

FW: Powder Renegade Lodge Proposal

From: Walker, Andrew FLNR:EX <Andrew.Walker@gov.bc.ca>
To: Neu, Dianna G FLNR:EX <Dianna.Neu@gov.bc.ca>
Sent: March 9, 2021 2:15:27 PM PST
Received: March 9, 2021 2:15:28 PM PST
Attachments: image001.png

From: Walker, Andrew FLNR:EX
Sent: January 4, 2021 9:31 AM
To: 'boundaryalliance'
Subject: RE: Powder Renegade Lodge Proposal

Happy New Year Al-

I don't like to read into things too much but realize the referral process is always contentious and groups or individuals often slip through the cracks. Call any time.



Andrew Walker, Wildlife Biologist

Ministry of Forests, Lands, Natural Resource Operations and Rural Development; 102 Industrial Pl, Penticton BC, V2A 7C8
Andrew.Walker@gov.bc.ca

From: boundaryalliance <boundaryalliance@gmail.com>
Sent: December 29, 2020 9:08 AM
To: Walker, Andrew FLNR:EX <Andrew.Walker@gov.bc.ca>
Subject: Powder Renegade Lodge Proposal

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hi Andrew, Best of the Season, just to provide you with a link to pages just up on our boundaryalliance website. Feel free to pass it along.

https://www.boundaryalliance.org/ba_033.htm

You had mentioned that Mowat might be a person of interest to talk to. One of our group did contact him a few weeks ago and he had not been made aware of the Proposal. It prompted an email by one of our group to Govt, which brought a reply from Paul Rasmussen, Assistant Deputy Minister, South Area, as follows in part:

“In your email, you mention concern that the application referral process is not being followed because Garth Mowat was not made aware of this application. It is important for you to know that while Mr. Mowat used to work within the region, he is now a provincial specialist. Lands applications are referred to specialists within the region who are most familiar with the area. In this case, the application was referred to specialists within the Kootenay Boundary Region, which does not include Mr. Mowat. If a regional specialist requires support of provincial specialists, they may choose to engage, but it is not a requirement. Therefore, I can assure you the referral process on this application is occurring in an appropriate manner and there is no reason Mr. Mowat would or should be aware of it”

It seems to be that this is a clear message to Mowat to keep his nose out of it as Rasmussens email copied to Mowat and his bosses. Am presuming therefore that Govt intends to ignore info from someone perhaps more knowledgeable about the area and its wildlife concerns, than those it did ask for comment. Hopefully this will bite back at some point. I don't know if the item I highlighted in Rasmussens reply gives some opening?

I have posted links to a couple of Mowats Studies on our web pages, along with others.

Have a couple of other questions for you so will try to call you this week,

thanks,
al grant

FW: Reference Number: 567403 - Province of BC Referral Request on an Adventure Tourism application

From: Walker, Andrew FLNR:EX <Andrew.Walker@gov.bc.ca>
To: Neu, Dianna G FLNR:EX <Dianna.Neu@gov.bc.ca>
Sent: March 9, 2021 2:15:38 PM PST
Received: March 9, 2021 2:15:39 PM PST
Attachments: image002.png, image001.png, act.kmz



Andrew Walker, Wildlife Biologist

Ministry of Forests, Lands, Natural Resource Operations and Rural Development; 102 Industrial Pl, Penticton BC, V2A 7C8
Andrew.Walker@gov.bc.ca

From: McKay, Ariana FLNR:EX
Sent: January 4, 2021 3:15 PM
To: Walker, Andrew FLNR:EX
Subject: RE: Reference Number: 567403 - Province of BC Referral Request on an Adventure Tourism application

Hey Andrew!

How did the holiday season treat your family?

Did you and Lisa chat about this referral for a cat ski operation (kml of area attached). Lisa passed this one onto me so I'm happy to chat and include your comments with my referral response.

Cheers,

Ariana McKay MSc, RPBio

Terrestrial Habitat Biologist, Kootenay Boundary Region

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

Phone: 250-420-6293

From: Tedesco, Lisa M FLNR:EX <Lisa.M.Tedesco@gov.bc.ca>
Sent: December 7, 2020 9:16 AM
To: McKay, Ariana FLNR:EX <Ariana.McKay@gov.bc.ca>
Subject: FW: Reference Number: 567403 - Province of BC Referral Request on an Adventure Tourism application

Hi Ariana

Thanks for taking this one on. I am attaching four emails for background. First email in string is FW: habitat..., 2nd in string is RE: habitat....., and final in string is RE: Tenure.... Authorizations officer contacted us first and then the applicant. Many in the community are opposed (email #4)

Andrew Walker and the wildlife bios from the Okanagan will likely have input and so will Garth Mowat. The application area borders Granby Park so Keith Baric, parks planner, will also be commenting. Tim may want to pitch in for water too and may be worth talking to Natasha to get the watershed hazard assessment results. I had told Andrew that he can send us his comments and we will submit.

I did look through quickly. The EIA (buried as appendix 1 at the back of the tenure plan) is totally inadequate. Impacts of winter roads on predator movements and therefore ungulates not addressed; impacts of new road

excavation on grizzly bear and invasive plants plus increased human access in general not discussed. I am sure there is more.

It is a difficult application because there aren't any "show stoppers" but many smaller items, cumulative impacts. I have already requested a 30-day extension. Good luck and any questions let me know.

Lisa Tedesco, Acting Section Head
Terrestrial Section, Kootenay Boundary Region
Phone: 778-671-9183 Fax: (250) 354-6332

* Please note my regular work schedule is Tuesday - Friday

From: ENV Nelson Referrals ENV:EX <ENVNelsonReferrals@gov.bc.ca>
Sent: November 19, 2020 10:30 AM
To: Tedesco, Lisa M FLNR:EX <Lisa.M.Tedesco@gov.bc.ca>
Subject: Reference Number: 567403 - Province of BC Referral Request on an Adventure Tourism application

Hi Lisa,

Could you please provide comments for the following referral by Thursday, December 17, 2020.

Thank you.

Tia Scott-Joe
Administrative Assistant
Ministry of Forests, Lands, Natural Resource Operations and Rural Development
Kootenay-Boundary
#401-333 Victoria Street, Nelson, BC V1L 4K3
Phone: (778)671-9193
Email: (Tia.D.ScottJoe@gov.bc.ca)



From: FrontCounterBC@gov.bc.ca <FrontCounterBC@gov.bc.ca>
Sent: November 17, 2020 1:08 PM
To: ENV Nelson Referrals ENV:EX <ENVNelsonReferrals@gov.bc.ca>
Subject: Province of BC Referral Request on an Adventure Tourism application

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

Adventure Tourism/Commercial Recreation
Referral Number: 127018044 - 006
Reference Number: 567403
Request Sent: November 17, 2020
Response Due: December 17, 2020

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.

Proponent: POWDER RENEGADE LODGE INC.

Contact Name: Cassandra Frances Penney

Mailing Address: 303-567 Yates Road, Kelowna BC V1V 2V4

Email: powderrenegade@gmail.com

Tenure Type: Adventure Tourism Cat Ski Operation - 3 files, one lease and 2 licences. Water Sustainability Act authorization has been applied for under ATS #568162 and an Occupant Licence to Cut application will be made at a later date.

The proposed tenure boundary is 60km northwest of Grand Forks and 70km southeast of Kelowna; adjacent to the south western border of Granby Provincial Park between the Kettle River and Granby River. The area has been extensively logged and has an excellent existing road network with many existing cut blocks that present great skiing opportunities. Area under application was previously tenured by Powder Outfitters heli-ski operation that operated from 1994 to 2012.

The proposed project includes a lease over approximately 15 hectares of Crown land for a remote lodge and ancillary improvements (file # 4406147), a licence over approximately 8,847 hectares of Crown land for guided cat-skiing activities (file # 4406148), and a licence for a roadway for access purposes (file # 4406149).

BCGS Mapsheet: 82E/047 and 82E/057

Legal Description: Unsurveyed crown land in the vicinity of Granby Provincial Park.

Size (Area) in ha. (approx.): 8,847 ha+/-

Schedule/Term Of Proposal: 30 years

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 technical assistance with e-Referrals, please contact fbcbtechsupport@gov.bc.ca

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.

Sharon Dailey

FrontCounter BC
Land Officer

(250) 426-1753

sharon.dailey@gov.bc.ca

FW: PRL GAR etc

From: Walker, Andrew FLNR:EX <Andrew.Walker@gov.bc.ca>
To: Neu, Dianna G FLNR:EX <Dianna.Neu@gov.bc.ca>
Sent: March 9, 2021 2:15:56 PM PST
Received: March 9, 2021 2:15:57 PM PST
Attachments: prl_proposal.pdf

Andrew Walker, Wildlife Biologist

Ministry of Forests, Lands, Natural Resource Operations and Rural Development; 102 Industrial Pl, Penticton BC, V2A 7C8

Andrew.Walker@gov.bc.ca

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

From: boundaryalliance <boundaryalliance@gmail.com>
Sent: January 6, 2021 3:28 PM
To: Walker, Andrew FLNR:EX <Andrew.Walker@gov.bc.ca>
Subject: PRL GAR etc

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

hi Andrew, because web site was acting unstable, put updated material on attached PDF.

This version includes some up to date roads mapping.

An interactive app on Commons BC showing progressive logged area since 1965 may be of interest. Hope to call you tomorrow.

thanks, al

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FW: Comments on PRL Proposal 4406147, 4406148. 4406149

From: Walker, Andrew FLNR:EX <Andrew.Walker@gov.bc.ca>
To: Neu, Dianna G FLNR:EX <Dianna.Neu@gov.bc.ca>
Sent: March 9, 2021 2:16:09 PM PST
Received: March 9, 2021 2:16:10 PM PST
Attachments: image001.png, PRL submission incl email.pdf



Andrew Walker, Wildlife Biologist

Ministry of Forests, Lands, Natural Resource Operations and Rural Development; 102 Industrial Pl, Penticton BC, V2A 7C8
Andrew.Walker@gov.bc.ca

From: boundaryalliance@gmail.com
Sent: January 13, 2021 2:02 PM
To: Dailey, Sharon H FLNR:EX
Subject: Comments on PRL Proposal 4406147, 4406148. 4406149

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

To attn Sharon Dailey,

For those who might prefer it, this email is copied/attached to our PDF as Appendix, page 12.

We attach our PDF comments re this proposal and urge rejection.

We have additional concerns that we expect to take to another, political, public level but some general concerns follow.

The process to inform the public is completely inadequate. It is even more inadequate in this time of Covid where the opportunity for public gatherings, even person to person contact, is a risk.

We have further referred to timing of the application in our attached concerns. Dependence on miniscule ads in local papers is farcical. Given reduced newspaper usage/subscriptions it is capable of informing few. Applications in this category could/should also require signage be posted at a prominent access location(s) that would be main access points to the lands in question. In the PRL case a clearly suitable location would have been Westbridge. Such notice is the norm in Municipalities re proposed development, small and large, and is clearly possible under 5.4.1 of Land Procedure Allocation Procedure guidelines. The timing and notification issues suggest an intent to bypass and avoid public response.

The numerous shortcomings in providing reasonable public notification require that responses be tallied and be multiplied by a significant factor, with the clear understanding that responses are from only a small number of informed responders.

A comment on goat. Contrary to information given by proponents, there has been Limited Entry Hunting for goat in the MU. While accurate information is hard to come by as to the presence and frequent locations of goat, that is in large part due to observers having to spend inordinate amounts of time scanning for their presence. It is also the case that some observers, Guides and other hunters, do not wish to reveal their knowledge re specific viewings any more than they would

wish to reveal their favourite fishing holes. Given goat sensitivity to human activities, greater sensitivity even than Grizz, this application and its disturbances would make any further use of this area by goat, highly unlikely

A comment on economics. The Proponents suggest that their proposal fits within the “required balance of social, economic and environmental values” in the KBHL Plan.

Crown Land Allocation policies repeatedly refer to consideration of social, economic, and environmental issues. The mantra of “Balance” is invariably brought up by proponents, politicians and bureaucrats.

Lets look at “balance”: Balance is an evocative word, it makes us think of fairness, reasonableness, impartiality, all sorts of warm and fuzzy stuff.

In Allocation and Development, Balance usually means taking a big bite out of the environment with no consideration of cumulative effects (the bites already taken.) or probable future “balancing” bites from other extractive or exploitative “shareholders” given access to public lands in the multiple overlapping tenures that exist thanks to the notion of multiple use. Multiple use is frequently multiple misuse.

We are “balancing” and then “rebalancing” (bite after bite) our natural resources into stressed, damaged and ruined ecological systems to the point that it is threatening our own future well-being. Consideration of social values can be the yelling hordes of offroaders or mountain bikers who demand their right to operate on and damage public lands or other users who see their use of public lands as a right.

The economic benefits touted in this plan completely fail to acknowledge the environmental costs, the GHG costs and more that would identify this type of operation as having a significant detrimental environmental footprint in and outside of the tenure.

Government, particularly in resource issues has had a long time unjustified and massively costly habit of ignoring the “what-ifs” and the “probables” in projects. Government has had a habit of deliberately excluding these from consideration in Reports and Reviews. The Public cost becomes apparent from time to time. Site C will stand as a monument to the failure to consider the what-ifs and the probables, which are those things essential to consider in any risk analysis.

We suggest that even a minor review of the what-ifs and probables of this proposal is enough to warrant rejection of this elitist proposal and its unwarranted ecological footprint.

al grant

boundary environmental alliance

www.boundaryalliance.org

250-446-2372

Sent from Mail for Windows 10

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FW: Powder Renegade Lodge: Crown Land File: 4406147, 4406148, 4406149

From: Walker, Andrew FLNR:EX <Andrew.Walker@gov.bc.ca>
To: Neu, Dianna G FLNR:EX <Dianna.Neu@gov.bc.ca>
Sent: March 9, 2021 2:16:23 PM PST
Received: March 9, 2021 2:16:23 PM PST
Attachments: image001.png



Andrew Walker, Wildlife Biologist

Ministry of Forests, Lands, Natural Resource Operations and Rural Development; 102 Industrial Pl, Penticton BC, V2A 7C8
Andrew.Walker@gov.bc.ca

From: Alpeatt@shaw.ca
Sent: January 15, 2021 10:00 AM
To: Barry Brandow ; 'Jenny Coleshill' ; info@kettlerriverguides.com; Mowat, Garth FLNR:EX ; Walker, Andrew FLNR:EX ; Tedesco, Lisa M FLNR:EX ; Les Gyug ; Reid, Aaron FLNR:EX ; 'Wayne McCrory' ; brucenmclellan@gmail.com
Cc: 'boundaryalliance'
Subject: FW: Powder Renegade Lodge: Crown Land File: 4406147, 4406148, 4406149

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Thought I would send this to you for background and interest.

This is my personal and professional opinion; it does not represent the viewpoint of any organization that I may be engaged with.

Al

From: Alpeatt@shaw.ca <Alpeatt@shaw.ca>
Sent: January 14, 2021 11:55 PM
To: 'sharon.dailey@gov.bc.ca' <sharon.dailey@gov.bc.ca>
Cc: 'FLNR.Minister@gov.bc.ca' <FLNR.Minister@gov.bc.ca>; 'nathan.cullen.MLA@leg.bc.ca' <nathan.cullen.MLA@leg.bc.ca>; 'roly.russell.MLA@leg.bc.ca' <roly.russell.MLA@leg.bc.ca>
Subject: Powder Renegade Lodge: Crown Land File: 4406147, 4406148, 4406149

I object to Powder Renegade Lodge (PRL) proposal for tenure to enable a cat-ski operation in the Main Kettle River drainage. The proponent suggests its proposed business will have minimal impact on the land and wildlife. I see no reason for the public or government to have confidence in that claim.

I was part of the provincial management team that recognized that the Kettle-Granby grizzly bear numbers were perilously low in the 1980s. As a regional wildlife biologist, I worked to protect and conserve the remaining bears, recommending and achieving closure of grizzly bear hunting throughout the Kettle and Granby watersheds by the early 1990s. Later, when road-building for forest extraction ramped up in response to the then-proposed Granby Provincial Park, I worked to establish the still-in-place Granby Motor Vehicle Closure surrounding much of that Park. The closure is in place specifically to protect grizzly bear and other wildlife from public disturbance and, in particular, to reduce the potential for human-bear conflict during the year when bears are active.

