# Rottluff, Kathleen FLNR:EX

From:

Rottluff, Kathleen FLNR:EX

Sent:

April 12, 2022 9:52 AM

To:

'Mike Tomlinson'

Subject:

RE: Referral Request #141344245 Adventure Tourism application - Bella Coola Heli -

Bluff Lake

Received, thank you Mike.

Kate Rottluff
Land and Resource Specialist
Resource Authorizations
Cariboo Region
Ph# (250) 302-5707
Fax (250) 398-4836



From: Mike Tomlinson <mike@consus.ca>

Sent: April 11, 2022 4:37 PM

To: Rottluff, Kathleen FLNR:EX <Kathleen.Rottluff@gov.bc.ca>

Subject: RE: Referral Request #141344245 Adventure Tourism application - Bella Coola Heli - Bluff Lake

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

Hi Kathleen,

Please find my response to this referral which is now closed.



# Response Roll-up Report

FrontCounter BC

Referral Type:

Adventure Tourism/Commercial

Referral Number: 141344245

Reference Number:

Forests, Lands and Natural Resource Referral Status:

In Summary

Legislated Only:

Recreation

# Recommendations

Request	Other	
0	0	Interests unaffected.
0	0	N/A
2	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



Organiza	tion:	Mini	stry of	Forests, Lands and Natur	Request Number:	001
Respond	ent:	Teg	an Pad	lgett	Legislated:	No
Closed B	y:				Referral Level:	Optional
Recomm	endati	on:	Recom	mend refusal of project due	e to reasons outline below	<i>.</i>
,	Yes	No	N/A	Question		
			<b>&gt;</b>	Does this application im responsibilities? If yes, responsibility and please and what mitigative mea impacts in the response	how will the proposal in e identify the relevant le asures will be required t	npact your legislated egislation (section) o address these
			V	If the proposal proceeds permit from your agency at the bottom of the pag	? If yes, please explain	
			V	Will on-going compliance a result of your legislate what will be required in a page.	d responsibilities? If ye	es, please explain
			V	Will this application affer explain in the response		
	Expla	natio	n of Re	eponse	Attachments	Exist
	Please	see	the atta	ached PDF for reasons for	recommending refusal of	project.

Ministry of Forests Reference Number: Forests, Lands and Natural Resource Operations / 5408054 Mailing Address:

Phone: Fax: Toll Free: Website: REFERRAL 141344245 – Adventure Tourism, Bella Coola Heli Sports Inc Terrestrial Habitat Section comments by: Tegan Padgett, Ecosystems Biologist, Ministry of FLNRORD, 31 March 2022

The proponent is applying for a ten to thirty year lease tenure for adventure tourism (eco-tourist lodge/resort). The application is for an area of 6.9 hectares and in the location of Bluff Lake. The site has wildlife and habitat values and may affect the following sensitive species and ecosystems.

General Comments: Although this specific application has some overlap with identified sensitive species and areas, its impact is manageable for the area. However, the overall impact of the eco-tourism lodge activities (e.g., heli-tourism) will negatively affect a greater area and multiple species that are sensitive to helicopter activity. Here I have provided recommendations on the area of interest in this referral, but I can not recommend approval without knowing the full scope of the proponents' activities. In order to fully evaluate this proposal, I would need to have a better understanding of how the proponent plans to access their current heli-skiing tenure area (e.g. flight paths) and whether this lodge will mean an increase or expansion to their current operations. We recommend that this tenure be evaluated alongside an updated management plan for their heli-skiing tenure and any other proposed tenures.



### **Old Growth Management Areas**

The proposed area of interest overlaps with legal Old Growth Management Areas (OGMA) (Figure 1). OGMAs are established by the Cariboo Chilcotin Land Use Plan and the land order requirement is to "Retain old forest and natural successional processes by maintaining as no-harvest area the permanent OGMA-static, permanent OGMA-rotating, and transition OGMAs." OGMAs are a crucial component of the Cariboo-Chilcotin Biodiversity Strategy and are critical to the maintenance of many environmental and non-timber values in a highly managed landscape (BCSC 2011).

According to the Regional Biodiversity Conservation Strategy Update #14 "The Function and Management of Old Growth Management Areas in the Cariboo-Chilcotin," conventional forest harvesting is not consistent with the legal Land Use Order, and other developments are not compatible because of the site clearing and road development required (BCSC 2011). While legally the Land Act Order does not govern resource development activities other than forest and range management, it is an important consideration in all land developments.

