

Page 001 of 642 to/à Page 005 of 642

Withheld pursuant to/removed as

Copyright

**WHISTLER BLACKCOMB
MASTER PLAN UPDATE 2013**

BLACKCOMB



Page 007 of 642 to/à Page 134 of 642

Withheld pursuant to/removed as

Copyright

**WHISTLER BLACKCOMB
MASTER PLAN UPDATE 2013**

WHISTLER



Page 136 of 642 to/à Page 308 of 642

Withheld pursuant to/removal as

Copyright



Whistler Blackcomb Holdings Inc.

TO: Mountain Resort Branch

DATE: July 9, 2014

FROM: Rob McSkimming

SUBJECT: Whistler Blackcomb Unofficial Mountain Bike Trail Adoption

Copyright

Page 310 of 642 to/à Page 313 of 642

Withheld pursuant to/removal as

Copyright

FW: Unsanctioned Bike Trails -WB

From: Pratt, Terry FLNR:EX <Terry.Pratt@gov.bc.ca>
To: Doug Forseth (WB) <DForseth@whistlerblackcomb.com>
Cc: Rob McSkimming <RMcSkimming@whistlerblackcomb.com>, Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>, Northcott, Kelly FLNR:EX <Kelly.Northcott@gov.bc.ca>
Sent: July 10, 2014 8:47:12 AM PDT

Thank you, Doug – we will review the report and get back to you. We appreciate WB taking this on in a pro-active way with WORCA.

Terry

From: Doug Forseth [mailto:DForseth@whistlerblackcomb.com]
Sent: Wednesday, July 9, 2014 2:30 PM
To: Pratt, Terry FLNR:EX
Cc: Rob McSkimming
Subject: Unsanctioned Bike Trails

Hi Terry,

Further to our phone call and conversation about the unsanctioned mountain bike trails that have been built on both Whistler and Blackcomb Mountains over the past 20+ years, attached is an introductory report prepared by Rob McSkimming as well as a map of trails as we understand them. Rob's report includes a Summary of WORCA Recommendations which we are supportive of. Now that this issue has surfaced and WB's senior leadership has become fully aware of these unsanctioned trails we would like to move forward with the proposed management plan as outlined in Rob's/WORCA's reports.

There are a couple of key principles in play here that are worth mentioning:

1. In the name of safety and environmental care, the existing trails need to be either maintained to a reasonable level or decommissioned
2. With the help of WORCA working through their approximately 2,000+ members we hope to eliminate the building of further unsanctioned trails within WB's CRA. WORCA has committed to a full effort to educate their members (who will hopefully comply with the request) that any further building of unsanctioned trails will jeopardize the cooperation (maintenance, safety or decommissioning) of WB in relation to these trails. We hope it becomes understood that building unsanctioned trails on WB is "just not cool".

After you have had a chance to absorb this information I would like to engage with you again to answer any questions that you may have. Our ultimate goal would be to receive your permission to move ahead with this "recovery" management plan and to try and get control of this situation in the days ahead. Thanks Terry.....

Doug Forseth
WhistlerBlackcomb
Work: (604) 938-7398
Mobile: (604) 905-8314

RE: Unsanctioned Bike Trails -Whistler Blackcomb

From: Pratt, Terry FLNR:EX <Terry.Pratt@gov.bc.ca>
To: Doug Forseth <DForseth@whistlerblackcomb.com>
Cc: Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>, Northcott, Kelly FLNR:EX <Kelly.Northcott@gov.bc.ca>, Rob McSkimming <RMcSkimming@whistlerblackcomb.com>, Thierry Keable <TKeable@whistlerblackcomb.com>, Arthur De Jong <ADeJong@whistlerblackcomb.com>
Sent: July 21, 2014 4:08:29 PM PDT
Thanks for the quick response. We look forward to seeing the updates.

Terry

From: Doug Forseth [mailto:DForseth@whistlerblackcomb.com]
Sent: Monday, July 21, 2014 3:35 PM
To: Pratt, Terry FLNR:EX
Cc: Meeks, Tori FLNR:EX; Northcott, Kelly FLNR:EX; Rob McSkimming; Thierry Keable; Arthur De Jong
Subject: FW: Unsanctioned Bike Trails -Whistler Blackcomb

Hi Terry,

Please see Rob's responses to your questions noted below in **RED**. Hopefully that suffices. We'll send updated mapping with the missing trails as soon as it is done. I have spoken to Rob & Thierry about preparing a draft agreement for discussion with WORCA. We agree that is a very good idea. Arthur is back in the office on Wednesday and he will resume his review of the Whistler trails. Once that review is complete we'll also provide an updated inventory of what trails will be decommissioned.

Thanks again,

Doug

From: Rob McSkimming
Sent: Monday, July 21, 2014 2:18 PM
To: Doug Forseth
Cc: Wendy Robinson
Subject: FW: Unsanctioned Bike Trails -Whistler Blackcomb

See below:

Wendy, let's discuss updating the map

From: Pratt, Terry FLNR:EX [mailto:Terry.Pratt@gov.bc.ca]
Sent: Monday, July 21, 2014 10:58 AM
To: Doug Forseth
Cc: Rob McSkimming; Northcott, Kelly FLNR:EX; Meeks, Tori FLNR:EX
Subject: RE: Unsanctioned Bike Trails -Whistler Blackcomb

Hi Doug

Thanks for the call today. As discussed, our Branch is very supportive of WB and WORCA's proposal to actively manage these unauthorized trails developed by local users.

WB can do this work under the current MDAs so no additional authorizations from this office are required for this work as proposed but be aware that Water Act or other authorizations may be needed depending on the location and work being done. We do recommend that you look at Schedule H, J and other applicable provisions of the draft MDAs to ensure that your proposed work and environmental practices meet the commitments and conditions WB has developed with the agencies should the new MDAs be finalized. We also recommend that WB and WORCA enter into a written agreement for this initiative to ensure that there aren't any misunderstandings of the concepts and implementation moving forward.

As Kelly noted, no additional authorizations are required for any forest health, danger tree and trail maintenance issues within the CRAs.

Tori has reviewed the proposal in detail and has identified some areas requiring clarification.

Whistler:

- No reference to Big Timber in the table, what is proposed for that trail? Currently being rebuilt by strata (I think) – I believe it meets the Whistler Standard but will double check with Worca. I will also check on who will maintain going forward – I assume the strata at this point
- Is Babylon staying but being rerouted to Kashmir using the Babylon Bypass until the improvements are made on the Babylon Upper and Lower sections? Yes Babylon will be reactivated once improvements are made to the lower section. We have now found a better/shorter reroute will include on updated map

Blackcomb:

- No reference to Instant Gratification in the table, what is proposed for that trail? Yes, that was a miss – will bring up to Whistler Standard – minimal work required
- Magic Trails, South of Heaven and Viper are mentioned in the table but not shown on the map, perhaps these should be added?

Will add

Please call if you have any questions.

All the best,

Terry

From: Doug Forseth [<mailto:DForseth@whistlerblackcomb.com>]

Sent: Wednesday, July 9, 2014 2:30 PM

To: Pratt, Terry FLNR:EX

Cc: Rob McSkimming

Subject: Unsanctioned Bike Trails

Hi Terry,

Further to our phone call and conversation about the unsanctioned mountain bike trails that have been built on both Whistler and Blackcomb Mountains over the past 20+ years, attached is an introductory report prepared by Rob McSkimming as well as a map of trails as we understand them. Rob's report includes a Summary of WORCA Recommendations which we are supportive of. Now that this issue has surfaced and WB's senior leadership has become fully aware of these unsanctioned trails we would like to move forward with the proposed management plan as outlined in Rob's/WORCA's reports.

There are a couple of key principles in play here that are worth mentioning:

1. In the name of safety and environmental care, the existing trails need to be either maintained to a reasonable level or decommissioned
2. With the help of WORCA working through their approximately 2,000+ members we hope to eliminate the building of further unsanctioned trails within WB's CRA. WORCA has committed to a full effort to educate their members (who will hopefully comply with the request) that any further building of unsanctioned trails will jeopardize the cooperation (maintenance, safety or decommissioning) of WB in relation to these trails. We hope it becomes understood that building unsanctioned trails on WB is "just not cool".

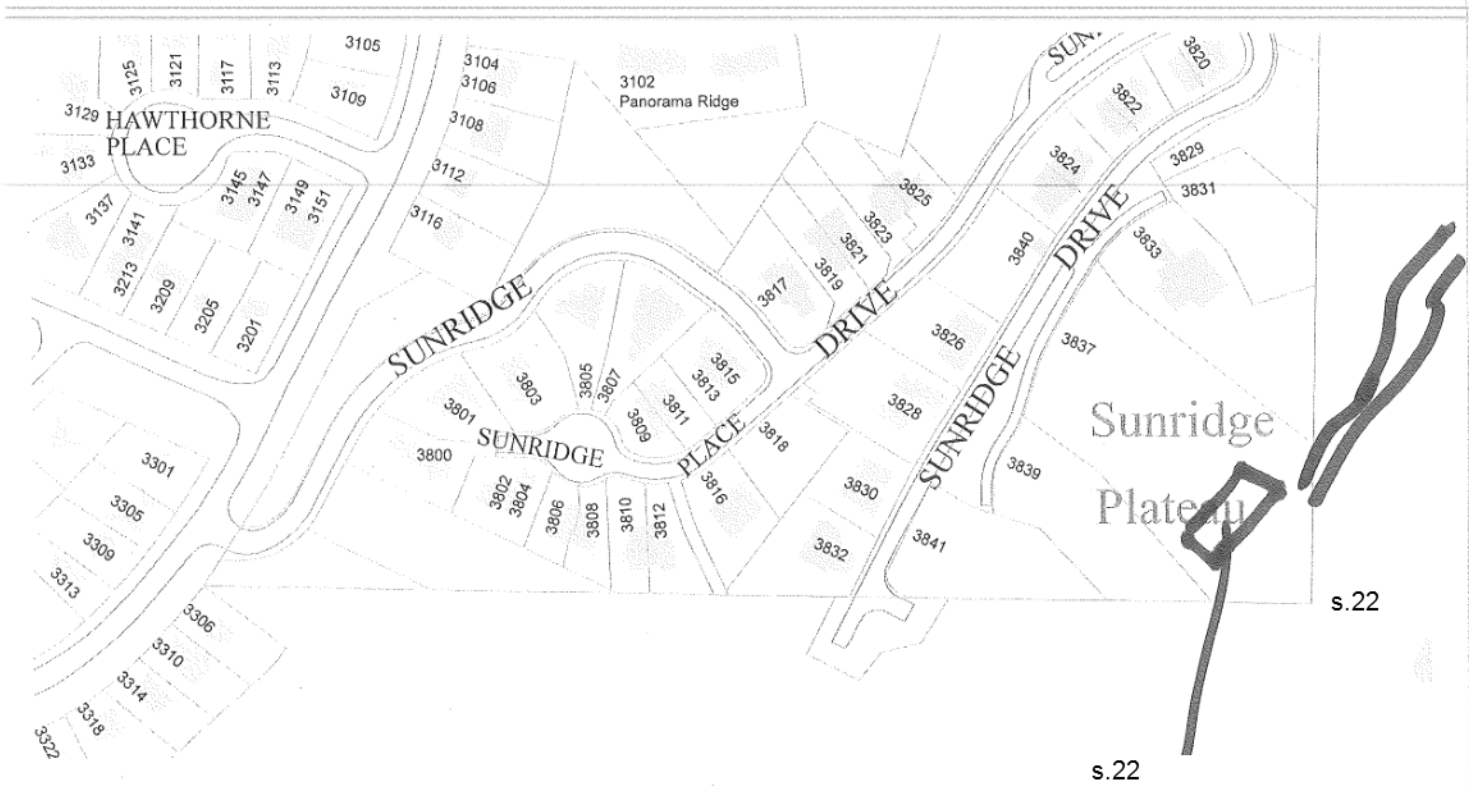
After you have had a chance to absorb this information I would like to engage with you again to answer any questions that you may have. Our ultimate goal would be to receive your permission to move ahead with this "recovery" management plan and to try and get control of this situation in the days ahead. Thanks Terry.....

Doug Forseth

WhistlerBlackcomb

Work: (604) 938-7398

Mobile: (604) 905-8314



Construction

Carson Hamm

From: Dave Evans <dave@wrm.bc.ca>
To: Doug Forseth <DForseth@whistlerblackcomb.com>
Sent: September 2, 2015 2:37:53 PM PDT

Hi Doug,

The strata has had no prior involvement or knowledge of the construction of a bridge from s.22 place onto WB land. I have attached the contact details for Carson Hamm who has been working on the development of s.22 property and would be able to speak to your concerns. If you require anything further from the strata please contact me anytime.

Regards,

Dave

Sunridge Strata Question

From: Doug Forseth <DForseth@whistlerblackcomb.com>
To: Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>
Cc: Pratt, Terry FLNR:EX <Terry.Pratt@gov.bc.ca>
Sent: September 2, 2015 3:48:07 PM PDT

Hi Tori,

s.22

I'm sending this as a matter of FYI and also with the question of how you would like to see this handled from the MRB perspective. I'll call later to discuss.

Doug Forseth
WhistlerBlackcomb
Work: (604) 938-7398
Mobile: (604) 905-8314

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

From: Doug Forseth
Sent: Wednesday, September 02, 2015 2:28 PM
To: 'Dave Evans'
Subject: Sunridge Strata Question

Hi Dave,

Further to my phone message and question, I have been advised that you are the strata manager for the Sunridge development. If that is not correct I would ask you to re-direct me to the appropriate person, if you know who that might be.

The reason I am looking to connect with the Sunridge strata is that there has been some development of a "bridge/ramp" from what I believe to be s.22 property onto WB lands. This is a concern for our company as I have not been able to locate anyone within our group who approved this construction and development on our lands. My impression at this time is that this work is unauthorized and an illegal action. In order to better assess what steps should be taken next I need to identify who was responsible. I am starting with the strata as it appears that this work is a continuation of the authorized ski in trail from WB to Sunridge. The approved trail is at least 10 years old and is not in question. Without actually talking to the party responsible for building the continuation of this trail from s.22 lot back into WB lands and beyond (this extension is 200 -300 metres long) I am only surmising that it was built as a return trail for summer or winter use. There are 2 primary issues that need to be recognized. First, the unauthorized construction on our land and secondly the legal responsibility for use of this trail and who will assume that responsibility and the ongoing maintenance. As we get deeper into this matter I can only imagine that lawyers will find other issues that need attention. All of that in due course.

So for starters I'd like to understand if Sunridge strata initiated this action. Hopefully you will be able to answer that question and then we can delve deeper into where we go from here. Thanks in advance for your assistance on this matter.

Doug Forseth
WhistlerBlackcomb
Work: (604) 938-7398
Mobile: (604) 905-8314

Crown Land Trespass – adjacent to Sunridge Subdivision at Whistler



View of ramp that has been constructed from the top of the Sunridge subdivision down slope towards existing ski/bike trails.



Side view of the bottom portion of the ramp



Top and beginning of the Ramp



View downslope, bottom portion of ramp

RE: TRESPASS: Sunridge Strata

From: Doug Forseth <DForseth@whistlerblackcomb.com>
To: Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>, Pratt, Terry FLNR:EX <Terry.Pratt@gov.bc.ca>, Nolander, Reg W FLNR:EX <Reg.Nolander@gov.bc.ca>
Sent: September 3, 2015 3:22:35 PM PDT

Hi all,

I reached the project manager for the s.22 project about 30 minutes ago. He had sent me an email yesterday but sent it to my old Intrust email address and I never received it. He has corrected my address and I now have his response. s.17; s.22

s.17; s.22

s.17 From my perspective I would like to see an apology of some type, a maintenance agreement and a written agreement indemnifying WB and the Province with proper insurance in place.

Bottom-line for me is that I don't like the trespassing, tree removal without permission and construction without permission. Had this been approached in the correct manner I would have been supportive of trying to get it done. Now I think the issue is whether or not we can re-set the course, pick up the pieces and walk away with a new level of respect for Crown Land and associated processes, proper documentation and indemnity.

I'll have more to report after my next phone call with Carson Hamm.

Doug

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

From: Meeks, Tori FLNR:EX [mailto:Tori.Meeks@gov.bc.ca]
Sent: Thursday, September 03, 2015 1:31 PM
To: Pratt, Terry FLNR:EX; Nolander, Reg W FLNR:EX
Cc: Doug Forseth
Subject: TRESPASS: Sunridge Strata

Hi Terry & Reg,

As per Doug's note below there is a significant trespass that has occurred within the Whistler CRA, see attached maps and photos. Someone has constructed a large ramp from the private lot shown on the attached map on Crown land to connect up with existing ski/bike trails. This ramp is very large, looks to have been engineered and would serve the purpose of creating a ski/bike out from the lot in question. Appears that trees have been harvested to cut the trail and create the ramp as per the attached photos. Given that this is within the Whistler CRA and is a trespass under the Land Act and a potential offence under the Forest and Range Practices Act and could be a liability for the Province and WB, we should discuss how our office would like to handle this situation and whether we should involve C&E at the early stage to investigate. We can arrange a call with Doug for next week when both of you return.

Thanks,
Tori

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

From: Doug Forseth [mailto:DForseth@whistlerblackcomb.com]
Sent: Wednesday, September 2, 2015 3:48 PM
To: Meeks, Tori FLNR:EX

Cc: Pratt, Terry FLNR:EX
Subject: Sunridge Strata Question

Hi Tori,

s.22

I'm sending this as a matter of FYI and also with the question of how you would like to see this handled from the MRB perspective. I'll call later to discuss.

Doug Forseth
WhistlerBlackcomb
Work: (604) 938-7398
Mobile: (604) 905-8314

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

From: Doug Forseth
Sent: Wednesday, September 02, 2015 2:28 PM
To: 'Dave Evans'
Subject: Sunridge Strata Question

Hi Dave,

Further to my phone message and question, I have been advised that you are the strata manager for the Sunridge development. If that is not correct I would ask you to re-direct me to the appropriate person, if you know who that might be.

The reason I am looking to connect with the Sunridge strata is that there has been some development of a "bridge/ramp" from what I believe to be s.22 property onto WB lands. This is a concern for our company as I have not been able to locate anyone within our group who approved this construction and development on our lands. My impression at this time is that this work is unauthorized and an illegal action. In order to better assess what steps should be taken next I need to identify who was responsible. I am starting with the strata as it appears that this work is a continuation of the authorized ski in trail from WB to Sunridge. The approved trail is at least 10 years old and is not in question. Without actually talking to the party responsible for building the continuation of this trail from s.22 lot back into WB lands and beyond (this extension is 200 -300 metres long) I am only surmising that it was built as a return trail for summer or winter use. There are 2 primary issues that need to be recognized. First, the unauthorized construction on our land and secondly the legal responsibility for use of this trail and who will assume that responsibility and the ongoing maintenance. As we get deeper into this matter I can only imagine that lawyers will find other issues that need attention. All of that in due course.

So for starters I'd like to understand if Sunridge strata initiated this action. Hopefully you will be able to answer that question and then we can delve deeper into where we go from here. Thanks in advance for your assistance on this matter.

Doug Forseth
WhistlerBlackcomb
Work: (604) 938-7398
Mobile: (604) 905-8314

FW: Follow-up to yesterday's call regarding Sunridge

From: Doug Forseth <DForseth@whistlerblackcomb.com>
To: Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>, Pratt, Terry FLNR:EX <Terry.Pratt@gov.bc.ca>, Noland, Reg W FLNR:EX <Reg.Noland@gov.bc.ca>
Sent: September 3, 2015 3:55:37 PM PDT
As requested....

From: Carson Hamm [mailto:carson@bromleyprojects.com]
Sent: Thursday, September 03, 2015 2:37 PM
To: Doug Forseth
Subject: Fwd: Follow-up to yesterday's call regarding Sunridge

Hi Doug,

Sorry for sending to the wrong address...

I should be available after 4pm, but then I have a meeting at 4:30 in Cheakamus. Tomorrow I am available to discuss as well.

Regards, Carson

----- Forwarded message -----

From: **Carson Hamm** <carson@bromleyprojects.com>
Date: Thu, Sep 3, 2015 at 12:42 PM
Subject: Follow-up to yesterday's call regarding Sunridge
To: Doug Forseth <dforseth@intrawest.com>

Hello Doug,

Thanks for your call yesterday. I am sorry to have missed you.

I am familiar with the section of trail near upper Sunridge that you are referring to.

Not surprisingly, we too are acutely aware of liability and risk. The owner who you mentioned in your message, s.22, has endured years of skiers accessing the mountain s.22

Despite the warning signage and the fencing that gets installed, there is often a constant stream of people in the morning and returning in the afternoon through the winter as you probably know. As I am sure you are aware this has been a long standing concern for the strata and also to s.22. I would like to commend WB on implementing the RFID passes, which I think will go a long way to curbing this behaviour. Hopefully we will have plenty of snow this winter to test this theory.

As you know there are several access routes that link to the village base area and back to Sunridge that were created as part of the subdivision. I believe that public access and maintenance agreements are in place that allow these areas to be transited and groomed. In addition to these areas there are numerous old skidder trails throughout the area.

Not surprisingly, the bike park expansion has evolved and changed some of the access in this area with the addition of built-up features and berms, etc. Previous winter access trails have been impacted by these revisions and in some cases made it inaccessible or unsafe to ski for some or even made it inaccessible for the Sunridge groomer. As such, it appears as though other routes have been developed to avoid these sections.