The proponent's management plan states, "The KBLUPISP discusses that alpine and sub-alpine areas should be managed to achieve a Recreation Opportunity System (ROS) classification of semi-primitive, non-motorized." Locating a permanent lodge with support infrastructure within active grizzly bear habitat is contrary to the spirit of the vehicle closure, and to the Kootenay-Boundary Land Use Plan. Permanent lodges and their related infrastructure require year-round vehicular access and human occupation. The bear-active period overlaps the anticipated annual business preparatory season as well as the spring ski season (post-den emergence). Disturbance to wildlife will

result, and there will be bear-human conflict—that inevitability cannot be mitigated. Further, contrary to what the PRL management plan implies, grizzly bears are sensitive to disturbance in their dens during winter. Dens may be habitually used and are typically located in subalpine and alpine glades. Dens should simply be avoided.

PRL states it “has no plans to extend its operation beyond backcountry skiing and snowboarding.” Having no plans is not the same as plainly stating that PRL will not use its lodge during bear-active times. When the investment in an expensive lodge is made, simple economics will drive future demand for extending its use into summer and fall recreational opportunities (witness Big White and its ongoing golf course proposals).

Grizzly bear in the PRL area is federally identified as at risk (Special Concern). It is contingent on the Province to manage land and habitat in ways that supports recovery of at-risk species, to keep those listed as Special Concern from becoming Threatened or Endangered. Science has shown that the earlier hunting closures, park establishment, and the Granby Motor Vehicle Closure has resulted in considerable rebound of grizzly numbers and distribution in the Kettle-Granby population unit (Mowat et al, 2017). It will be a step backward should government accept and support the PRL proposal. I trust that government will have the wherewithal to refuse the venture as proposed and will continue to support effective protection of our grizzly and other wildlife resources in the Kettle-Granby watersheds.

Alan Peatt, RPBio #230, FAPB

Mowat, G., C.T. Lamb, L. Smit, and A. Reid. 2017. The relationships among road density, habitat quality, and grizzly bear population density in the Kettle-Granby area of British Columbia. Prov. B.C., Victoria, B.C. Exten. Note 120. www.for.gov.bc.ca/hfd/pubs/Docs/En/En120.htm

FW: Powder Renegade Lodge

From: Walker, Andrew FLNR:EX <Andrew.Walker@gov.bc.ca>
To: Neu, Dianna G FLNR:EX <Dianna.Neu@gov.bc.ca>
Sent: March 9, 2021 2:16:39 PM PST
Received: March 9, 2021 2:16:40 PM PST
Attachments: image001.png, 567403 Powder Renegade Lodge.docx



Andrew Walker, Wildlife Biologist

Ministry of Forests, Lands, Natural Resource Operations and Rural Development; 102 Industrial Pl, Penticton BC, V2A 7C8
Andrew.Walker@gov.bc.ca

From: McKay, Ariana FLNR:EX
Sent: January 15, 2021 2:30 PM
To: Walker, Andrew FLNR:EX
Subject: Powder Renegade Lodge

Hey again,

Here are my final comments for your records, if needed.

Thank you again for your input. It was super helpful and well written. Can you come here and lead a referral response workshop for Pat? 😊

Ariana McKay MSc, RPBio

Terrestrial Habitat Biologist, Kootenay Boundary Region

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

Phone: 250-420-6293



Referral Number: 127018044 - 006

Referral Type: Adventure Tourism

Summary of Comments

This referral was jointly reviewed by Wildlife, Habitat, and Cumulative Effects Sections of the Resource Management Division. The location of the proposed tenure is occupied, at least seasonally, by many large mammals, furbearers, and sensitive plant communities. These include blue-listed species such as Grizzly bears, Mountain goats, and wolverine along with other socially and culturally important species such as mule deer, moose, elk, white-tailed deer, black bear, and cougar.

The application is within Wildlife Habitat Area 8-373 for Grizzly bears and contributes to corridors/refugia between Greystokes, Gladstone and Granby Parks. Development and increased activities/human presence in this area is likely to compromise habitat values and displace wildlife. Wildlife will move to lower quality habitats if that habitat is used less frequently by backcountry recreationalists. The project will contribute to broad-scale cumulative impacts to large tracks of mountain range and sensitive habitats.

Refusal of this application is recommended due to reasons outlined below.

These are comments based on the information provided by the proponent in the referral package. They do not represent a comprehensive evaluation, rather some advice on what to consider for mitigation of possible negative ecosystem impacts of the proposed works. They also do not remove the obligation of the proponent to comply with ALL applicable laws and statutes.

Grizzly bear

Grizzly bears are provincially blue-listed and Federally identified as Special Concern; there are numerous grizzly bear observation within the application area. The application area is within Wildlife Habitat Area 8-373 for Grizzly bears.

Grizzly bears require access to wide-ranging habitats to meet necessary requirements. They are nutritionally motivated, and their use of habitat can be impacted by human-caused disturbance. Disturbance of grizzly bears and their habitat from increased access, recreational use, human presence as well as the potential harvesting of berries due will reduce habitat effectiveness. Displacement of bears through human disturbance or area avoidance can force individual animals into less desirable habitats.

The grizzly population in the Kettle and Granby River valleys (Kettle-Granby Grizzly Bear Population Unit) of southern British Columbia is considered threatened due to the low number of bears relative to the suitability of the habitat (Mowat et al 2017). Recent research and Forest Practice's Board Review has shown that roads have a strong negative effect on the population (Lamb et al 2018) and need to be addressed (FLNRORD 2018) in order to maintain the viability of the population, respectively. Fragmentation can occur through the construction of roads and trails and the degradation of existing habitat. The proposed tenure area and developments are planned in the center of the Population Unit in highly suitable habitat. It has been recommended that population recovery for the



Kettle-Granby grizzly bear population is possible in a multi-use landscape if management actions target reducing roads, especially in areas of high habitat quality (Lamb et al 2018).

Grizzly bear management and conservation has been designated as a provincial priority (BC Auditor General. 2017). The BC Auditor General report (2017) states: “the greatest threat to grizzly bears is not hunting, but rather, human activities that degrade grizzly bear habitat. For example, there are 600,000 km of resource roads with on the order of 10,000 km more added each year. This expansion allows greater human access into wilderness areas, which results in increased illegal killing of grizzly bears, and greater human-bear conflicts. Yet, long-promised resource road legislation that could address this risk is not yet in place.”

The proposal to improve and maintain year-round use into the area is not aligned with species recovery and is likely to disturb or displace this threatened species. Reduced habitat effectiveness can reduce the number of overall grizzly bears that an area can support (McLellan and Shackleton 1988). Roads, and potentially trail construction, is believed to be one of the biggest threats to both individual animals and grizzly bear populations (COSEWIC 2002). The adjacent drainages (i.e., Granby Provincial Park) provide suitable habitat, thus maintaining connectivity and avoiding disturbance is critical to support grizzly bear health, population size, genetic diversity as well as immigration and emigration potential. Fragmentation of populations is identified as a threat to sustaining bear populations and can lead to genetic isolation. Fragmentation can occur through the construction of roads and trails and the degradation of existing habitat.

Recommendation:

The proposal is likely to remove functioning grizzly bear habitat and displace grizzly bears. The proposed activities are not supported due to risk of diminishing the value of grizzly bear habitat and not being aligned with species recovery strategy.

If the application is approved, additional information and mitigation measures are required on key grizzly bear habitat areas, as well as deliberate planning to maintain functional linkages/habitat connectivity. Discuss mitigation strategies for business preparation season. Can grizzly bear dens be identified prior to snowfall, and then avoided for the subsequent season?

Mountain Goats

Mountain goats are a provincially blue-listed species at risk and were observed in the application area. Mountain Goats in the Granby range have been documented since initial monitoring efforts were initiated in the early 80's and small numbers persist in the proposed tenure area year-round (Miller 1984, Wilson and Morley and 2007). These populations have been at risk of extirpation and quality winter range has been identified as an important component required to maintain the viability of the population (Wilson and Morley 2007). There has not been an assessment of Mountain Goats in the Granby since 2006 and surveys should be conducted to identify both the extent of the population and the location of both occupied and suitable winter range.



Winter recreation and cat ski developments within those ranges would likely facilitate the movement of predators and possible extirpation of those populations. Mountain goats show high sensitivity to helicopter disturbance. Behavioural response of mountain goats to helicopter disturbance ranges from weak (e.g., increased vigilance), to strong (e.g., severe flight response to escape terrain and temporary abandonment of range), and is inversely related to the distance of the helicopter from the group (Poole 2010). Wildlife are stressed in winter due to increased energetic demands and reduced forage availability. Increased human presence, facilitated predator movements, and helicopter use will exacerbate winter stress on mountain goats.

Recommendation

The proposal is likely to reduce the quality of mountain goat winter habitat and could displace goats, especially with helicopter use. The proposed activities are not supported due to risk of increasing stress on mountain goats and diminishing the value of mountain goat habitat.

If the application is approved, additional information and mitigation measures are required on key mountain goat habitat areas, as well as deliberate planning to maintain functional linkages/habitat connectivity. A mountain goat management plan which details helicopter use (flight paths, number of flights, distance from mountain goat habitat), recreation mitigation measures, etc. is requested.

Undertake a formal inventory of mountain goat populations in the proposed tenure area to determine winter populations and suitable winter habitat. If approved avoid activity in occupied mountain goat winter range or suitable winter mountain goat habitat.

Wolverine

The proposed tenure area supports wolverine; a species which requires access to wide ranging and diverse habitat. Wolverines are “vulnerable to direct and indirect impacts of recreation during winter, as they remain active through the winter, naturally occur at low densities, have low reproductive rates, and enter reproductive dens within deep snowpack during the winter recreation season” (Heinemeyer et al. 2017). Wolverines show high aversion behavior for both motorized and non-motorized human presence. Motorized access allows for higher intensity of human use across a larger footprint. “Wolverines avoided areas of both motorized and non-motorized winter recreation and off-road recreation elicited a stronger response than road-based recreation” (Heinemeyer et al. 2019).

Wolverine habitat loss or fragmentation due to recreation is of concern; displacement may “affect the reproductive and survival fitness” (Heinemeyer et al. 2017). Wolverines react more negatively to higher levels of human use; higher levels of human activity results in higher levels of habitat loss (Heinemeyer et al. 2017). These effects may be exacerbated with climate change due to reduced snowpack and shortened winter season resulting in concentrated areas of recreation (spatially and temporally) which overlap with wolverine habitat (Heinemeyer et al. 2017).

Recommendation:

There is a lack of data on wolverine occupancy and use in this area. Disturbance and increased human activity are not supported in this area given the existing values and importance of undisturbed areas to support Wolverine populations.



If the application is approved, additional information on wolverines is required to establish a baseline. The area should be assessed for reproductive denning and kit rearing habitat.

Mule Deer

Recent data from collared mule deer has shown that mule deer migrate into the proposed tenure area during May to fawn where they capitalize on emergent vegetation in the spring, avoid predation and seek nutritious forage in the summer in order to meet the energetic demands of winter. Deer and elk follow nutritionally-rich forage as it emerges from the melting snowline during migration and mule deer exhibit high fidelity to established migration routes with little individual plasticity in migratory strategy from year-to-year. Timing of autumn migrations in the Granby ranges begins in early October but tends to be less synchronous, vary substantially among individual deer, and is associated with snow depth and cold temperatures.

Mule deer have remained in the proposed development area until early November. The establishment of open roads not only creates a direct negative effect by permanently removing deer forage and creating a potential mortality source but also has indirect effects associated with disturbance including improved access for predators into fawning habitat and increased nutritional costs associated with anthropogenic disturbances.

Recommendation

The environmental management plan should address timing of activities to avoid areas occupied by ungulates, and access management strategies to reduce human access in hunting season.

Plant communities

The proposed area occurs at or above 1700m in elevation, except for a small portion east of Moren and Gable Mountain, and includes significant portions of alpine in the Granby Range. Plant communities at these elevations are generally slow growing and sensitive to disturbance, yet provide valuable nutritional resources required to support large herbivores in the ecosystem.

Recent research in Europe has highlighted the consequences of ski activity on soils and plant communities in the alpine. Not only is there potential for soil disturbance, but compaction can increase erosion and slow green-up due to snow compaction from grooming (see Repe et al 2020). Recovery times from non-permanent disturbance are anticipated to be decades in high-elevation environments. Recovery of vegetation may be prolonged at these relatively cool, exposed, high-elevation sites due to harsh growing conditions. Disturbances that impact the soil profile may also slow recovery as soil formation processes are slow in at these sites.

Recommendation

Disturbance and activities in the alpine/subalpine are not supported. If the application is approved, the development should be relocated to areas that do not overlap alpine/subalpine.



BRITISH
COLUMBIA

Old Growth Management Areas, Whitebark Pine, and Tree removal

Many old growth management areas are located within the proposed tenure area. Old growth areas should not be disturbed, and tree removal would diminish the quality of habitat features. Old growth areas provide high-quality, unique habitat for numerous species. Retaining existing values and minimizing human disturbance in this area is recommended to support habitat values.

Whitebark pine are a federally listed species at risk. Whitebark pine are essential to ecosystem function. They provide important nutrients for birds, small mammals, and foraging grizzly bears. Tree removal is not aligned with species recovery efforts for whitebark pine.

Recommendation

If approved, do not cut whitebark pine and no tree removal should occur in OGMA's (figure 1). See Section 34 of the Wildlife Act regarding tree removal. Remove trees outside of the sensitive nesting period (generally April to August), and check for existing or active nests prior to tree removal. Avoid the removal of large diameter trees (dbh > 30 cm: live and dead), especially deciduous, and that are actively used by wildlife (e.g. contains visible nests and tree cavities).

If works will occur within the breeding bird window (generally April 15 to August 15) the applicant should be aware of requirements under the Migratory Bird Convention Act for addressing incidental take. More information can be found at <https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds.html>

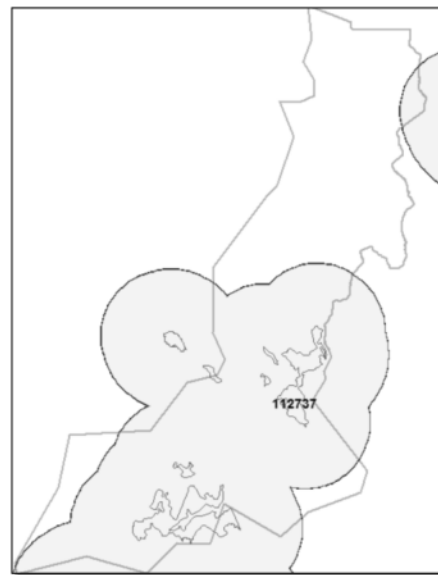


Figure 1 & 2. Old Growth Management Areas (left) and Whitebark pine critical habitat (right) within application area



Access management

The application is within a Motor Vehicle Closure Area, legislated under the *Wildlife Act*. These areas are established to protect wildlife and habitat through minimizing negative impacts of roads and public access. The intention of the regulation that general public access into the area will not be improved. The regulation outlines the intention to restrict motor vehicles for commercial or recreational purposes in order to protect wildlife resources. While snowmobiles are permitted in this closure, snowmobiles and snowcats have different impacts on the landbase and wildlife; snowcats are not exempt from the regulation. While resource extraction industries may build roads into this area, the intention is for access management planning to promptly and permanently deactivate/rehabilitate roads.

Improvements made for this application may increase public access into this area. Some cat roads can become accessible to off-road vehicles such as UTVs, ATVs and dirt bikes. Recreation use in the backcountry is having a larger impact on wildlife than previously believed. A recent article noted that a recent literature review of 274 research articles of backcountry wildlife interactions indicated, “97 percent documented effects on wildlife; two-thirds of those effects were negative” (French 2018). Animals will move to habitats that may be less ideal if that habitat is used less frequently by humans.

Habitat Management does not support increased motorized access; motorized vehicles are highly disruptive to wildlife and are known to cause wildlife to abandon areas of preferred habitat, and experience stress such as fleeing from disturbance (especially problematic during sensitive seasons such as birthing season).

Recommendation

Increased access and motor vehicle use in the Motor Vehicle Closure Area is not supported. If approved, the application tenure boundary should be adjusted to exclude the Motor Vehicle Closure Area. An access management strategy should be developed which also addresses reducing public access (e.g., since roads will be maintained in winter). If approved prevent road use during the spring, summer and fall months, and limit the number of permanent roads in the proposed tenure area. Explore options for habitat offsetting such as road deactivation. Timing of road construction/maintenance to occur outside of sensitive wildlife windows. An access permit will be required if approved.

Invasive plants

The primary risk of concern from the proposed activities is introduction and spread of invasive plants. Invasive plants are typically introduced to British Columbia through human activities. These invasive plants lack natural predators and pathogens that would otherwise keep their populations in check. Invasive plants often establish themselves in soils disturbed from development of roads, utility lines, trails, commercial recreation sites, agriculture, etc. Once established, invasive plants have a tremendous capacity to invade adjacent, undisturbed natural plant communities displace wildlife and disrupt natural ecosystem functions.