**Recommendations:** Trees should not be removed from OGMAs to help maintain the old growth characteristics desired in these areas. Please limit disturbance and tree removal to previously disturbed areas or keep the footprint as small as possible.

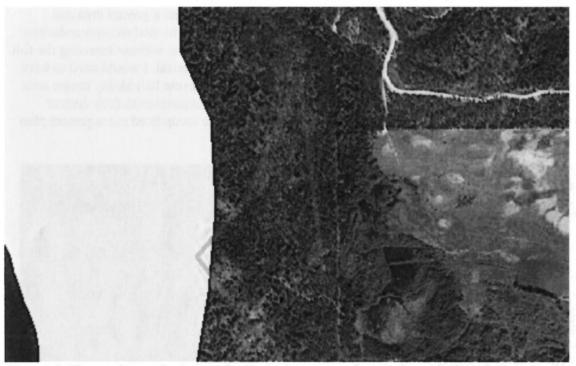


Figure 1. The work area boundary (red) overlapping with permanent OGMA (light yellow).

# **Community Areas of Special Concern**

The proposed area of interest overlaps with a Community Area of Special Concern (Figure 2). Community Areas of Special Concern are defined by the Cariboo Chilcotin Land Use Plan (CCLUP) and the Land Use Order requires that these areas are maintained as no-harvest areas.

**Recommendation:** We recommend maintaining the Community Area of Special Concern as a no-harvest area.

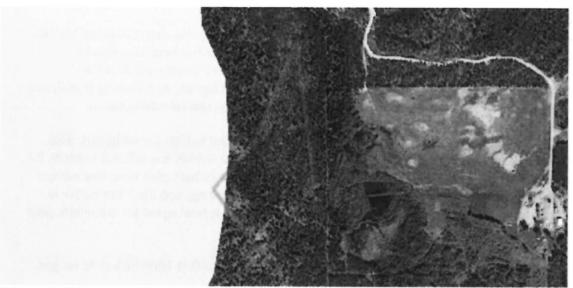


Figure 2. The proposed tenure area boundary (red) overlaps with Community Areas of Special Concern (pink).

# Scenic Areas

The proposed area of interest boundary overlaps with a Scenic Area, which is designated under the CCLUP (Figure 3). While able to harvest trees in visually sensitive areas, care should be taken when working in Scenic Areas in order to maintain visual quality.

**Recommendations:** Disturbance in Partial Retention Areas (brown) can be easy to see, small to medium in scale, and natural and not rectilinear or geometric in shape.

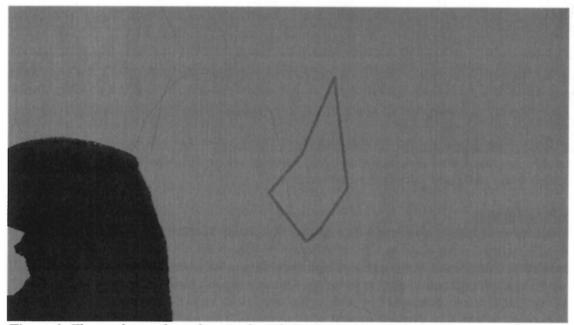


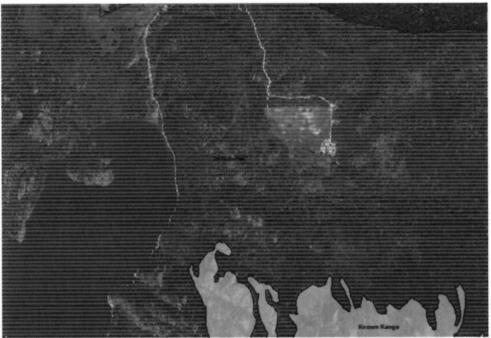
Figure 3. The work area boundary (red) with Scenic Area partial retention areas (brown).

## Whitebark Pine

The proposed area of interest overlaps with whitebark pine (*Pinus albicaulis*) populations and habitat, specifically in the 2 km buffer (Figure 4). Whitebark pine has been assessed by COSEWIC (Committee on the Status of Endangered Wildlife in Canada) and listed as Endangered Schedule 1 under the federal *Species at Risk Act*. They are provincially blue-listed meaning they are considered vulnerable and sensitive, requiring special management.