One such route is the area that you are referring to. It looks like it was an old trail, perhaps a skidder trail, that had been widened to accommodate skiers, likely to provide a more direct route to the village that did not encounter bike park obstacles in the winter.

I assume you have been to see the area that we are discussing. The trail as it exists is a modest, low grade route through the trees, logically placed, until the location where it looked like skiers would descend over a small rock bluff to continue on the existing trail below.

The addition of the built up area, or ramp, seems to improve the safety of this access route, by creating a safe slope that eliminates the need for precariously descending over a bluff.

It would appear to be an excellent piece of construction, built to standards that I believe your trail constructions crew would approve of. But either way, I would recommend that you have some of your team review the work to determine its quality. I believe the intent of this construction was to reduce risk and mitigate the liability that existed in the original condition and make it easier to safely traverse to the village.

I am not sure that removal or disassembly of the ramp would be beneficial as it would only leave a risk and an exposed area and that would not be responsible. Perhaps you have some recommendations on how to improve the safety in the area. I think that we can find a reasonable solution that is to everyone's benefit and that begins with a conversation. If you would like to discuss this further, please don't hesitate to contact me. I think it would be most beneficial to meet you on site and review your concerns.

You mentioned that you have informed the province about this matter. By all means, please pass along my contact information so I can speak with them directly. I would be happy to discuss this matter and show them around the area so they can see first-hand issues before them, both in this area and the bike park trails adjacent. Perhaps we could all meet on site to discuss.

If you would like to meet and discuss this further, I am available all day today and tomorrow until 1pm. I am available all next week following Labour Day. I look forward to the conversation.

Best regards, Carson

Carson Hamm
Bromley Projects Limited
Whistler, BC Canada

www.bromleyprojects.com

T: [+1 604 932 3122](tel:+16049323122)
F: [+1 604 932 3121](tel:+16049323121)
M: [+1 604 902 3120](tel:+16049023120)

s.22

RE: Follow-up to today's call regarding Sunridge

From: Pratt, Terry FLNR:EX <Terry.Pratt@gov.bc.ca>
To: Doug Forseth <DForseth@whistlerblackcomb.com>
Cc: Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>, Nolander, Reg W FLNR:EX <Reg.Nolander@gov.bc.ca>
Sent: September 15, 2015 11:19:19 AM PDT

Thanks – good to know. I suspect with a new lot the pins should be able to be located. I'll bring a pinfinder if we have one.

From: Doug Forseth [mailto:DForseth@whistlerblackcomb.com]
Sent: Tuesday, September 15, 2015 11:17 AM
To: Pratt, Terry FLNR:EX
Subject: RE: Follow-up to today's call regarding Sunridge

Hi Terry,

In my call with Carson this morning I asked him how many trees had been cut. His answer was that only a couple of trees had been cut on Crown Land. All of the other trees were apparently on s.22 property. I asked him if the property line was clearly marked but he said it wasn't although he said he can show us generally where it is. I will pull off the GIS mapping from the RMOW to have in hand for our Friday meeting.

Doug

From: Pratt, Terry FLNR:EX [mailto:Terry.Pratt@gov.bc.ca]
Sent: Tuesday, September 15, 2015 11:11 AM
To: 'Carson Hamm'
Cc: Meeks, Tori FLNR:EX; Nolander, Reg W FLNR:EX; Doug Forseth; Corrie Stepan
Subject: RE: Follow-up to today's call regarding Sunridge

Thank you, Carson.

It will be good for our Branch to see first-hand what the unauthorized structure and developments are comprised of and how many trees have been removed before we identify next steps. I look forward to meeting with you and Doug on Friday morning.

Regards,

Terry

Terry Pratt | A/Director Operations

Mountain Resorts Branch | Ministry of Forests, Lands & Natural Resource Operations
510-175 2nd Avenue, Kamloops, BC V2C 5W1
Direct: 250-371-3934 | Fax: 250-371-3942 | [Mailto:Terry.Pratt@gov.bc.ca](mailto:Terry.Pratt@gov.bc.ca)
 Rethink Reduce Reuse Repair Recycle

From: Carson Hamm [mailto:carson@bromleyprojects.com]
Sent: Tuesday, September 15, 2015 11:06 AM
To: Doug Forseth
Cc: Pratt, Terry FLNR:EX; Meeks, Tori FLNR:EX; Nolander, Reg W FLNR:EX; Corrie Stepan
Subject: Re: Follow-up to today's call regarding Sunridge

Thanks for the confirmation Doug. I will hold off moving this forward until we have met with Terry on Friday and have a clearer understanding of how we will be proceeding.

Regards, Carson

On Tue, Sep 15, 2015 at 10:54 AM, Doug Forseth <DForseth@whistlerblackcomb.com> wrote:

Carson,

You certainly have the WB legal entities correct and I believe that the Province is also correct but perhaps Terry or Tori can confirm just to be certain. Once this info is confirmed I would suggest you put it on the back burner until we have more clarity on how the Province plans to proceed. Our meeting with Terry Pratt on Friday will likely be helpful in determining next steps.

Doug

From: Carson Hamm [<mailto:carson@bromleyprojects.com>]

Sent: Thursday, September 10, 2015 4:26 PM

To: Doug Forseth

Cc: Terry Pratt; Meeks, Tori TSA:EX; Nolander, Reg W FLNR:EX; Corrie Stepan

Subject: Re: Follow-up to today's call regarding Sunridge

Hello Doug,

I am in the process of addressing the items that you outlined in your email from September 3rd. Can you confirm that the entities to be named in the indemnity agreement are as follows:

Whistler Mountain Resort Limited Partnership

Blackcomb Skiing Enterprises Limited Partnership

Whistler Blackcomb Holdings Inc.

Whistler Blackcomb Employment Corp.

Her Majesty the Queen in Right of the Province of British Columbia

I had hoped to have discussions with the insurer on this matter this week, but unfortunately s.22

s.22

I regret that I don't have something more concrete this week, but I expect that I should be able to have a resolution in place by the end of the month.

s.22

so perhaps we can schedule a follow up call or meeting next week to discuss further and perhaps you can provide an update on your discussions with the Province.

Kind regards, Carson

On Tue, Sep 8, 2015 at 8:13 AM, Carson Hamm <carson@bromleyprojects.com> wrote:

Good Morning Doug,

Thank you again for your call last week and for the time you are investing on this matter. I regret that we are in this circumstance and I sincerely appreciate your willingness to work towards a resolution.

I had hoped to have some preliminary information to offer you this morning, but the timing of the long weekend has made it difficult to get feedback. I do have meetings with the insurer and the legal counsel this week to look into the feasibility of the accomplishing the items you outlined, but it looks like not until Thursday. I will keep you informed as we move through this phase and hope to have some direction in the next couple days. If there are any additional items to come from your dialogue with your colleagues at the Province, please let me know so I can also include those in my conversations.

Once again, I am extremely sorry about this situation and I want to thank you for your time and help on this matter. It is most sincerely appreciated.

Kind regards, Carson

Carson Hamm
Bromley Projects Limited
Whistler, BC Canada

www.bromleyprojects.com

T: +1 604 932 3122

F: +1 604 932 3121

M: +1 604 902 3120

s.22

On Thu, Sep 3, 2015 at 5:14 PM, Doug Forseth <DForseth@whistlerblackcomb.com> wrote:

Carson,

Further to our 2nd phone call of the afternoon, I appreciate the time you took to clarify your involvement in the unauthorized improvements leading from s.22 property back into the Whistler Mountain Controlled Recreation Area and your willingness to accept responsibility for those actions. Your cooperative attitude is helpful for me to take a more conciliatory approach to finding a resolution to this matter. My hope is that we can recover from the uncomfortable position we are now in and find a resolution that addresses how this should have been

handled from the beginning. While I can see value in the work that was done, doing it without authority on others property was illegal and in contravention of the Forest and Range Practices Act.

From the Whistler Blackcomb perspective I think that in order to leave the improvements in place we'll need the following documents put in place:

1. Indemnity Agreement naming all relevant WB entities and the Crown
2. Maintenance Agreement clarifying responsibilities for structural integrity of the improvements and trail maintenance
3. Certificates of Insurance showing coverage for the area

I can't speak for the Province but there are several additional possibilities as I understand it:

1. Potentially some form of legal agreement addressing the use of this Crown Land
2. Resolution of unauthorized tree harvesting & development on Crown Land

Because of the long holiday weekend we won't be having any phone calls between any of us likely until Tuesday at the earliest. Perhaps you can at least initiate discussions with s.22 and the Sunridge Plateau Strata with regards to who might be interested in stepping up to sign the various agreements & provide insurance coverage.

Failing to reach agreement to keep these improvements in place then we would be looking for removal of the structure and decommissioning/remediation of the trails at s.22 expense.

Let's pick this up next week and continue to work towards a satisfactory resolution. I am technically out of the office next week but I will be checking my email on a periodic basis. Thank you for your cooperation.

Doug Forseth

WhistlerBlackcomb

Work: (604) 938-7398

Mobile: (604) 905-8314

From: Carson Hamm [mailto:carson@bromleyprojects.com]

Sent: Thursday, September 03, 2015 3:57 PM

To: Doug Forseth

Subject: RE: Follow-up to yesterday's call regarding Sunridge

Hi Doug,

I am free now, so please call when convenient.

Carson

On 2015-09-03 3:04 PM, "Doug Forseth" <DForseth@whistlerblackcomb.com> wrote:

Carson,

Thanks for the thoughts below. My first question is whether or not you, Bromley Projects, sub-contractors directed by you or s.22 or any related entity to you or s.22 cut the trees in this area and built the ramp. Regardless of all of the other issues you raise the first question is who undertook this project, did the work and paid for it. I would like answers to these questions as soon as possible so that I can be informed when I join in a call with the Province early next week. There are issues of trespassing on Crown Land and unauthorized harvesting of trees on Crown Land. These are potential offences under the Forest and Range Practices Act. Next week's call would be about what the next steps should be to investigate this matter. I would like to slow down that effort with a plan of attack that can potentially remedy the damages that have been done and the trespassing issue.

I will try to reach you between 4 & 4:30 this afternoon. Thanks....

Doug Forseth

WhistlerBlackcomb

Work: (604) 938-7398

Mobile: (604) 905-8314

From: Carson Hamm [mailto:carson@bromleyprojects.com]

Sent: Thursday, September 03, 2015 2:37 PM

To: Doug Forseth

Subject: Fwd: Follow-up to yesterday's call regarding Sunridge

Hi Doug,

Sorry for sending to the wrong address...

I should be available after 4pm, but then I have a meeting at 4:30 in Cheakamus. Tomorrow I am available to discuss as well.

Regards, Carson

----- Forwarded message -----

From: **Carson Hamm** <carson@bromleyprojects.com>

Date: Thu, Sep 3, 2015 at 12:42 PM

Subject: Follow-up to yesterday's call regarding Sunridge

To: Doug Forseth <dforseth@intrawest.com>

Hello Doug,

Thanks for your call yesterday. I am sorry to have missed you.

I am familiar with the section of trail near upper Sunridge that you are referring to.

Not surprisingly, we too are acutely aware of liability and risk. The owner who you mentioned in your message, s.22, has endured years of skiers accessing the mountains.

s.22 Despite the warning signage and the fencing that gets installed, there is often a constant stream of people in the morning and returning in the afternoon through the winter as you probably know.

As I am sure you are aware this has been a long standing concern for the strata and also to s.22. I would like to commend WB on implementing the RFID passes, which I think will go a long way to curbing this behaviour. Hopefully we will have plenty of snow this winter to test this theory.

As you know there are several access routes that link to the village base area and back to Sunridge that were created as part of the subdivision. I believe that public access and maintenance agreements are in place that allow these areas to be transited and groomed. In addition to these areas there are numerous old skidder trails throughout the area.

Not surprisingly, the bike park expansion has evolved and changed some of the access in this area with the addition of built-up features and berms, etc. Previous winter access trails have been impacted by these revisions and in some cases made it inaccessible or unsafe to ski for some or even made it inaccessible for the Sunridge groomer. As such, it appears as though other routes have been developed to avoid these sections.

One such route is the area that you are referring to. It looks like it was an old trail, perhaps a skidder trail, that had been widened to accommodate skiers, likely to provide a more direct route to the village that did not encounter bike park obstacles in the winter.

I assume you have been to see the area that we are discussing. The trail as it exists is a modest, low grade route through the trees, logically placed, until the location where it looked like skiers would descend over a small rock bluff to continue on the existing trail below.

The addition of the built up area, or ramp, seems to improve the safety of this access route, by creating a safe slope that eliminates the need for precariously descending over a bluff.

It would appear to be an excellent piece of construction, built to standards that I believe your trail constructions crew would approve of. But either way, I would recommend that you have some of your team review the work to determine its quality. I believe the intent of this construction was to reduce risk and mitigate the liability that existed in the original condition and make it easier to safely traverse to the village.

I am not sure that removal or disassembly of the ramp would be beneficial as it would only leave a risk and an exposed area and that would not be responsible. Perhaps you have some recommendations on how to improve the safety in the area. I think that we can find a reasonable solution that is to everyone's benefit and that begins with a conversation. If you would like to discuss this further, please don't hesitate to contact me. I think it would be most beneficial to meet you on site and review your concerns.

You mentioned that you have informed the province about this matter. By all means, please pass along my contact information so I can speak with them directly. I would be happy to discuss this matter and show them around the area so they can see first-hand issues before them, both in this area and the bike park trails adjacent. Perhaps we could all meet on site to discuss.

If you would like to meet and discuss this further, I am available all day today and tomorrow until 1pm. I am available all next week following Labour Day. I look forward to the conversation.

Best regards, Carson

Carson Hamm

Bromley Projects Limited

Whistler, BC Canada

www.bromleyprojects.com

T: [+1 604 932 3122](tel:+16049323122)

F: [+1 604 932 3121](tel:+16049323121)

M: [+1 604 902 3120](tel:+16049023120)

s.22

Page 332 of 642

Withheld pursuant to/removed as

Copyright



Trail approx width: 2-3m (cyan)
Structure width: 3m (green)
Total length: 150m

Contour Interval: 2m
Orthophoto: 2009
Scale: 1:1,000



Sunridge Site Visit Follow-up

From: Carson Hamm <carson@bromleyprojects.com>
To: Doug Forseth <DForseth@whistlerblackcomb.com>, Pratt, Terry FLNR:EX <Terry.Pratt@gov.bc.ca>
Cc: Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>, Nolander, Reg W FLNR:EX <Reg.Nolander@gov.bc.ca>, Corrie Stepan <CStepan@whistlerblackcomb.com>
Sent: September 18, 2015 11:50:21 AM PDT

Hello Doug, Terry,

Thanks very much for your time today. I think the site meeting was very beneficial; I appreciate you taking time out of your day to review the area of our discussion.

I have attached two PDFs for your reference, one at 1:2500 for context and one at 1:1000. I have included the 2009 orthophoto as well as the 2m contour intervals on the plans for ease of reference.

I have also provided a DWG file of the trail centreline and structure should you wish to overlay this information to your CAD/GIS data. (NAD83, meters).

I will be in touch as we move forward, in the meantime I will place the fencing at the location discussed.

Kind regards, Carson

RE: Sunridge Site Visit Follow-up - Ski Ramp

From: Doug Macfarlane <DMacFarlane@whistlerblackcomb.com>
To: Pratt, Terry FLNR:EX <Terry.Pratt@gov.bc.ca>
Cc: Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>, Nolander, Reg W FLNR:EX <Reg.Nolander@gov.bc.ca>
Sent: September 22, 2015 12:18:28 PM PDT

Hi Terry

Doug did ask our bike park guys about looking at the structure, I will follow up to see if has gone anywhere.

Typically we do not require engineering on our Bike park bridges our team would only be able to give an opinion as to whether or not it would meet our own internal standard of construction.

Did Carson say what its intended use is, Summer or Winter access? Snow load, elevations, speed, direction of travel on approach will all make difference around liability.

Doug MacFarlane | Director of Mountain Operations | **Whistler** Blackcomb

604.938-7081 | dmacfarlane@whistlerblackcomb.com

www.whistlerblackcomb.com

4545 Blackcomb Way | Whistler, BC | V0N 1B4 | Fax: 604.938.7532

From: Pratt, Terry FLNR:EX [mailto:Terry.Pratt@gov.bc.ca]

Sent: Monday, September 21, 2015 11:35 AM

To: Doug Macfarlane

Cc: Meeks, Tori FLNR:EX; Nolander, Reg W FLNR:EX

Subject: RE: Sunridge Site Visit Follow-up - Ski Ramp

Hi Doug

Hope you are well. Not sure if Doug F. talked to you but he and I were on site Friday looking at the trespass trail and ramp (see email above). We would like Carson to pay for an independent assessment of the safety, durability and maintenance requirements of the ramp prior to deciding if we want it removed or are prepared to consider a tenure application. Doug F. was going to get some names of people in Whistler with structural assessment experience. Did he touch base with you on this before he left?

Terry

From: Pratt, Terry FLNR:EX

Sent: Monday, September 21, 2015 11:29 AM

To: 'Carson Hamm'

Cc: Meeks, Tori FLNR:EX; Nolander, Reg W FLNR:EX; Corrie Stepan; Doug Forseth; dmacfarlane@whistlerblackcomb.com

Subject: RE: Sunridge Site Visit Follow-up

Thank you , Carson – this is helpful.

We will be in touch with next steps.

Regards,

Terry

Terry Pratt | A/Director Operations

Mountain Resorts Branch| Ministry of Forests, Lands & Natural Resource Operations

510-175 2nd Avenue, Kamloops, BC V2C 5W1

Direct: 250-371-3934 | Fax: 250-371-3942 | [Mailto:Terry.Pratt@gov.bc.ca](mailto:Terry.Pratt@gov.bc.ca)

♻️ Rethink Reduce Reuse Repair Recycle

From: Carson Hamm [<mailto:carson@bromleyprojects.com>]
Sent: Friday, September 18, 2015 11:50 AM
To: Doug Forseth; Pratt, Terry FLNR:EX
Cc: Meeks, Tori FLNR:EX; Nolander, Reg W FLNR:EX; Corrie Stepan
Subject: Sunridge Site Visit Follow-up

Hello Doug, Terry,

Thanks very much for your time today. I think the site meeting was very beneficial; I appreciate you taking time out of your day to review the area of our discussion.

I have attached two PDFs for your reference, one at 1:2500 for context and one at 1:1000. I have included the 2009 orthophoto as well as the 2m contour intervals on the plans for ease of reference.

I have also provided a DWG file of the trail centreline and structure should you wish to overlay this information to your CAD/GIS data. (NAD83, meters).

I will be in touch as we move forward, in the meantime I will place the fencing at the location discussed.

Kind regards, Carson

Page 337 of 642 to/à Page 338 of 642

Withheld pursuant to/removed as

s.13 ; s.21 ; s.22

Page 339 of 642 to/à Page 340 of 642

Withheld pursuant to/removed as

s.13 ; s.21

Whistler - Sunridge Trespass

From: Meeks, Tori FLNR:EX
To: Cunneyworth, Robert W FLNR:EX <Robert.Cunneyworth@gov.bc.ca>
Cc: Pratt, Terry FLNR:EX <Terry.Pratt@gov.bc.ca>
Sent: September 29, 2015 2:47:11 PM PDT
Hi Bob,

As requested I have submitted the violation report online and I did attach some maps and digital data. Attached here are some of the email chains with regard to the situation and a document that has the original photos that Doug has submitted, as well as a kml that our gis analyst did up. Terry took some photos on her Sept 18th visit, but they are on our gps unit that is out in the field for the remainder of the week, we can try to send those to you next week.

Thanks for looking into this issue for us and please let us know if you have questions or if we can assist. If your shop can keep us in the loop with regard to the process and how things play out that would be great too for our records and information.

Thanks,
Tori

Tori Meeks | Land Officer | Mountain Resorts Branch
Ministry of Forests, Lands and Natural Resource Operations
510 - 175 2nd Ave, Kamloops, BC V2C 5W1
Phone: 250-371-3943 | Cell: 250-320-2791 | Fax: 250-371-3942

RE: Sunridge Site Visit Follow-up

From: Meeks, Tori FLNR:EX
To: Carson Hamm <carson@bromleyprojects.com>
Cc: Pratt, Terry FLNR:EX <Terry.Pratt@gov.bc.ca>
Sent: September 29, 2015 2:56:01 PM PDT
Hi Carson,

This note is to advise you that our office has referred this matter to the Compliance and Enforcement Branch of our Ministry for follow up. This decision was made as there is a concern about the structural integrity and gradient of the ramp and whether or not it may pose a public safety hazard. In addition, the C&E office has the manpower, experience and expertise to look into the issue and determine the appropriate outcome. A C&E officer will be in contact with you in the near future, thanks for your cooperation on this matter.

Tori

Tori Meeks | Land Officer | Mountain Resorts Branch
Ministry of Forests, Lands and Natural Resource Operations
510 - 175 2nd Ave, Kamloops, BC V2C 5W1
Phone: 250-371-3943 | Cell: 250-320-2791 | Fax: 250-371-3942

From: Pratt, Terry FLNR:EX
Sent: Monday, September 21, 2015 11:29 AM
To: 'Carson Hamm'
ub: Meeks, Tori FLNR:EX; Nolander, Reg W FLNR:EX; Corrie Stepan; Doug Forseth; dmacfarlane@whistlerblackcomb.com
Sj cyeht: RE: Sunridge Site Visit Follow-up

Thank you , Carson – this is helpful.

We will be in touch with next steps.