Recommendation

If the application is approved, an invasive plant management strategy is required to maintain wildlife values and safeguard forage. The plan should detail methods throughout development activities, operations, and reclamation. Practices should prevent introduction and reduce threat of spread/establishment of invasive plants on site. Invasive plants must be treated prior to any activities, preferably using a qualified professional. Ensure that equipment brought onto site is free of soil and plant material to reduce the possibility of invasive plant species spread/establishment. Revegetate all disturbed sites within one-month of disturbance, or when the ground is thawed. Use a seed mix recommended by a qualified professional that does not spread and invade into native grasslands. The proponent should maintain records of herbicide treatments, and should report invasive plants and treatments using the Report-A-Weed program (<https://www.reportaweedbc.ca/>)

Aquatics

Road building is known to impact watershed health. From the Cumulative Effects Group:

- Note, these results are still under review. This is a GIS-based assessment that provides higher level results at the watershed level.

The goal of the tool is to assess the impacts of multiple disturbances on:

- snowmelt-driven peak streamflow, referred to as the *Streamflow Hazard* in this analysis; and
- sediment generation and transport, referred to as the *Sedimentation Hazard*;

These include impacts from roads. Each watershed has a corresponding hazard rating. The assessment looked at roads close to water and roads on steep coupled slopes as indicator results. These combine with disturbance on gentle over steep slopes to make up the *Sediment Land Use Disturbance* rating (attached map). The main driver in the higher land use disturbance ratings is the roads close to water. Because the other two indicators have low ratings this drives down the Land use rating. Additionally, impacts from these indicators can be reduced by topography and lack of erodible soils so the final Sedimentation Hazard for these watersheds end up being low because there are few steep slopes or rugged terrain and low erodible soils.

From a streamflow hazard perspective the Equivalent Clearcut Area (ECA) indicator is what drove the hazard in the Kettle watershed. Roads are not considered in the ECA, and although it does consider all anthropogenic disturbances, the main one that influences this indicator is harvesting. The ECA results for this area and the final Streamflow Hazard ratings to show that some of these watersheds have higher ECA values and higher Streamflow hazards.

Recommendation

If the application is approved, an environmental management plan should address hazard ratings (e.g., how will the high streamflow hazard be mitigated in Hellroarer Creek and high risk roads close to water in Hellroarer and Cochrane Creek?). Provide best management practices for road building/trail construction which includes: minimize number of stream crossings, construct crossings so that they do not contribute to erosion or sedimentation of streams and require minimal reclamation, maintain water quality and quantity throughout and following development activities relative to baseline conditions, etc.



The environmental management plan should also address:

- roads should be left in a hydrologically stable condition over winter. All roadside ditches, water bars, culverts and road surfaces should be left in a condition to withstand spring freshet water loads.
- Locate watercourse crossings to minimize the removal or disturbance of riparian vegetation.
- The installation of a watercourse crossing is subject to the Provincial Water Sustainability Act and Water Sustainability Regulation, specifically Part 3 of the Regulation: Changes in and About a Stream. The proponent must ensure that they comply with the appropriate legislation. More information on the Regulation can be found here:
http://www.bclaws.ca/civix/document/id/complete/statreg/36_2016#part3
- All watercourses are considered to be fish-bearing unless proven otherwise by a qualified professional. The absence of fish from a single survey does not prove a watercourse or waterbody is non fish-bearing.
- To determine compliance under Section 35 of the Fisheries Act, the proponent must complete a Fisheries and Oceans Canada Self-Assessment for all proposed crossings on watercourses that contain fish that are part of a commercial, recreational or Aboriginal fishery, or fish that support such a fishery. If a qualified professional determines that the proposed activities may contravene Section 35 of the Act, then the proponent may request a project review from DFO. The subsequent review will determine if an Authorization is required for the project.
 - For information the self-assessment process, visit: <http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>
 - Application forms for a DFO review can be found here: <http://www.dfo-mpo.gc.ca/pnw-ppe/reviews-revues/index-eng.html>
- For information on best practices when working in or around water please visit these websites:
 - DFO Measures to avoid causing harm to fish and fish habitat including aquatic species at risk: <http://www.dfo-mpo.gc.ca/pnw-ppe/measures-mesures/measures-mesures-eng.html>
 - BC Ministry of Environment Instream Works BMP: <http://www.env.gov.bc.ca/wld/instreamworks/index.htm>

Environmental Impact Assessment

The current information is inadequate to provide appropriate recommendations on this application. The information provided was obtained through desktop analysis, not field visits, and does not capture all values identified above.

Recommendation

The applicant should obtain a Qualified Professional to produce and Environmental Impact Assessment (with data collection from all seasons), and subsequent Environmental Management Plan which addresses the values above and considers BC's best management practices
<https://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/laws-policies-standards-guidance/best-management-practices>



Permit considerations, if approved

In addition to those recommended throughout the document:

- No spring, summer, or fall use. It should be stressed from the outset that the implications associated with other seasonal use would be very different than what was considered for winter use. No presumption can be made that development of a winter operation is a precursor for acceptance of operations in other seasons. Recommend no future applications for additional use in different seasons.
- No expansion of tenure boundary
- No additional infrastructure
- Requires helicopter access management strategy. Limit on number of helicopter flights per year, on approved flight paths only. For skiing activities only, not to drop clients at the lodge.
- Develop road construction/maintenance plan to reduce impacts to wildlife. Prevent road use during the spring, summer and fall months
- Do not use deactivated/rehabilitated roads; use of open roads only. Deactivation requires significant investment and can be a lengthy environmental process, these efforts will be at risk to be lost.
- Limit the number of permanent roads in the proposed tenure area
- Limit trail development as much as possible with preferences to areas already lacking vegetation (e.g. bedrock, scree, existing roads)
- Minimize soil compaction and erosion by limiting use of snowcats when snow levels are minimal and using lighter equipment (snowmobiles) until the initial base is set and all exposed vegetation is covered.
- Show communication with trappers



Literature Cited

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FW: Powder Renegade Lodge

From: Walker, Andrew FLNR:EX <Andrew.Walker@gov.bc.ca>
To: Neu, Dianna G FLNR:EX <Dianna.Neu@gov.bc.ca>
Sent: March 9, 2021 2:16:46 PM PST
Received: March 9, 2021 2:16:47 PM PST
Attachments: image001.png, Granby AT Tenure Referral Response Letter_ BC Parks_Jan15_21.pdf



Andrew Walker, Wildlife Biologist

Ministry of Forests, Lands, Natural Resource Operations and Rural Development; 102 Industrial Pl, Penticton BC, V2A 7C8
Andrew.Walker@gov.bc.ca

From: McKay, Ariana FLNR:EX
Sent: January 18, 2021 3:21 PM
To: Tedesco, Lisa M FLNR:EX ; Walker, Andrew FLNR:EX
Subject: FW: Powder Renegade Lodge

FYI BC Parks' comments

From: Baric, Keith J ENV:EX <Keith.Baric@gov.bc.ca>
Sent: January 15, 2021 7:29 PM
To: McKay, Ariana FLNR:EX <Ariana.McKay@gov.bc.ca>
Cc: Finlay, Jonathan ENV:EX <Jonathan.Finlay@gov.bc.ca>; Safford, Kirk R ENV:EX <Kirk.Safford@gov.bc.ca>; Weston, Mark R ENV:EX <Mark.Weston@gov.bc.ca>
Subject: RE: Powder Renegade Lodge

Here is our final letter....

Have a great weekend.

k

From: McKay, Ariana FLNR:EX <Ariana.McKay@gov.bc.ca>
Sent: January 15, 2021 2:31 PM
To: Baric, Keith J ENV:EX <Keith.Baric@gov.bc.ca>
Subject: Powder Renegade Lodge

Hey Keith,

My final comments are attached 📎

Ariana McKay MSc, RPBio

Terrestrial Habitat Biologist, Kootenay Boundary Region

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

Phone: 250-420-6293



January 15, 2021

File: 98000-25/GRA-G-9548

Sharon Dailey
FrontCounter BC
Land Officer
(250) 426-1753
Email: sharon.dailey@gov.bc.ca

Re: Referral Number: 127018044 – 014
Proponent: POWDER RENEGADE LODGE INC.
Crown Land Files (Application Stage) 4406147, 4406148 and 4406149.

BC Parks has reviewed this referral package received by our Penticton office on December 1, 2020 and appreciates the opportunity to provide comment.

The Adventure Tourism proposal area lies immediately adjacent to Granby Park (41,156 hectares) and, in its current configuration, interfaces directly with approximately 16 kilometres of the park's southwestern boundary.

Granby Park was established in 1995, after it was recommended for protection as a result of the West Kootenay-Boundary Land-Use Plan (KBLUP). The park protects one of the last intact and roadless watersheds in the southern interior of the province. Today, the park is a critical refugia for a vast array of species, many of which are considered rare, endangered or threatened. However, many of these species (e.g., Grizzly Bear, Wolverine, Mountain Goat) move fluidly across the park's boundaries and are not only reliant on the integral values of the park, but also that of the adjacent landscape attributes as well. In this respect, the park cannot be viewed as an isolate, but intrinsically connected to the surrounding area.

Stressors (such as resource development and recreational activities) taking place external to the park have a direct impact on the park's values. The park on its own cannot be relied upon to maintain adequate ranges or habitat diversity for many species. It is therefore vital that activities taking place adjacent to the

**Ministry of Environment and
Climate Change Strategy**

BC Parks
Kootenay Okanagan Region
BC Parks and Conservation Officer
Service Division

Mailing Address:
102 Industrial Place
Penticton BC V2A 7C8

Telephone: 250 490-8200
Facsimile: 250 490-2231
Website: www.gov.bc.ca/env

park place strong consideration on maintaining habitat values and connectivity in the landscape, and where at all possible, keep human interference/presence to a minimum.

Forest harvesting and associated road development have affected the park's adjacent landscape, but this activity is largely ephemeral, allowing species to re-emerge on the landscape in times of human inactivity while impacted areas are rehabilitating. Whereas multi-seasonal activities and fixed long-term structures/facilities in areas adjacent to the park will undoubtedly force species away from such desirable areas and the default destination would be Granby Park- a finite area with limited ecosystem capacity. In turn, this can lead to negative consequences for the park, including species displacement and behavioral changes, habitat fragmentation, invasive plant spread, increased wildlife use/pressure on sensitive ecological communities, human/wildlife conflict, and ultimately increased species mortality. The key to maintaining landscape level biodiversity is to ensure that peripheral areas to wilderness sites such as Granby Park are given every opportunity to support habitat retention and keep human development to a minimum.

The current Granby Motor Vehicle Closure Area (BC Reg 444/83) illustrates the importance of legislated measures to minimize wildlife impacts related to human activities, as comprehensive research has shown that road density is a key factor in Grizzly Bear population decline. It must be noted that Grizzly Bear recovery in the Kettle-Granby Grizzly Bear population unit cannot be achieved within protected area lands alone, and lands outside parks must be managed for grizzly bears to allow for population growth, migration and immigration, and genetic diversity. Increased use by motorized conveyances in this area will only serve to promote visitation of the area, by both clients of the tenure holder and the general public.

The management plan for Granby Park was approved in 2001 and the zoning for the park in the area adjacent to the proposed tenure is designated as Wilderness Recreation. The management plan zone guidelines state that use within this area of the park is limited to unassisted backcountry recreation opportunities dependent on a pristine environment where no motorized activities will be allowed. It is therefore imperative that adjacent land use activities (that are reliant on motorized conveyances, permanent facilities or structures) strongly consider the wilderness values and sensitive ecological attributes of the park, while also recognizing the park boundary is merely an administrative line, one in which wildlife species are indifferent to. A key facet about the current tenure application is the abundance of planned infrastructure (ski routes, huts/emergency shelters, road access and helicopter drop zones) within fragile alpine and subalpine areas immediately adjacent to the park. Species such as Wolverine and

Mountain Goat frequent such areas and construction and ongoing maintenance of infrastructure could negatively affect those wildlife species, along with disturbing plant communities supporting Whitebark Pine (listed as endangered under the *Species at Risk Act*) that are known to occur at these elevations.

It is BC Parks' perspective that the proposed activities associated this tenure application will place added human-induced pressure on the sensitive ecological values of Granby Park. There is also insufficient detail in the tenure proposal on both the short and long-term development and operational needs of the tenure, and more importantly how those activities will impact species and ecosystems. It is our understanding that our colleagues at the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (Fish/Wildlife and Ecosystems divisions) share our concern over the potential impacts of this proposed tenure. We support their recommendations that additional study/strategies related to wildlife and plant community characteristics be undertaken to more fully understand the influences (both short and long-term) that the tenure would have over the broader landscape. Moreover, we endorse recommendations that infrastructure locations and seasonal operating periods associated with the tenure be reconsidered (based on enhanced study and analysis by qualified professionals) in the context of reducing impacts to the landscape area, including that of the park.

Sincerely,

A handwritten signature in black ink, appearing to read 'KB', with a stylized flourish at the end.

Keith Baric

Planning Section Head - Okanagan

...2

FW: MVCA M.U 8-14

From: Walker, Andrew FLNR:EX <Andrew.Walker@gov.bc.ca>
To: Neu, Dianna G FLNR:EX <Dianna.Neu@gov.bc.ca>
Sent: March 9, 2021 2:17:00 PM PST
Received: March 9, 2021 2:17:01 PM PST

Andrew Walker, Wildlife Biologist
Ministry of Forests, Lands, Natural Resource Operations and Rural Development; 102 Industrial Pl, Penticton BC, V2A 7C8
Andrew.Walker@gov.bc.ca

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

From: Cassandra Penney <powderrenegade@gmail.com>
Sent: February 23, 2021 7:51 PM
To: Walker, Andrew FLNR:EX <Andrew.Walker@gov.bc.ca>
Subject: Re: MVCA M.U 8-14

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Let's plan for Thursday evening - I just got in s.22 , we are available anytime that evening.

Thank you,

Cassandra

On Feb 23, 2021, at 6:29 PM, Walker, Andrew FLNR:EX <Andrew.Walker@gov.bc.ca> wrote:

I can chat at about 8pm or later in the week if that is best. Tomorrow is a long day and won't work for me either.

Andrew Walker; Wildlife Biologist
Ministry of Forests, Lands and Natural Resource Operations; 102 Industrial Pl, Penticton BC, V2A 7C8

On Feb 23, 2021, at 5:29 PM, Cassandra Penney <powderrenegade@gmail.com> wrote:

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hey Andrew,

Are you still available to chat this evening? I have to run out for an hour or so - I am occupied tomorrow evening, but free Thursday and Friday if that works better for you?

Thanks,

Cassandra

Sent from my iPhone

On Feb 22, 2021, at 9:47 PM, Cassandra Penney <powderrenegade@gmail.com> wrote:

Hi Andrew,

Thanks, that would be great.

You can reach me at 250-423-1843.

Best regards,

Cassandra

On Feb 22, 2021, at 9:42 PM, Walker, Andrew FLNR:EX <Andrew.Walker@gov.bc.ca> wrote:

Hi Cassandra- I can try and call later tomorrow if that is ok. I am just out of the office during the day and not back until around 5pm or so.

Sincerely-

Andrew Walker; Wildlife Biologist

Ministry of Forests, Lands and Natural Resource Operations; 102 Industrial Pl, Penticton BC, V2A 7C8

On Feb 22, 2021, at 9:23 AM, Cassandra Penney <powderrenegade@gmail.com> wrote:

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hi Andrew,

My name is Cassandra Penney, and I am the proponent for Powder Renegade Lodge. As you know, our application is currently under the review process by the Province. I have been working with Sharon Dailey, and your name has come up as a contact with respect to the MVCA in which our proposed boundary overlaps a portion of this.

My research has indicated that although this is a year round MV closure, snowmobiles are exempt from this closure between November 1 - May 31. In the act, a snowmobile is described as "a vehicle designed primarily for travel on snow or ice, having one or more steering skis, self propelled and using one or more endless belts or tracks driven in contact with the ground". A snowcat is also a vehicle designed primarily for travel on snow or ice, and is self propelled using one or more endless belts driven in contact with the ground. The only aspect missing are "steering skis".

We would like to discuss the possibility of an exemption from the MVCA for our snowcats to access the MVCA within our proposed boundary, during our operating season from late December - early April each year. This does fall within the exemption period granted for snowmobiles. We would be proposing some snow trails (non-permanent that melt each spring) throughout the area, however, these snow trails are created a day or so before we need access to the area, so we will not be opening this area up for other users to access the locations.

In my opinion, snowcats vs snowmobiles are comparable, however snowcats are super slow (max speed 22km/hr on flat terrain), much quieter, have an EPA Tier 3/4 engine (vs 2 stroke), depending how new we buy snowcats, they stay on trails and actually have a psi rating of .71-.84, and a snowmobile is .55 - so very similar.