Environment and Climate Change Canada have proposed critical habitat for whitebark pine, including a known range and a 2 km buffer of the known range, which has suitable habitats for this species. The known range of whitebark pine has to have whitebark pine trees that are not terminally infected with white pine blister rust and are cone-bearing, and the 2 km buffer is within the dispersal distance of Clark's nutcracker, the main dispersal agent for whitebark pine seeds (ECCC 2017).

Recommendation: Disturbances should be kept to a minimum within whitebark pine ranges.



**Figure 4**. The proposed work area boundary (red) showing the overlap with whitebark pine known range (solid pink) and 2 km buffer (pink stripped).

## **Grizzly Bear Habitat**

The proposed area of interest overlaps with low capacity grizzly bear habitat (Figure 5). Grizzly bear habitat is defined in the Cariboo Chilcotin Land Use Plan (CCLUP) and according to the Land Use Order, in moderate, high, and very high capability grizzly bear habitat, security cover should be maintained adjacent to critical foraging habitats, such as spawning reaches for salmon and trout, avalanche tracks dominated by herbaceous species, or on run-out zones on the south and west aspects. In addition, as much natural berry production as practicable should be retained.

Recommendation: Avoid removing berry-producing shrubs or replant with these species.

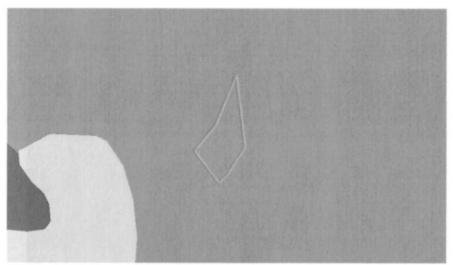


Figure 5. The proposed work area boundary (red) showing the overlap with low capacity grizzly bear habitat (light green).

# **Mule Deer Winter Range**

The proposed area of interest overlaps with Mule Deer Winter Range (MDWR) (Figure 6), which are areas to be managed as winter habitat for mule deer. MDWR was identified as a priority by the Cariboo Chilcotin Land Use Plan (CCLUP) and established as practices requirements under the Forest and Range Practices Act (FRPA) via a Government Actions Regulation (GAR) Order. One of the objectives of MDWR management is to maintain forest cover throughout the winter range. These ranges are established within areas containing Douglas-fir, which provides snow interception, shelter, and food sources for use during winter months (Armleder et al. 1986). MDWRs are site-specific and cannot be transferred to other areas. The proposed lodge is not compatible with a MDWR and therefore the tenure should not be authorized. The disturbance and activity associated with the lodge will alienate use by mule deer, which is not compatible with the CCLUP direction to manage this area as MDWR. The proposed land tenure and associated activities will permanently remove the area from MDWR suitability and capability. A MDWR assessment tool is provided at the end of this section (Tables 1 and 2). The rating from the tool associated with the proposed tenure area is Red, indicating that land alienation or disturbance of this portion of the MDWR would result in significant habitat degradation. Permanent removal of trees from the area would degrade the habitat for mule deer in an area already impacted by other disturbances, including logging, agriculture, and wildfire. The proposed area overlaps with moderate habitat stand structure class. These areas or classes are set aside to provide habitat for deer during deep snow winters, which is critical for their survival.

**Recommendations:** Within MDWR, new roads and removal of Douglas-fir of all ages should be minimized as much as possible. Roads should be as narrow as possible and located in areas without Douglas-fir. If the tenure is authorized, any tree removal that exceeds the limits of the GAR Order (accessed here for moderate snowpack zone: <a href="http://www.env.gov.bc.ca/wld/documents/wha/Amendment\_ShallowModerate\_Feb07\_Ord.pdf">http://www.env.gov.bc.ca/wld/documents/wha/Amendment\_ShallowModerate\_Feb07\_Ord.pdf</a>) would require a request for an exemption, which would require additional review, and may or may not be approved.

