeologist to determine if archaeological assessment necessary. Regarding environmental concerns, the proponent has been told that the Adventure Park application was disallowed and one reason was lack of information with respect to wildlife and habitat. As part of current temporary permit application, applicant proposes to conduct an assessment of listed and regionally significant wildlife species and habitats. Province had further asked for a design which mitigates impacts to these resources and dependent wildlife species. The assessment of the potential impacts of this project on these elements is considered necessary by Province in order for proponent to determine whether the proposed activities or features should be omitted or altered to avoid or mitigate impacts.	Accommodation not suggested, however results of archaeologist work should be shared with First Nations. Also, Land Officer to advise proponent that Neskonlith would like to be contacted prior to archaeological work or environmental assessment work (wildlife assessment) be initiated.
Splatsin	All	None identified.	No concerns identified.	Accommodation not suggested, however results of archaeologist work should be shared with First Nations.

TABLE 5. Analysis of First Nations Consultation**First Nation:** Shuswap Indian Band**Preparation - Phase 1****Suggested Level of Consultation:**

Notification: The ethnohistoric record does not support the argument that the Shuswap Indian Band made preferred use of the project area.

Engagement - Phase 2**Level of Consultation:**

Notification: the Shuswap Indian Band did not respond.

Accommodation - Phase 3**Accommodation Required?**

No. However Front Counter BC has advised applicant that they need to retain eligible consulting archaeologist to determine if an archaeological assessment is required. Any report submitted to MFLNRO should be shared with First Nations.

Decision and Follow-up - Phase 4**Consultation Sufficient?**

Yes: the consultation level has been consistent with the assessment of potential impacts.

Other Issues**Other Issues**

None identified.

Recommendation for Decision Maker(s)**Consultation and Accommodation Sufficient?**

Yes: the consultation level has been consistent with the assessment of potential impacts.

TABLE 5. Analysis of First Nations Consultation**First Nation:** Ktunaxa Nation Council**Preparation - Phase 1****Suggested Level of Consultation:**

Level 2 SEA: The ethnohistoric record does not support the argument that the Ktunaxa Nation made preferred use of the project area.

Engagement - Phase 2**Level of Consultation:**

Level 2 SEA: the Ktunaxa Nation Council did not respond.

Accommodation - Phase 3**Accommodation Required?**

No. However Front Counter BC has advised applicant that they need to retain eligible consulting archaeologist to determine if an archaeological assessment is required. Any report submitted to MFLNRO should be shared with First Nations.

Decision and Follow-up - Phase 4**Consultation Sufficient?**

Yes: the consultation level has been consistent with the assessment of potential impacts.

Other Issues**Other Issues**

None identified.

Recommendation for Decision Maker(s)**Consultation and Accommodation Sufficient?**

Yes: the consultation level has been consistent with the assessment of potential impacts.

TABLE 5. Analysis of First Nations Consultation

First Nation: Okanagan Nation Alliance, Okanagan Indian Band**Preparation - Phase 1**

Suggested Level of Consultation:	Notification: The ethnohistoric record does not support the argument that the ONA, Penticton Indian Band, Okanagan Indian Band or Lower Similkameen Indian Band made preferred use of the project area.
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Engagement - Phase 2

Level of Consultation:	Notification: Neither the ONA nor Okanagan Indian Band responded.
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Accommodation - Phase 3

Accommodation Required?	No. However Front Counter BC has advised applicant that they need to retain eligible consulting archaeologist to determine if an archaeological assessment is required. Any report submitted to MFLNRO should be shared with First Nations.
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Decision and Follow-up - Phase 4

Consultation Sufficient?	Yes: the consultation level has been consistent with the assessment of potential impacts.
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Other Issues

Other Issues	None identified.
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Recommendation for Decision Maker(s)

Consultation and Accommodation Sufficient?	Yes: the consultation level has been consistent with the assessment of potential impacts.
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TABLE 5. Analysis of First Nations Consultation**First Nation:** Adams Lake Indian Band**Preparation - Phase 1****Suggested Level of Consultation:**

Notification: The ethnohistoric record does not support the argument that Adams Lake Indian Band made preferred use of the project area.

Engagement - Phase 2**Level of Consultation:**

Notification: Adams Lake Indian Band did not respond.

Accommodation - Phase 3**Accommodation Required?**

No. However Front Counter BC has advised applicant that they need to retain eligible consulting archaeologist to determine if an archaeological assessment is required. Any report submitted to MFLNRO should be shared with First Nations.

Decision and Follow-up - Phase 4**Consultation Sufficient?**

Yes: the consultation level has been consistent with the assessment of potential impacts.

Other Issues**Other Issues**

None identified.

Recommendation for Decision Maker(s)**Consultation and Accommodation Sufficient?**

Yes: the consultation level has been consistent with the assessment of potential impacts.

TABLE 5. Analysis of First Nations Consultation

First Nation: Neskonlith**Preparation - Phase 1****Suggested Level of Consultation:**

Notification: The ethnohistoric record does not support the argument that Neskonlith made preferred use of the project area.