Our proposed lodge site is on the far south, almost right on the border of the MVCA, however, within the MVCA. The

only reason for this is because this zone lacks abundant water sources for our lodge, and there is a small lake in proximity to this site. Access to this lodge would be done using non-MVCA roads, and again, we would only be operating in the winter months. The only exemption to non-winter months is during lodge construction. This would be the ONLY area accessed during construction periods, and would cease all non-winter activities when the lodge is built.

I would like to hear your thoughts on this, and to also see what information (maps, management plan, levels of use, etc) that can help you. It may be beneficial for us to talk on the phone, if so, I am usually pretty available.

Thank you very much,

Cassandra Penney
Powder Renegade Lodge
250-423-1843

FW: Exemption

From: Walker, Andrew FLNR:EX <Andrew.Walker@gov.bc.ca>
To: Neu, Dianna G FLNR:EX <Dianna.Neu@gov.bc.ca>
Sent: March 9, 2021 2:17:21 PM PST
Received: March 9, 2021 2:17:22 PM PST

Andrew Walker, Wildlife Biologist
Ministry of Forests, Lands, Natural Resource Operations and Rural Development; 102 Industrial Pl, Penticton BC, V2A 7C8
Andrew.Walker@gov.bc.ca

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

From: Cassandra Penney <powderrenegade@gmail.com>
Sent: March 4, 2021 9:57 AM
To: Walker, Andrew FLNR:EX <Andrew.Walker@gov.bc.ca>
Subject: Re: Exemption

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Okay thanks.

On Mar 4, 2021, at 9:54 AM, Walker, Andrew FLNR:EX <Andrew.Walker@gov.bc.ca> wrote:

I have never seen an exemption request prior to a tenure approval so doubt it would be approved.

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

From: Cassandra Penney <powderrenegade@gmail.com>
Sent: March 3, 2021 8:12 PM
To: Walker, Andrew FLNR:EX <Andrew.Walker@gov.bc.ca>
Subject: Exemption

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hi Andrew,

I was thinking tonight - is it possible to apply for the exemption before the tenure is approved?

I am just trying to get as much done as possible - and having this exemption in place may really help that issue get dropped for our approval process.

I appreciate the info.

Thanks,

Cassandra Penney
Powder Renegade Lodge
250-423-1843

Sent from my iPhone

REGULATION CHANGE SUBMISSION FORM

Region: Okanagan

Head Office Use Only:

Management Unit(s) 814;815

File Number: 78200-13
/Granby

Date of submission: February 17, 1997 **Originator:** APeatt/LMolnar;
Okanagan

Briefly describe proposed provision and effective date required.

Granby Motor Vehicle Restriction

BC Reg 444/83

New Item:

Schedule 8

No person shall use or operate a motor vehicle in the area shown in red on the attached map marked Appendix A (dated December 11, 1996) at any time, except when that vehicle is a snowmobile and is used or operated during the period November 1 to May 31 inclusive.

Note: *It is intended that motor vehicle operation required for:*

- a) forest management activities of forest licensees tenured within the area,*
 - b) access to mineral properties in development by holders of mineral tenure(s) within the area,*
 - c) the activities of Province of British Columbia agencies or other Federal or Provincial regulatory agencies, or*
 - d) other activities considered by the Regional Manager of Fisheries and Wildlife Programs to be consistent with the intent of this regulation;*
- will be permitted within the described area by Sundry Permit under the BC Wildlife Act (such as with the existing Underdown Creek vehicle closure in MU 801).*

The intent of this regulation is to effect no net improvement in general vehicular access to the area (despite construction of roads to allow timber management and mineral development). Use of motor vehicles (other than snowmobiles) for other activities in this area, whether commercial or recreational, will not typically be permitted in order to protect wildlife resources; notably to proactively limit human intrusion into grizzly habitats. Planned, prompt deactivation of roads constructed for timber or mineral purposes will be encouraged by BC Environment so as to physically limit all (non-snowmobile) motor vehicle use as soon as operationally practical.

Current Provision in Regulation:

None

Reason for proposal: This rationale must be supportable and based on principles and standards in the Wildlife Harvest Strategy.

The Granby grizzly is recognized as a potentially unique genotype within the Province of BC and is considered to be under threat of extirpation. The Habitat Program has previously expressed the opinion that current (1996) Forest Development Planning does not adequately manage and conserve Grizzly Bears and their habitat within the Boundary Forest District. One aspect of that concern is the need to maintain temporal and physical isolation of grizzly bears from human intrusion; to maintain habitat use patterns; reduce the possibility of direct human-caused bear mortality (poaching or accidental death); and to lessen the likelihood of human interaction leading to human/bear conflict (ie. human defense kills) and/or habituation with humans (ie. campsite raids).

This proposal is to partially mitigate the negative and cumulative effects of impending road access due to timber harvesting on grizzly habitat in the Kettle-Granby drainages (note proposed road/cutblock development on attached map). Grizzly bears in wilderness situations are likely to become negatively associated with open roads and development activity and therefore may be displaced from important habitat where roads and/or frequent human activity occurs. The imminent "band" of forest development around the Granby Park may act as a barrier to elevational movement and may force bears to remain within the park boundaries, effectively reducing their currently available habitat area.

The areas proposed for vehicle restriction are adjacent to the new Granby Park and are relatively inaccessible to motor vehicles at present. Exceptions are the Lightning Peak area; and the recently constructed Goatskin and Cochrane-Arthurs Road systems. Currently approved forest development planning (the forest resources surrounding Granby Park are designated as available timber supply) identifies that new road

construction will occur in virtually every watershed surrounding the Granby Park over the next 5 years. This proposal proactively addresses maintenance of the bear's physical isolation from human influence while permitting legitimate commercial use of timber and mineral resources.

- It is intended that motor vehicle use *required for forest management* activities by forest licensees (and their agents) and/or mineral development by mineral tenure holders (and their agents) will be permitted within the described area by way of Sundry Permit under the BC Wildlife Act (such as with the existing Underdown Creek vehicle closure in MU 801).
- Motor vehicle use for other commercial or non-recreational activities will not typically be permitted, though they may be if the use is considered by the Regional Manager of the Fish and Wildlife Programs to be consistent with the intent of this regulation.
- Recreational use of motor vehicles other than snowmobiles (used while bears are denning) will not be permitted. It is the intent that general public access into the area will not be improved as a result of newly constructed roadways (includes the recently constructed Goatskin and Cochrane-Arthurs road systems).
- It is also the intent that forest development and future access management plans will identify opportunities for prompt, permanent deactivation and/or rehabilitation of selected roadways in concert with this legislated closure. Capital costs associated with road management and/or physical restriction of vehicles (gates, signage, deactivation) on forestry roads will primarily be assumed by the road proponent and/or Ministry of Forests.

This proposal is consistent with subregional (Wildlife Section) policy, the Kooteney-Boundary Land Use Plan (in prep); and the recommendations of the Goatskin Local Resource Use Plan. Pope and Talbot Ltd; the forest licensee, has committed to, " incorporating access management measures into ...operational plans, to provide "seclusion and solitude." within their current (1996) Forest Development Plan.

Surveys (animals/users) Conducted and Results:

The Granby grizzly population is recognized as remnant. No population estimate is available but the number of bears is assumed to be less than 50. Recovery planning (in prep) will include detailed inventory (ie. DNA sampling).

Alternatives Considered:

- Preventing timber harvest in the affected area is not a consideration given the government's commitment to maintaining wood supply.
- Options for temporary deferral of harvesting in "adjacent" drainages (delay access in portion of the area affected; pending road deactivation in other harvested drainages) has been proposed and *refused* by Ministry of Forests decision makers on the basis of maintaining short-term wood supply.
- Maximizing "first-pass" of timber extraction with subsequent deactivation of roadways was considered but, while it can be employed in concert with legislated closure, does not provide adequate protection on its own owing to the required active road-life, being a minimum of 5 years in most instances.
- "Soft" measures of reducing human intrusion into the area surrounding Granby Park such as voluntary compliance through signage or physical road barriers were considered as stand-alone tactics but were dismissed owing to the high risk to grizzly bears should such actions not provide "adequate" public compliance. A multi-faceted approach of legislated closure in concert with signage and physical barriers will provide optimal public compliance while permitting commercial timber extraction and required forest management.
- Winter logging within the area has been considered but other activities such as road and block layout, road construction, site preparation and subsequent silvicultural activities must take place during grizzly bear activity (non-denning) periods.
- Restriction under other enactments (ie. Section 105 of the *Forest Act*) was considered; however, inter-agency meetings held in February 1996 resulted in consensus that the *Wildlife Act* was the appropriate

legislative tool as the primary purpose of the proposal is for wildlife management. The Boundary District Manager has indicated that he is not prepared to use the *FPC Act* to limit access in this area.

Consequences of No Action:

Currently unroaded grizzly habitat will be readily accessible to human use with the result that:

- bears will have increased likelihood of being displaced from seasonal habitats by frequent human presence.
- displaced bears will have to compete with other bears as available home range size decreases due to human disturbance. Females with cubs will therefore be placed at greater survival risk.
- bears may not re-occupy habitats once displaced from them; therefore permanent extirpation may result if intense human activity is prolonged in those habitats.
- human-bear interactions are more likely, increasing the likelihood of destruction of grizzly bears, either in defense, accidentally, or intentionally.
- human influences on grizzly may pre-dispose bears to becoming habituated to humans, and therefore lead to human-bear conflict and the subsequent destruction of such bears.
- Motorised access to and possibly within Granby Park will be improved with the result that human presence within that area will also increase with equivalent negative impacts to that expressed above.

Consultation Undertaken:

Summary of Comments (attach letters, details, etc.):

	Yes	No	Agreement (Yes/No)
Conservation Officer Service:	<u> X </u>	<u> </u>	<u> </u>
Other Regions:	<u> X </u>	<u> </u>	<u> n/a </u>

BC Parks: ☒ ☐ ☐ YES

Other Govt
Agencies, if applicable: ☒ ☐ ☐ See Summary

First Nations: ☒ ☐ ☐ See Summary

Consultation Undertaken: (continued)

	Yes	No	Agreement (Yes/No)
B.C.W.F.: (or local club)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> YES
G.O.A.B.C.: (or local organization)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> YES
Other (Specify):	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SEE SUMMARY

• REFER TO ATTACHED CONSULTATION SUMMARY DOCUMENT

Approvals:

Title	Signature	Date	Comments
-------	-----------	------	----------

Regional Wildlife
Section Head:

.....

Regional Manager:

.....

Chief of Wildlife:

.....

Deputy Director:

.....

Summary of Consultation

The attached proposal was referred by the Habitat Program (Grand Forks) to approximately 50 stakeholders and interest groups. A mailing list is appended, as are written responses to the proposal.

Meetings were held with:

- Grand Forks Wildlife Association
- Trail and District Rod and Gun Club
- Kettle Valley Wildlife Association
- Public Open House (Grand Forks) attended by 3 area snowmobile clubs, Boundary Naturalists Club, Granby Wilderness Society, a local trapper, several wildlife association members and about 10 members of the general public.

Items of Pertinence:

1. Proposal referral was made to four First Nations. s.16
s.16
2. The Goatskin LRUP Planning Team unanimously endorses public vehicle access restrictions to the upper Goatskin (planning area). Committee members include government (MOF, MELP, First Nations), public advisors, and resource company representatives.
3. Ministry of Employment and Investment agrees with the restriction of non-commercial vehicles in recognition that mineral tenure holders are guaranteed access for tenure development by other enactment. MEI states that, "...early exploration stage activities will, in most cases, be carried out using alternate access methods, including helicopters."
4. BC Parks is totally supportive of the proposal, noting that limiting access complements "...our current cautious approach to managing recreation in this park." It should be noted that an area of traditional ATV use south of Lightning Peak, now located within the Granby Park, will be impacted by this proposal. To date, we are uncertain as to the intent of BC Parks in managing vehicular access in this portion of the Park.
5. The COS was initially in disagreement with the proposal owing to apparent misconception surrounding some aspects of the proposal. Those concerns were addressed in subsequent correspondence.

6. The Ministry of Forests has responded in a conflicting manner. The proposal was presented by MOF to eight CRMP Planning Teams. The Pass-Almond/Burrell CRMP specifically supports "...road closures as needed for grizzly and mule deer." The District Manager for MOF, however, recommends that the proposal be held in abeyance "...until we have an understanding of government direction as it relates to this proposal." A subsequent meeting with the District Manager attempted to clarify this position but did not result in any positive advancement. It is disconcerting that the DM would take this position over a mitigation strategy designed to reduce negative impacts to wildlife resulting from timber harvesting specifically approved under his authority. Note must be made that the major licensee (Pope and Talbot Ltd) fully supports, and has agreed to incorporate, access management strategies in their operational plans.
7. Written objections to restriction of snowmobiles were received from 3 snowmobile clubs. This resulted from an oversight and/or mis-conception which excluded pertinent discussion of snowmobiles from the original proposal. It was not the intent to further (in regard to the existing Galloping Hills closure) limit use of snowmobiles as such use is thought to be of little consequence to grizzly bear (primarily occurs during denning period). The issue should now be resolved to the satisfaction of those groups.
8. Lumby and District Wildlife Association opposes the proposal stating that, "...if the road can not be left open, then it must be closed to all vehicles." The Granby Wilderness Society, "...opposes the construction of any roads into the Greater Granby Wilderness...". Habitat Program (and other respondents) believe that the proposal as presented represents a moderate and operationally feasible approach to access management for the area. The positions of these two groups has not resolved except in that MOF has approved forest development in the area.

prepared by:

L. Molnar, Habitat Protection Officer, Grand Forks


(250) 442-4300


A. Peatt, Senior Habitat Biologist, Penticton

(250) 490-8293




Legend


 Area of interest

 Assessment Watersheds

ROADS STEEP COUPLED SLOPES

 < 0.1 = Low Risk

 0.1 - 0.2

 > 0.2 = High Risk

Arthurs Creek

Granby River

Cochrane Creek

Rendell Creek

Copperkettle Creek

Granby River

Hellroarer Creek

Kettle River

Grano Creek

Traverse Creek

State Creek

Kettle River

Granby River

Granby River

Thone Creek

Kettle River


Kettle River


Paturages Creek

Gable Creek

Gable Creek

Legend

 Area of interest

 Assessment Watersheds

SEDIMENT LANDUSE DISTURBANCE RATING

 VL

 L

 M

 H

 VH

Arthurs Creek

Granby River

Cochrane Creek

Rendell Creek

Copperkettle Creek

Granby River

Hellroarer Creek

Kettle River

Grano Creek

Traverse Creek

State Creek

Kettle River

Granby River

Granby River

Thone Creek

Kettle River


Kettle River


Paturages Creek

Gable Creek


Gable Creek

Legend


 Area of interest

 Assessment Watersheds


SEDIMENT HAZARD RATING

 VL (Very Low)

 L (Low)

 M (Moderate)

 H (High)

 VH (Very High)