Regards,

Terry

TerrPar|tt / ADi Oebtor pser|tOnC

Mountain Resorts Branch| Ministry of Forests, Lands & Natural Resource Operations
510-175 2nd Avenue, Kamloops, BC V2C 5W1
Direct: 250-371-3934 | Fax: 250-371-3942 | [Mailto:Terry.Pratt@gov.bc.ca](mailto:Terry.Pratt@gov.bc.ca)
♻️ Rethink Reduce Reuse Repair Recycle

From: Carson Hamm [<mailto:carson@bromleyprojects.com>]
Sent: Friday, September 18, 2015 11:50 AM
To: Doug Forseth; Pratt, Terry FLNR:EX
ub: Meeks, Tori FLNR:EX; Nolander, Reg W FLNR:EX; Corrie Stepan
Sj cyeht: Sunridge Site Visit Follow-up

Hello Doug, Terry,

Thanks very much for your time today. I think the site meeting was very beneficial; I appreciate you taking time out of your day to review the area of our discussion.

I have attached two PDFs for your reference, one at 1:2500 for context and one at 1:1000. I have included the 2009 orthophoto as well as the 2m contour intervals on the plans for ease of reference.

I have also provided a DWG file of the trail centreline and structure should you wish to overlay this information to your CAD/GIS data. (NAD83, meters).

I will be in touch as we move forward, in the meantime I will place the fencing at the location discussed.

Kind regards, Carson



TRESPASS NOTICE

Notice under Section 59 of the *Land Act*

- (1) **This notice is given to:** Carson HAMM,^{s.22}
- (2) **Date that this notice is given:** November 5, 2015
- (3) **Date of the contravention(s) of Section 60 of the *Land Act*:** June 1, 2015
- (4) **Place of the contravention(s) of Section 60 of the *Land Act*:**

At or about UTM 10 502896, 5550691 on Crown land in the vicinity of Whistler Mountain, to the South and adjacent to DL 4980, Group 1, New Westminster District.

- (5) **On the date and at the place described in paragraphs 3 and 4 above, you contravened section 60 of the *Land Act* by:**

a) *occupying and possessing Crown land without lawful authority* (Sec. 60(a)).

- (6) **The details of the contravention(s) are the following:**

- a) In September 2015, Whistler Blackcomb, the Mountain Resorts Branch of the Ministry of Forests, Lands and Natural Resource Operations (MFLNRO), and Carson HAMM of Bromley Projects Inc. began discussing an alleged unauthorized ramp structure and trail located on Crown land within the Controlled Recreation Area tenure held by Whistler Blackcomb.
- b) In October 2015, the Mountain Resorts Branch referred the file to the Compliance and Enforcement Branch for investigation. Natural Resource Officers (NRO) inspected the site on October 8, 2015. NROs documented approximately 150m of trail, including a large cedar ramp approximately 3x15m in size. Numerous trees had been cut, and the trail had been cleared of most organic material.
- c) On October 22, 2015, NRO BICKERTON met with Carson HAMM onsite for an inspection and interview. Mr. HAMM disclosed that in June 2015 he had directed a landscaping contractor to build the trail and ramp structure to reestablish a ski-out connection to Whistler Mountain from his client's lot at s.22
- d) The investigation has determined that the trail and ramp structure were built without authorization and are currently in trespass. Whistler Blackcomb and the Mountain Resorts Branch have expressed support for the trail and ramp structure provided that they are successfully authorized by the Lands Tenure Branch.

(7) **By authority of section 59 of the *Land Act*, you are required to do the following:**

- a) Retain a Qualified Professional Engineer to complete the following:
 1. Prepare a report which assesses the structural integrity of the ramp for all proposed and incidental uses and loads. The report must highlight any structural modifications required, as well as give consideration to mitigating the risk of slips, trips, and falls to incidental users. **The engineering assessment report must be submitted to NRO BICKERTON within 30 days of receipt of this Trespass Notice.**
 2. Prepare a 'sign-off' report to certify that any required modification work is complete and/or the structure is adequate for proposed and incidental year-round use, including but not limited to: skiers, hikers, mountain bikers. **The 'sign-off' report must be submitted to NRO BICKERTON within 45 days of receipt of this Trespass Notice.**
 3. Prepare a formal maintenance plan and schedule for the structure including: maximum recommended snow load, structural inspection intervals, and required ongoing maintenance.
- b) Obtain a letter of support from Whistler Blackcomb which stipulates any conditions that Whistler Blackcomb would like to see satisfied to address liability concerns.
- c) Formally apply for authorization for the structure and associated trail through FrontCounterBC. The application for authorization should include:
 1. all engineering documents listed above as they are completed.
 2. a letter of support from Whistler Blackcomb.
 3. all other documents that may be necessary to satisfy Whistler Blackcomb conditions.
 4. all other application requirements listed at <http://www.frontcounterbc.gov.bc.ca/>.

The application for authorization must be made within 30 days of receipt of this Trespass Notice.

(8) **In addition, by authority of section 59 of the *Land Act*, you are notified that:**

- a) any and all future unauthorized use of Crown land within the geographical boundaries of the Sea to Sky District, as defined by the MFLNRO, will be considered non-compliance with this Trespass Notice, and contrary to the Land Act;
- b) **non-compliance with this Trespass Notice may result in an immediate Section 59 order for the seizure of all improvements, goods, chattels and other materials related to the unauthorized use of Crown land.**

(9) **Section 59 of the *Land Act* provides that:**

- a) where a person fails to comply with the notice, a penalty of up to \$1,000 may be imposed upon that person (Sec. 59(4));
 - b) anything seized becomes the property of the government and the Minister may authorize it to be sold, rented, removed or destroyed (Sec. 59(8)).
- (10) A contravention of Section 60 of the *Land Act* is an offence and upon conviction, a person is liable to a fine of not more than \$20,000, or to imprisonment for a term of not longer than 60 days, or to both a fine and imprisonment.
- (11) If you wish to have the alleged contravention(s) described in this notice reviewed, or object to a requirement of this notice, you should as soon as possible and within 30 days, provide written reasons for your request for review, including your telephone number to: **Ms. Kim Meyer, Regional Manager Compliance and Enforcement , 7077 Duncan Street, Powell River B.C. V8A 1W1**. Your request for review or objection will be considered and you will be notified of the outcome of that consideration.
- (12) Disputing or objecting to anything in this notice will not act as a stay or suspend the requirement imposed upon you to comply with the terms of this notice.
- (13) All payments that you may be required to make under this notice must be paid before the date specified and must be delivered to 101-42000 Loggers Lane, Squamish, BC
- (14) You may obtain further information about this notice by contacting Natural Resource Officer, Sean Bickerton at the Ministry of Forests, Lands and Resource Operations at 101-42000 Loggers Lane, Squamish, BC.

Sean BICKERTON/1174
Natural Resource Officer
Ministry of Forests, Lands, and Natural Resource Operations

ATTACHMENTS:

1. Photo – unauthorized structure on Crown Land

RE: Sunridge ski-out trail

From: Bickerton, Sean FLNR:EX <Sean.Bickerton@gov.bc.ca>
To: Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>, Pratt, Terry FLNR:EX <Terry.Pratt@gov.bc.ca>
Cc: Cunneyworth, Robert W FLNR:EX <Robert.Cunneyworth@gov.bc.ca>
Sent: November 6, 2015 4:00:47 PM PST
Hi ladies,

I've attached the trespass notice that Carson Hamm was served in person at our office on November 5, 2015 (yesterday).

All projections of "within XX days" would be projected forward from yesterday.

Please let me know if you receive any information on the application for authorization.

Regards,

Sean

From: Meeks, Tori FLNR:EX
Sent: Wednesday, October 28, 2015 4:08 PM
To: Pratt, Terry FLNR:EX
Cc: Bickerton, Sean FLNR:EX
Subject: RE: Sunridge ski-out trail

Hi Terry,

I talked to Sean and clarified that authorization is possible from our office (licence over top of the CRA), but that we need WB support (which we have received, subject to WB not being responsible or liable), and we would want to ensure that the structure is safe for the public and there was sign off by an engineer or professional on the quality of construction and the limits of use (ie. Summer vs winter and snow load, etc.). Sean is going to chat with Bob, but at this point he is recommending giving them trespass notice and advising that if they would like to seek authorization they will need to provide us with the engineer's sign off, application, etc.. so that we are in a position to review and determine if it can be approved.

Sean is around on Friday if you would like to have a call to discuss further. He also has some recommendations about the structure and ways of potentially making it more useful for all season use.

T.

From: Bickerton, Sean FLNR:EX
Sent: Wednesday, October 28, 2015 2:50 PM
To: Meeks, Tori FLNR:EX; Pratt, Terry FLNR:EX
Cc: Cunneyworth, Robert W FLNR:EX
Subject: FW: Sunridge ski-out trail

Hi Terry, Tori,

I conducted a site inspection with Carson Hamm on October 22, 2015. I likely did not learn any information that you did not already know from your site visit. I informed Mr. Hamm that the best case scenario here is to find a solution that would bring the trail into compliance through appropriate authorization.

Mr. Hamm sent me the attached mapping files shortly after our meeting.

At this point, I think these are the options (which I'm sure you have already considered):

1. Review potential to authorize the trail and structure:
 - a. Determine an appropriate method of authorizing this within the CRA

- b. Determine who the appropriate applicant is - Does strata need to apply, or individual homeowner, or developer (Hamm)?
 - c. Determine criteria that need to be satisfied for Whistler Blackcomb to provide permission
2. If application for authorization not possible for any reason...
- a. Determine if structure can remain in place through a legal agreement between Whistler Blackcomb and applicant
3. If structure cannot be authorized formally, or cannot garner the approval of Whistler Blackcomb through some alternative form of permission/agreement...
- a. Determine appropriate level of enforcement action – likely Trespass Notice and removal by Mr. Hamm

I see that Terry is away until Friday, so perhaps I'll send this off and then give Tori a call.

Regards,

Sean Bickerton

Natural Resource Officer

Sea to Sky District / South Coast Region

Compliance and Enforcement Branch

Ministry of Forests, Lands and Natural Resource Operations

Suite 101-42000 Loggers Lane Squamish BC V8B 0H3

Phone: 604-898-2192

Cell: 604-815-3031

To report a Natural Resource Violation:

Telephone: **1 844 NRO-TIPS (676-8477)**

Webpage: <https://www.for.gov.bc.ca/hen/nrv/report.htm>

From: Carson Hamm [<mailto:carson@bromleyprojects.com>]

Sent: Thursday, October 22, 2015 5:00 PM

To: Bickerton, Sean FLNR:EX

Subject: Re: Sunridge ski-out trail

Hi Sean,

It was a pleasure meeting you today. I have attached two PDFs and a CAD file (NAD83) with the location of the trail and the ramp.

If you have any other questions, please feel free to contact me.

Regards, Carson

Carson Hamm

Bromley Projects Limited

Whistler, BC Canada

www.bromleyprojects.com

T: +1 604 932 3122

F: +1 604 932 3121

M: +1 604 902 3120

s.22

On Thu, Oct 22, 2015 at 12:07 PM, Bickerton, Sean FLNR:EX <Sean.Bickerton@gov.bc.ca> wrote:
Carson,

I am in Whistler and can meet at the site anytime in next two hours.

Call my cell s.22 and we can arrange to meet up.

Sean Bickerton
Natural Resource Officer
Sea to Sky District / South Coast Region
Compliance and Enforcement Branch
Ministry of Forests, Lands and Natural Resource Operations
Suite 101-42000 Loggers Lane Squamish BC V8B 0H3

Mobile: s.22

On Oct 22, 2015, at 10:56 AM, Carson Hamm <carson@bromleyprojects.comcarson@bromleyprojects.com>> wrote:

Hi Sean,

I can meet today between noon and 2pm or tomorrow between 11 and noon. I can also meet next week from Tuesday onward.

Let me know what fits best for you.

Carson

On 2015-10-21 6:53 PM, "Carson Hamm" <carson@bromleyprojects.comcarson@bromleyprojects.com>> wrote:

Hi Sean,

Thanks for the note and the message on my voice mail.

I have can confirm a meeting time tomorrow morning as I have a few items in my schedule that I am waiting to have firm up. At the moment, a window between noon and 2pm tomorrow that may be open or Friday from 11 to noon.

I will send a note tomorrow (Thursday) once I can confirm the next couple day's schedule.

Regards, Carson

Carson Hamm
Bromley Projects Limited
Whistler, BC Canada

www.bromleyprojects.com<<http://www.bromleyprojects.com>>

T: +1 604 932 3122<tel:%2B1%20604%20932%203122>

F: +1 604 932 3121<tel:%2B1%20604%20932%203121>

M: +1 604 902 3120<tel:%2B1%20604%20902%203120>

s.22

On Tue, Oct 20, 2015 at 3:40 PM, Bickerton, Sean FLNR:EX
<Sean.Bickerton@gov.bc.caSean.Bickerton@gov.bc.ca>> wrote:
Hi Carson,

I have been tasked with the file concerning the Sunridge ski-out trail.

I left a voicemail on your mobile I believe, and would like to schedule a site inspection with your to clarify the issue and the details.

As my schedule sits, I would be able to meet tomorrow anytime between 10 and 3, Thursday between noon and 3, or Friday between 10 and 3.

Regards,

Sean Bickerton
Natural Resource Officer
Sea to Sky District / South Coast Region
Compliance and Enforcement Branch
Ministry of Forests, Lands and Natural Resource Operations
Suite 101-42000 Loggers Lane Squamish BC V8B 0H3
Phone: 604-898-2192604-898-2192>
s.22

To report a Natural Resource Violation:
Telephone: 1 844 NRO-TIPS (676-8477)
Webpage: <https://www.for.gov.bc.ca/hen/nrv/report.htm>

11/25/2015

Carson Hamm
Agent for s.22
s.22

RE: Conditional Letter of Approval for Ski/Bike Trail & Ramp Adjacent to s.22 Property

To Whom It May Concern:

Whistler Blackcomb Holdings Inc. (WBHI) is the parent company of Whistler Mountain Resort Limited Partnership which is the tenure holder for the Controlled Recreation Area (CRA) for Whistler Mountain. In an effort to legitimize the unauthorized construction of a ski/bike trail and ramp from the property located at s.22 in Whistler, B.C. onto our CRA this letter is being provided by our company as a Letter of Conditional Approval.

The Conditions of our Approval are based solely on our concern for public safety and protecting our company and shareholders from any liability arising from this trail and ramp.

Specifically, our Conditions of Approval are as follows:

1. No further additions to the trail or ramp structure, as outlined in the Licence Agreement, without approval by The Province of British Columbia and Whistler Blackcomb Holdings Inc.
2. A written management plan provided to and approved by WBHI which addresses the following:
 - a. Annual review of the ramp by a licensed structural engineer with a written report copied to WBHI
 - b. Outline of annual trail, ramp and signage maintenance
 - c. Signage plan which addresses liability and key safety messages
 - d. All costs associated with implementation of the management plan will be the sole responsibility of the Licence holder
3. Provision of General Liability Insurance in the amount of \$5 million and an indemnity agreement naming the following entities:
 - a. Whistler Mountain Resort Limited Partnership
 - b. Blackcomb Skiing Enterprises Limited Partnership
 - c. Whistler Blackcomb Holdings Inc.
 - d. Whistler Blackcomb Employment Corp.
 - e. Her Majesty the Queen in Right of the Province of British Columbia

Whistler Mountain Resort Limited Partnership
Blackcomb Skiing Enterprises Limited Partnership
4545 Blackcomb Way, Whistler, BC, Canada, V0N 1B4
Phone 604.932.3141 Fax 604.938.7527
whistlerblackcomb.com



While it has been unfortunate that this matter was undertaken in the manner it was, we are pleased with the cooperative attitude that has been demonstrated in an effort to rectify the mistake and move forward with getting the proper approvals in place. Thank you for working towards a positive resolution. We appreciate all of your efforts.

Yours truly,

A handwritten signature in dark ink, appearing to read "Doug Forseth", with a horizontal line drawn underneath the name.

Doug Forseth
Vice President
Whistler Blackcomb Holdings Inc.

CC: Terry Pratt, Mountain Resort Branch, FLNRO
Tori Meeks, Mountain Resort Branch, FLNRO
Sean Bickerton, Compliance and Enforcement Branch, FLNRO

Page 353 of 642

Withheld pursuant to/removed as

Copyright

FW: Sunridge trail insurance and follow-up

From: Cynthia Buck <CBuck@whistlerblackcomb.com>
To: Pratt, Terry FLNR:EX <Terry.Pratt@gov.bc.ca>, Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>
Sent: November 27, 2015 11:30:28 AM PST
Hi Terry and Tori,

See letter attached – forwarded for your information.

Could I ask one of you to confirm Sean Bickerton's email address so that I could send him a copy as well? I can't seem to find it in Doug's files. Thanks for your help.

Kind Regards,
Cynthia

From: Cynthia Buck
Sent: Friday, November 27, 2015 11:25 AM
To: 'Carson Hamm'
Cc: Doug Forseth
Subject: RE: Sunridge trail insurance and follow-up

Hi Carson,

Attached is a scan copy of the letter sent by mail on Wednesday.

Regards,
Cynthia

Cynthia Buck | Executive Assistant | Whistler Blackcomb
p: 604.938.7364 | **e:** cbuck@whistlerblackcomb.com
4545 Blackcomb Way | Whistler, BC | V0N 1B4
whistlerblackcomb.com

50 YEARS OF GOING BEYOND: Pioneers. Renegades. Innovators. There are icons and legends behind a dream 50 years in the making. **Watch the trailer >> www.whistlerblackcomb.com/50**

WHISTLER BLACKCOMB IS A SMOKE FREE ENVIRONMENT.

Effective May 31, 2015, Whistler Blackcomb is officially a smoke-free environment. Smoking of any kind is prohibited anywhere on Whistler Blackcomb property. **More Info >>**

Please, consider the environment before printing this email.

From: Doug Forseth
Sent: Thursday, November 26, 2015 10:24 PM
To: 'Carson Hamm'
Cc: Cynthia Buck
Subject: RE: Sunridge trail insurance and follow-up

Hi Carson,

The original was put in the mail either late yesterday or today. I thought we had forwarded an electronic copy but we obviously didn't. By copy of this note I'll ask my assistant Cynthia to forward a copy via email tomorrow. Sorry for the delay....

Doug Forseth
WhistlerBlackcomb
Work: (604) 938-7398
Mobile: (604) 905-8314

From: Carson Hamm [mailto:carson@bromleyprojects.com]
Sent: Thursday, November 26, 2015 6:08 PM
To: Doug Forseth
Subject: Re: Sunridge trail insurance and follow-up

Hi Doug,

I just wanted to check that I didn't miss your email with the conditional letter. If you have sent it, I have not received it for some reason. Please resend at your convenience. Thank you.

Best regards, Carson

Carson Hamm
Bromley Projects Limited
Whistler, BC Canada

www.bromleyprojects.com

T: +1 604 932 3122
F: +1 604 932 3121
M: +1 604 902 3120

s.22

On Tue, Nov 24, 2015 at 3:40 PM, Doug Forseth <DForseth@whistlerblackcomb.com> wrote:

Hi Carson,

s.22

I will have our Conditional Letter of Approval to you tomorrow. It

is essentially ready to go. I just need to make 1 tweak and then I can get it off to you.

Doug Forseth

WhistlerBlackcomb

Work: (604) 938-7398

Mobile: (604) 905-8314

From: Carson Hamm [mailto:carson@bromleyprojects.com]

Sent: Tuesday, November 24, 2015 3:29 PM

To: Doug Forseth

Subject: Re: Sunridge trail insurance and follow-up

Hello Doug,

I just wanted to touch base with you with respect to the letter of support from Whistler Blackcomb as outlined in the Notice from NRO Bickerton and discussed previously.

I am working through the engineering report and sign-off currently and expect to have this in hand by the end of the week. If possible, it would be great to have the opportunity to review the draft letter of support this week as well so that I have time to address any issues that may be in the letter. In order to meet the requirements of NRO Bickerton, I need to submit all pieces of the application by December 4th. If there is anything I can do to help expedite this, please let me know.

I look forward to hearing from you.

Kind regards, Carson

Carson Hamm
Bromley Projects Limited
Whistler, BC Canada

www.bromleyprojects.com

T: +1 604 932 3122

F: +1 604 932 3121

M: +1 604 902 3120

s.22

On Thu, Nov 5, 2015 at 10:35 AM, Carson Hamm <carson@bromleyprojects.com> wrote:

Thanks very much Doug. I look forward to reviewing the draft letter upon my return.
Best regards, Carson

Carson Hamm
Bromley Projects Limited
Whistler, BC Canada

www.bromleyprojects.com

T: +1 604 932 3122

F: +1 604 932 3121

M: +1 604 902 3120

s.22

On Thu, Nov 5, 2015 at 9:08 AM, Doug Forseth <DForseth@whistlerblackcomb.com> wrote:

Good morning Carson,
Thanks for the update from your end. I was in communication mode on this yesterday with Tori and Sean. I have started a draft letter for WBHI's Conditional Approval, should a sub-license be granted. It will be ready to go upon your return or whenever the Crown has cleared the way for this to proceed. I will forward you a copy of the draft after it has been reviewed internally by our Operations and Legal departments. Your comments will be welcomed and considered.

s.22

Doug Forseth
WhistlerBlackcomb
Work: (604) 938-7398
Mobile: (604) 905-8314
From: Carson Hamm [<mailto:carson@bromleyprojects.com>]
Sent: Thursday, November 05, 2015 8:11 AM
To: Terry Pratt; Doug Forseth
Cc: Meeks, Tori TSA:EX; Nolander, Reg W FLNR:EX
Subject: Re: Sunridge trail insurance and follow-up
Hi Doug, Terry,

I wanted to follow up with you regarding the insurance requirement for the trail and ramp. I have received confirmation just today from the insurer that s.21 will provide the insurance policy for the s.21 as discussed with the named entities listed. Since I did not hear back from the previous email, I have instructed the insurer to proceed with the implementation of the policy as outlined.