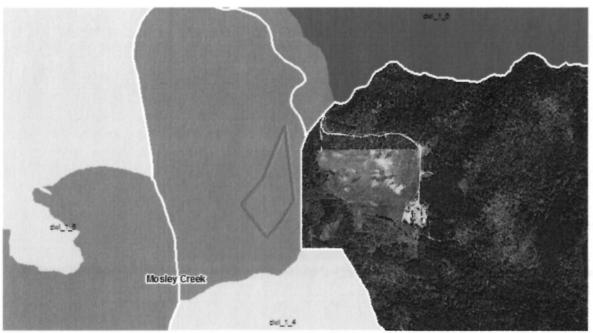


Figure 6. The area of interest (red) overlaps with Mule Deer Winter Range moderate (green) stand structure habitat class.

**Table 1.** MDWR Coarse Level Assessment Table for Land Sale/Lease Proposals. Assessed by Tegan Padgett, 20 March 2022, for development in habitat management zone: dwl 1 4

Factors	Categories	Score	Factor score
1.Size of proposal	• <25 ha	5	
within MDWR	• 26-100 ha	10	5
	• >100 ha	15	
2. Degree of	• In small (<50ha) completely isolated patch	0	
Connectivity	Mostly within 500m of WR edge	10	10
	Mostly more than 500m inside WR edge	15	
3. Long-term	Mostly Low	5	
stand structure	Mostly Moderate	10	10
objective	Mostly High	15	
4. Dominant	• ≥ 60% Spruce/Abies	0	
Vegetation Type	No tree species mapped	8	
	20-39% Douglas-fir	12	0 (Pine)
	• ≥ 40% Douglas–fir	15	
	Grassland	15	
5. Elevation	• Upper ½ of MDWR	5	10
	• Lower ½ of MDWR	10	10
6. OGMA/No-	Is any part of proposal within an OGMA or other		
harvest (NH)	NH feature?		
	No	0	15
	• Yes	15	

<b>Total Score</b>	图1000 A 2000 M		50
	• Yes	Yes	присполе
Habitat Alea	• No	No	Not applicable
Habitat Area	proposed)?		Not
8. Wildlife	Is any part of proposal in a WHA (final or		
	• Yes	15	
	• No	0	0
Topography	ridge break/feature?		
7. Break or ridge	Is any part of proposal in a buffer or within 200m of		

Table 2. Interpretation of Habitat Risk Category

<b>Habitat Risk Category</b>	Assessment score range	Habitat Risk Interpretation
Green*	0-15	Low risk of winter range habitat degradation
Amber	16-35	Land alienation will risk significant degradation of winter range habitat values
Red	>35	Land alienation will risk very significant degradation of winter range habitat values

<sup>\*</sup>Note that there will be very few areas rated as green because most of these have already been removed from the winter ranges through various boundary reviews.

Assessment Summary: Habitat Risk Category – Red, Wildlife Habitat Area Overlap – N

### References

Armleder, H.M, R.J. Dawson, and R.N. Thompson 1986. Handbook for Timber and Mule Deer Management Co-ordination on Winter Ranges in the Cariboo Forest Region. Accessed online: <a href="https://www.for.gov.bc.ca/hfd/pubs/docs/lmh/LMH13-1.pdf">https://www.for.gov.bc.ca/hfd/pubs/docs/lmh/LMH13-1.pdf</a>

BCSC 2011. Biodiversity Conservation Strategy Committee Update Note #14 – The function and Management of Old Growth Management Areas in the Cariboo-Chilcotin. Available at: <a href="https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resource-use/land-water-use/crown-land/land-use-plans-and-objectives/cariboo-region/cariboochilcotin-rlup/cclup\_biodiversity\_update\_note\_14.pdf">https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resources-use/land-water-use/crown-land/land-use-plans-and-objectives/cariboo-region/cariboochilcotin-rlup/cclup\_biodiversity\_update\_note\_14.pdf</a>

CCLUP 1994. Cariboo-Chilcotin Land Use Plan. Accessed online: <u>Cariboo-Chilcotin Regional</u> Land Use Plan - Province of British Columbia (gov.bc.ca)

ECCC 2017. Recovery Strategy for the Whitebark Pine (*Pinus albicaulis*) in Canada [Proposed]. *Species at Risk Act* Recovery Strategy Series. Environment and Climate Change Canada, Ottawa. viii+54 pp.