Engagement - Phase 2**Level of Consultation:**

Notification: Neskonlith responded by email (Ruth Thomas, referrals) asking for an update on application status, and if an application for a Licence to Cut had been made. Also that Neskonlith strongly object to application as there was objection to the previous application for Adventure Park (same Land file number 4405329). Neskonlith ask that if Temporary Permit is to go forward, that an Environmental Assessment be conducted before any trees are cut and that a full PFR be conducted to identify any possible archaeological and cultural/heritage signs. Further Neskonlith requested that members of the Neskonlith Indian Band be allowed to participate in both the PFR and as an Environmental Monitor as part of the Environmental Assessment. Neskonlith also ask that no trees be cut prior to the environmental assessment (wildlife assessment) be carried out. Rieva McCuaig First Nations Relations MFLNRO replied that temporary permit, if approved, would allow proponent to conduct assessments and would not ensure a Licence of Occupation for Adventure Park would be granted. Rieva advised she would share with Lands Staff Neskonlith's request to be involved in PFR and environmental monitoring, and concern regarding timing of tree cutting. Rieva also asked Neskonlith to provide information on their Aboriginal Interests relative to the application area.

Accommodation - Phase 3**Accommodation Required?**

No. However Front Counter BC has advised applicant that they need to retain eligible consulting archaeologist to determine if an archaeological assessment is required. Any report submitted to MFLNRO should be shared with First Nations. Also, Land Officer to advise proponent that Neskonlith would like to be contacted prior to archaeological work or environmental assessment work (wildlife assessment) be initiated.

Decision and Follow-up - Phase 4**Consultation Sufficient?**

Yes: the consultation level has been consistent with the assessment of potential impacts.

Other Issues**Other Issues**

None identified.

Recommendation for Decision Maker(s)

Consultation and Accommodation Sufficient?	Yes: the consultation level has been consistent with the assessment of potential impacts.
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TABLE 5. Analysis of First Nations Consultation**First Nation:** Splatsin**Preparation - Phase 1**

Suggested Level of Consultation:	Notification: The ethnohistoric record does not support the argument that Splatsin made preferred use of the project area.
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Engagement - Phase 2

Level of Consultation:	Notification: Splatsin did not respond.
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Accommodation - Phase 3

Accommodation Required?	No. However Front Counter BC has advised applicant that they need to retain eligible consulting archaeologist to determine if an archaeological assessment is required. Any report submitted to MFLNRO should be shared with First Nations.
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Decision and Follow-up - Phase 4

Consultation Sufficient?	Yes: the consultation level has been consistent with the assessment of potential impacts.
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Other Issues

Other Issues	None identified.
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Recommendation for Decision Maker(s)

Consultation and Accommodation Sufficient?	Yes: the consultation level has been consistent with the assessment of potential impacts.
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TABLE 6. Communications Log

First Nation	Source (e.g. who sent First Nation a letter or attended a meeting)	Type of communication	Date	Comments
Splatsin	MFLNRO	Engagement letter	October 8, 2013	
Neskonlith	MFLNRO	Engagement Letter	October 8, 2013	Ruth Thomas of Neskonlith responded by email on October 18, 2013, asking for update on application's current status. Ruth stated that the application will be strongly objected to by Neskonlith because Neskonlith are opposed to the application of an adventure park (disallowed by Province, same Land file 4405329). Ruth stated if this Temporary Permit is to go forward we will request at a minimum that an Environmental Assessment be conducted before any trees are cut and that a full PFR be conducted to identify any possible archaeological and cultural/heritage signs. If this is the case, Neskonlith also requests that members of the Neskonlith Indian Band be allowed to participate in both the PFR and as an Environmental Monitor as part of the Environmental Assessment. Rieva McCuaig First Nations Relations MFLRNO Cranbrook replied to Ruth by email on November 14, 2013 and again on February 12, 2014 as a follow up. Rieva provided information from the Provincial land Officer to Ruth regarding the application, and advised that the temporary permit, if approved, would allow proponent to do assessments, and would not guarantee a Licence of Occupation for Adventure Park. Rieva advised that Neskonlith's requests for PRF and participation in that and in environmental monitoring would be shared with Lands staff. In the follow up email Rieva asked also that Neskonlith provide Province with their Aboriginal Interests for the application area.
Shuswap Indian Band	MFLNRO	Engagement letter	October 8, 2013	
Ktunaxa Nation Council	MFLNRO	Engagement letter	October 8, 2013	
Okanagan Nation Alliance Okanagan Indian Band	MFLNRO	Engagement letter	October 8, 2013	
Adams Lake Indian Band	MFLNRO	Engagement letter	October 8, 2013	

Signature Block

Consultation Record Prepared by:	Consultation requirements are considered to be adequate for the following decision(s):	Date:
Rieva McCuaig, First Nations Relations, MFLNRO Cranbrook Office 	Land Act tenure	February 12, 2014
Prepared for:	Decision:	Date:
Land Act Statutory Decision Maker	Land Act tenure	