As you also know, I have met on site and been in touch with the Natural Resource Officer, Sean Bickerton, and I will be meeting again today to acquire the application documents outlining the process from this point forward. I understand that a letter will be required from WB as part of this application and I believe that Sean has provide you, Doug, with the necessary information and notice.

s.22

so I just wanted to provide an update for you prior

to my departure.
Kind regards, Carson

Carson Hamm
Bromley Projects Limited
Whistler, BC Canada

www.bromleyprojects.com

T: +1 604 932 3122

F: +1 604 932 3121

M: +1 604 902 3120

s.22

On Fri, Oct 9, 2015 at 11:07 AM, Carson Hamm <carson@bromleyprojects.com> wrote:

Hello Terry, Doug,

I wanted to touch base with you again and let you know how things are progressing at my end. I have spoken with the insurer and met on site with the strata manager Dave Evans. We discussed the situation and feel that the best approach is to have s.22 insurance policy extended to cover the specific area of the trail and the ramp.

The insurer will be speaking with the underwriters to establish the means for implementing this liability coverage once I can provide him with some additional details.

Doug has confirmed that the following entities need to be specifically named on the policy and I would like to know if there are other entities that need be named beyond this. Terry, perhaps you can comment. The entities to be named in the indemnity agreement are as follows:

Whistler Mountain Resort Limited Partnership

Blackcomb Skiing Enterprises Limited Partnership

Whistler Blackcomb Holdings Inc.

Whistler Blackcomb Employment Corp.

Her Majesty the Queen in Right of the Province of British Columbia

Regarding the insurance coverage, I believe that we discussed a s.21 policy when we were on-site. Can you confirm that this is correct.

I believe that it would also be reasonable to add signage identifying the risk to users in the vicinity and I would ask that you confirm if you would be okay with the posting of such signage. (I can prepare the signage and mount it once we have agreed on it).

Also, as we discussed on-site, we would have a contractor in place to manage and maintain the trail on an annual basis. We could establish some form of maintenance agreement, but the insurer recommended that we can just include this as part of the policy as an obligation of 〰〰〰〰 to have a contractor manage and maintain the trail and complete annual inspections to ensure the structural integrity of the ramp. Would this be sufficient?

Finally, have you given further consideration to the term of license. This is not critical at the moment, but I would expect that the insurers would like to have an understanding of the duration of the agreement and the policy term.

If you have any questions or feedback, please let me know.

In case we don't connect prior to the long weekend, I would like to wish you all a Happy Thanksgiving.

Best regards, Carson

Carson Hamm

Bromley Projects Limited

Whistler, BC Canada

www.bromleyprojects.com

T: +1 604 932 3122

F: +1 604 932 3121

M: +1 604 902 3120

..

s.22

Page 358 of 642

Withheld pursuant to/removed as

s.21

Page 359 of 642

Withheld pursuant to/removed as

Copyright



FIGURE 2 - TRAIL PLAN

Contour Interval: 2m
Orthophoto: 2009
Scale: 1:1,000



December 7, 2015

Bromley Projects Limited
s.22

Attention: Carson

Email: carson@bromleyprojects.com

Re: Sun Ridge Connector Trail
Ramp Structural Review

WHM # 13222

Copyright

WEB
info@whmengineers.com
www.whmengineers.com
2227 Douglas Road,
Burnaby, BC V5C 5A9
T 604.484.2859
F 604.484.2861

WICKE HERFST MAVER CONSULTING INC.

Page 362 of 642 to/à Page 364 of 642

Withheld pursuant to/removal as

Copyright

Sunridge Connector Trail - Preliminary Submission

From: Carson Hamm <carson@bromleyprojects.com>
To: Doug Forseth <dforseth@whistlerblackcomb.com>
Cc: Pratt, Terry FLNR:EX <Terry.Pratt@gov.bc.ca>, Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>
Sent: December 7, 2015 4:57:20 PM PST

Hello Doug,

As per my earlier email, I am pleased to submit the following for your consideration.

I have attached a copy of the insurance notice as well as the engineering analysis report as requested in your conditional letter of approval dated November 25, 2015.

I had hoped to submit the complete application to you as well today for your consideration, however, I have had a bit of a run-around on which application form to use for my submission. NRO Bickerton is aware of this and he has extended my application submission deadline until Friday.

Originally, FrontCounter BC indicated that I should submit an application for a Trail and Recreation Facility on Crown Land which seemed completely reasonable and I completed the application accordingly. NRO Bickerton also concurred with this initially but then on Friday afternoon he suggested that this was not correct and that I had been incorrectly advised by FrontCounter BC and that I should rather be applying for a license of occupation. At that point I put the submission on hold until Monday morning until I could get some additional clarity.

Today, under the advisement of Adventure Tourism Lands Officer at FrontCounter BC, I was instructed to submit an application for a community/institutional use application for Crown land tenure. Then this afternoon I was advised by the Land Officers in Squamish that this was incorrect and that I should be applying for a Roads application, though the officer was not completely certain. We agreed to wait until Terry and Tori are back in the office later this week to finalize the application process as there is a considerable amount of uncertainty around which application I should proceed with. With this in mind, I would like to hold off submitting my management plan and signage plan to you as there may be details that will change once I get clear and accurate direction on which application I should be pursuing. The engineering analysis and insurance items should not be impacted, so I submit these to you today. I regret the delay in getting all the items to you and I will follow up with you as soon as I am able to speak with Terry or Tori. I have cc'd them both here so that they are aware of my submission to you and I will follow-up with them directly. As you will see in the engineering analysis report there are some recommendations that outline some additional enhancements to the ramp structure. NRO Bickerton also has a copy of this report and he has authorized supplemental construction to occur in concert with the report. I will advise you of the actual construction schedule once I meet with the contractor and we review the weather forecast. In order to meet the requirements outlined in the Notice of Trespass, we will require engineering sign-off of the structural amendments to the ramp structure by end of the day Monday December 21st and we will do everything in our power to meet this deadline. Should you have any other questions or concerns, please feel free to contact me. Thanks and kind regards, Carson

Carson Hamm
Bromley Projects Limited
Whistler, BC Canada
www.bromleyprojects.com

T: +1 604 932 3122
F: +1 604 932 3121
M: +1 604 902 3120

s.22

Re: Questions about the requirements for submission

From: Carson Hamm <carson@bromleyprojects.com>
To: Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>
Cc: Carson Hamm <carson@bromleyprojects.com>, Bickerton, Sean FLNR:EX <Sean.Bickerton@gov.bc.ca>, Pratt, Terry FLNR:EX <Terry.Pratt@gov.bc.ca>
Sent: December 8, 2015 2:45:51 PM PST
Attachments: image001.jpg
Thanks for the prompt response, Tori.

Carson Hamm
Bromley Projects Limited
Whistler, BC Canada
www.bromleyprojects.com

T: +1 604 932 3122
F: +1 604 932 3121
M: +1 604 902 3120

s.22

On Tue, Dec 8, 2015 at 2:09 PM, Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca> wrote:

Once you run through the online application system, it will advise you of the application fee and methods of payment, yes I believe credit card is an option. The application fee is \$250 + GST. At this point, I am unsure whether we will process this under the Commercial General Policy or the Roadways policy, we will have to determine that after we look at this in more detail to see what makes more sense. We can change those details after it is submitted and accepted if needed. But the annual rent for General Commercial is calculated at 7.5% of BCA land value or minimum \$500/year. If we go under the Roadways policy, the annual rent will be 7.5% of \$6520/ha or minimum \$500/year, this is the one I am leaning toward at the moment.

Sorry, yes please submit it for the ramp and trail because I believe that WB has indicated that they do not want to be responsible for maintaining the trail or the ramp from the property so we will include all that is necessary for the functional use of the infrastructure.

T.

From: Carson Hamm [mailto:carson@bromleyprojects.com]
Sent: Tuesday, December 8, 2015 12:00 PM
To: Meeks, Tori FLNR:EX
Cc: Bickerton, Sean FLNR:EX; Carson Hamm; Pratt, Terry FLNR:EX

Subject: Re: Questions about the requirements for submission

Hi Tori,

Thanks for this clarification. I will proceed accordingly.

Can you provide me with some clarification around the application fee (if any) and confirm if there is an annual tenure fee (if so how much or how is it calculated)? Also, please confirm method of payment (I see that some forms request payment by cashier's cheque or business cheque, though the Squamish Land Officer said payment by Visa is also accepted though I have not seen those forms on-line).

Also, regarding the application - is this specifically for the ramp or the ramp **and** the trail, just so I get my wording correct. I thought both were being included in this application though you have only referred to your ramp in the email below.

Thanks in advance, Carson

Carson Hamm

Bromley Projects Limited
Whistler, BC Canada

www.bromleyprojects.com

T: +1 604 932 3122

F: +1 604 932 3121

M: +1 604 902 3120

s.22

On Tue, Dec 8, 2015 at 11:17 AM, Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca> wrote:

Hi Carson,

Sorry I wasn't around to clarify the application process. With regard to the application for the ramp, please submit your application online at – <http://www.frontcounterbc.gov.bc.ca/guides/crown-land/crown-land-tenure/overview/> . Click on **'Start Crown Land Tenure Application'** and follow through the screens.

Please select following picks:

- Within an Alpine Ski Area or All Seasons Resort – **YES** (this is so that it comes to our office for processing)
- Are you the All Seasons Resort Operator - **NO**
- Purpose = **Commercial General**
- Specific Purpose = **Year-round Operation**
- Period of Use = **2-5 years**
- Tenure Type = **Licence of Occupation**

Notes for submitting online application:

- if you want to be able to save it and then go back in later to finish and submit you need to have a BCeID for the company (corporate).
- The Name of the Applicant is the name that the tenure is issued in. Once an application is accepted we cannot change the applicant name, please ensure this is the correct name for the final tenure document.
- you do not need to upload a shapefile, you can just upload a map again when it asks for this and we will load the data on our side.
- Please include the engineering report, management plan, WB letter of support and any other information that is required and will be helpful in processing the application.

I am in the office today, please let me know if you have any questions.

Thanks,

Tori

From: Bickerton, Sean FLNR:EX
Sent: Friday, December 4, 2015 11:37 AM
To: Carson Hamm
Cc: Pratt, Terry FLNR:EX; Meeks, Tori FLNR:EX
Subject: RE: Questions about the requirements for submission

Carson,

1. The Trespass Notice stipulates the following:

- c) Formally apply for authorization for the structure and associated trail through FrontCounterBC. The application for authorization should include:
1. all engineering documents listed above as they are completed.
 2. a letter of support from Whistler Blackcomb.
 3. all other documents that may be necessary to satisfy Whistler Blackcomb conditions.
 4. all other application requirements listed at <http://www.frontcounterbc.gov.bc.ca/>.

You need your application accepted and authorized, and the authorization is contingent upon WB's support. The other reason that it is necessary to keep your application package to FrontCounter as complete as possible as it will ultimately be assigned a Lands File number, which is the master copy of your authorization. This is important for future renewals, and for documentation in the case that you are no longer involved as an agent with this file.

2. Please proceed as necessary, with my authorization, to make improvements to the structure to meet your engineers sign-off requirements. As per the Trespass Notice, I require your engineers assessment by Monday so will review the proposed changes in the report and let you know if there are any concerns. And yes, you will need to shoot Doug Forseth an email to let him know of the structural improvements necessary for engineering sign-off.

Regards,

Sean

From: Carson Hamm [<mailto:carson@bromleyprojects.com>]
Sent: Friday, December 4, 2015 10:50 AM
To: Bickerton, Sean FLNR:EX
Cc: Carson Hamm; Pratt, Terry FLNR:EX; Meeks, Tori FLNR:EX
Subject: Re: Questions about the requirements for submission

Hi Sean,

Thanks for the confirmation of who to send which documents to.

A question in response. In the WB letter, there are items that they have requested that are separate from the items that you have requested (i.e. written management plan that includes proposed signage plan and the liability insurance). As these items are an indirect requirement of the approval of the application, would you like me to include those as part of my submission to FrontCounter or should I just send to WB and allow them to confirm with you and Terry that they accept and approve the receipt of these documents? (Your Notice of Trespass indicates that all documents necessary to satisfy the WB should be included in the FrontCounter application, so I just wanted confirmation that these are indeed also going to FrontCounter).

Secondly, as a heads up, our engineers' analysis of the structure suggests that we will require some minor amendments prior to engineering sign-off. These items will be outlined in their engineering report. In order to meet the Monday December 21st deadline for sign-off, we will need to complete this work in advance of that time frame. As per your Notice and the WB letter, no further revisions to the trail or ramp are permitted, so what is the method for securing approval to implement these changes?

Finally, for the application, I am acting as the agent for s.22 . With this in mind, should the application be in my name as I was the one that received the Notice of Trespass?

Thanks and regards, Carson

Carson Hamm

Bromley Projects Limited
Whistler, BC Canada

www.bromleyprojects.com

T: +1 604 932 3122

F: +1 604 932 3121

M: +1 604 902 3120

s.22

On Fri, Dec 4, 2015 at 10:29 AM, Bickerton, Sean FLNR:EX <Sean.Bickerton@gov.bc.ca> wrote:

Carson – Update:

As per Whistler Blackcomb's Letter of Conditional Approval, you will need to forward the specified documents to WB directly. The annual engineering report will also need to be forwarded to WB on an annual basis.

In summary, please send the required documents to the following parties by the specified dates:

1. **FrontCounter: all application documents** (No later than end of day Monday, December 7, 2015 as per Trespass Notice terms)
2. **Whistler Blackcomb: all documents listed in the Letter of Conditional Approval** (send promptly upon formal application to FrontCounter)
3. **Mountain Resorts Branch (Terry Pratt, Tori Meeks): CC of what is sent to Whistler Blackcomb** (send promptly upon formal application to FrontCounter)
4. **NRO BICKERTON: Engineering report and CC of application documents** (No later than end of day Monday, December 7, 2015 as per Trespass Notice terms)
5. **NRO BICKERTON: Engineering sign-off confirming structure is 'adequate of proposed and incidental use', and any necessary modifications have been made** (No later than end of day Monday, December 21, 2015 as per Trespass Notice terms)

Regards,

Sean

From: Carson Hamm [mailto:carson@bromleyprojects.com]

Sent: Thursday, December 3, 2015 12:07 PM

To: Bickerton, Sean FLNR:EX

Subject: Re: Questions about the requirements for submission

Hi Sean,

I have been speaking with Heather Carson at FrontCounter BC. I am in the process of completing the application form. It sounds like this is the only application that is not handled entirely on-line and that I am to make my submission with the supporting documentation by PDF via email to frontcounterbc@gov.bc.ca. The Trespass Notice and letter that you provided me does not include a reference number, so I will include this Trespass Notice in my application and also cc you in the email application to ensure that you receive the necessary materials.

Heather confirmed that the application I will be submitting is the "Proposal Form for Trails and Recreation Facilities on Crown Land". I will include all the information required as well as that requested by Whistler Blackcomb, and unless otherwise requested, I will allow the Resorts Branch to forward this information to Doug at WB.

Regards, Carson

Carson Hamm

Bromley Projects Limited
Whistler, BC Canada

www.bromleyprojects.com

T: +1 604 932 3122

F: +1 604 932 3121

M: +1 604 902 3120

s.22

On Thu, Dec 3, 2015 at 10:51 AM, Carson Hamm <carson@bromleyprojects.com> wrote:

Hi Sean,

Thanks for the confirmation. I am just pulling all the final pieces together now.

I will send you the complete package as a PDF by email as well as submitting through FrontCounter.

I have not made contact with FrontCounter yet, they are my next call. I will advise you who the person is that I am dealing with there.

Thanks, Carson

Carson Hamm

Bromley Projects Limited
Whistler, BC Canada

www.bromleyprojects.com

T: +1 604 932 3122

F: +1 604 932 3121

M: +1 604 902 3120

s.22

On Thu, Dec 3, 2015 at 10:40 AM, Bickerton, Sean FLNR:EX <Sean.Bickerton@gov.bc.ca> wrote:

Hi Carson,

Prepare the documents to meet WB's conditions and cross-reference to ensure they meet the requirements of the Trespass Notice, but they should be submitted with your application to FrontCounter. I will check with Terry/Tori to ensure that the documents will be copied to WB through this process.

As far as the Trespass Notice – I will need PDF copies of the documents listed on the Trespass Notice sent to me for verification. Just send me the package that goes to FrontCounter please – email PDF's are fine.

I will let you know if WB needs copies of documents from you as well.

Do you have a contact with FrontCounter that you have been dealing with? Could you please let me know who that is?

Regards,

Sean

From: Carson Hamm [mailto:carson@bromleyprojects.com]

Sent: Thursday, December 3, 2015 10:30 AM

To: Bickerton, Sean FLNR:EX

Subject: Questions about the requirements for submission

Hi Sean,

You have probably received a copy of the letter from WB regarding their requirements for the Sunridge trail and ramp. (I have attached a copy for your reference). This letter includes a number of items outlined that are the same or very similar to your requirements (engineering report, signage plan, inspection and maintenance plan.)

Will I be required to submit a separate set of plans and documents to you and a separate one to WB, or will the submission of these items to you and your department provide for copies of these documents to be forwarded to WB?

Thanks in advance, Carson

Carson Hamm

Bromley Projects Limited
Whistler, BC Canada

www.bromleyprojects.com

T: +1 604 932 3122

F: +1 604 932 3121

M: +1 604 902 3120

s.22

- c) Formally apply for authorization for the structure and associated trail through FrontCounterBC. The application for authorization should include:
1. all engineering documents listed above as they are completed.
 2. a letter of support from Whistler Blackcomb.
 3. all other documents that may be necessary to satisfy Whistler Blackcomb conditions.
 4. all other application requirements listed at <http://www.frontcounterbc.gov.bc.ca/>.

RE: Draft Sunridge Letter of Conditional Approval.docx

From: Doug Forseth <DForseth@whistlerblackcomb.com>
To: Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>
Sent: December 9, 2015 10:04:57 AM PST
Good morning Tori,

I believe the licence should cover both the ramp and the trail to and from the ramp.

Doug

From: Meeks, Tori FLNR:EX [mailto:Tori.Meeks@gov.bc.ca]
Sent: Tuesday, December 08, 2015 4:20 PM
To: Doug Forseth
Subject: RE: Draft Sunridge Letter of Conditional Approval.docx

Ok great, thanks Doug. Carson has asked the question as to whether or not the licence should just cover the ramp, or the trail and ramp. I recall you saying that you did not want to maintain or be responsible for the trail either, can you please confirm for me so I know what is to be included in the application/tenure?

T.

From: Doug Forseth [mailto:DForseth@whistlerblackcomb.com]
Sent: Tuesday, December 8, 2015 4:05 PM
To: Meeks, Tori FLNR:EX
cc: Pratt, Terry FLNR:EX; Clark, Darlene FLNR:EX
Subject: RE: Draft Sunridge Letter of Conditional Approval.docx

Hi Tori,

Reviewing communications related to the Sunridge project and realized that I hadn't responded to your question about how much decommissioning might cost.s.13

s.13

Doug

From: Meeks, Tori FLNR:EX [mailto:Tori.Meeks@gov.bc.ca]
Sent: Tuesday, November 17, 2015 4:42 PM
To: Doug Forseth
cc: Pratt, Terry FLNR:EX; Clark, Darlene FLNR:EX
Subject: FW: Draft Sunridge Letter of Conditional Approval.docx

Hi Doug,

s.13

s.13

To assist the Province in knowing what might be acceptable in this scenario for security do you have any estimate of what the cost might be to decommission the structure?

Let me know if you have any questions.

Thanks,
Tori

From: Clark, Darlene FLNR:EX

Sent: Tuesday, November 17, 2015 2:00 PM
To: Pratt, Terry FLNR:EX
j b: Meeks, Tori FLNR:EX
SCcubt: RE: Draft Sunridge Letter of Conditional Approval.docx

s.13

How much will it cost to remove the walkway?

From: Pratt, Terry FLNR:EX
Sent: Tuesday, November 17, 2015 1:55 PM
To: Meeks, Tori FLNR:EX
SCcubt: RE: Draft Sunridge Letter of Conditional Approval.docx

s.13; s.22

From: Meeks, Tori FLNR:EX
Sent: Tuesday, November 17, 2015 1:46 PM
To: 'Doug Forseth'; Pratt, Terry FLNR:EX
j b: Clark, Darlene FLNR:EX
SCcubt: RE: Draft Sunridge Letter of Conditional Approval.docx

Hi Doug,

s.13; s.22

Let me know if you want to have a quick call to ensure we are all on the same page and I have cc'd Darlene in case she has other things to add or wants to weigh in on this one!

T.

From: Doug Forseth [<mailto:DForseth@whistlerblackcomb.com>]
Sent: Tuesday, November 17, 2015 1:05 PM
To: Pratt, Terry FLNR:EX; Meeks, Tori FLNR:EX; Bickerton, Sean FLNR:EX

Hi all,

Attached is a **DRAFT** Letter of conditional Approval for your review. After I receive your comments I will finalize and be prepared to send it in due course to Carson. I think he returned to the office yesterday so would expect his request soon.