Arthurs Creek

Granby River

Cochrane Creek

Rendell Creek

Copperkettle Creek

Granby River

Hellroarer Creek

Kettle River

Grano Creek

Traverse Creek

State Creek

Kettle River

Granby River

Granby River

Thone Creek

Kettle River



Kettle River

Paturages Creek




Gable Creek

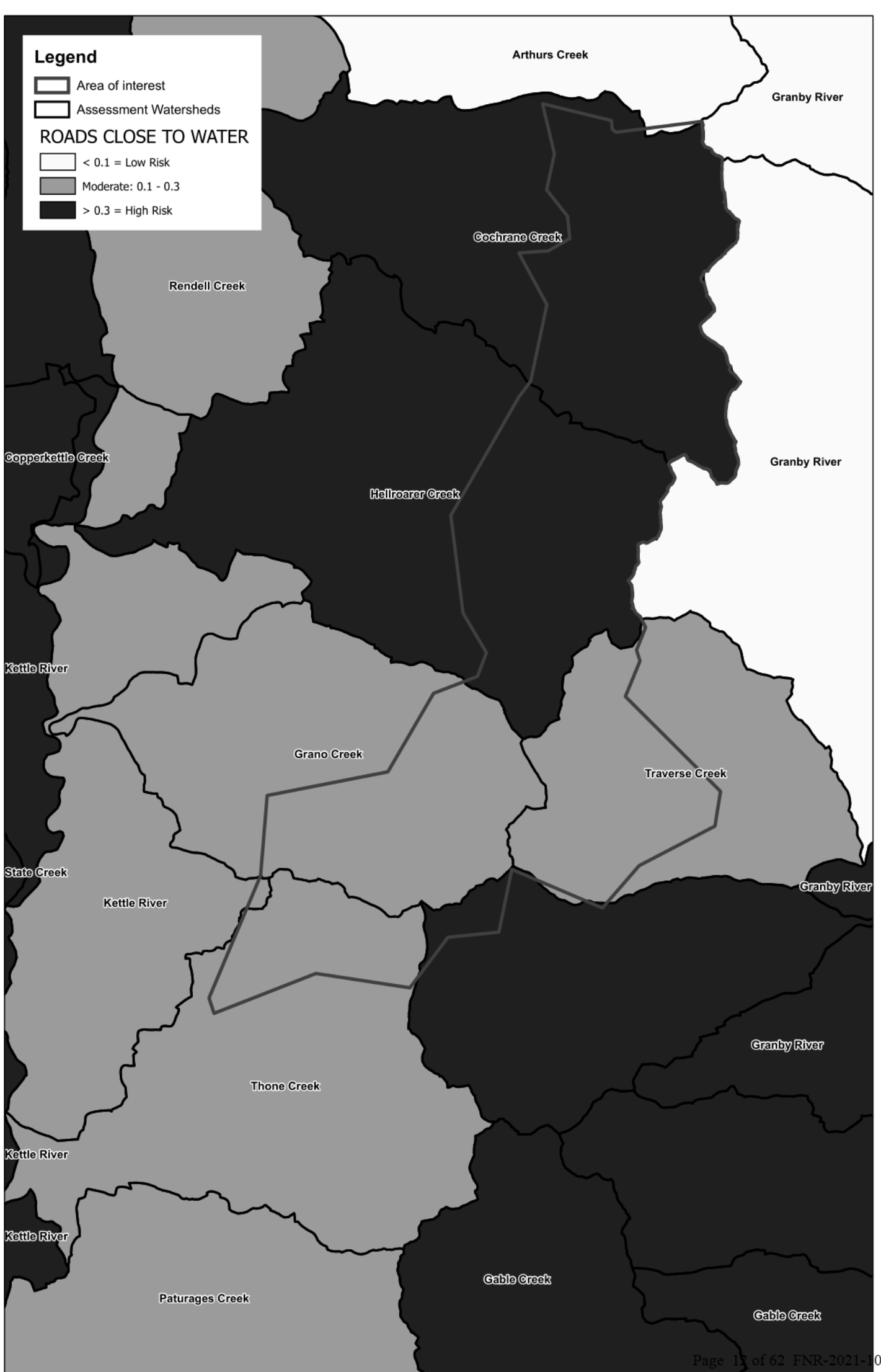
Gable Creek

Legend

-  Area of interest
-  Assessment Watersheds

ROADS CLOSE TO WATER

-  < 0.1 = Low Risk
-  Moderate: 0.1 - 0.3
-  > 0.3 = High Risk



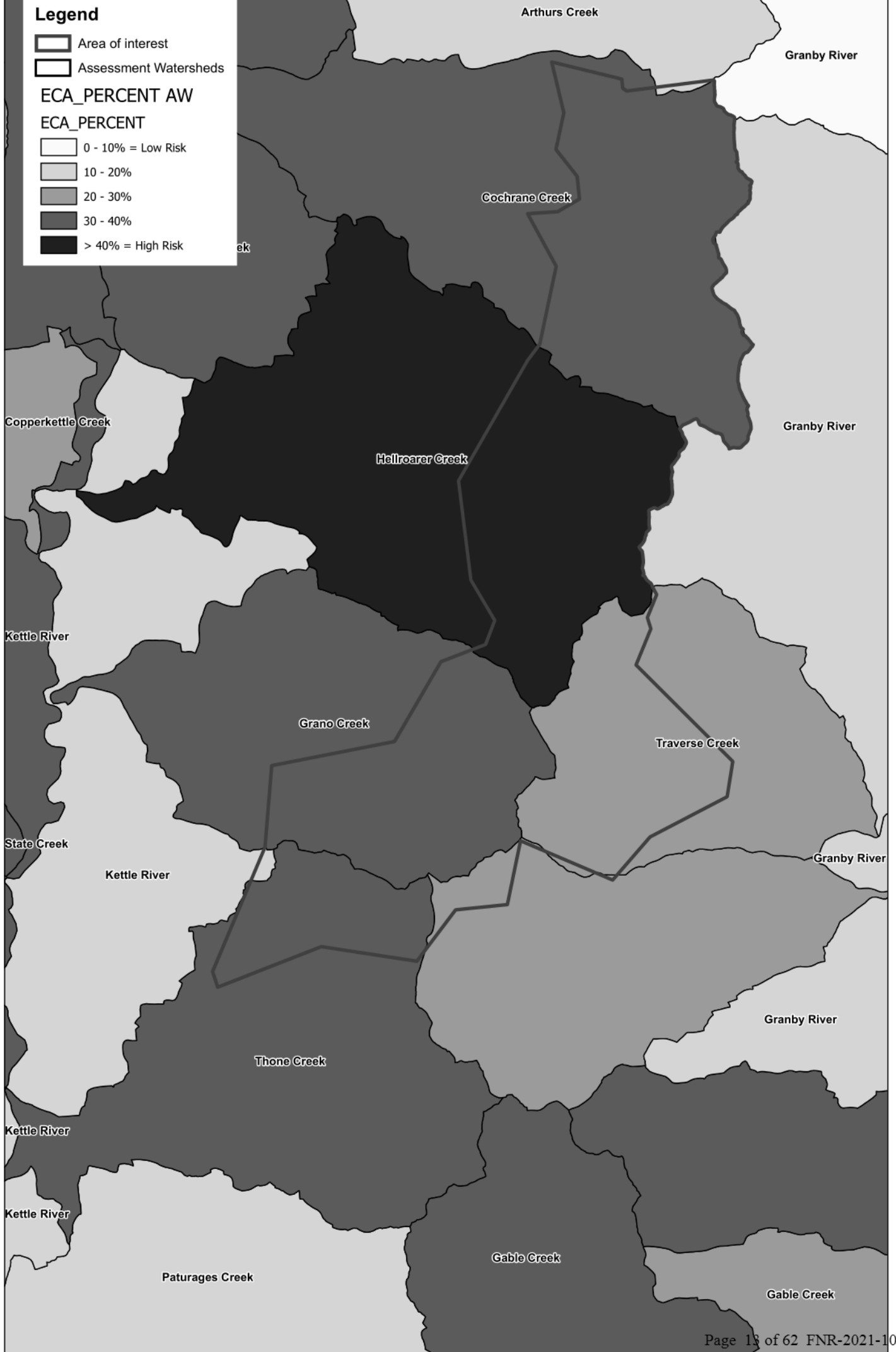
Legend

- Area of interest
- Assessment Watersheds

ECA_PERCENT AW

ECA_PERCENT

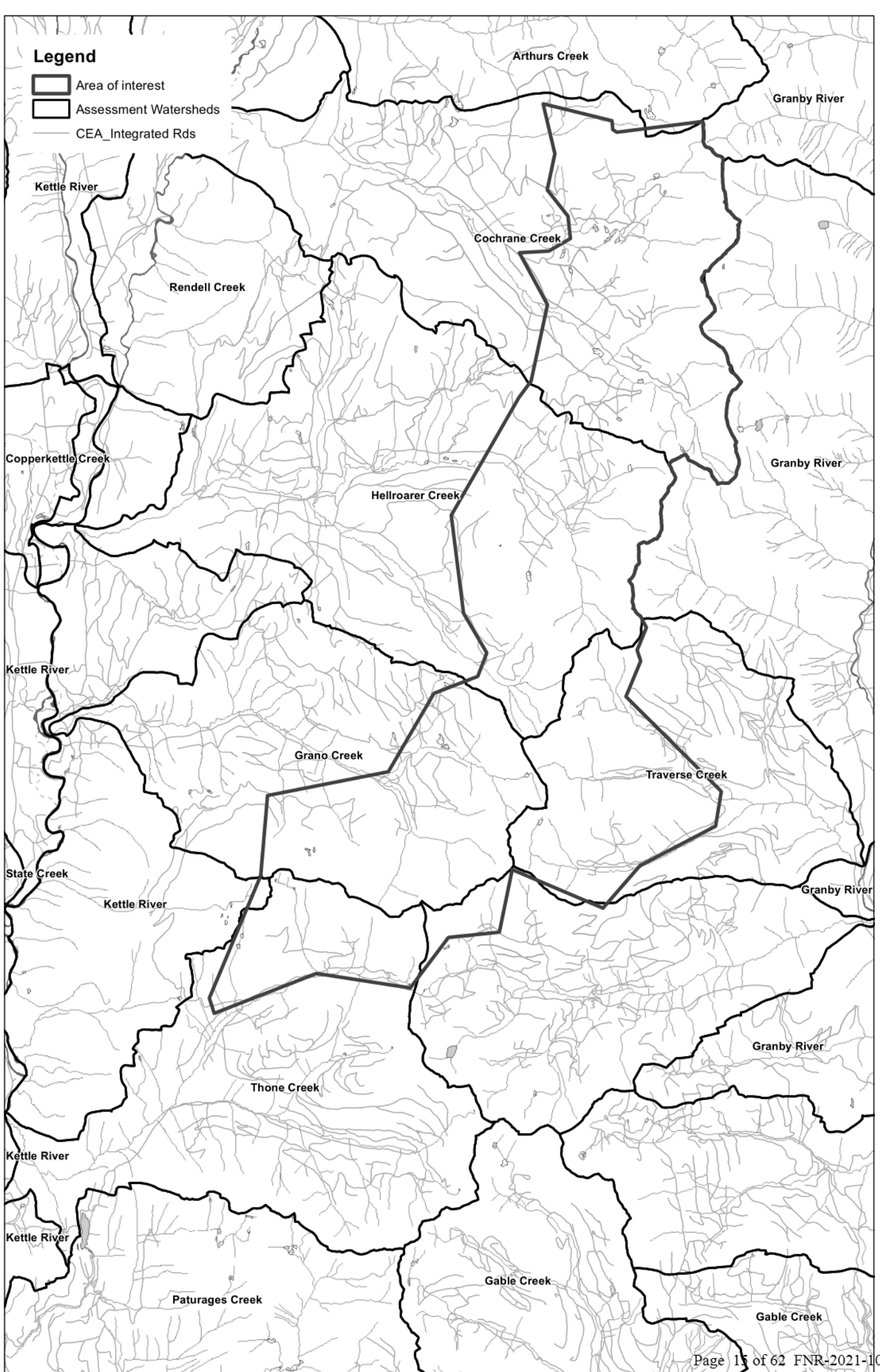
- 0 - 10% = Low Risk
- 10 - 20%
- 20 - 30%
- 30 - 40%
- > 40% = High Risk





Legend

- Area of interest
- Assessment Watersheds
- CEA_Integrated Rds





Community. Leadership. Pride.

Your File: Guided Cat Skiing
Our File: RTS # 6059

January 12, 2021

s.16

Respectfully,

WESTBANK FIRST NATION

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke at the bottom.

Raf DeGuevara
Title and Rights Manager



January 15, 2021

File: 98000-25/GRA-G-9548

Sharon Dailey
FrontCounter BC
Land Officer
(250) 426-1753
Email: sharon.dailey@gov.bc.ca

Re: Referral Number: 127018044 – 014
Proponent: POWDER RENEGADE LODGE INC.
Crown Land Files (Application Stage) 4406147, 4406148 and 4406149.

BC Parks has reviewed this referral package received by our Penticton office on December 1, 2020 and appreciates the opportunity to provide comment.

The Adventure Tourism proposal area lies immediately adjacent to Granby Park (41,156 hectares) and, in its current configuration, interfaces directly with approximately 16 kilometres of the park's southwestern boundary.

Granby Park was established in 1995, after it was recommended for protection as a result of the West Kootenay-Boundary Land-Use Plan (KBLUP). The park protects one of the last intact and roadless watersheds in the southern interior of the province. Today, the park is a critical refugia for a vast array of species, many of which are considered rare, endangered or threatened. However, many of these species (e.g., Grizzly Bear, Wolverine, Mountain Goat) move fluidly across the park's boundaries and are not only reliant on the integral values of the park, but also that of the adjacent landscape attributes as well. In this respect, the park cannot be viewed as an isolate, but intrinsically connected to the surrounding area.

Stressors (such as resource development and recreational activities) taking place external to the park have a direct impact on the park's values. The park on its own cannot be relied upon to maintain adequate ranges or habitat diversity for many species. It is therefore vital that activities taking place adjacent to the

**Ministry of Environment and
Climate Change Strategy**

BC Parks
Kootenay Okanagan Region
BC Parks and Conservation Officer
Service Division

Mailing Address:
102 Industrial Place
Penticton BC V2A 7C8

Telephone: 250 490-8200
Facsimile: 250 490-2231
Website: www.gov.bc.ca/env

park place strong consideration on maintaining habitat values and connectivity in the landscape, and where at all possible, keep human interference/presence to a minimum.

Forest harvesting and associated road development have affected the park's adjacent landscape, but this activity is largely ephemeral, allowing species to re-emerge on the landscape in times of human inactivity while impacted areas are rehabilitating. Whereas multi-seasonal activities and fixed long-term structures/facilities in areas adjacent to the park will undoubtedly force species away from such desirable areas and the default destination would be Granby Park- a finite area with limited ecosystem capacity. In turn, this can lead to negative consequences for the park, including species displacement and behavioral changes, habitat fragmentation, invasive plant spread, increased wildlife use/pressure on sensitive ecological communities, human/wildlife conflict, and ultimately increased species mortality. The key to maintaining landscape level biodiversity is to ensure that peripheral areas to wilderness sites such as Granby Park are given every opportunity to support habitat retention and keep human development to a minimum.

The current Granby Motor Vehicle Closure Area (BC Reg 444/83) illustrates the importance of legislated measures to minimize wildlife impacts related to human activities, as comprehensive research has shown that road density is a key factor in Grizzly Bear population decline. It must be noted that Grizzly Bear recovery in the Kettle-Granby Grizzly Bear population unit cannot be achieved within protected area lands alone, and lands outside parks must be managed for grizzly bears to allow for population growth, migration and immigration, and genetic diversity. Increased use by motorized conveyances in this area will only serve to promote visitation of the area, by both clients of the tenure holder and the general public.

The management plan for Granby Park was approved in 2001 and the zoning for the park in the area adjacent to the proposed tenure is designated as Wilderness Recreation. The management plan zone guidelines state that use within this area of the park is limited to unassisted backcountry recreation opportunities dependent on a pristine environment where no motorized activities will be allowed. It is therefore imperative that adjacent land use activities (that are reliant on motorized conveyances, permanent facilities or structures) strongly consider the wilderness values and sensitive ecological attributes of the park, while also recognizing the park boundary is merely an administrative line, one in which wildlife species are indifferent to. A key facet about the current tenure application is the abundance of planned infrastructure (ski routes, huts/emergency shelters, road access and helicopter drop zones) within fragile alpine and subalpine areas immediately adjacent to the park. Species such as Wolverine and

Mountain Goat frequent such areas and construction and ongoing maintenance of infrastructure could negatively affect those wildlife species, along with disturbing plant communities supporting Whitebark Pine (listed as endangered under the *Species at Risk Act*) that are known to occur at these elevations.

It is BC Parks' perspective that the proposed activities associated this tenure application will place added human-induced pressure on the sensitive ecological values of Granby Park. There is also insufficient detail in the tenure proposal on both the short and long-term development and operational needs of the tenure, and more importantly how those activities will impact species and ecosystems. It is our understanding that our colleagues at the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (Fish/Wildlife and Ecosystems divisions) share our concern over the potential impacts of this proposed tenure. We support their recommendations that additional study/strategies related to wildlife and plant community characteristics be undertaken to more fully understand the influences (both short and long-term) that the tenure would have over the broader landscape. Moreover, we endorse recommendations that infrastructure locations and seasonal operating periods associated with the tenure be reconsidered (based on enhanced study and analysis by qualified professionals) in the context of reducing impacts to the landscape area, including that of the park.

Sincerely,

A handwritten signature in black ink, appearing to read 'KB', with a stylized flourish at the end.

Keith Baric

Planning Section Head - Okanagan

...2



Referral Number: 127018044 - 006

Referral Type: Adventure Tourism

Summary of Comments

This referral was jointly reviewed by Wildlife, Habitat, and Cumulative Effects Sections of the Resource Management Division. The location of the proposed tenure is occupied, at least seasonally, by many large mammals, furbearers, and sensitive plant communities. These include blue-listed species such as Grizzly bears, Mountain goats, and wolverine along with other socially and culturally important species such as mule deer, moose, elk, white-tailed deer, black bear, and cougar.

The application is within Wildlife Habitat Area 8-373 for Grizzly bears and contributes to corridors/refugia between Greystokes, Gladstone and Granby Parks. Development and increased activities/human presence in this area is likely to compromise habitat values and displace wildlife. Wildlife will move to lower quality habitats if that habitat is used less frequently by backcountry recreationalists. The project will contribute to broad-scale cumulative impacts to large tracks of mountain range and sensitive habitats.