Organization: 002 Cariboo Regional District Request Number: Respondent: Stella Xiao Legislated: No Closed By: Stella Xiao Referral Level: Optional Recommendation: No objection to approval of project subject to conditions outline below. Yes No N/A Question Does this application impact your agency's legislated V responsibilities? If yes, how will the proposal impact your legislated responsibility and please identify the relevant legislation (section) and what mitigative measures will be required to address these impacts in the response text box at the bottom of the page. If the proposal proceeds, will the proponent require approval or a V permit from your agency? If yes, please explain in response text box at the bottom of the page. Will on-going compliance monitoring be required by your agency as V 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 V explain in the response text box at the bottom of the page. For Municipal/Regional Government Use Only: Is the application V area zoned for the proposed purpose? If no, please provide the current zoning. In the event the applicant wishes to apply for rezoning, 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 Reponse**

There is no objection to approval of this project on the condition that the lease area is rezoned to permit tourist commercial activities. Lease area is currently zoned Resource/Agricultural (R/A) in the Chilcotin Area Rural Land Use Bylaw No. 3500, 1999, which does not permit a lodge or resort.Rezoning applications typically take 6 months to 1 year for completion. For further information, please contact the Cariboo Regional District Planning Services Department via email at zoning@cariboord.ca or via phone at 250-392-3351.

Ministry of Forests Reference Number: Forests, Lands and Natural Resource Operations / 5408054 Mailing Address:

Phone: Fax: Toll Free: Website:



Organization: Ministry of Forests, Lands and Natur Request Number: 003 Respondent: Legislated: No Closed By: Kerri Howse Referral Level: Optional Recommendation: No objection to approval of project subject to conditions outline below. N/A Question Yes No Does this application impact your agency's legislated V responsibilities? If yes, how will the proposal impact your legislated responsibility and please identify the relevant legislation (section) and what mitigative measures will be required to address these impacts in the response text box at the bottom of the page. If the proposal proceeds, will the proponent require approval or a V permit from your agency? If yes, please explain in response text box at the bottom of the page. Will on-going compliance monitoring be required by your agency as V 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** Engineering; no concerns. Access will be partially via Mosley Cr- Butler Creek FSR but no RUP is required for this activity. R HaleyTenures: Any timber removal will require tenure

authorization.



Organization: Ministry of Forests, Lands and Natur Request Number: 004
Respondent: Curtis Ofstie, District Recreation Offic Legislated: No

Closed By: Curtis Ofstie Referral Level: Optional

Recommendation: Recommend refusal of project due to reasons outline below.

Yes	No	N/A	Question
lacksquare			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.
V			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.
V			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.
V			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**

The proposed heli-ski lodge and ancillary facilities are situated within the Bluff Lake Recreation Site (REC2624). While there are currently no public recreation facilities within the northeast portion of the recreation site that would be impacted by this application (the only known facilities are located along the western boundary of the recreation site along Bluff Lake), this activity would not be considered compatible with the intended land use designation of the area as a public recreation site. Furthermore, the increase in commercial helicopter traffic associated with the heli-ski operations within this area would have impacts to less-intrusive forms of recreation in the Bluff Lake and Butler Peak areas, as well as cumulative impacts to wildlife populations (grizzly bears, mountain goats, etc.) since there is already an active helicopter company in the Bluff Lake valley. Public recreation trails for hiking exist nearby at Butler Peak and along Bluff Lake. Since the application falls within an established recreation site, RSTBC do not support this application and recommend refusal of the project.

5408054



Organization:	Min	istry of	Transportation and Infrast		005
Respondent:				Legislated:	No
Closed By:				Referral Level:	Optional
Recommendat	ion:	No obj	ection to approval of project	i.	
Yes	No	N/A	Question		
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	<b>&gt;</b>		Will on-going compliance a result of your legislate what will be required in a page.	d responsibilities?	If yes, please explain
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### **Explanation of Reponse**

Thank you for providing the Ministry of Transportation and Infrastructure the opportunity to provide comments. The Ministry has no objections in principle to the proposal. However, it may be important to note that the access road off Bluff Lake Road that is proposed as access for the lodge/resort is not a Provincial side road and as such, is not maintained or plowed by the Ministry of Transportation and Infrastructure or our Maintenance Contractor.