Thank you,

Doug Forseth

WhistlerBlabkbomc

Work: (604) 938-7398

Mobile: (604) 905-8314

Page 376 of 642

Withheld pursuant to/removed as

Copyright



TRESPASS NOTICE

Notice under Section 59 of the *Land Act*

- (1) **This notice is given to:** Carson HAMM, s.22
- (2) **Date that this notice is given:** November 5, 2015
- (3) **Date of the contravention(s) of Section 60 of the *Land Act*:** June 1, 2015
- (4) **Place of the contravention(s) of Section 60 of the *Land Act*:**

At or about UTM 10 502896, 5550691 on Crown land in the vicinity of Whistler Mountain, to the South and adjacent to DL 4980, Group 1, New Westminster District.

- (5) **On the date and at the place described in paragraphs 3 and 4 above, you contravened section 60 of the *Land Act* by:**

a) *occupying and possessing Crown land without lawful authority* (Sec. 60(a)).

- (6) **The details of the contravention(s) are the following:**

- a) In September 2015, Whistler Blackcomb, the Mountain Resorts Branch of the Ministry of Forests, Lands and Natural Resource Operations (MFLNRO), and Carson HAMM of Bromley Projects Inc. began discussing an alleged unauthorized ramp structure and trail located on Crown land within the Controlled Recreation Area tenure held by Whistler Blackcomb.
- b) In October 2015, the Mountain Resorts Branch referred the file to the Compliance and Enforcement Branch for investigation. Natural Resource Officers (NRO) inspected the site on October 8, 2015. NROs documented approximately 150m of trail, including a large cedar ramp approximately 3x15m in size. Numerous trees had been cut, and the trail had been cleared of most organic material.
- c) On October 22, 2015, NRO BICKERTON met with Carson HAMM onsite for an inspection and interview. Mr. HAMM disclosed that in June 2015 he had directed a landscaping contractor to build the trail and ramp structure to reestablish a ski-out connection to Whistler Mountain from his client's lot at s.22
- d) The investigation has determined that the trail and ramp structure were built without authorization and are currently in trespass. Whistler Blackcomb and the Mountain Resorts Branch have expressed support for the trail and ramp structure provided that they are successfully authorized by the Lands Tenure Branch.

(7) **By authority of section 59 of the *Land Act*, you are required to do the following:**

- a) Retain a Qualified Professional Engineer to complete the following:
 1. Prepare a report which assesses the structural integrity of the ramp for all proposed and incidental uses and loads. The report must highlight any structural modifications required, as well as give consideration to mitigating the risk of slips, trips, and falls to incidental users. **The engineering assessment report must be submitted to NRO BICKERTON within 30 days of receipt of this Trespass Notice.**
 2. Prepare a 'sign-off' report to certify that any required modification work is complete and/or the structure is adequate for proposed and incidental year-round use, including but not limited to: skiers, hikers, mountain bikers. **The 'sign-off' report must be submitted to NRO BICKERTON within 45 days of receipt of this Trespass Notice.**
 3. Prepare a formal maintenance plan and schedule for the structure including: maximum recommended snow load, structural inspection intervals, and required ongoing maintenance.
- b) Obtain a letter of support from Whistler Blackcomb which stipulates any conditions that Whistler Blackcomb would like to see satisfied to address liability concerns.
- c) Formally apply for authorization for the structure and associated trail through FrontCounterBC. The application for authorization should include:
 1. all engineering documents listed above as they are completed.
 2. a letter of support from Whistler Blackcomb.
 3. all other documents that may be necessary to satisfy Whistler Blackcomb conditions.
 4. all other application requirements listed at <http://www.frontcounterbc.gov.bc.ca/>.

The application for authorization must be made within 30 days of receipt of this Trespass Notice.

(8) **In addition, by authority of section 59 of the *Land Act*, you are notified that:**

- a) any and all future unauthorized use of Crown land within the geographical boundaries of the Sea to Sky District, as defined by the MFLNRO, will be considered non-compliance with this Trespass Notice, and contrary to the Land Act;
- b) **non-compliance with this Trespass Notice may result in an immediate Section 59 order for the seizure of all improvements, goods, chattels and other materials related to the unauthorized use of Crown land.**

(9) **Section 59 of the *Land Act* provides that:**

- a) where a person fails to comply with the notice, a penalty of up to \$1,000 may be imposed upon that person (Sec. 59(4));
 - b) anything seized becomes the property of the government and the Minister may authorize it to be sold, rented, removed or destroyed (Sec. 59(8)).
- (10) A contravention of Section 60 of the *Land Act* is an offence and upon conviction, a person is liable to a fine of not more than \$20,000, or to imprisonment for a term of not longer than 60 days, or to both a fine and imprisonment.
- (11) If you wish to have the alleged contravention(s) described in this notice reviewed, or object to a requirement of this notice, you should as soon as possible and within 30 days, provide written reasons for your request for review, including your telephone number to: **Ms. Kim Meyer, Regional Manager Compliance and Enforcement , 7077 Duncan Street, Powell River B.C. V8A 1W1**. Your request for review or objection will be considered and you will be notified of the outcome of that consideration.
- (12) Disputing or objecting to anything in this notice will not act as a stay or suspend the requirement imposed upon you to comply with the terms of this notice.
- (13) All payments that you may be required to make under this notice must be paid before the date specified and must be delivered to 101-42000 Loggers Lane, Squamish, BC
- (14) You may obtain further information about this notice by contacting Natural Resource Officer, Sean Bickerton at the Ministry of Forests, Lands and Resource Operations at 101-42000 Loggers Lane, Squamish, BC.



Sean BICKERTON/1174
Natural Resource Officer
Ministry of Forests, Lands, and Natural Resource Operations

ATTACHMENTS:

1. Photo – unauthorized structure on Crown Land



December 11, 2015

Terry Pratt
Assistant Director Operations
Mountain Resorts Branch
Ministry of Forests, Lands & Natural Resource Operations
510-175 2nd Avenue
Kamloops, BC V2C 5W1

Re: Authorization of Agent

Dear Ms. Pratt,

Please accept this letter as confirmation that I, ^{s.22}, hereby authorize
Carson Hamm of Bromley Projects Limited to act on my behalf in all matters
pertaining to the application for Crown Land Tenure and Licence of Occupation
with respect to the trail and ramp structure constructed adjacent to s.22
s.22 in Whistler, BC.

Sincere Regards,

s.22

Page 382 of 642

Withheld pursuant to/removed as

Copyright

Sunridge Connector Trail - Ramp and deck Photos



Lower Ramp from Side



Lower Ramp Posts and X-Bracing



Lower Ramp Posts with X-Bracing Upper Ramp Stringers



Lower Ramp Posts, Stringers and X-Bracing



Lower Ramp X-Bracing and Anchor to Tree



Lower Ramp X-Bracing attached to Trees

Page 384 of 642 to/à Page 387 of 642

Withheld pursuant to/removal as

Copyright

Sunridge Connector Trail Management Plan
Consultation and Approval Draft for Review

For review by:

Whistler Blackcomb

Mountain Resorts Branch of the Ministry of
Forests, Lands and Natural Resource Operations

Compliance and Enforcement Branch of the
Ministry of Forests, Lands and Natural Resource
Operations

Date: December 11, 2015

Page 389 of 642 to/à Page 397 of 642

Withheld pursuant to/removal as

Copyright



Crown Land Tenure Application - All Seasons Resort

Tracking Number: 100151867

APPLICANT INFORMATION

If approved, will the authorization be issued to an Individual or Company/Organization? Individual
Are you the individual this authorization will be issued for if approved? No
What is your relationship to the individual? Agent

APPLICANT CONTACT INFORMATION

Have you considered using a BCeID? A BCeID allows you to save your application at any time and return later to complete it or check the status of your application. It only takes a few minutes to sign up for a free BCeID which also allows you to use the same ID for many other government services. Click on 'Save Application' on the bottom and then on 'Register' to sign up. You will return to this application once the sign up has been completed.

Name: s.22
Phone:
Daytime Phone:
Fax:
Email:
Mailing Address:

AGENT INFORMATION

Please enter the contact information of the Individual/Organization who is acting on behalf of the applicant.

Are you an Individual or Company/Organization? Company/Organization

Name: Bromley Projects Limited
Doing Business As:
Phone: 604-932-3122
Fax: 604-932-3121
Email: carson@bromleyprojects.com
BC Incorporation Number:
Extra Provincial Inc. No:
Society Number:
GST Registration Number: 138370044RT0001
Contact Name: Carson Hamm
Mailing Address: s.22

Letter(s) Attached: Yes (Authorization of Agent (Signed).pdf)

ELIGIBILITY

Question	Answer	Warning
----------	--------	---------

Do all applicants and co-applicants meet the eligibility criteria for the appropriate category as listed below?	Yes	
---	-----	--

Applicants and/or co-applicants who are Individuals must:

1. be 19 years of age or older and
2. must be Canadian citizens or permanent residents of Canada. (Except if you are applying for a Private Moorage)

Applicants and/or co-applicants who are Organizations must either:

1. be incorporated or registered in British Columbia

(Corporations also include registered partnerships, cooperatives, and non-profit societies which are formed under the relevant Provincial statutes) or

2. First Nations who can apply through Band corporations or Indian Band and Tribal Councils (Band or Tribal Councils require a Band Council Resolution).

TECHNICAL INFORMATION

Please provide us with the following general information about you and your application:

EXISTING TENURE DETAILS

Do you hold another Crown Land Tenure? No

ALL SEASONS RESORTS

The All Seasons Resorts Program serves to support the development of Alpine Ski and non-ski resorts on Crown land. For more detailed information on this program please see the operational policy and if you have further questions please contact FrontCounter BC.

Are you applying within an alpine ski resort? Yes

WHAT IS YOUR INTENDED USE OF CROWN LAND?

Use the "Add Purpose" button to select a proposed land use from the drop down menu.

If you wish to use Crown land for a Short Term, low impact activity YOU MAY NOT NEED TO APPLY for a tenure as you may be authorized under the Permissions policy. To determine if your use is permissible under the Land Act please refer to the Land Use Policy - Permissions

If your purpose can not be found in the list or if your intended use or term does not meet the terms and conditions of the policy, please contact FrontCounter BC.

Purpose	Tenure	Period
Commercial General Year-round Operation	Licence of Occupation	Two to five years

ACCESS TO CROWN LAND

Please describe how you plan to access your proposed crown land from the closest public road: Access can be from other trails in the area or via Sunridge Drive or via the s.22 at s.22

COMMERCIAL GENERAL

Applies to all general commercial uses of Crown upland and aquatic land not covered under more specific land use policies, including policy for filming, marinas and golf courses.

Specific Purpose: Year-round Operation
Period: Two to five years
Tenure: Licence of Occupation

TOTAL APPLICATION AREA

Please give us some information on the size of the area you are applying for.

Specify Length: 150 meters
Specify Width: 3 meters

ALL SEASONS RESORT

If your activities include more than one million dollars in Recreational Infrastructure and more than 100 Commercial Bed Units, your activities may fall under the All Seasons Resort Policy.

Are you applying to build an all season resort as defined under the All Seasons Resort Policy, including more than one million dollars in Recreational Infrastructure and more than 100 Commercial Bed Units? No

IMPORTANT CONSIDERATIONS

Are you intending to use the land as a shooting range or shooting club for discharge of firearms? No

ADDITIONAL QUESTIONS

In many cases you might require other authorizations or permits in order to complete your project. In order to make that determination and point you in the right direction please answer the questions below. In addition, your application may be referred to other agencies for comments.

Is the Applicant or any Co-Applicant or their Spouse(s) an employee of the Provincial Government of British Columbia? No

Are you planning to cut timber on the Crown Land you are applying for? No

Are you planning to use an open fire to burn timber or other materials? No

Do you want to transport heavy equipment or materials on an existing forest road? No

Are you planning to work in or around water? No

Does your operation fall within a park area? No

LOCATION INFORMATION

Please provide information on the location and shape of your Crown land application area. You can use one or more of the tools provided.

☒ I will upload a PDF, JPG or other digital file(s)

MAP FILES

Your PDF, JPG or other digital file must show your application area in relation to nearby communities, highways, railways or other land marks.

Description	Filename	Purpose
Location Plan	Figure 1 - Location Plan.pdf	Commercial General

ATTACHED DOCUMENTS

Document Type	Description	Filename
General Location Map	Location Plan	Figure 1 - Location Plan.pdf
Management Plan	Trail Management Plan	Sunridge Connector Trail Ma...
Other	Certificate of Insurance	Certificate of Insurance wi...
Other	Letter of Conditional Approval from Whistler Blackcomb	Sunridge Letter of Conditio...

Other	Notice of Trespass	Notice of Trespass (Nov 5 2...
Other	Ramp Drawing - As Built	Ramp Drawing (CH Nov 26 201...
Other	Ramp and Deck Photos	Sunridge Connector Trail - ...
Other	Signage Plan	Figure 6 - Signage Plan.pdf
Other	Structural Engineering Report	Structural Engineering Repo...
Site Plan	Trail Plan	Figure 2 - Trail Plan.pdf

PRIVACY DECLARATION

☒ Check here to indicate that you have read and agree to the privacy declaration stated above.

REFERRAL INFORMATION

Some applications may also be passed on to other agencies, ministries or other affected parties for referral or consultation purposes. A referral or notification is necessary when the approval of your application might affect someone else's rights or resources or those of the citizens of BC. An example of someone who could receive your application for referral purposes is a habitat officer who looks after the fish and wildlife in the area of your application. This does not apply to all applications and is done only when required.

Company / Organization: Bromley Projects Limited
Contact Name: Carson Hamm
Contact Address: s.22
Contact Phone: 604-932-3122
Contact Email: carson@bromleyprojects.com

☒ I hereby grant permission for the public release of the information provided above. This information will be used to fulfill, if required, the referral and advertising requirements of my application.

IMPORTANT NOTICES

- Once you click 'Next' the application will be locked down and you will NOT be able to edit it any more.

DECLARATION

☒ By submitting this application form, I, declare that the information contained on this form is complete and accurate.

OTHER INFORMATION

Is there any other information you would like us to know? Digital copies of the items included in this application have been sent to Doug Forseth at Whistler Blackcomb and also to NRO Bickerton as per the Notice of Trespass and the Conditional Approval Letter from Whistler Blackcomb

APPLICATION FEES

Item	Amount	Taxes	Total	Outstanding Balance
Crown Land Tenure Application Fee	\$250.00	GST @ 5%: \$12.50	\$262.50	\$0.00

OFFICE

Office to submit application to: Kamloops

PROJECT INFORMATION

Is this application for an activity or project which requires more than one natural resource authorization from the Province of BC? No

APPLICANT SIGNATURE	
Applicant Signature	Date

OFFICE USE ONLY		
Office Kamloops	File Number	Project Number
	Disposition ID	Client Number

Re: Crown Land Tenure Application and Sunridge Connector Trail Documents

From: Doug Forseth <DForseth@whistlerblackcomb.com>
To: Bickerton, Sean FLNR:EX <Sean.Bickerton@gov.bc.ca>
Cc: Carson Hamm <carson@bromleyprojects.com>, Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>
Sent: December 15, 2015 11:53:49 AM PST

Hi all

I'm currently in. An Vancouver but will be on my way back to the office soon. This will be my priority as soon as I'm back.

Doug

Sent from beautiful Whistler, British Columbia where Life is Good

On Dec 15, 2015, at 11:04 AM, Bickerton, Sean FLNR:EX <Sean.Bickerton@gov.bc.ca> wrote:

Carson,

Thank you for the update.

I will defer to Whistler Blackcomb on guidance for the appropriate signage.

Upon receipt of the final engineering sign-off, my team will likely stop by for an inspection and verification. Following a successful inspection, I will inform Tori, and her team will see the rest of the process through for authorization.

Regards,
Sean

From: Carson Hamm [<mailto:carson@bromleyprojects.com>]
Sent: Tuesday, December 15, 2015 9:38 AM
To: Bickerton, Sean FLNR:EX; Doug Forseth
Subject: Re: Crown Land Tenure Application and Sunridge Connector Trail Documents

Hello Doug, Sean,

I just wanted to provide you both with an update on the trail and ramp. The construction rework is well underway and we expect to have the work completed by the end of tomorrow.

I am scheduling the inspection with the engineers later this week so they can complete their report for sign-off Monday.

I would like to proceed with the production of the signs and installation as soon as possible. Can you provide feedback to me as soon as you can.

Yesterday alone we have five people come by the site (skiers, boarders, hikers), so clearly it will be seeing some use soon.

I appreciate your feedback if any as soon as possible so that we can meet our deadline for Monday.

Regards, Carson

On 2015-12-11 1:08 PM, "Carson Hamm" <carson@bromleyprojects.com> wrote:
Hello Doug, Sean,

I have just submitted my Crown Land Tenure Application online via FrontCounter BC. I have attached the documents in this email that you require as outlined in your Conditional Letter of Approval and Notice of Trespass.

We are currently working on the ramp and implementing the recommendations as outlined in the structural engineering report.

I would like to proceed with the production and installation of the signage next week so that it can be completed in time for our engineering sign off. Doug, please forward my contact information to Kira so that she can get in touch with me and provide any input before I proceed with production of the signs.

If you have any questions, or would like me to make any changes to the management plan or the signage plan please let me know at your earliest convenience.

I sincerely appreciate your time and cooperation on this matter.

Kind regards, Carson

Carson Hamm
Bromley Projects Limited
Whistler, BC Canada

www.bromleyprojects.com

T: [+1 604 932 3122](tel:+16049323122)

F: [+1 604 932 3121](tel:+16049323121)

M: [+1 604 902 3120](tel:+16049023120)

s.22

December 21, 2015

Bromley Projects Limited
s.22

Attention: Carson

Email: carson@bromleyprojects.com

Re: Sun Ridge Connector Trail
Ramp Structural Review Update

WHM # 13222

Copyright

Mark Robertson, M.A.Sc., P.Eng., Struct.Eng., S.E.
Project Manager

WEB
info@whmengineers.com
www.whmengineers.com
2227 Douglas Road,
Burnaby, BC V5C 5A9
T 604.484.2859
F 604.484.2861

W I C K E H E R F S T M A V E R C O N S U L T I N G I N C .

Page 406 of 642

Withheld pursuant to/removed as

Copyright



MISCELLANEOUS LAND USE REPORT

SI - LAND MGMNT - SOUTHERN SERVICE REGION

File:	2411533	Inspected Date:	Sept 18 & Oct 22 2015 (Terry Pratt MRB, Sean Bickerton C&E)
Reported By:	Tori Meeks	Report Date:	January 13, 2016
Phone Number:	250-371-3943	Complexity Level:	2
Applicant:	s.22		
	s.22		

Decision: The application is allowed.

Application Type:	New Application	LMM Policy:	Roadways Policy
Purpose:	Transportation	Sub-Purpose:	Bridges
Type:	Licence	Sub-Type:	Licence of Occupation
Commencement Date:	To be determined by Tenure Administrator	Term:	5 years
Purpose Statement:	Licence of Occupation for Ramp and Trail purposes		

BCGS Map Sheet:	92J016
Air Photo No.:	No Record Found
Application Area:	0.073 Ha.
Recommended Area:	0.073 Ha.
Location:	Whistler

Legal Description:	All that Unsurveyed Crown Land adjacent to District Lot 4750, Group 1, New Westminster District and containing 0.073 hectares, more or less.
---------------------------	--

Referral Agencies/ Analysis:

No formal referrals as this improvement is existing and is within the Whistler Controlled Recreation Area, in an area of ski hill development. The applicant has been in consultation with Whistler Blackcomb who has provided their conditional support for the new infrastructure. There is no anticipated environmental impact.

FN Consultation:

No referrals given that the improvements are already constructed and in an area of existing resort development. Low potential for infringement of an aboriginal right.

Clearance and Other Conflicts:

2400087 – DA – Whistler Mountain Resort Limited Partnership, Development Agreement for Alpine Skiing – no conflict. **Note:** WB has provided a letter of conditional support for the authorization of the ramp structure and trail. See letter dated Nov 25/15 from Doug Forseth included in appl package.

2401072 – LO – Whistler Mountain Resort Limited Partnership, Licence for runs and trails – no conflict. (see above)

Site Information:

The application area is located within Whistler Mountain's Controlled Recreation Area, adjacent to DL 4980 and the Sunridge Plateau subdivision. The trail can be accessed from various existing trails in the area including those that connect to the Sunridge Plateau subdivision. The uppermost portion of the trail can be accessed from s.22 private property at s.22. Given that the trail and ramp have already been constructed, there is no further harvesting required and there is no anticipated environmental impacts from the use of the trail and ramp.

Description of Improvements:

The overall length trail is approximately 150m long and bisects other existing trails in the vicinity. The trail is approximately 3m wide and includes an inclined ramp as a transition over a rocky outcropping. There are three separate sections of the trail labelled on the graphic below as Section A, B, and C. As there are two distinctly different classifications of the overall trail, these portions will be referred to as the Trail and the Ramp.