Refusal of this application is recommended due to reasons outlined below.

These are comments based on the information provided by the proponent in the referral package. They do not represent a comprehensive evaluation, rather some advice on what to consider for mitigation of possible negative ecosystem impacts of the proposed works. They also do not remove the obligation of the proponent to comply with ALL applicable laws and statutes.

Grizzly bear

Grizzly bears are provincially blue-listed and Federally identified as Special Concern; there are numerous grizzly bear observation within the application area. The application area is within Wildlife Habitat Area 8-373 for Grizzly bears.

Grizzly bears require access to wide-ranging habitats to meet necessary requirements. They are nutritionally motivated, and their use of habitat can be impacted by human-caused disturbance. Disturbance of grizzly bears and their habitat from increased access, recreational use, human presence as well as the potential harvesting of berries due will reduce habitat effectiveness. Displacement of bears through human disturbance or area avoidance can force individual animals into less desirable habitats.

The grizzly population in the Kettle and Granby River valleys (Kettle-Granby Grizzly Bear Population Unit) of southern British Columbia is considered threatened due to the low number of bears relative to the suitability of the habitat (Mowat et al 2017). Recent research and Forest Practice's Board Review has shown that roads have a strong negative effect on the population (Lamb et al 2018) and need to be addressed (FLNRORD 2018) in order to maintain the viability of the population, respectively. Fragmentation can occur through the construction of roads and trails and the degradation of existing habitat. The proposed tenure area and developments are planned in the center of the Population Unit in highly suitable habitat. It has been recommended that population recovery for the



Kettle-Granby grizzly bear population is possible in a multi-use landscape if management actions target reducing roads, especially in areas of high habitat quality (Lamb et al 2018).

Grizzly bear management and conservation has been designated as a provincial priority (BC Auditor General. 2017). The BC Auditor General report (2017) states: “the greatest threat to grizzly bears is not hunting, but rather, human activities that degrade grizzly bear habitat. For example, there are 600,000 km of resource roads with on the order of 10,000 km more added each year. This expansion allows greater human access into wilderness areas, which results in increased illegal killing of grizzly bears, and greater human-bear conflicts. Yet, long-promised resource road legislation that could address this risk is not yet in place.”

The proposal to improve and maintain year-round use into the area is not aligned with species recovery and is likely to disturb or displace this threatened species. Reduced habitat effectiveness can reduce the number of overall grizzly bears that an area can support (McLellan and Shackleton 1988). Roads, and potentially trail construction, is believed to be one of the biggest threats to both individual animals and grizzly bear populations (COSEWIC 2002). The adjacent drainages (i.e., Granby Provincial Park) provide suitable habitat, thus maintaining connectivity and avoiding disturbance is critical to support grizzly bear health, population size, genetic diversity as well as immigration and emigration potential. Fragmentation of populations is an identified as a threat to sustaining bear populations and can lead to genetic isolation. Fragmentation can occur through the construction of roads and trails and the degradation of existing habitat.

Recommendation:

The proposal is likely to remove functioning grizzly bear habitat and displace grizzly bears. The proposed activities are not supported due to risk of diminishing the value of grizzly bear habitat and not being aligned with species recovery strategy.

If the application is approved, additional information and mitigation measures are required on key grizzly bear habitat areas, as well as deliberate planning to maintain functional linkages/habitat connectivity. Discuss mitigation strategies for business preparation season. Can grizzly bear dens be identified prior to snowfall, and then avoided for the subsequent season?

Mountain Goats

Mountain goats are a provincially blue-listed species at risk and were observed in the application area. Mountain Goats in the Granby range have been documented since initial monitoring efforts were initiated in the early 80's and small numbers persist in the proposed tenure area year-round (Miller 1984, Wilson and Morley and 2007). These populations have been at risk of extirpation and quality winter range has been identified as an important component required to maintain the viability of the population (Wilson and Morley 2007). There has not been an assessment of Mountain Goats in the Granby since 2006 and surveys should be conducted to identify both the extent of the population and the location of both occupied and suitable winter range.



Winter recreation and cat ski developments within those ranges would likely facilitate the movement of predators and possible extirpation of those populations. Mountain goats show high sensitivity to helicopter disturbance. Behavioural response of mountain goats to helicopter disturbance ranges from weak (e.g., increased vigilance), to strong (e.g., severe flight response to escape terrain and temporary abandonment of range), and is inversely related to the distance of the helicopter from the group (Poole 2010). Wildlife are stressed in winter due to increased energetic demands and reduced forage availability. Increased human presence, facilitated predator movements, and helicopter use will exacerbate winter stress on mountain goats.

Recommendation

The proposal is likely to reduce the quality of mountain goat winter habitat and could displace goats, especially with helicopter use. The proposed activities are not supported due to risk of increasing stress on mountain goats and diminishing the value of mountain goat habitat.

If the application is approved, additional information and mitigation measures are required on key mountain goat habitat areas, as well as deliberate planning to maintain functional linkages/habitat connectivity. A mountain goat management plan which details helicopter use (flight paths, number of flights, distance from mountain goat habitat), recreation mitigation measures, etc. is requested.

Undertake a formal inventory of mountain goat populations in the proposed tenure area to determine winter populations and suitable winter habitat. If approved avoid activity in occupied mountain goat winter range or suitable winter mountain goat habitat.

Wolverine

The proposed tenure area supports wolverine; a species which requires access to wide ranging and diverse habitat. Wolverines are “vulnerable to direct and indirect impacts of recreation during winter, as they remain active through the winter, naturally occur at low densities, have low reproductive rates, and enter reproductive dens within deep snowpack during the winter recreation season” (Heinemeyer et al. 2017). Wolverines show high aversion behavior for both motorized and non-motorized human presence. Motorized access allows for higher intensity of human use across a larger footprint. “Wolverines avoided areas of both motorized and non-motorized winter recreation and off-road recreation elicited a stronger response than road-based recreation” (Heinemeyer et al. 2019).

Wolverine habitat loss or fragmentation due to recreation is of concern; displacement may “affect the reproductive and survival fitness” (Heinemeyer et al. 2017). Wolverines react more negatively to higher levels of human use; higher levels of human activity results in higher levels of habitat loss (Heinemeyer et al. 2017). These effects may be exacerbated with climate change due to reduced snowpack and shortened winter season resulting in concentrated areas of recreation (spatially and temporally) which overlap with wolverine habitat (Heinemeyer et al. 2017).

Recommendation:

There is a lack of data on wolverine occupancy and use in this area. Disturbance and increased human activity are not supported in this area given the existing values and importance of undisturbed areas to support Wolverine populations.



If the application is approved, additional information on wolverines is required to establish a baseline. The area should be assessed for reproductive denning and kit rearing habitat.

Mule Deer

Recent data from collared mule deer has shown that mule deer migrate into the proposed tenure area during May to fawn where they capitalize on emergent vegetation in the spring, avoid predation and seek nutritious forage in the summer in order to meet the energetic demands of winter. Deer and elk follow nutritionally-rich forage as it emerges from the melting snowline during migration and mule deer exhibit high fidelity to established migration routes with little individual plasticity in migratory strategy from year-to-year. Timing of autumn migrations in the Granby ranges begins in early October but tends to be less synchronous, vary substantially among individual deer, and is associated with snow depth and cold temperatures.

Mule deer have remained in the proposed development area until early November. The establishment of open roads not only creates a direct negative effect by permanently removing deer forage and creating a potential mortality source but also has indirect effects associated with disturbance including improved access for predators into fawning habitat and increased nutritional costs associated with anthropogenic disturbances.

Recommendation

The environmental management plan should address timing of activities to avoid areas occupied by ungulates, and access management strategies to reduce human access in hunting season.

Plant communities

The proposed area occurs at or above 1700m in elevation, except for a small portion east of Moren and Gable Mountain, and includes significant portions of alpine in the Granby Range. Plant communities at these elevations are generally slow growing and sensitive to disturbance, yet provide valuable nutritional resources required to support large herbivores in the ecosystem.

Recent research in Europe has highlighted the consequences of ski activity on soils and plant communities in the alpine. Not only is there potential for soil disturbance, but compaction can increase erosion and slow green-up due to snow compaction from grooming (see Repe et al 2020). Recovery times from non-permanent disturbance are anticipated to be decades in high-elevation environments. Recovery of vegetation may be prolonged at these relatively cool, exposed, high-elevation sites due to harsh growing conditions. Disturbances that impact the soil profile may also slow recovery as soil formation processes are slow in at these sites.

Recommendation

Disturbance and activities in the alpine/subalpine are not supported. If the application is approved, the development should be relocated to areas that do not overlap alpine/subalpine.



BRITISH
COLUMBIA

Old Growth Management Areas, Whitebark Pine, and Tree removal

Many old growth management areas are located within the proposed tenure area. Old growth areas should not be disturbed, and tree removal would diminish the quality of habitat features. Old growth areas provide high-quality, unique habitat for numerous species. Retaining existing values and minimizing human disturbance in this area is recommended to support habitat values.

Whitebark pine are a federally listed species at risk. Whitebark pine are essential to ecosystem function. They provide important nutrients for birds, small mammals, and foraging grizzly bears. Tree removal is not aligned with species recovery efforts for whitebark pine.

Recommendation

If approved, do not cut whitebark pine and no tree removal should occur in OGMA's (figure 1). See Section 34 of the Wildlife Act regarding tree removal. Remove trees outside of the sensitive nesting period (generally April to August), and check for existing or active nests prior to tree removal. Avoid the removal of large diameter trees (dbh > 30 cm: live and dead), especially deciduous, and that are actively used by wildlife (e.g. contains visible nests and tree cavities).

If works will occur within the breeding bird window (generally April 15 to August 15) the applicant should be aware of requirements under the Migratory Bird Convention Act for addressing incidental take. More information can be found at <https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds.html>

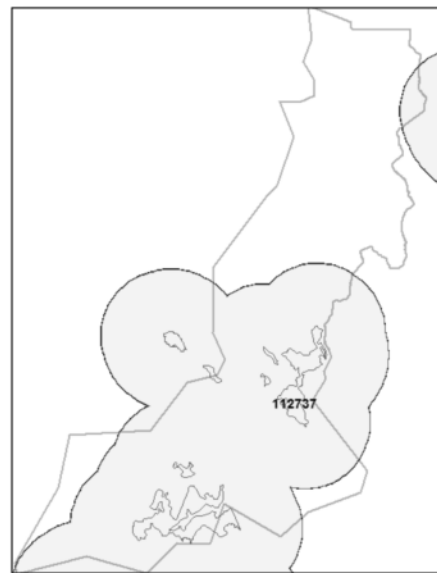


Figure 1 & 2. Old Growth Management Areas (left) and Whitebark pine critical habitat (right) within application area



Access management

The application is within a Motor Vehicle Closure Area, legislated under the *Wildlife Act*. These areas are established to protect wildlife and habitat through minimizing negative impacts of roads and public access. The intention of the regulation that general public access into the area will not be improved. The regulation outlines the intention to restrict motor vehicles for commercial or recreational purposes in order to protect wildlife resources. While snowmobiles are permitted in this closure, snowmobiles and snowcats have different impacts on the landbase and wildlife; snowcats are not exempt from the regulation. While resource extraction industries may build roads into this area, the intention is for access management planning to promptly and permanently deactivate/rehabilitate roads.

Improvements made for this application may increase public access into this area. Some cat roads can become accessible to off-road vehicles such as UTVs, ATVs and dirt bikes. Recreation use in the backcountry is having a larger impact on wildlife than previously believed. A recent article noted that a recent literature review of 274 research articles of backcountry wildlife interactions indicated, “97 percent documented effects on wildlife; two-thirds of those effects were negative” (French 2018). Animals will move to habitats that may be less ideal if that habitat is used less frequently by humans.

Habitat Management does not support increased motorized access; motorized vehicles are highly disruptive to wildlife and are known to cause wildlife to abandon areas of preferred habitat, and experience stress such as fleeing from disturbance (especially problematic during sensitive seasons such as birthing season).

Recommendation

Increased access and motor vehicle use in the Motor Vehicle Closure Area is not supported. If approved, the application tenure boundary should be adjusted to exclude the Motor Vehicle Closure Area. An access management strategy should be developed which also addresses reducing public access (e.g., since roads will be maintained in winter). If approved prevent road use during the spring, summer and fall months, and limit the number of permanent roads in the proposed tenure area. Explore options for habitat offsetting such as road deactivation. Timing of road construction/maintenance to occur outside of sensitive wildlife windows. An access permit will be required if approved.

Invasive plants

The primary risk of concern from the proposed activities is introduction and spread of invasive plants. Invasive plants are typically introduced to British Columbia through human activities. These invasive plants lack natural predators and pathogens that would otherwise keep their populations in check. Invasive plants often establish themselves in soils disturbed from development of roads, utility lines, trails, commercial recreation sites, agriculture, etc. Once established, invasive plants have a tremendous capacity to invade adjacent, undisturbed natural plant communities displace wildlife and disrupt natural ecosystem functions.



Recommendation

If the application is approved, an invasive plant management strategy is required to maintain wildlife values and safeguard forage. The plan should detail methods throughout development activities, operations, and reclamation. Practices should prevent introduction and reduce threat of spread/establishment of invasive plants on site. Invasive plants must be treated prior to any activities, preferably using a qualified professional. Ensure that equipment brought onto site is free of soil and plant material to reduce the possibility of invasive plant species spread/establishment. Revegetate all disturbed sites within one-month of disturbance, or when the ground is thawed. Use a seed mix recommended by a qualified professional that does not spread and invade into native grasslands. The proponent should maintain records of herbicide treatments, and should report invasive plants and treatments using the Report-A-Weed program (<https://www.reportaweedbc.ca/>)

Aquatics

Road building is known to impact watershed health. From the Cumulative Effects Group:

- Note, these results are still under review. This is a GIS-based assessment that provides higher level results at the watershed level.

The goal of the tool is to assess the impacts of multiple disturbances on:

- snowmelt-driven peak streamflow, referred to as the *Streamflow Hazard* in this analysis; and
- sediment generation and transport, referred to as the *Sedimentation Hazard*;

These include impacts from roads. Each watershed has a corresponding hazard rating. The assessment looked at roads close to water and roads on steep coupled slopes as indicator results. These combine with disturbance on gentle over steep slopes to make up the *Sediment Land Use Disturbance* rating (attached map). The main driver in the higher land use disturbance ratings is the roads close to water. Because the other two indicators have low ratings this drives down the Land use rating. Additionally, impacts from these indicators can be reduced by topography and lack of erodible soils so the final Sedimentation Hazard for these watersheds end up being low because there are few steep slopes or rugged terrain and low erodible soils.

From a streamflow hazard perspective the Equivalent Clearcut Area (ECA) indicator is what drove the hazard in the Kettle watershed. Roads are not considered in the ECA, and although it does consider all anthropogenic disturbances, the main one that influences this indicator is harvesting. The ECA results for this area and the final Streamflow Hazard ratings to show that some of these watersheds have higher ECA values and higher Streamflow hazards.

Recommendation

If the application is approved, an environmental management plan should address hazard ratings (e.g., how will the high streamflow hazard be mitigated in Hellroarer Creek and high risk roads close to water in Hellroarer and Cochrane Creek?). Provide best management practices for road building/trail construction which includes: minimize number of stream crossings, construct crossings so that they do not contribute to erosion or sedimentation of streams and require minimal reclamation, maintain water quality and quantity throughout and following development activities relative to baseline conditions, etc.



The environmental management plan should also address:

- roads should be left in a hydrologically stable condition over winter. All roadside ditches, water bars, culverts and road surfaces should be left in a condition to withstand spring freshet water loads.
- Locate watercourse crossings to minimize the removal or disturbance of riparian vegetation.
- The installation of a watercourse crossing is subject to the Provincial Water Sustainability Act and Water Sustainability Regulation, specifically Part 3 of the Regulation: Changes in and About a Stream. The proponent must ensure that they comply with the appropriate legislation. More information on the Regulation can be found here:
http://www.bclaws.ca/civix/document/id/complete/statreg/36_2016#part3
- All watercourses are considered to be fish-bearing unless proven otherwise by a qualified professional. The absence of fish from a single survey does not prove a watercourse or waterbody is non fish-bearing.
- To determine compliance under Section 35 of the Fisheries Act, the proponent must complete a Fisheries and Oceans Canada Self-Assessment for all proposed crossings on watercourses that contain fish that are part of a commercial, recreational or Aboriginal fishery, or fish that support such a fishery. If a qualified professional determines that the proposed activities may contravene Section 35 of the Act, then the proponent may request a project review from DFO. The subsequent review will determine if an Authorization is required for the project.
 - For information the self-assessment process, visit: <http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>
 - Application forms for a DFO review can be found here: <http://www.dfo-mpo.gc.ca/pnw-ppe/reviews-revues/index-eng.html>
- For information on best practices when working in or around water please visit these websites:
 - DFO Measures to avoid causing harm to fish and fish habitat including aquatic species at risk: <http://www.dfo-mpo.gc.ca/pnw-ppe/measures-mesures/measures-mesures-eng.html>
 - BC Ministry of Environment Instream Works BMP: <http://www.env.gov.bc.ca/wld/instreamworks/index.htm>

Environmental Impact Assessment

The current information is inadequate to provide appropriate recommendations on this application. The information provided was obtained through desktop analysis, not field visits, and does not capture all values identified above.