Organization Respondent: Closed By: Recommend	Fos Elis	ssil Man sabeth [	Management Office agement Office <u>Deom</u> ection to approval of project	Request Number: Legislated: Referral Level:	009 No Optional
Yes	No	N/A	Question		
		V	Does this application impresponsibilities? If yes, responsibility and please and what mitigative mea impacts in the response	how will the proposal in e identify the relevant le sures will be required t	npact your legislated egislation (section) o address these
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Contact					
FrontCounter,					
Contact: K	athleen	Rottluf	f		

Ministry of Forests Reference Number: Forests, Lands and Natural Resource Operations / 5408054

E-email:

Kathleen.Rottluff@gov.bc.ca

Mailing Address:

Phone: Fax: Toll Free: Website:

	15		
	nswer the		g questions. Where indicated or required, please explain your answer in the
			your answer, please upload any relevant documents below, and indicate ned" in the Response Text box.
Yes	No	N/A	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.
Yes	○ No	○ N/A	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.
Yes	<b>●</b> No	○ N/A	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.
Yes	○ No	○ N/A	Will this application affect public use of this area? If yes, please explain in the response text box at the bottom of the page.
Yes	○ No	○ N/A	For Municipal/Regional Government Use Only: Is the application area zoned for the proposed purpose? It 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 respons text box at the bottom of the page.
Please cl	d help to	Where in	ndicated or required, please explain your answer in the box provided. your answer, please upload any relevant documents below, and indicate ne Response Text box.
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Please cl If it wou "Docum	neck one. Id help to ent Attacl Interests u No objecti	Where in explain the diffected.  On to approve on to approve	your answer, please upload any relevant documents below, and indicate ne Response Text box.

#### Documents

Description

File Name

As a community forest tenure holder, we welcome tourism operations to co-exist within our region. However, forest practices and management do not always align with tourism expectation, which often do not like alteration. We currently do not support long-term users that would occupy areas within the tenure area, reducing the CFA Timber Harvesting Land Base and recommend that currently private land holders and the community be engaged significantly prior to such approval.

The ECF will not cease operations, development, or forest management within the conure area because of a tourism operation. However, the ECF will work with groups to ensure a common goal can be achieved. Without any direct discussions or referral outside of this portal, and no drafted MOU, the ECF will not support this proposal at this time. The ECF requests that Bella Coola Heli sports contact us directly to discuss the implications of this proposal, and dive deeper into discussions on how stakeholders can co-exist.

Furthermore, the Tatla Community and Tsi Del Del First Nation have deep roots within the region and are represented at both an Association level (directors and board members) and the chief and council level. It is pertinent that this application be discussed in significant detail with these two groups, as they are the shareholders of the ECF, traditional users of the land, and this proposal may pose threat to other established businesses within the region. The management group cannot support this proposal until the above engagement is completed and the ECF provides its shareholders opportunity to effectively comment and discuss the proposal with Bella Coola Heli Sports.

Thank you,

Michael Tomlinson, RPF, PAg Eniyud Community Forest Manager



177 Yorston St. Williams Lake, B.C. (250)571-4805

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Thank you

From: Rottluff, Kathleen FLNR:EX < Kathleen.Rottluff@gov.bc.ca>

Sent: March 22, 2022 9:33 AM

To: Mike Tomlinson <mike@consus.ca>

Subject: RE: Referral Request #141344245 Adventure Tourism application - Bella Coola Heli - Bluff Lake

Hello Mike, yes, would April 14th work? If the system is closed you can send your response directly to me.

Thank you.

Kate Rottluff
Land and Resource Specialist
Natural Resource Operations
Cariboo Region
Ph# (250) 302-5707
Fax (250) 398-4836

From: Mike Tomlinson <mike@consus.ca>

Sent: March 22, 2022 9:28 AM

To: Rottluff, Kathleen FLNR:EX < Kathleen.Rottluff@gov.bc.ca>

Subject: Referral Request #141344245 Adventure Tourism application - Bella Coola Heli - Bluff Lake

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

Kathleen,

Would it be possible to receive an extension on responding to this referral? I will require till mid April if possible please as I have been unavailable most of march with other priority contracts.

Thank you,

Mike

Michael Tomlinson, RPF, PAg
Eniyud Community Forest Manager
Project Manager
CONSUS
MANAGEMENT LTD.
177 Yorston St.
Williams Lake, B.C.
(250)571-4805

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