FIGURE 2 - TRAIL PLAN

Contour Interval: 2m
Orthophoto: 2009
Scale: 1:1,000



Background:

On Sept 2, 2015 our office was advised by Doug Forseth of Whistler Blackcomb that a ramp and trail had been constructed in trespass and without authorization within the Whistler CRA from s.22 property in the Sunridge Strata subdivision onto Crown land. The ramp and trail was constructed to improve the ski out for the owners of the property and has the potential to also be used by others in the subdivision and facilitate the summer season mountain biking as well. Terry Pratt, Sr Mngr Major Projects, met with Carson Hamm, Project Manager for s.22, for a site visit on Sept 19, 2015. Given the size and grade of the ramp, proximity to existing mountain bike trails and the potential risk to public safety, Terry recommended that the matter be referred to the Compliance and Enforcement Branch for follow up. A violation report was filed with C&E on Sept 29, 2015 and Sean Bickerton followed up with a site visit on October 22, 2015. Following his site visit, Sean had the following recommendations:

1. Review potential to authorize the trail and structure:
 - a. Determine an appropriate method of authorizing this within the CRA
 - b. Determine who the appropriate applicant is - Does strata need to apply, or individual homeowner, or developer (Hamm)?
 - c. Determine criteria that need to be satisfied for Whistler Blackcomb to provide permission
2. If application for authorization not possible for any reason...
 - a. Determine if structure can remain in place through a legal agreement between Whistler Blackcomb and applicant
3. If structure cannot be authorized formally, or cannot garner the approval of Whistler Blackcomb through some alternative form of permission/agreement...
 - a. Determine appropriate level of enforcement action – likely Trespass Notice and removal by Mr. Hamm

We advised Sean that authorization in the form of a Licence within the CRA is possible; however our office would need to have a letter of support from WB to accept the application in addition to engineer sign off, public safety and maintenance plan, etc.. Sean served Carson Hamm with trespass notice on Nov 5, 2015 with the following requirements:

- a) Retain a Qualified Professional Engineer to complete the following:
 1. Prepare a report which assesses the structural integrity of the ramp for all proposed and incidental uses and loads. The report must highlight any structural modifications required, as well as give consideration to mitigating the risk of slips, trips, and falls to incidental users. The engineering assessment report must be submitted to within 30 days of receipt of this Trespass Notice.
ACTION: Completed. Carson Hamm retained Wicke Herfst Maver (WHM) Structural Engineers to inspect the structure engineering of the ramp and the report was completed on Dec 7, 2015. The report found that there needed to be improvement to the ramp stringers (beams), decking cantilevers, bracing, guardrails and recommended modifications to increase the capacity to support the full design snow load. As well the report recommended a review of the ramp after the first large snowfall to check that settlement or frost heave has not compromised the structural integrity, and that a complete inspection of the structure be carried out annually to check the structural condition.

2. Prepare a 'sign-off' report to certify that any required modification work is complete and/or the structure is adequate for proposed and incidental year-round use, including but not limited to: skiers, hikers, mountain bikers. The 'sign-off' report must be submitted within 45 days of receipt of this Trespass Notice.

ACTION: Completed. The recommended modifications were completed and WHM inspected and signed off on the improvements – Dec 21, 2015. They are required to return to the site to review the ramp structure in late spring after the snow is no longer present.

3. Prepare a formal maintenance plan and schedule for the structure including: maximum recommended snow load, structural inspection intervals, and required ongoing maintenance.

ACTION: Completed. A Trail Management Plan was developed and submitted with the application that outlines the required maintenance and signage for the trail and ramp. This Management Plan will be appended to the licence for future reference.

- b) Obtain a letter of support from Whistler Blackcomb which stipulates any conditions that Whistler Blackcomb would like to see satisfied to address liability concerns.

ACTION: Completed. WB provided a letter of conditional approval (dated Nov 25, 2015) that was included with the application. The letter requires no further additions to the trail or ramp structure, mngt plan outlining the requirement of annual review by an engineer and submission of the annual report to WB, trail & signage maintenance plan (costs of implementation to licensee), provision of general liability insurance in the amount of \$5 million with WB & the Province as additionally insured and an indemnity agreement. This has been provided by the applicant.

- c) Formally apply for authorization for the structure and associated trail through FrontCounterBC. The application for authorization should include:

1. all engineering documents listed above as they are completed.
2. a letter of support from Whistler Blackcomb.
3. all other documents that may be necessary to satisfy Whistler Blackcomb conditions.
4. all other application requirements listed at <http://www.frontcounterbc.gov.bc.ca/>.

ACTION: Completed. Application submitted Dec 11, 2105.

All the conditions of the trespass notice have been satisfied and the application is with MRB for processing. Sean confirmed (Jan 12/16 email) that he has completed his final inspection to verify consistency with the engineering report and the improvements made were consistent with the plan and recommendations. Whistler Blackcomb has requested that the management plan be updated to take into considerations the changes that were needed for signage – Final Management Plan acceptance will be a condition of tenure.

Rental:

Our office felt that this application fit best under the Roadways Policy, given that the ramp is similar to a bridge and the tenure also includes a public trail section, both of which provide for public access across Crown land. As per the Roadways Policy, the annual rent for a licence of occupation is calculated at 7.5% of double the utilities zone land value, with a minimum annual rent of \$500.

As per the Utilities Policy, this application is Zone C = \$3260/ha

Utilities rate x 2 = \$6520

Annual Rent = (0.073ha x \$6520/ha) x 7.5% = \$35.70

Recommend Annual Rental for this Licence be minimum \$500 per year.

Discussion/Recommendations:

Recommend issue a 10 year Licence for Trail and Ramp purposes over the area shown on the attached map, subject to:

1. Annual Rental = \$500.00 + GST
2. Applicant must provide proof of Liability Insurance - \$5,000,000 minimum
3. Security required in the amount of \$5000.00
4. Submission of a Final Management Plan that has been approved by Whistler Blackcomb and this Management Plan will be referenced in the tenure document.
5. Annual inspection and reporting of the ramp by a licensed structural engineer is required to be completed and submitted to the Province and Whistler Blackcomb for review.

Notes to Tenure Administrator:

1. Please send the Notice of Review to the attention of Carson Hamm, Agent on behalf of s.22 for this application, via email at carson@bromleyprojects.com. Client has requested email correspondence vs hard copy to expedite the process.
2. Please cc the notice of review to:
 - a. Sean Bickerton, Compliance and Enforcement, FLNRO at Sean.Bickerton@gov.bc.ca; and
 - b. Doug Forseth, Vice President of Planning & Gov't Relations, Whistler Blackcomb at DForseth@whistlerblackcomb.com
3. Please note in Notice of Review that: 'There is to be no further additions to the trail or ramp structure without prior approval and authorization from the Province and Whistler Blackcomb'
4. Please insert a flag for a 5 year review of this file to ensure compliance with the tenure and management plan.

Signature: _____ Date: __January 13, 2016_____



REASONS FOR DECISION

FILE NUMBER: 2411533

APPLICANT: s.22

BACKGROUND: An application has been submitted to authorize an existing trail and ramp that was constructed on Crown land to improve the ski out access from the Sunridge Plateau subdivision.

DECISION: OFFERED

An offer has been made subject to any terms and conditions that need to be met before tenure is issued.

REASONS FOR DECISION:

The new trail and ramp are within the Whistler Controlled Recreation area and will provide improved ski out access for the residents of the Sunridge Plateau subdivision. The ramp has been inspected by a licensed structural engineer and has been determined to meet structural and snow load requirements. As per the approved Management Plan, the trail and ramp will be signed appropriately and maintained by the applicant, as well as inspected annually by a licensed structural engineer for ongoing stability and integrity. Whistler Blackcomb is supportive of the authorization of the improvements.

For More Information Contact:

Terry Pratt
Senior Manager, Major Projects
Mountain Resorts Branch,
Ministry of Forests, Lands and Natural Resource Operations
Terry.Pratt@gov.bc.ca

For more information see the Applications and Reason for Decision Database website at <http://arfd.gov.bc.ca/ApplicationPosting/index.jsp>

Page 413 of 642

Withheld pursuant to/removed as

s.21

Re: Sunridge Ramp Sign-Off Report v.2

From: Doug Forseth <DForseth@whistlerblackcomb.com>
To: Carson Hamm <carson@bromleyprojects.com>
Cc: Kira Cailes <KCailes@whistlerblackcomb.com>, Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>, Bickerton, Sean FLNR:EX <Sean.Bickerton@gov.bc.ca>
Sent: February 13, 2016 8:59:50 PM PST
Attachments: image001.png

Thanks for the explanation Carson. I will contact Jill and see what the hold up is.

Doug

Sent from beautiful Whistler, BC where Life is Good

----- Original message -----

From: Carson Hamm
Date: 2016-02-13 12:20 PM (GMT-08:00)
To: Doug Forseth
Cc: Kira Cailes , "Meeks, Tori TSA:EX" , "Bickerton, Sean FLNR:EX"
Subject: RE: Sunridge Ramp Sign-Off Report v.2

Hello Doug,

Kira and I have finalized the signage and agreed to the layout.

I have been waiting for the WB sign shop (Jill I believe) to forward the images of the signs so I can update the signage plan as agreed to by Kira. I have also been waiting to have the signs printed by the sign shop. There does not seem to be much movement from them on this matter. If they are unable to complete this work, then I will get them printed elsewhere but I need them to forward the images of the direction signs and the WB ROL, but I was lead to believe they would print them (at my expense of course) but I can keep at them. I am fully prepared to wrap this up and have been for a while, though the delay has been due to the WB sign shop. Perhaps Kira can also try to move this along as I don't seem to be getting anywhere.

As you may recall, the insurance was set to expire on Feb 17th; I just had this renewed and received the copy of the certificate last night. It is attached for your records.

Regards, Carson

Hi Carson,

Hopefully this has all been taken care of and I have somehow just missed the communication. If not, then I must ask you to get focused on this and get it done immediately. This has dragged on for too long and is not in keeping with the Province's or WB's expectations. Please bring all of up to date ASAP. Thank you,

Doug Forseth

WhistlerBlackcomb

Work: (604) 938-7398

Mobile: (604) 905-8314

From: Carson Hamm [mailto:carson@bromleyprojects.com]

Sent: Wednesday, January 13, 2016 4:49 PM
To: Doug Forseth
Cc: Kira Cailles
Subject: Re: Sunridge Ramp Sign-Off Report v.2

Hi Doug,

Yes, I will follow up with Kira on the signage and the finalization of the management plan. I didn't push for a meeting over the holidays as I figured everyone at WB would have their hands full with the good snow and busy mountains. I have been busy myself lately but will come into the clear on Monday.

I fenced off the ramp and trail to restrict access but we should get the signage resolved soon. I will aim to connect with Kira early next week to finalize the signs concepts and update the plan for your consideration.

Kind regards, Carson

Carson Hamm

Bromley Projects Limited
Whistler, BC Canada

www.bromleyprojects.com

T: +1 604 932 3122

F: +1 604 932 3121

M: +1 604 902 3120

s.22

On Tue, Jan 12, 2016 at 5:15 PM, Doug Forseth <DForseth@whistlerblackcomb.com> wrote:

Thanks Carson. Are you also addressing the changes that you and Kira talked about on the signage? The final management plan needs to include the required changes . Thanks in advance for that follow-up as well.

Doug

From: Carson Hamm [<mailto:carson@bromleyprojects.com>]
Sent: Tuesday, January 12, 2016 5:12 PM
To: Doug Forseth
Cc: Kira Cailles; Meeks, Tori FLNR:EX; Peter Jean; Bickerton, Sean FLNR:EX

Subject: RE: Sunridge Ramp Sign-Off Report v.2

Hi all,

A quick response to the issue of the ramp being cleared of snow. This was only done to allow the engineer to inspect the deck and confirm the work was performed as required. It will not be snow cleared in the winter.

The ramp and deck are designed and approved to exceed the snow load for Whistler. In fact they are designed and built to meet the guidelines for summer mountainbiking loads as outlined in the document referenced in the engineers report, which for some odd reason actually exceeds the snow load requirement for what I believe is 8' of accumulated wet snow.

In case anyone is wondering, the vertical guardrail members were extended above the upper guardrail to prevent snowboarders/skiers from riding the top guardrail. We felt that without mitigating this risk we might actually attract more skiers/riders to this location. This also allows us to increase the guardrail height in the winter for excessive snow conditions should it ever be necessary.

Regards, Carson

On 2016-01-12 4:55 PM, "Doug Forseth" <DForseth@whistlerblackcomb.com> wrote:

Hi again,

I'm not sure why the ramp would be shoveled during the winter. That doesn't make sense to me as it is not intended to be a pedestrian passageway. If I have read the draft management plan correctly, pedestrians have been directed in another direction. That said, I re-read the structural engineers report and I must say it wasn't clear to me about whether or not the structure was capable of handling the snow load potential. It seems to be clear that the summer load is more than double what the winter snow load criteria is for snow loads on roofs but the report didn't go on to say that directly. Perhaps Carson needs to get a clarification letter from the structural engineer?

Our Safety people made a number of recommendations regarding the signage that need to be incorporated in the draft management plan. Until that has been done we cannot sign off on the plan. Carson was working with our Safety Department and should be fully aware of the required changes. Once those changes have been incorporated into the revised plan Carson should re-submit to Kira Cailes, WB Safety Manager and myself for another review and sign-off.

Doug Forseth

WhistlerBlackcomb

Work: (604) 938-7398

Mobile: (604) 905-8314

From: Bickerton, Sean FLNR:EX [mailto:Sean.Bickerton@gov.bc.ca]

Sent: Tuesday, January 12, 2016 2:46 PM

To: Meeks, Tori FLNR:EX; Doug Forseth

Subject: RE: Sunridge Ramp Sign-Off Report v.2

Tori,

I have made a final inspection to verify consistency with the engineering report. My only concerns are around snow maintenance on the structure ie. How much is reasonable to accumulate etc.

When I inspected it had been recently shovelled off making it as treacherous as it could be for foot traffic, even with a railing in place – but, it matched the engineering plan and with appropriate signage, and winter snow cover, those concerns would be reduced.

I will leave the management plan commentary to Doug, but if he has concerns I am happy to look at it again.

Sean



From: Meeks, Tori FLNR:EX
Sent: Tuesday, January 12, 2016 2:38 PM
To: Bickerton, Sean FLNR:EX; Doug Forseth
Subject: RE: Sunridge Ramp Sign-Off Report v.2

Hi Sean and Doug,

I am in the midst of processing this application and I just wanted to confirm that both of you deem the trail mngt plan that was submitted and is attached here as acceptable? Also, Sean wondering if you have been back out to the site or if you feel it is required prior to making a decision on the application?

Thanks,

Tori

From: Carson Hamm [mailto:carson@bromleyprojects.com]
Sent: Tuesday, December 22, 2015 10:19 AM
To: Bickerton, Sean FLNR:EX
Cc: Doug Forseth; Meeks, Tori FLNR:EX
Subject: Sunridge Ramp Sign-Off Report v.2

Hello Sean,

As per my email yesterday, I have attached the revised engineering sign-off report for the ramp with the typo removed.

This report supersedes yesterday's report.

As I mentioned previously, the ramp is clear of snow and available for your review. There are some extra materials under the ramp that will be removed along with some cleanup of the offcuts also under the ramp.

If you have any questions, please don't hesitate to contact me.

Best wishes to you this holiday season. Kind regards, Carson

RE: Sunridge Connector Trail Signs

From: Doug Forseth <DForseth@whistlerblackcomb.com>
To: Jill Gotto <JGotto@whistlerblackcomb.com>
Cc: Kira Cailes <KCailes@whistlerblackcomb.com>, Carson Hamm <carson@bromleyprojects.com>, Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>, Bickerton, Sean FLNR:EX <Sean.Bickerton@gov.bc.ca>
Sent: February 16, 2016 12:17:09 PM PST
Attachments: image001.gif

Thanks Jill for picking this and getting it going again. I appreciate your support.

Carson & Kira, please keep this moving towards completion and let me know when everything is finished. Thank you...

Doug Forseth
WhistlerBlackcomb
Work: (604) 938-7398
Mobile: (604) 905-8314

From: Jill Gotto
Sent: Tuesday, February 16, 2016 11:43 AM
To: Carson Hamm
Cc: Doug Forseth; Kira Cailes
Subject: RE: Sunridge Connector Trail Signs

Hi Carson,

Below are your changes and a few changes on our end to match the current standard we are using. How many of each would you like? You mentioned 10 total but I need to know how many at what size to give you a more accurate quote.

PLEASE READ

NOTICE TO ALL USERS OF THESE FACILITIES EXCLUSION OF LIABILITY - ASSUMPTION OF RISKS - JURISDICTION

THESE CONDITIONS WILL AFFECT YOUR LEGAL RIGHTS INCLUDING THE
RIGHT TO SUE OR CLAIM COMPENSATION FOLLOWING AN ACCIDENT

PLEASE READ CAREFULLY!

As a condition of use of the ski area and other facilities, you assume all risk of personal injury, death or property loss resulting from any cause whatsoever including but not limited to: the risks, dangers and hazards of skiing, snowboarding, tubing, tobogganing, cycling, mountain biking, hiking and other recreational activities; the use of ski lifts, carpet lifts and tube tows; collision or impact with natural or man-made objects or with other persons; slips, trips and falls; accidents during snow school lessons; travel within or beyond the area boundaries; or negligence, breach of contract, or breach of any statutory duty of care on the part of Whistler Blackcomb Holdings Inc., Whistler Mountain Resort Limited Partnership, Blackcomb Skiing Enterprises Limited Partnership, Whistler Blackcomb Employment Corp., and their associated companies and subsidiaries, and their respective directors, officers, employees, instructors, guides, agents, independent contractors, subcontractors, representatives, volunteers, sponsors, successors and assigns, and Her Majesty The Queen in right of the Province of British Columbia (hereinafter collectively referred to as "Whistler Blackcomb"). You agree that Whistler Blackcomb shall not be liable for any such personal injury, death or property loss and release Whistler Blackcomb and waive all claims with respect thereto. Any litigation involving Whistler Blackcomb shall be brought solely within the Province of British Columbia and shall be within the exclusive jurisdiction of the Courts of the Province of British Columbia. You further agree that these conditions and any rights, duties and obligations as between Whistler Blackcomb and you shall be governed by and interpreted solely in accordance with the laws of the Province of British Columbia and no other jurisdiction.

WHISTLER BLACKCOMB'S LIABILITY IS EXCLUDED BY THESE CONDITIONS

PLEASE ADHERE TO THE ALPINE RESPONSIBILITY CODE AND
BE RESPONSIBLE FOR YOUR OWN SAFETY IN ALL ACTIVITIES



BE AWARE
SKI AND RIDE WITH CARE

02/11/2014

SUNRID
CONNECT



IN CASE OF EMERGENCY
CALL 911
OR 604-935-5555

LOCATION
UTM 10 502896, 555

SUNRID
CONNECT

**BYPASS
ROUTE**



LOCATION
UTM 10 502896, 555

From: Carson Hamm [mailto:carson@bromleyprojects.com]
Sent: Thursday, February 04, 2016 9:19 AM
To: Kira Cailes
Cc: Jill Gotto
Subject: Re: Sunridge Connector Trail Signs

Hi Kira,

Thanks for the response and for considering the smaller size. Let's proceed with what you have proposed.

Jill, are you able to provide pricing and an ETA for these signs based on these sizes and my earlier email to you?

The ROL will be 12x16 and the other signs will be 6" wide by the length of the graphic you prepared.

Kind regards, Carson

Carson Hamm
Bromley Projects Limited
Whistler, BC Canada

www.bromleyprojects.com

T: +1 604 932 3122
F: +1 604 932 3121
M: +1 604 902 3120

s.22

On Thu, Feb 4, 2016 at 7:33 AM, Kira Cailes <KCailes@whistlerblackcomb.com> wrote:

Hello Carson,

Sounds like the sizing will work for your application. I have seen the WORCA signs which work well in the valley for slower speed travel like you say. The skiers may not see them as readily, but the colours and placement should catch their attention.

As for the ROL, these are the sizes we produce them in:

- 3'x4'
- 2'x32"
- 24"x18"
- 16"x21.5"
- 8"x10"

8"x10" is the smallest one and we typically put that size indoors. They need to be of a size that people can read the font. 8"x10" in an outdoor application may be difficult to read given the amount of text within the space. To keep in line with your other signs but still be of a size to be useful, I would recommend a 12x16 sign.

Feel free to call me with any questions.

Regards,

Kira

Kira Cailes | Safety Manager | Whistler Blackcomb

p: 604.938.7350 **c:** 604.932.0768 **e:** kcailes@whistlerblackcomb.com

4545 Blackcomb Way | Whistler, BC | V0N 1B4

whistlerblackcomb.com

From: Carson Hamm [mailto:carson@bromleyprojects.com]

Sent: February-01-16 8:12 PM

To: Kira Cailes

Cc: Jill Gotto

Subject: Re: Sunridge Connector Trail Signs

Hi Kira,

Yes, I am proposing the smaller, narrow signs. I don't think they need to be any larger. It is a slow approach at each of the sign locations. I am sure you have seen the WORCA/RMOW trails signs around the Valley and I believe they are less than 6" - I think they are 5" wide. Typically, xc-mountain bike trail signs should not be any wider than the post so that they do not encroach on the ride. I can see how your bike park signage needs to be larger given the velocity of the riders. I don't think this is a comparable trail to the bike park.

When we spoke on the phone the other day, we discussed the trail sign size. I asked you if you felt that the sign size I proposed was satisfactory. You concurred. However, if you review the report we prepared you will see that it specifies a minimum of 4" wide by 8" high (on page 5, trail signage).

Also if you refer to the Whistler Trail Standards, which was referred to in the engineering report, ([link here](#)) it states the following for trailhead signage: "Sign size 140 mm X 370 mm. Selected to be mounted without overhang on 150 mm X 150 mm posts" on page 15. I think that you will find that a 6" wide sign is commonly referred to in most trail standard documents. (Here is the link to the Shuswap trail sign standards - [link to page 6](#) - which also suggest 140mm wide. I think you will find standards in the US are even more narrow at 3" or 4"). As for the release of liability of sign at 18" x 24". This seems rather large, are you sure they need to be this large? Was this a size that was proposed by legal counsel as a minimum, which seems odd given that I think most old-school ski tags are very small.