Recommendation

The applicant should obtain a Qualified Professional to produce and Environmental Impact Assessment (with data collection from all seasons), and subsequent Environmental Management Plan which addresses the values above and considers BC's best management practices
<https://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/laws-policies-standards-guidance/best-management-practices>



Permit considerations, if approved

In addition to those recommended throughout the document:

- No spring, summer, or fall use. It should be stressed from the outset that the implications associated with other seasonal use would be very different than what was considered for winter use. No presumption can be made that development of a winter operation is a precursor for acceptance of operations in other seasons. Recommend no future applications for additional use in different seasons.
- No expansion of tenure boundary
- No additional infrastructure
- Requires helicopter access management strategy. Limit on number of helicopter flights per year, on approved flight paths only. For skiing activities only, not to drop clients at the lodge.
- Develop road construction/maintenance plan to reduce impacts to wildlife. Prevent road use during the spring, summer and fall months
- Do not use deactivated/rehabilitated roads; use of open roads only. Deactivation requires significant investment and can be a lengthy environmental process, these efforts will be at risk to be lost.
- Limit the number of permanent roads in the proposed tenure area
- Limit trail development as much as possible with preferences to areas already lacking vegetation (e.g. bedrock, scree, existing roads)
- Minimize soil compaction and erosion by limiting use of snowcats when snow levels are minimal and using lighter equipment (snowmobiles) until the initial base is set and all exposed vegetation is covered.
- Show communication with trappers



Literature Cited

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Response Roll-up Report

FrontCounter BC

Referral Type:	Adventure Tourism/Commercial Recreation	Referral Number:	127018044
Reference Number:	567403	Referral Status:	Waiting For Response
Legislated Only:	No		

Recommendations

Request	Other	
0	0	Interests unaffected.
1	0	N/A
1	0	No objection to approval of project subject to conditions outline below.
2	0	No objection to approval of project.
2	0	Recommend refusal of project due to reasons outline below.

Requests

Organization:	Regional District of Kootenay Bound	Request Number:	002
Respondent:	Danielle Patterson	Legislated:	No
Closed By:		Referral Level:	Mandatory

Recommendation: N/A

Yes	No	N/A	Question
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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

Ministry of Forests, Lands,
Natural Resource Operations
and Rural Development
Reference Number:
567403

Mailing Address:

Phone:

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Website:



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.
- ☐ ☒ ☐ 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

At the January 28th, 2021 RDKB Board meeting, the Board of Directors passed the following motion: "That the Regional District of Kootenay Boundary Board of Directors request FrontCounter BC to delay consideration of the application for an Adventure Tourism and Roads Licenses of Occupations for Powder Renegade Lodge Inc. as presented to the Board on January 28, 2021, until the proponents have submitted a complete environmental impact assessment. FURTHER that staff be directed to forward FrontCounter BC the staff report, which contains comments from the Electoral Area E/West Boundary Advisory Planning Commission and the Electoral Area D/Rural Grand Forks Advisory Planning Commission and to also forward the comments and concerns expressed by some Board Directors regarding the negative impacts to the watershed, wildlife, recreation and the overall environment." Staff selected "N/A" under recommendations based on this motion. The additional comments from the Regional Board: Director McGregor stated that she would like the proposal to include a complete environmental impact assessment. Director Gee stated that she would like to see the Province require a complete environmental impact assessment prior to any decision-making. As part of the RDKB's response to FrontCounter BC's referral, Director Gee requested that the following specific comments to be referred back to the Ministry along with the Board's motion: 1.

Area E/West Boundary residents use the subject-area for different reasons including logging, hunting, snowmobiling and other recreational purposes. There are concerns around damage from flooding resulting in economic damage due to past logging practices in this area and resulting in challenges for the forest to grow back. There is a Ministry of Forests Cumulative Effects study, which evaluates activity in the watershed. It is important to pull this information to this proposal. 2.

The applicants wish to commence construction summer 2021. This is not enough time for an evaluation or to pull in other reports. 3. There are numerous concerns about the impacts on wildlife. Comments have stated that there are wildlife populations that were not identified in the current environmental impact assessment that was offered. The concerns include the effects of the proposal on wildlife being under pressure during winter months when nutrition is very low. 4.

The size of the intensive-use area is 15 ha. Director Gee stated this seems very large in an alpine area. 5. The Electoral Area E/West Boundary APC is concerned about new road construction and stream-crossings. 6.

There are questions about the coexistence of ongoing forestry in the area. Director O'Donnell noted her own concerns regarding the dangers of fuel trucks competing with logging trucks while traveling on the road during winter and possible accidents that could lead to an environmental disaster in the watershed. She also noted her concerns with the use of diesel and would like to see the proposal revised to support green technologies and a safer way of operating. Other comments: The proposal is in a mandatory building permit area. The RDKB Floodplain Bylaw applies to the entire Regional District (see

Ministry of Forests, Lands,
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<https://rdkb.com/Regional-Government/Who-we-are-what-we-do/Policies-and-Bylaws>) A portion of the subject lands are zoned Rural Resource 2 in the Electoral Area D/Rural Grand Forks Zoning Bylaw (available here: <https://rdkb.com/Portals/0/Administration/Documents/Bylaws/Bylaw1675-AreaDRuralGFZoning.pdf?ver=2020-10-16-161515-590>). The permitted principle uses are: Agriculture; Campground, subject to Section 404; Golf courses; Conservation areas, ecological reserves, wildlife sanctuaries; Interpretive centres; Log home manufacturing; Portable shake, shingle and sawmills; Post and tie operations; Resource Use; Single family dwelling; and Veterinary clinics excluding animal shelters.

Organization: Ministry of Energy Mines, Kootenay/ **Request Number:** 003
Respondent: Fiona Katay **Legislated:** No
Closed By: Fiona Katay **Referral Level:** Optional

Recommendation: No objection to approval of project.

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 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

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Organization: Transportation and Infrastructure - N **Request Number:** 005
Respondent: **Legislated:** No
Closed By: **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 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 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

thank you for the opportunity to respond to this proposal. Ministry of Transportation will require a commercial access from public road. Parking shall be off roads and land falling under Transportation's jurisdiction.

Organization: Ministry of Forests Lands & Natural **Request Number:** 009
Respondent: Ian Wiles **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.

Ministry of Forests, Lands,
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Mailing Address:

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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 Reponse

If trees of any size are to be damaged or destroyed during construction the applicant will require authorization. Proponent to contact Ed Nagy at Edward.Nagy@gov.bc.ca or 250-365-8638 to get the proper authority. If ongoing tree cutting will be required for ski runs, pick up locations etc. the proponent will need to follow the Selkirk Forest District Mechanized Skiing Operating Plan for Occupant Licence to Cut authorities. The applicant should contact Robyn Begley for more details. Robyn.Begley@gov.bc.ca 250-805-6755. The applicant has indicated they will be using heavy equipment on roadways. Some roads may be currently tenured to while others may not be. The proponent must contact Darren Henshaw engineering technician Darren.henshaw@gov.bc.ca 250-442-9421 to determine which roads will require a road use agreement and which will require a road permit. If roads are tenured to another agreement holder than the proponent needs to get a road use agreement for maintenance costs with them. These will be with either Interfor or BCTS. Most of the lease area is within 2 free growing cutblocks. Disturbance to these areas should be minimized to the extent possible as they have had money invested in them by the ministry and industry to reforest the area and they form an important component of future timber supply. If activities do take place within it the proponent must provide GPS mapping info of disturbance to the ministry so that the results database can be updated. Information can be sent to Resources.Nelson@gov.bc.ca and Diane Millar. Diane.millar@gov.bc.ca This application must be referred to forest tenure holders to provide them with an opportunity to comment on how the application may impact their operations discuss safety issues, road use agreements and potential impacts to harvest plans or plantations. Interfor: Ron Palmer, Ron.palmer@interfor.com, 250-304-6411 BCTS: Scott Leslie, Scott.Leslie@gov.bc.ca 250-442-9717



Organization: Keith Baric
Respondent: Keith Baric
Closed By:

Request Number: 014
Legislated: No
Referral Level: Optional

Recommendation: Recommend refusal of project due to reasons 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 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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<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 Reponse

Attachments Exist

Please see attached letter from Keith Baric (Planning Section Head- Okanagan/BC Parks)



Organization: Ministry of Forests, Lands and Natural Resource Operations
Respondent: Ariana McKay
Closed By: Ariana McKay
Request Number: 015
Legislated: No
Referral Level: Optional

Recommendation: Recommend refusal of project due to reasons 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.
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<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 Reponse

see attached habitat comments

Attachments Exist

Contact

FrontCounter BC

Contact: Sharon Dailey
E-mail: sharon.dailey@gov.bc.ca

Dailey, Sharon H FLNR:EX

From: McKay, Ariana FLNR:EX
Sent: January 15, 2021 3:59 PM
To: Dailey, Sharon H FLNR:EX
Subject: 567403 supporting docs
Attachments: AreaOfInterest.pdf; ECA_Indicator.pdf; RdsCloseToWaterIndicator.pdf; RdsSteepSlopesIndicator.pdf; SedimentationHazard.pdf; SedimentLandUseDisturbance.pdf; StreamflowHazard.pdf; Regulation Proposal Document.pdf

Hi Sharon,

You will find our referral comments in the e-referral system, but here are supporting documents.

Thanks!

Ariana McKay MSc, RPBio

Terrestrial Habitat Biologist, Kootenay Boundary Region

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

Phone: 250-420-6293

Sinixt Response to Powder Renegade Lodge Inc Applications

File 4406147 – Lodge Site Lease Application

Marilyn R. James:

Dear Resorts Branch,

As the Matriarch of the Sinixt Smum iem (traditional governance system) in the Columbia River area of BC, I am writing concerning this proposal. I request that as the representative of the Autonomous Sinixt I be included in the First Nations referral protocols.

As an Indigenous People divided by an international boundary, our unceded rights as Sinixt are upheld in Canada by Article 36 of the United Nations Declaration on the Rights of Indigenous People. This Declaration has recently been affirmed by the BC Legislature. Further, according to Articles 26 and 32, not only do we have the right to the resources in our tum xúla?x^w (traditional territory), anyone operating in our territory must obtain our free, prior and informed consent (FPIC) for any activities on our lands. Our Sinixt Indigenous rights and responsibilities, encompass the water, land, forests and animals including in our tum xúla?x^w. In the current political climate, your decision making processes mostly exclude the Sinixt, as we are not a recognized "band" – this is unacceptable in light of basic ethics as well as in the context of United Nations Declaration on the Rights of Indigenous People .

First and foremost, our concerns about this proposal include but is not limited to the following: we have not been consulted or even informed about this proposal. The Autonomous Sinixt operate under and uphold the traditional laws of whuplak'n and smum iem that informs the Sinixt position: We don't know who those people are. They are not in good relation or any relation with us.

Secondly, in light of climate change and other impacts on our traditional territory, we have serious concerns about yet another ski resort being established. Water and wildlife protection are to be prioritized over recreation and business. Due to high wilderness values, this is not an appropriate place for a recreational development and we demand that it be rejected.

File 4406148 – Extensive Use Application for Cat-Ski Operation

Marilyn R. James:

Dear Resorts Branch,

As the Matriarch of the Sinixt Smum iem (traditional governance system) in the Columbia River area of BC, I am writing concerning this proposal. I request that as the representative of the Autonomous Sinixt I be included in the First Nations referral protocols.

As an Indigenous People divided by an international boundary, our unceded rights as Sinixt are upheld in Canada by Article 36 of the United Nations Declaration on the Rights of Indigenous People. This Declaration has recently been affirmed by the BC Legislature. Further, according to Articles 26 and 32, not only do we have the right to the resources in our tum xúla?x^w (traditional territory), anyone operating in our territory must obtain our free, prior and informed consent (FPIC) for any activities on our lands. Our Sinixt Indigenous rights and responsibilities, encompass the water, land, forests and animals including in our tum xúla?x^w. In the current political climate, your decision making processes mostly exclude the Sinixt, as we are not a recognized "band" – this is unacceptable in light of basic ethics as well as in the context of United Nations Declaration on the Rights of Indigenous People .

First and foremost, our concerns about this proposal include but is not limited to the following: we have not been consulted or even informed about this proposal. The Autonomous Sinixt operate under and

uphold the traditional laws of whuplak'n and smum iem that informs the Sinixt position: We don't know who those people are. They are not in good relation or any relation with us.

Secondly, in light of climate change and other impacts on our traditional territory, we have serious concerns about yet another ski resort being established. The amount of roads being developed will have a major impact on the landscape as well as grizzlies, wolverines and countless other species. These animals are already being pressed extensively by all the recreational development in this province. Increased human presence and activities as well as roads will also negatively affect water sources.

Water and wildlife protection are to be prioritized over recreation and business. Due to high wilderness values, this is not an appropriate place for a recreational development and we demand that it be rejected.

K.L. Kivi:

First and foremost, my concerns about this proposal echo those of the Autonomous Sinixt, who have not been consulted or even informed about this proposal. Anyone operating in their traditional territory must obtain our free, prior and informed consent (FPIC) for any activities on their lands as per the UN Declaration on the Rights of Indigenous People. Their Sinixt Indigenous rights and responsibilities, encompass the water, land, forests and animals. In the current political climate, your decision making processes mostly exclude the Sinixt, as they are not a recognized "band" – this is unacceptable in light of basic ethics as well as in the context of United Nations Declaration on the Rights of Indigenous People .

Secondly, in light of climate change and other impacts in Sinixt territory, I have serious concerns about yet another ski resort being established. The amount of roads being developed will further fragment wildlife habitat and have a major impact on grizzlies, wolverines and countless other species. These animals are already being pressed extensively by all the recreational development in this province. Increased human presence and activities as well as roads will also negatively affect water sources.

I ask that a moratorium be placed on all further recreational tenures until comprehensive cumulative impacts are studied and a community-based planning process is in place.

File 4406149 – Roadway Application

Marilyn R. James:

Jan. 11, 2021

Dear Resorts Branch,

As the Matriarch of the Sinixt Smum iem (traditional governance system) in the Columbia River area of BC, I am writing concerning this proposal. I request that as the representative of the Autonomous Sinixt I be included in the First Nations referral protocols.

As an Indigenous People divided by an international boundary, our unceded rights as Sinixt are upheld in Canada by Article 36 of the United Nations Declaration on the Rights of Indigenous People. This Declaration has recently been affirmed by the BC Legislature. Further, according to Articles 26 and 32, not only do we have the right to the resources in our tum xúla?xw (traditional territory), anyone operating in our territory must obtain our free, prior and informed consent (FPIC) for any activities on our lands. Our Sinixt Indigenous rights and responsibilities, encompass the water, land, forests and animals including in our tum xúla?xw. In the current political climate, your decision making processes mostly exclude the Sinixt, as we are not a recognized "band" – this is unacceptable in light of basic ethics as well as in the context of United Nations Declaration on the Rights of Indigenous People .

First and foremost, our concerns about this proposal include but is not limited to the following: we have not been consulted or even informed about this proposal. The Autonomous Sinixt operate under and uphold the traditional laws of whuplak'n and smum iem that informs the Sinixt position: We don't know who those people are. They are not in good relation or any relation with us.

Secondly, in light of climate change and other impacts on our traditional territory, we have serious concerns about yet another ski resort being established. The amount of roads being developed will have a major impact on the landscape as well as grizzlies, wolverines and countless other species. Roads bring increased human presence and also negatively affect land stability and thus water sources.

Water and wildlife protection are to be prioritized over recreation and business. Due to high wilderness values, this is not an appropriate place for a recreational development and we demand that it be rejected.

K.L. Kivi:

The road density of this proposal is unacceptable in light of its location on the edge of Granby PP. The wildlife don't perceive park boundaries and they certainly need more room to roam than provided by current terrestrial conservation areas in the province. Roads introduce invasive plant species as well as potential for erosion and a diminishment in water quality. What guarantees will the province require in terms of a bond in case of catastrophic events? What level of maintenance will the proponent uphold and is there the governmental staff to appropriately monitor their work?