I am available to discuss the trail signage and sizing. Perhaps it would be beneficial for you to visit the site so you can see the approach and the ramp. Let me know if you would like to discuss further.

Regards, Carson

Carson Hamm
Bromley Projects Limited
Whistler, BC Canada

www.bromleyprojects.com

T: +1 604 932 3122

F: +1 604 932 3121

M: +1 604 902 3120

s.22

On Mon, Feb 1, 2016 at 8:08 AM, Kira Cailes <KCailes@whistlerblackcomb.com> wrote:

Hello Carson,

The Release of Liability signs should be 18x24.

I noticed below that you are asking for 6" wide signs. I think you'll find that you will barely be able to see these on the trail. Once in amongst the trees, they will disappear.

At a minimum, I would recommend 12" across. That is the smallest size of trailhead sign we use in the bike park, and we are slowly phasing those out.

Take care,

Kira

Kira Cailes | Safety Manager | Whistler Blackcomb
p: 604.938.7350 **c:** 604.932.0768 **e:** kcailes@whistlerblackcomb.com
4545 Blackcomb Way | Whistler, BC | V0N 1B4
whistlerblackcomb.com

From: Carson Hamm <carson@bromleyprojects.com>

Sent: Wednesday, January 27, 2016 11:47 AM

To: Jill Gotto

Cc: Kira Cailes

Subject: Sunridge Connector Trail Signs

Hi Jill,

As Kira mentioned, your team prepared some sign concepts for a trail referred to as the Sunridge Connector. Here is a schematic of what the initial draft of the signs look like.

We are considering getting some signs made, but first need to make some minor changes, wondering if you can help.

Of the signs attached, the proposed revisions would include:

1. holes top and bottom of sign for mounting (moving the text up on the bottom of the sign to ensure there is room for the hole)

2. Green bypass route sign with arrow to the left as well as the right.

3. Green bypass route sign with the arrow straight ahead and only the hiker symbol shown

I would be looking at having these done on dibond.

If possible, I require a JPG of each of the signs to include on a site plan as part of management plan map that I need to prepare for Kira's approval.

I am looking at having these signs at 6" wide (by whatever the length of the graphic is). There will be 10 signs total.

Would you be able to provide a quote for production of these signs as well as turn around time?

Thanks, Carson

Carson Hamm

Bromley Projects Limited

Whistler, BC Canada

www.bromleyprojects.com

T: [+1 604 932 3122](tel:+16049323122)

F: [+1 604 932 3121](tel:+16049323121)

M: [+1 604 902 3120](tel:+16049023120)

s.22

12"x16" alupanel

PLEASE READ

NOTICE TO ALL USERS OF THESE FACILITIES
EXCLUSION OF LIABILITY - ASSUMPTION OF RISKS - JURISDICTION
 THESE CONDITIONS WILL AFFECT YOUR LEGAL RIGHTS INCLUDING THE
 RIGHT TO SUE OR CLAIM COMPENSATION FOLLOWING AN ACCIDENT

PLEASE READ CAREFULLY!

As a condition of use of the ski area and other facilities, you assume all risk of personal injury, death or property loss resulting from any cause whatsoever including but not limited to: the risks, dangers and hazards of skiing, snowboarding, tubing, tobogganing, cycling, mountain biking, hiking and other recreational activities; the use of ski lifts, carpet lifts and tube lanes; collision or impact with natural or man-made objects or with other persons; slips, trips and falls; accidents during snow school lessons; travel within or beyond the area boundaries; or negligence, breach of contract, or breach of any statutory duty of care on the part of Whistler Blackcomb Holdings Inc., Whistler Mountain Resort Limited Partnership, Blackcomb Skiing Enterprises Limited Partnership, Whistler Blackcomb Employment Corp., and their associated companies and subsidiaries, and their respective directors, officers, employees, instructors, guides, agents, independent contractors, subcontractors, representatives, volunteers, sponsors, successors and assigns, and Her Majesty The Queen in right of the Province of British Columbia (hereinafter collectively referred to as "Whistler Blackcomb"). You agree that Whistler Blackcomb shall not be liable for any such personal injury, death or property loss and release Whistler Blackcomb and waive all claims with respect thereto. Any litigation involving Whistler Blackcomb shall be brought solely within the Province of British Columbia and shall be within the exclusive jurisdiction of the Courts of the Province of British Columbia. You further agree that these conditions and any rights, duties and obligations as between Whistler Blackcomb and you shall be governed by and interpreted solely in accordance with the laws of the Province of British Columbia and no other jurisdiction.

WHISTLER BLACKCOMB'S LIABILITY IS EXCLUDED BY THESE CONDITIONS

PLEASE ADHERE TO THE ALPINE RESPONSIBILITY CODE AND BE RESPONSIBLE FOR YOUR OWN SAFETY IN ALL ACTIVITIES

 **BE AWARE**
 SKI AND RIDE WITH CARE

2011-0011

6"x11" alupanel

SUNRIDGE CONNECTOR





**IN CASE OF EMERGENCY
CALL 911**
 OR 604-935-5555

LOCATION
 UTM 10 502896, 5550691

SUNRIDGE CONNECTOR

 **CAUTION**
**STEEP RAMP
AHEAD**

**IN CASE OF EMERGENCY
CALL 911**
 OR 604-935-5555

LOCATION
 UTM 10 502896, 5550691

6"x8" alupanel

 **CAUTION**

 **Steep
Ramp**



SUNRIDGE CONNECTOR

BYPASS ROUTE



LOCATION
 UTM 10 502896, 5550691

SUNRIDGE CONNECTOR

BYPASS ROUTE



LOCATION
 UTM 10 502896, 5550691

SUNRIDGE CONNECTOR

BYPASS ROUTE

LOCATION
 UTM 10 502896, 5550691

RE: Sunridge Connector Signage Update

From: Bickerton, Sean FLNR:EX <Sean.Bickerton@gov.bc.ca>
To: Kira Cailles <KCailles@whistlerblackcomb.com>, Carson Hamm <carson@bromleyprojects.com>
Cc: Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>, Doug Forseth <DForseth@whistlerblackcomb.com>
Sent: March 2, 2016 7:08:43 PM PST

If we could shoot for a walk through later next week, that would be ideal for me.

If you want to check it out before then, feel free and I'll take a look as soon as I can!

Sean Bickerton

Natural Resource Officer

Sea to Sky District / South Coast Region

Compliance and Enforcement Branch

Ministry of Forests, Lands and Natural Resource Operations

Suite 101-42000 Loggers Lane Squamish BC V8B 0H3

Phone: 604-898-2192

Cell: 604-815-3031

To report a Natural Resource Violation:

Telephone: **1 844 NRO-TIPS (676-8477)**

Webpage: <https://www.for.gov.bc.ca/hen/nrv/report.htm>

From: Kira Cailles [mailto:KCailles@whistlerblackcomb.com]
Sent: Wednesday, March 2, 2016 7:07 PM
To: 'Carson Hamm'
Cc: Bickerton, Sean FLNR:EX; Meeks, Tori FLNR:EX; Doug Forseth
Subject: RE: Sunridge Connector Signage Update

Hello Carson,

Let's connect to see if we can do a trip down there. We can go over any adjustments you are thinking of as well.

I am in through the weekend and off Mon/Tues.

Take care,
Kira

Kira Cailles | Safety Manager | Whistler Blackcomb
p: 604.938.7350 **c:** 604.932.0768 **e:** kcailes@whistlerblackcomb.com
4545 Blackcomb Way | Whistler, BC | V0N 1B4
whistlerblackcomb.com

From: Doug Forseth
Sent: Wednesday, March 02, 2016 3:58 PM
To: 'Carson Hamm'
Cc: Kira Cailles; Sean FLNR:EX Bickerton; Meeks, Tori TSA:EX
Subject: RE: Sunridge Connector Signage Update

Thanks Carson,

I appreciate your cooperation and follow-through. Once you and Kira/Sean have a chance to do a final walk-through let me know so that we can get this finally put to bed.

Doug Forseth

WhistlerBlackcomb

Work: (604) 938-7398

Mobile: (604) 905-8314

From: Carson Hamm [mailto:carson@bromleyprojects.com]

Sent: Wednesday, March 02, 2016 3:52 PM

To: Doug Forseth

Cc: Kira Cailes; Sean FLNR:EX Bickerton; Meeks, Tori TSA:EX

Subject: Re: Sunridge Connector Signage Update

Hello Doug,

Thanks for the note. I can confirm that the signs have been installed on site. There were a couple minor changes to location of the signs that I implemented this morning due to line of sight and existing site conditions/tree locations. I reviewed the completed installation just a couple hours ago and I think it looks good. I would be happy to meet Kira and/or Sean on site to review the installation and make any changes that they deem necessary, though anticipate none would be required.

I am just updating the signage plan to reflect the subtle changes to the sign locations and to include the additional signs (I included a couple duplicates of the approved signs for added clarity).

Kira, if you have any comments on the management plan, please advise and I will update to suit. You can contact me directly on this matter. I will also forward the updated signage plan to reflect the changes due to site conditions.

The closure fencing is still in place and will remain so until authorized otherwise. Based on what I have seen on site, it looks like people have abided by the trail closure as there were no signs of skiers or tracks in the snow.

Regards, Carson

Carson Hamm

Bromley Projects Limited

Whistler, BC Canada

www.bromleyprojects.com

T: +1 604 932 3122

F: +1 604 932 3121

M: +1 604 902 3120

s.22

On Wed, Mar 2, 2016 at 2:41 PM, Doug Forseth <DForseth@whistlerblackcomb.com> wrote:

Hi Carson,

I expect you are back from s.22 but probably wacked with the time change. When you can, please update me on the installation of the signage.

Kira, I would appreciate input you might have as well on both the signage as has been agreed upon and the Management Plan. Once you are comfortable that these are complete then we can turn it over to Sean & Tori for final sign-off.

Thanks everyone....

Doug

From: Carson Hamm [mailto:carson@planimetrix.com]

Sent: Monday, February 22, 2016 11:50 AM

To: Doug Forseth

Cc: Kira Cailes; Sean FLNR:EX Bickerton

Subject: Sunridge Connector Signage Update

Hello Doug,

Just a quick update on the outstanding signage for the trail. The signs were completed on Friday and will be installed this week. I think they look good and will provide appropriate direction for the various users types.

I will leave the trail closed until all approvals are in place and the signage installation has been signed off.

As a note, I will be in s.22 and area for work this week, returning to the office March 1st. I will be reachable by email and text during this period, but my response time may be delayed by due to the time shift.

Best regards,

Carson

RE: Sunridge Connector Signage Update

From: Meeks, Tori FLNR:EX
To: Doug Forseth <DForseth@whistlerblackcomb.com>, Kira Cailes <KCailes@whistlerblackcomb.com>
Cc: Bickerton, Sean FLNR:EX <Sean.Bickerton@gov.bc.ca>, Carson Hamm <carson@planimetrix.com>
Sent: March 15, 2016 7:57:58 AM PDT

Yes, sounds like everything is in place. Thanks everyone for working so diligently on this!

T.

From: Doug Forseth [mailto:DForseth@whistlerblackcomb.com]
Sent: Monday, March 14, 2016 8:37 PM
To: Kira Cailes
Cc: Meeks, Tori FLNR:EX; Bickerton, Sean FLNR:EX; Carson Hamm
Subject: RE: Sunridge Connector Signage Update

Thanks for the report Kira. Looks like we can consider the Provincial requirements met and can move to a day to day operating mode going forward. Do you agree sean? Tori?

Doug

From: Kira Cailes
Sent: March 11, 2016 3:13 PM
To: Carson Hamm; Sean FLNR:EX Bickerton
Cc: Tori Meeks; Doug Forseth
Subject: RE: Sunridge Connector Signage Update

Hello Carson and Sean,

Thank you for the visit today. I think the signage and layout of the trail looks great.

As we discussed, a chicane prior to the steep section of the bridge should be considered in order to address the speed which bikers and skiers will approach it. I will be sure to visit the area throughout the summer to get an idea of its usage and any potential issues.

Thanks again,
Kira

Kira Cailes | Safety Manager | Whistler Blackcomb
p: 604.938.7350 **c:** 604.932.0768 **e:** kcailes@whistlerblackcomb.com
4545 Blackcomb Way | Whistler, BC | V0N 1B4
whistlerblackcomb.com

From: Doug Forseth
Sent: February 22, 2016 9:15 PM
To: Carson Hamm
Cc: Kira Cailes; Sean FLNR:EX Bickerton; Tori Meeks
Subject: Re: Sunridge Connector Signage Update

Thanks for the update Carson. Sounds like we're almost there. Safe travels....

Doug

Sent from beautiful^{s.22}

"Where Life Is Good"

On Feb 22, 2016, at 11:49 AM, Carson Hamm <carson@planimetrix.com> wrote:

Hello Doug,

Just a quick update on the outstanding signage for the trail. The signs were completed on Friday and will be installed this week. I think they look good and will provide appropriate direction for the various users types.

I will leave the trail closed until all approvals are in place and the signage installation has been signed off.

As a note, I will be in ^{s.22} and area for work this week, returning to the office March 1st. I will be reachable by email and text during this period, but my response time may be delayed by due to the time shift.

Best regards,

Carson

Dark Crystal (Rogue Bike Trail)

From: Doug Forseth <DForseth@whistlerblackcomb.com>
To: Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>
Cc: Northcott, Kelly FLNR:EX <Kelly.Northcott@gov.bc.ca>
Sent: May 5, 2016 3:00:24 PM PDT
Hi Tori,

Great to see you in Whistler for CWSAA. I hope it was a good meeting for you and your teammates.

Further to the discussions that got started last Fall on the latest rogue bike trail (Dark Crystal), I think we have made some progress in getting this trail shut down/decommissioned as well as slowing down overall rogue trail building inside our CRA. See notes below. This note is more an FYI than anything else. We don't need anything from you at this time. If you have any questions please let me know. Thanks.....

Doug

From: Rob McSkimming
Sent: May 05, 2016 11:14 AM
To: Brian Finestone; Thierry Keable; Doug Forseth; Dave Brownlie; Stuart Rempel; Jeremy Black; Kira Cailles; Peter Jean; Russ Wood; Darren Kinnaird; Jerome David; Wendy Robinson; Lauren Everest; Adam Francis; Mike Crowe; Matt Davies
Subject: Dark Crystal

Hi All:

I had a good call this morning with **s.22** – one of the Dark Crystal trail builders. I explained our situation and the challenging position he has put us in. He understood completely and has agreed to decommission the trail and to help spread the word that Dark Crystal is not available for riding at this time.

We also had a good discussion regarding the development of a process for “volunteer” trail building going forward. Lastly, we talked about the potential for the trail may to be “adopted” in the future – in this regard, I let him know that we would first need to assess the trail against, the overall community trail strategy, WB trail strategy, environmental standards, wildlife habitat etc. and if it were to pass these standards we would then need to get approval from the Province to do so – which would not happen in the near future. Again, he understood and accepted our position.

I have also talked to a few members of the WORCA board who are in complete support of decommissioning the trail. They have agreed to support and help distribute any communication we provide on the issue.

Next steps:

- Develop language and place a sign at the top of Micro Climate indicating that there is no riding permitted above/beyond that location
- Develop a message for our website – thinking one of Brian's Park Reports
- Develop a message to be sent out via email to through WORCA
- Consider other communication channels
- Have someone ensure that the decommissioning is sufficient
- Assess the trail and its potential for future “adoption”

I will work with Lauren on the digital communication. Kira, can you work with Thierry to develop the language for the sign(s)?

Let me know if you any questions/comments.

Rob

Rob McSkimming | Vice President, Business Development | **Whistler Blackcomb**
p: 604.938.7347 f: 604.938.7527 e: rmcskimming@whistlerblackcomb.com

4545 Blackcomb Way | Whistler, BC | V0N 1B4
whistlerblackcomb.com
Twitter: @WhistlerBlackcomb
Facebook: <http://www.facebook.com/whistlerblackcomb>



LICENCE OF OCCUPATION

Licence No.:

347743

File No.: 2411533

Disposition No.: 924167

THIS AGREEMENT is dated for reference January 28, 2016 and is made under the *Land Act*.

BETWEEN:

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA, represented by the minister responsible for the *Land Act*, Parliament Buildings, Victoria, British Columbia

(the "Province")

AND:

s.22

(the "Licensee")

The parties agree as follows:

ARTICLE 1 - INTERPRETATION

1.1 In this Agreement,

"Agreement" means this licence of occupation;

"Commencement Date" means January 28, 2016;

"disposition" has the meaning given to it in the *Land Act* and includes a licence of occupation;

"Fees" means the fees set out in Article 3;

"Hazardous Substances" means any substance which is hazardous to persons, property or the environment, including without limitation

(a) waste, as that term is defined in the *Environmental Management Act*; and

- (b) any other hazardous, toxic or other dangerous substance, the use, transportation or release into the environment of which, is now or from time to time prohibited, controlled or regulated under any laws or by any governmental authority, applicable to, or having jurisdiction in relation to, the Land;

"Improvements" includes anything made, constructed, erected, built, altered, repaired or added to, in, on or under the Land, and attached to it or intended to become a part of it, and also includes any clearing, excavating, digging, drilling, tunnelling, filling, grading or ditching of, in, on or under the Land;

"Land" means that part or those parts of the Crown land either described in, or shown outlined by bold line on, the schedule attached to this Agreement entitled "Legal Description Schedule" except for those parts of the land that, on the Commencement Date, consist of highways (as defined in the *Transportation Act*) and land covered by water;

"Management Plan" means the most recent management plan prepared by you in a form approved by us, signed and dated by the parties, and held on file by us;

"Realty Taxes" means all taxes, rates, levies, duties, charges and assessments levied or charged, at any time, by any government authority having jurisdiction which relate to the Land, the Improvements or both of them and which you are liable to pay under applicable laws;

"Security" means the security referred to in section 6.1 or 6.2, as replaced or supplemented in accordance with section 6.5;

"Term" means the period of time set out in section 2.2;

"we", "us" or "our" refers to the Province alone and never refers to the combination of the Province and the Licensee: that combination is referred to as **"the parties"**; and

"Works" means the works set out in the Management Plan;

"you" or "your" refers to the Licensee.

- 1.2 In this Agreement, "person" includes a corporation, partnership or party, and the personal or other legal representatives of a person to whom the context can apply according to law and wherever the singular or masculine form is used in this Agreement it will be construed as the plural or feminine or neuter form, as the case may be, and vice versa where the context or parties require.
- 1.3 The captions and headings contained in this Agreement are for convenience only and do not define or in any way limit the scope or intent of this Agreement.

- 1.4 This Agreement will be interpreted according to the laws of the Province of British Columbia.
- 1.5 Where there is a reference to an enactment of the Province of British Columbia or of Canada in this Agreement, that reference will include a reference to every amendment to it, every regulation made under it and any subsequent enactment of like effect and, unless otherwise indicated, all enactments referred to in this Agreement are enactments of the Province of British Columbia.
- 1.6 If any section of this Agreement, or any part of a section, is found to be illegal or unenforceable, that section or part of a section, as the case may be, will be considered separate and severable and the remainder of this Agreement will not be affected and this Agreement will be enforceable to the fullest extent permitted by law.
- 1.7 Each schedule to this Agreement is an integral part of this Agreement as if set out at length in the body of this Agreement.
- 1.8 This Agreement constitutes the entire agreement between the parties and no understanding or agreement, oral or otherwise, exists between the parties with respect to the subject matter of this Agreement except as expressly set out in this Agreement and this Agreement may not be modified except by subsequent agreement in writing between the parties.
- 1.9 Each party will, upon the request of the other, do or cause to be done all lawful acts necessary for the performance of the provisions of this Agreement.
- 1.10 Any liabilities or obligations of either party arising, or to be performed, before or as a result of the termination of this Agreement, and which have not been satisfied or remain unperformed at the termination of this Agreement, any indemnity and any release in our favour and any other provision which specifically states that it will survive the termination of this Agreement, shall survive and not be affected by the expiration of the Term or the termination of this Agreement.
- 1.11 Time is of the essence of this Agreement.
- 1.12 Wherever this Agreement provides that an action may be taken, a consent or approval must be obtained or a determination must be made, then you or we, as the case may be, will act reasonably in taking such action, deciding whether to provide such consent or approval or making such determination; but where this Agreement states that you or we have sole discretion to take an action, provide a consent or approval or make a determination, there will be no requirement to show reasonableness or to act reasonably in taking that action, providing that consent or approval or making that determination.
- 1.13 Any requirement under this Agreement for us to act reasonably shall not require us to act in a manner that is contrary to or inconsistent with any legislation, regulations, Treasury Board directives or other enactments or any policy, directive, executive direction or other such guideline of general application.

- 1.14 Wherever this Agreement provides that you may not undertake some activity or do something without our prior written approval or consent, our prior approval of the Management Plan will constitute our approval of, or consent to, the activity or thing to the extent the same is specifically and expressly described in the Management Plan and subject always to any conditions or qualifications that may be set in the Management Plan.

ARTICLE 2 - GRANT AND TERM

- 2.1 On the terms and conditions set out in this Agreement, we grant you a licence of occupation of the Land for the purpose of trail and ramp purposes as set out in the Management Plan. You acknowledge this licence of occupation does not grant you exclusive use and occupancy of the Land.
- 2.2 The term of this Agreement commences on the Commencement Date and terminates on the tenth anniversary of that date, or such earlier date provided for in this Agreement. We reserve the right to terminate this Agreement in certain circumstances as expressly provided in this Agreement.
- 2.3 In using the Land as permitted by this Agreement, you will not restrict, or permit the restriction of, the use of any service or facility (set out in section 2.1) to a defined or limited group of persons, it being the intention of the parties that such services and facilities will be available for use by all members of the public.