Dailey, Sharon H FLNR:EX

From: Dailey, Sharon H FLNR:EX
Sent: February 8, 2021 8:22 AM
To: kl@maapress.ca
Subject: RE: Received comments on Crown land files 4406147, 4406148, 4406149 - Powder Renegade Lodge Inc

Good Morning,

Thank you for your response and clarification; I will ensure your response to the Powder Renegade Lodge proposal is incorporated into the review process.

A ski resort that falls under the jurisdiction of the Mountain Resorts Branch, like the Zincton proposal, has to meet certain criteria such as 'minimum commercial bed units' and include new capital investment of not less than \$10 million in recreation improvement. More information on what falls under the Mountain Resorts Branch purview can be found in their policy: https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resource-use/land-water-use/crown-land/asr_policy.pdf

The Powder Renegade Lodge proposal falls under the Adventure Tourism Policy, which is administered by the Crown Land Authorizations Branch: https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resource-use/land-water-use/crown-land/adventure_tourism.pdf

As your comments were addressed to the Mountain Resorts Branch, I wanted to ensure that your comments were directed to the correct proposal.

Best Regards,

Sharon Dailey
Senior Authorizations Specialist
Crown Land Authorizations
Kootenay Boundary Region

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

From: kl@maapress.ca <kl@maapress.ca>
Sent: February 7, 2021 3:52 PM
To: Dailey, Sharon H FLNR:EX <Sharon.Dailey@gov.bc.ca>
Cc: Marilyn <marilynrxjames@hotmail.com>
Subject: Fwd: Received comments on Crown land files 4406147, 4406148, 4406149 - Powder Renegade Lodge Inc

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Hello Sharon,

Marilyn James' comments were intended for the Powder Renegade Lodge proposal. Why is it not being called a ski resort? A snowcat operation with a lodge is also a "ski resort," is it not? We comment on a range of proposals in our tum xula7xw with limited staff and capacity and do our best to respond appropriately as is our responsibility.

K.L. Kivi
Ally Assistant to Marilyn James, Sinixt Matriarch

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

Subject: Fwd: Received comments on Crown land files 4406147, 4406148, 4406149 - Powder Renegade Lodge Inc
Date: 2021-02-04 10:02
From: Marilyn <marilynrxjames@hotmail.com>
To: "k.linda@maapress.ca" <k.linda@maapress.ca>

Get Outlook for iOS [1]

From: Dailey, Sharon H FLNR:EX <Sharon.Dailey@gov.bc.ca>
Sent: Thursday, February 4, 2021 6:09:22 AM
To: marilynrxjames@hotmail.com <marilynrxjames@hotmail.com>
Subject: Received comments on Crown land files 4406147, 4406148, 4406149 - Powder Renegade Lodge Inc

Good morning Ms. James,

I have reviewed your comments received on our 'Applications, Comments and Reasons for Decision' website with respect to the above noted three Crown land applications for Powder Renegade Lodge Inc. The three Powder Renegade Lodge Inc applications are for a cat-ski operation, lodge site and associated roads located west of the Granby Provincial Park.

As you have addressed your comments to the Mountain Resorts Branch and refer to a ski resort, it appears that your comments may be applicable to the Expression of Interest for the Zincton All Season Resort Proposal, which is proposed in the vicinity of London Ridge and Whitewater Ridge, near New Denver, B.C.

Would you please confirm whether your comments are directed to the Zincton proposal. If so, I will ensure that your comments are forwarded to the correct staff members in Mountain Resorts Branch.

Thank you and Best Regards,

Sharon Dailey

Senior Authorizations Specialist

Crown Land Authorizations

Kootenay Boundary Region

250-420-6442

Links:

[1] <https://aka.ms/o0ukef>

Dailey, Sharon H FLNR:EX

From: Cairns, Sue C IRR:EX
Sent: February 10, 2021 12:32 PM
To: Dailey, Sharon H FLNR:EX
Cc: Giles, Wayne IRR:EX; Pagett, Allison FLNR:EX; Lucas, Brent M FLNR:EX; Morello, Ray FLNR:EX; Kalischuk, Andrea FLNR:EX <Andrea.Kalischuk@gov.bc.ca>; Kalischuk, Andrea FLNR:EX; Baker, Gena FLNR:EX <Gena.Baker@gov.bc.ca>; Baker, Gena FLNR:EX; Boskovic, Zoran O FLNR:EX <Zoran.Boskovic@gov.bc.ca>; Boskovic, Zoran O FLNR:EX
Subject: FW: REQUEST: Next Steps for Sinixt Respose to Powder Renegade Lodge Inc Applications
Attachments: Sinixt Response to Powder Renegade Lodge Inc Applications.docx; RE: Received comments on Crown land files 4406147, 4406148, 4406149 - Powder Renegade Lodge Inc

Hi Sharon,

Allison and I have been in communication and as you both mention, this application is not in the Sinixt CAD boundary. As the result, consultation with Sinixt is not a consideration here.

Input from BC resident ancestors of the Sinixt (aka "autonomous Sinixt") respected stewards and holders of cultural heritage knowledge, is received via public consultation according to current policy.

Notes:

Please note that at this time, if consultation on Sinixt rights were to be carried out (which would only be contemplated within Sinixt CAD boundary), it would be with the Colville Confederated Tribe, not the "autonomous Sinixt" who are not Aboriginal rights holders under Constitution Sec 35.

s.16

2020-11-01 Background information: Sinixt in British Columbia

- Ethnohistoric research indicates that pre-contact Sinixt use and occupancy of Sinixt asserted traditional territory included parts of northern Washington State, and in British Columbia, extended from the 49th parallel on the Columbia River along the Arrow Lakes to Revelstoke, and included the Slocan River and Slocan Lake. In 1871, the US government established a reservation in Washington State for 12 tribes known as the Confederated Tribes of the Colville Reservation, including the Sinixt (or Lakes Tribe). At that time Sinixt people began relocating to the reservation south of the border although a gradual movement southward had begun as early as 1830. There are Sinixt descendants living in Canada in communities such as Okanagan, Spltasin, and Ktunaxa Nation, as well as independently as West Kootenay residents, although these persons appear to be affiliated with other First Nations or *Indian Act* bands.
- In 1956, the federal government removed the Arrow Lakes Band (which was partially but not totally comprised of Sinixt persons) from the federal *Indian Act* band registry because the last member of the Band died and there was no longer anyone living on the Arrow Lakes Reserve. This resulted in the Arrow Lakes Band entity being declared 'extinct'. This did not mean that the federal government declared the "Sinixt" people to be extinct (as is often communicated today).
- In 1982, with the passing of Canada's *Constitution Act, 1982*, it became necessary for Indigenous people to prove membership in a recognized Indigenous collective in order to claim the constitutional protection of Aboriginal rights under section 35. At the time there was no recognized collective that was able to claim

constitutional protection for asserted Sinixt aboriginal rights in Canada. Subsequently, in 2016-17, a member of the Colville Tribes and a US citizen successfully claimed an aboriginal right to hunt in BC based on his Sinixt ancestry and membership with the Lakes Tribe. This is known as the R v Desautel case.

- Lower courts have ruled in R v Desautel, that an aboriginal right to hunt in BC based on the history of the Lakes Tribe and Mr. Desautel's Sinixt ancestry, exists. The lower courts have directed that the Lakes Tribe of the Colville Tribes in Washington holds an Aboriginal right to hunt for Sinixt in BC. However, this ruling has been appealed by the province who continues to bring forth the view that Section 35 rights cannot be held by non-Canadians in the circumstances of this case. Supreme Court of Canada ruling is pending on this case which was heard on Oct 8 2020.
- Until a decision from the Supreme Court of Canada is provided, and prior to engaging or any consultation with the Sinixt or Colville Tribes, please contact Wayne Giles and /or Sue Cairns, Kootenay Boundary MIRR.
- Please note that this website sinixtnation.org is not linked to Colville Tribes but rather is associated with descendents of Sinixt people who returned to the Arrow Lakes and Slocan in the 1980s. These descendents of Sinixt people are active members of the West Kootenay communities where they live and they also monitor numerous asserted sacred sites. The descendents of Sinixt people who live independently in the West Kootenay are not engaged as rights holders as these rights would need to be expressed through Colville Tribes per R v Desautel ruling (which is the case under appeal). For further information on the Confederated Tribes of the Colville Reservation, go to <https://www.colvilletribes.com>
- The provincial government is committed to strong relationships with all B.C. First Nations.

Thanks for being in touch.

Kind regards,

Sue Cairns

Sr Resource Coordination Officer

Ministry of Indigenous Relations & Reconciliation – Kootenay Boundary Region

Cranbrook Office in ʔamakʔis Ktunaxa

250-919-1374

I honour the Ktunaxa and Salishan speaking peoples' connection to this place and respect the importance of diverse teachings and ways of knowing. As a settler, I am grateful to be here.

From: Dailey, Sharon H FLNR:EX <Sharon.Dailey@gov.bc.ca>

Sent: February 8, 2021 9:30 AM

To: Giles, Wayne IRR:EX <Wayne.Giles@gov.bc.ca>; Morello, Ray FLNR:EX <Ray.Morello@gov.bc.ca>

Cc: Kalischuk, Andrea FLNR:EX <Andrea.Kalischuk@gov.bc.ca>; Baker, Gena FLNR:EX <Gena.Baker@gov.bc.ca>; Lucas, Brent M FLNR:EX <Brent.Lucas@gov.bc.ca>; Boskovic, Zoran O FLNR:EX <Zoran.Boskovic@gov.bc.ca>; Pagett, Allison FLNR:EX <Allison.Pagett@gov.bc.ca>

Subject: REQUEST: Next Steps for Sinixt Response to Powder Renegade Lodge Inc Applications

Good morning,

I have received the attached responses, through the public consultation process, for Powder Renegade Lodge Inc's (PRL) three applications. The applications are for a Lodge site, an extensive use area for a cat-ski operation, and associated roadways located west of the Granby Provincial Park.

The initial thought was that perhaps the comments were directed to the Mountain Resorts Branch Zincton proposal; however, I have since received confirmation that the comments are for PRL.

Please provide suggested next steps for consultation consideration.

Thank you,
Sharon

Sharon Dailey
Senior Authorizations Specialist
Crown Land Authorizations
Kootenay Boundary Region

Dailey, Sharon H FLNR:EX

From: Baric, Keith J ENV:EX
Sent: November 23, 2020 3:12 PM
To: Dailey, Sharon H FLNR:EX
Cc: Finlay, Jonathan ENV:EX
Subject: Adventure Tourism Application: Crown Land File:- 4406147, 4406148, 4406149

Hi Sharon:

Thanks for looping us into this proposal application and also conveying that the previous tenure that overlapped a portion of this more recent application has since been cancelled.

On cursory review of the management plan presented by the proponent (PRL), I am surprised that the proponent has not undertaken any form of environmental impact assessment- as the application area is quite large and would encumber an area that has high species at risk habitat/connectivity and other significant wildlife/ecosystem values. From my perspective, the application is incomplete without an impact assessment. The proponent states on page 60 (section 6.0) that a field visit by a QEP (Qualified Environmental Professional) of the proposed lodge site is "required" (but no reference as to when). Again, from my perspective, a QEP should be reviewing the entire application area and offering mitigation proposals/approaches far in advance of the application being submitted so that the adjudication process is properly informed as are those that are reviewing the referral for the proposed tenure. Also, there is very little information on archaeological context (e.g., absences of a Preliminary Field Reconnaissance and/or Archeological Overview Assessment) and Indigenous cultural/traditional use is not included- other than a brief mention that PRL has researched the CAD database and sourced affected Nations/bands.

Our agency will likely be submitting a formal letter back to FCBC in addition to the completing the referral questionnaire once it is received.

Thanks again,

Keith

Keith J. Baric

Planning Section Head (Okanagan)

BC Parks and Conservation Officer Service Division

102 Industrial Place, Penticton B.C. V2A 7C8

Phone: Office at 250-490-8260, cell at 250-462-0202, or Skype Phone at 778-622-6882.

Email: Keith.Baric@gov.bc.ca

Pagett, Allison FLNR:EX

From: Raf De Guevara <rdeguevara@wfn.ca>
Sent: February 17, 2021 10:55 AM
To: Pagett, Allison FLNR:EX
Cc: Crystal Prince; Meeks, Tori FLNR:EX
Subject: Westbank First Nation-Renegade Powder Lodge 2021.

Follow Up Flag: Follow up
Flag Status: Flagged

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Raf DeGuevara

Director, Intergovernmental Affairs/Title and Rights

Westbank First Nation

301 - 515 Highway 97 South
Kelowna, BC V1Z 3J2

T 250 769 2440

F 250 769 2036 www.wfn.ca

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Pagett, Allison FLNR:EX

From: Crystal Prince <cprince@wfn.ca>
Sent: January 12, 2021 4:52 PM
To: Pagett, Allison FLNR:EX
Cc: Stephanie Paul; Nancy Bonneau; Raf De Guevara
Subject: RTS_6059_Guided Cat Skiing - Westbank First Nation - RSP LTR: 30 day extension
Attachments: RTS_6059_Guided Cat Skiing_Powder Renegade Lodge_RSP LTR 30 day extension_2021-01-12.pdf

Importance: High

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Crystal Prince
Acting Referrals Officer
Intergovernmental Affairs

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F 250 769-2036 www.wfn.ca

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Pagett, Allison FLNR:EX

From: Crystal Prince <cprince@wfn.ca>
Sent: January 14, 2021 10:20 AM
To: Pagett, Allison FLNR:EX
Subject: RE: RTS_6059_Guided Cat Skiing - Westbank First Nation - RSP LTR: 30 day extension

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From: Pagett, Allison FLNR:EX
Sent: January 13, 2021 3:32 PM
To: Crystal Prince
Subject: RE: RTS_6059_Guided Cat Skiing - Westbank First Nation - RSP LTR: 30 day extension

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Allison Pagett

Advisor, First Nations Relations
Ministry of Forests, Lands, Natural Resource Operations and Rural Development
Kootenay Boundary Region
1902 Theatre Road
Cranbrook BC V1C7G1
Ph 250 420 6283



From: Crystal Prince <cprince@wfn.ca>
Sent: January 13, 2021 4:26 PM
To: Pagett, Allison FLNR:EX <Allison.Pagett@gov.bc.ca>
Cc: Raf De Guevara <rdeguevara@wfn.ca>
Subject: RE: RTS_6059_Guided Cat Skiing - Westbank First Nation - RSP LTR: 30 day extension

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Hello Allison,

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Crystal Prince
Acting Referrals Officer
Intergovernmental Affairs

Westbank First Nation
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Kelowna, BC V1Z 3J2

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From: Pagett, Allison FLNR:EX <Allison.Pagett@gov.bc.ca>

Sent: January 13, 2021 1:40 PM

To: Crystal Prince <cprince@wfn.ca>

Subject: RE: RTS_6059_Guided Cat Skiing - Westbank First Nation - RSP LTR: 30 day extension

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Hope your day has been a good one!

Allison Pagett

Advisor, First Nations Relations

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

Kootenay Boundary Region

1902 Theatre Road

Cranbrook BC V1C7G1

Ph 250 420 6283



From: Crystal Prince <cprince@wfn.ca>

Sent: January 12, 2021 4:52 PM

To: Pagett, Allison FLNR:EX <Allison.Pagett@gov.bc.ca>

Cc: Stephanie Paul <spaul@wfn.ca>; Nancy Bonneau <nbonneau@wfn.ca>; Raf De Guevara <rdeguevara@wfn.ca>

Subject: RTS_6059_Guided Cat Skiing - Westbank First Nation - RSP LTR: 30 day extension

Importance: High

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201 - 515 HWY 97 S, KELOWNA, BC V1Z 3J2
Telephone: 250-769-4999 Fax: 250-768-0528

Respectfully,

WESTBANK FIRST NATION



Chief Chris Derickson



Councillor Fernanda Alexander



Councillor Lorrie Hogaboam



Councillor Andrea Alexander



Councillor Jordan Coble

Page 60 of 62

Withheld pursuant to/removed as

s.16

Pagett, Allison FLNR:EX

From: Crystal Prince <cprince@wfn.ca>
Sent: February 11, 2021 3:47 PM
To: Pagett, Allison FLNR:EX
Subject: RE: Conditional Consent-Powder Renegade Lodge RTS 6059

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Crystal Prince
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From: Crystal Prince
Sent: February 8, 2021 3:08 PM
To: 'Pagett, Allison FLNR:EX'

Cc: Raf De Guevara ; Nancy Bonneau

Subject: Conditional Consent-Powder Renegade Lodge RTS 6059

s.16

Crystal Prince

Acting Referrals Officer
Intergovernmental Affairs

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