ARTICLE 3 - FEES

- 3.1 The Fee for the Term is \$500.00, the receipt of which we acknowledge.

ARTICLE 4 - COVENANTS

- 4.1 You must
- (a) pay, when due,
 - (i) the Fees to us at the address set out in Article 10,
 - (ii) the Realty Taxes, and
 - (iii) all charges for electricity, gas, water and other utilities supplied to the Land for use by you or on your behalf or with your permission;

- (b) deliver to us, immediately upon demand, receipts or other evidence of the payment of Realty Taxes and all other money required to be paid by you under this Agreement;
- (c) observe, abide by and comply with
 - (i) all applicable laws, bylaws, orders, directions, ordinances and regulations of any government authority having jurisdiction in any way affecting your use or occupation of the Land or the Improvements including without limitation all laws, bylaws, orders, directions, ordinances and regulations relating in any way to Hazardous Substances, the environment and human health and safety, and
 - (ii) the provisions of this Agreement;
- (d) in respect of the use of the Land by you or by any person who enters upon or uses the Land as a result of your use of the Land under this Agreement, keep the Land and the Improvements in a safe, clean and sanitary condition satisfactory to us, and at our written request, rectify any failure to comply with such a covenant by making the Land and the Improvements safe, clean and sanitary;
- (e) not commit any wilful or voluntary waste, spoil or destruction on the Land or do anything on the Land that may be or become a nuisance to an owner or occupier of land in the vicinity of the Land;
- (f) use and occupy the Land only in accordance with and for the purposes set out in the Management Plan;
- (g) not construct, place or affix any Improvement on or to the Land except as permitted in the Management Plan;
- (h) pay all accounts and expenses as they become due for work performed on or materials supplied to the Land at your request, on your behalf or with your permission, except for money that you are required to hold back under the *Builders Lien Act*;
- (i) if any claim of lien over the Land is made under the *Builders Lien Act* for work performed on or materials supplied to the Land at your request, on your behalf or with your permission, immediately take all steps necessary to have the lien discharged, unless the claim of lien is being contested in good faith by you and you have taken the steps necessary to ensure that the claim of lien will not subject the Land or any interest of yours under this Agreement to sale or forfeiture;
- (j) not cut or remove timber on or from the Land without
 - (i) our prior written consent, and

- (ii) being granted the right under the *Forest Act* to harvest Crown timber on the Land;
- (k) prior to beginning construction leading onto any public highway, obtain an access permit from the District Engineer, Ministry of Transportation and Infrastructure for the Highways District in which the Land is situated;
- (l) prior to the construction of any Works or changes in and about a stream:
 - (i) obtain prior written approval from the Regional Water Manager, as required under the *Water Act*, or
 - (ii) comply with section 9 Regulations under the *Water Act* for the construction of works or changes in and about a stream;
- (m) not construct the Works to a width exceeding 5 metres without our prior written consent;
- (n) notify us in writing of the completion of the construction of the Works within 30 days of the date of completion;
- (o) construct suitable cattleguards at all points where the Works you construct cross any fence lines or natural boundaries, to our satisfaction;
- (p) obtain our consent in writing prior to constructing any Works which may obstruct or limit access to or passage along existing roads or trails;
- (q) construct the Works wholly within the area outlined in red on the Legal Description Schedule attached to this Agreement;
- (r) stump all cleared areas and dispose of all slash on the Land in accordance with Ministry of Forests, Lands and Natural Resource Operations regulations and level all dirt piles, not allowing sidecasting of earth or debris onto adjacent lands;
- (s) sow all disturbed surfaces with a rhizomatous species of grass seed;
- (t) not alter, repair or add to any Improvement that was, or may be, placed on or made to the Land under another disposition or in connection with the use of Land apart from this Agreement, unless you obtain our prior written approval;
- (u) not fence the perimeter of the Land nor erect fencing on the Land unless you obtain our prior written approval;

- (v) obtain and maintain in good standing during the Term of this Agreement, a yearly inspection report of the ramp by a licensed structural engineer and within within one year of the Commencement Date of this Agreement, deliver a copy of it to us;
- (i) take all reasonable precautions to avoid disturbing or damaging any archaeological material found on or under the Land and, upon discovering any archaeological material on or under the Land, you must immediately notify the ministry responsible for administering the *Heritage Conservation Act*;
- (ii) permit us, or our authorized representatives, to enter on the Land at any time to inspect the Land and the Improvements, including without limitation to test and remove soil, groundwater and other materials and substances, where the inspection may be necessary or advisable for us to determine whether or not you have complied with your obligations under this Agreement with respect to Hazardous Substances, provided that we take reasonable steps to minimize any disruption of your operations;
- (iii) indemnify and save us and our servants, employees and agents harmless against all claims, actions, causes of action, losses, damages, costs and liabilities, including fees of solicitors and other professional advisors, arising out of one or more of the following:
- A any breach, violation or non-performance of a provision of this Agreement,
- B any conflict between your use of the Land under this Agreement and the lawful use of the Land by any other person, and
- C any personal injury, bodily injury (including death) or property damage occurring or happening on or off the Land by virtue of your entry upon, use or occupation of the Land,
- and the amount of all such losses, damages, costs and liabilities will be payable to us immediately upon demand; and
- (iv) on the termination of this Agreement,
- A peaceably quit and deliver to us possession of the Land and, subject to paragraphs (ii), (iii) and (iv), the Improvements in a safe, clean and sanitary condition,
- (v) within 180 days days, remove from the Land any Improvement you want to remove, if the Improvement was placed on or made to the Land by you, is in the nature of a tenant's fixture normally removable by tenants and is not part of a

building (other than as a tenant's fixture) or part of the Land and you are not in default of this Agreement,

- (vi) not remove any Improvement from the Land if you are in default of this Agreement, unless we direct or permit you to do so under paragraph (iv),
- (vii) remove from the Land any Improvement that we, in writing, direct or permit you to remove, other than any Improvement permitted to be placed on or made to the Land under another disposition, and
- (viii) restore the surface of the Land as nearly as may reasonably be possible, to the condition that the Land was in at the time it originally began to be used for the purposes described in this Agreement, but if you are not directed or permitted to remove an Improvement under paragraph (iii), this paragraph will not apply to that part of the surface of the Land on which that Improvement is located,

and all of your right, interest and estate in the Land will be absolutely forfeited to us, and to the extent necessary, this covenant will survive the termination of this Agreement.

4.2 You will not permit any person who enters upon or uses the Land as a result of your use of the Land under this Agreement to do anything you are restricted from doing under this Article.

4.3 You must not use all or any part of the Land

- (a) for the storage or disposal of any Hazardous Substances; or
- (b) in any other manner whatsoever which causes or contributes to any Hazardous Substances being added or released on, to or under the Land or into the environment from the Land;

unless

- (c) such storage, disposal, release or other use does not result in your breach of any other provision of this Agreement, including without limitation, your obligation to comply with all laws relating in any way to Hazardous Substances, the environment and human health and safety; and
- (d) we have given our prior written approval to such storage, disposal, release or other use and for certainty any such consent operates only as a consent for the purposes of this section and does not bind, limit, or otherwise affect any other governmental authority from whom any consent, permit or approval may be required.

4.4 Despite any other provision of this Agreement you must:

- (a) on the expiry or earlier termination of this Agreement; and
- (b) at any time if we request and if you are in breach of your obligations under this Agreement relating to Hazardous Substances;

promptly remove from the Land all Hazardous Substances stored, or disposed of, on the Land, or which have otherwise been added or released on, to or under the Land:

- (c) by you; or
- (d) as a result of the use of the Land under this Agreement;

save and except only to the extent that we have given a prior written approval expressly allowing specified Hazardous Substances to remain on the Land following the expiry of the Term.

4.5 We may from time to time

- (a) in the event of the expiry or earlier termination of this Agreement;
- (b) as a condition of our consideration of any request for consent to an assignment of this Agreement; or
- (c) if we have a reasonable basis for believing that you are in breach of your obligations under this Agreement relating to Hazardous Substances;

provide you with a written request to investigate the environmental condition of the Land and upon any such request you must promptly obtain, at your cost, and provide us with, a report from a qualified and independent professional who has been approved by us, as to the environmental condition of the Land, the scope of which must be satisfactory to us and which may include all such tests and investigations that such professional may consider to be necessary or advisable to determine whether or not you have complied with your obligations under this Agreement with respect to Hazardous Substances.

4.6 You must at our request from time to time, but not more frequently than annually, provide us with your certificate (and if you are a corporation such certificate must be given by a senior officer) certifying that you are in compliance with all of your obligations under this Agreement pertaining to Hazardous Substances, and that no adverse environmental occurrences have taken place on the Land, other than as disclosed in writing to us.

ARTICLE 5 - LIMITATIONS**5.1 You agree with us that**

- (a) in addition to the other reservations and exceptions expressly provided in this Agreement this Agreement is subject to the exceptions and reservations of interests, rights, privileges and titles referred to in section 50 of the *Land Act*;
- (b) other persons may hold or acquire rights to use the Land in accordance with enactments other than the *Land Act* or the *Ministry of Lands, Parks and Housing Act*, including rights held or acquired under the *Coal Act*, *Forest Act*, *Geothermal Resources Act*, *Mineral Tenure Act*, *Petroleum and Natural Gas Act*, *Range Act*, *Water Act* or *Wildlife Act* (or any prior or subsequent enactment of the Province of British Columbia of like effect); such rights may exist as of the Commencement Date and may be granted or acquired subsequent to the Commencement Date and may affect your use of the Land;
- (c) other persons may hold or acquire interests in or over the Land granted under the *Land Act* or the *Ministry of Lands, Parks and Housing Act*; such interests may exist as of the Commencement Date; following the Commencement Date we may grant such interests (including fee simple interests, leases, statutory rights of way and licences); you acknowledge that your use of the Land may be affected by such interests and the area or boundaries of the Land may change as a result of the granting of such interests;
- (d) you have no right to compensation from us and you release us from all claims, actions, causes of action, suits, debts and demands that you now have or may at any time in the future have against us arising out of any conflict between your use of the Land under this Agreement and any use of, or impact on the Land arising from the exercise, or operation of the interests, rights, privileges and titles described in subsections (a), (b), and (c);
- (e) this Agreement does not limit any right to notice, compensation or any other benefit that you may be entitled to from time to time under the enactments described in subsection (b), or any other applicable enactment;
- (f) you will not commence or maintain proceedings under section 65 of the *Land Act* in respect of any interference with your use of the Land as permitted under this Agreement that arises as a result of the lawful exercise or operation of the interests, rights, privileges and titles described in subsections (a), (b) and (c);
- (g) you will not remove or permit the removal of any Improvement from the Land except as expressly permitted or required under this Agreement;
- (h) any interest you may have in the Improvements ceases to exist and becomes our property upon the termination of this Agreement, except where an Improvement may be

removed under paragraph 4.1C

(iv)(ii), (iii) or (iv) in which case any interest you may have in that Improvement ceases to exist and becomes our property if the Improvement is not removed from the Land within the time period set out in paragraph 4.1C

(iv)(ii) or the time period provided for in the direction or permission given under paragraph 4.1C

(iv)(iii); and

- (i) if, after the termination of this Agreement, we permit you to remain in possession of the Land and we accept money from you in respect of such possession, a tenancy from year to year will not be created by implication of law and you will be deemed to be a monthly occupier only subject to all of the provisions of this Agreement, except as to duration, in the absence of a written agreement to the contrary.

ARTICLE 6 - SECURITY AND INSURANCE

6.1 On the Commencement Date, you will deliver to us Security in the amount of \$5,000.00 which will

- (a) guarantee the performance of your obligations under this Agreement;
- (b) be in the form required by us; and
- (c) remain in effect until we certify, in writing, that you have fully performed your obligations under this Agreement.

6.2 Despite section 6.1, your obligations under that section are suspended for so long as you maintain in good standing other security acceptable to us to guarantee the performance of your obligations under this Agreement and all other dispositions held by you.

6.3 We may use the Security for the payment of any costs and expenses associated with any of your obligations under this Agreement that are not performed by you or to pay any overdue Fees and, if such event occurs, you will, within 30 days of that event, deliver further Security to us in an amount equal to the amount drawn down by us.

6.4 After we certify, in writing, that you have fully performed your obligations under this Agreement, we will return to you the Security maintained under section 6.1, less all amounts drawn down by us under section 6.3.

6.5 You acknowledge that we may, from time to time, notify you to

- (a) change the form or amount of the Security; and

- (b) provide and maintain another form of Security in replacement of or in addition to the Security posted by you under this Agreement;

and you will, within 60 days of receiving such notice, deliver to us written confirmation that the change has been made or the replacement or additional form of Security has been provided by you.

6.6 You must

- (a) without limiting your obligations or liabilities under this Agreement, at your expense, purchase and maintain during the Term the following insurance with insurers licensed to do business in Canada:
- (i) Commercial General Liability insurance in an amount of not less than \$5,000,000.00 inclusive per occurrence insuring against liability for personal injury, bodily injury (including death) and property damage, including coverage for all accidents or occurrences on the Land or the Improvements. Such policy will include cross liability, liability assumed under contract, provision to provide 30 days advance notice to us of material change or cancellation, and include us as additional insured;
- (b) ensure that all insurance required to be maintained by you under this Agreement is primary and does not require the sharing of any loss by any of our insurers;
- (c) within 10 working days of Commencement Date of this Agreement, provide to us evidence of all required insurance in the form of a completed "Province of British Columbia Certificate of Insurance";
- (d) if the required insurance policy or policies expire or are cancelled before the end of the Term of this Agreement, provide within 10 working days of the cancellation or expiration, evidence of new or renewal policy or policies of all required insurance in the form of a completed "Province of British Columbia Certificate of Insurance";
- (e) notwithstanding subsection (c) or (d) above, if requested by us, provide to us certified copies of the required insurance policies.

6.7 We may, acting reasonably, from time to time, require you to

- (a) change the amount of insurance set out in subsection 6.6(a); and
- (b) provide and maintain another type or types of insurance in replacement of or in addition to the insurance previously required to be maintained by you under this Agreement;

and you will, within 60 days of receiving such notice, cause the amounts and types to be

changed and deliver to us a completed "Province of British Columbia Certificate of Insurance" for all insurance then required to be maintained by you under this Agreement.

- 6.8 You shall provide, maintain, and pay for any additional insurance which you are required by law to carry, or which you consider necessary to insure risks not otherwise covered by the insurance specified in this Agreement in your sole discretion.
- 6.9 You waive all rights of recourse against us with regard to damage to your own property.

ARTICLE 7 - ASSIGNMENT

- 7.1 You must not sublicense, assign, mortgage or transfer this Agreement, or permit any person to use or occupy the Land, without our prior written consent, which consent we may withhold.
- 7.2 Prior to considering a request for our consent under section 7.1, we may require you to meet certain conditions, including without limitation, that you provide us with a report as to the environmental condition of the Land as provided in section 4.5.

ARTICLE 8 - TERMINATION

- 8.1 You agree with us that
- (a) if you
 - (i) default in the payment of any money payable by you under this Agreement, or
 - (ii) fail to observe, abide by and comply with the provisions of this Agreement (other than the payment of any money payable by you under this Agreement),and your default or failure continues for 60 days after we give written notice of the default or failure to you,
 - (b) if, in our opinion, you fail to make diligent use of the Land for the purposes set out in this Agreement, and your failure continues for 60 days after we give written notice of the failure to you;
 - (c) if you
 - (i) become insolvent or make an assignment for the general benefit of your creditors,
 - (ii) commit an act which entitles a person to take action under the *Bankruptcy and*

Insolvency Act (Canada) or a bankruptcy petition is filed or presented against you or you consent to the filing of the petition or a decree is entered by a court of competent jurisdiction adjudging you bankrupt under any law relating to bankruptcy or insolvency, or

- (iii) voluntarily enter into an arrangement with your creditors;
- (d) if you are a corporation,
 - (i) a receiver or receiver-manager is appointed to administer or carry on your business, or
 - (ii) an order is made, a resolution passed or a petition filed for your liquidation or winding up;
- (e) if you are a society, you convert into a company in accordance with the *Society Act* without our prior written consent;
- (f) if this Agreement is taken in execution or attachment by any person; or
- (g) if we require the Land for our own use or, in our opinion, it is in the public interest to cancel this Agreement and we have given you 60 days' written notice of such requirement or opinion;

this Agreement will, at our option and with or without entry, terminate and your right to use and occupy the Land will cease.

8.2 If the condition complained of (other than the payment of any money payable by you under this Agreement) reasonably requires more time to cure than 60 days, you will be deemed to have complied with the remedying of it if you commence remedying or curing the condition within 60 days and diligently complete the same.

8.3 You agree with us that

- (a) you will make no claim against us for compensation, in damages or otherwise, upon the lawful termination of this Agreement under section 8.1; and
- (b) our remedies under this Article are in addition to those available to us under the *Land Act*.

ARTICLE 9 - DISPUTE RESOLUTION

9.1 If any dispute arises under this Agreement, the parties will make all reasonable efforts to resolve the dispute within 60 days of the dispute arising (or within such other time period

- agreed to by the parties) and, subject to applicable laws, provide candid and timely disclosure to each other of all relevant facts, information and documents to facilitate those efforts.
- 9.2 Subject to section 9.5, if a dispute under this Agreement cannot be resolved under section 9.1, we or you may refer the dispute to arbitration conducted by a sole arbitrator appointed pursuant to the *Commercial Arbitration Act*.
- 9.3 The cost of the arbitration referred to in section 9.2 will be shared equally by the parties and the arbitration will be governed by the laws of the Province of British Columbia.
- 9.4 The arbitration will be conducted at our offices (or the offices of our authorized representative) in Kamloops, British Columbia, and if we or our authorized representative have no office in Kamloops, British Columbia, then our offices (or the offices of our authorized representative) that are closest to Kamloops, British Columbia.
- 9.5 A dispute under this Agreement in respect of a matter within our sole discretion cannot, unless we agree, be referred to arbitration as set out in section 9.2.

ARTICLE 10 - NOTICE

- 10.1 Any notice required to be given by either party to the other will be deemed to be given if mailed by prepaid registered mail in Canada or delivered to the address of the other as follows:

to us

MINISTRY OF FORESTS, LANDS AND NATURAL RESOURCE OPERATIONS
510 – 175 Second Avenue
Kamloops, BC V2C 5W1;

to you

s.22

or at such other address as a party may, from time to time, direct in writing, and any such notice will be deemed to have been received if delivered, on the day of delivery, and if mailed, 7 days after the time of mailing, except in the case of mail interruption in which case actual receipt is required.

- 10.2 In order to expedite the delivery of any notice required to be given by either party to the other, a concurrent facsimile copy of any notice will, where possible, be provided to the other party

but nothing in this section, and specifically the lack of delivery of a facsimile copy of any notice, will affect the deemed delivery provided in section 10.1.

- 10.3 The delivery of all money payable to us under this Agreement will be effected by hand, courier or prepaid regular mail to the address specified above, or by any other payment procedure agreed to by the parties, such deliveries to be effective on actual receipt.

ARTICLE 11 - MISCELLANEOUS

- 11.1 No provision of this Agreement will be considered to have been waived unless the waiver is in writing, and a waiver of a breach of a provision of this Agreement will not be construed as or constitute a waiver of any further or other breach of the same or any other provision of this Agreement, and a consent or approval to any act requiring consent or approval will not waive or render unnecessary the requirement to obtain consent or approval to any subsequent same or similar act.
- 11.2 No remedy conferred upon or reserved to us under this Agreement is exclusive of any other remedy in this Agreement or provided by law, but that remedy will be in addition to all other remedies in this Agreement or then existing at law, in equity or by statute.
- 11.3 The grant of a sublicense, assignment or transfer of this Agreement does not release you from your obligation to observe and perform all the provisions of this Agreement on your part to be observed and performed unless we specifically release you from such obligation in our consent to the sublicense, assignment or transfer of this Agreement.
- 11.4 This Agreement extends to, is binding upon and enures to the benefit of the parties, their heirs, executors, administrators, successors and permitted assigns.
- 11.5 If, due to a strike, lockout, labour dispute, act of God, inability to obtain labour or materials, law, ordinance, rule, regulation or order of a competent governmental authority, enemy or hostile action, civil commotion, fire or other casualty or any condition or cause beyond your reasonable control, other than normal weather conditions, you are delayed in performing any of your obligations under this Agreement, the time for the performance of that obligation will be extended by a period of time equal to the period of time of the delay so long as
- (a) you give notice to us within 30 days of the commencement of the delay setting forth the nature of the delay and an estimated time frame for the performance of your obligation; and
 - (b) you diligently attempt to remove the delay.
- 11.6 You acknowledge and agree with us that

- (a) this Agreement has been granted to you on the basis that you accept the Land on an "as is" basis;
- (b) without limitation we have not made, and you have not relied upon, any representation or warranty from us as to
 - (i) the suitability of the Land for any particular use, including the use permitted by this Agreement;
 - (ii) the condition of the Land (including surface and groundwater), environmental or otherwise, including the presence of or absence of any toxic, hazardous, dangerous or potentially dangerous substances on or under the Land and the current and past uses of the Land and any surrounding land and whether or not the Land is susceptible to erosion or flooding;
 - (iii) the general condition and state of all utilities or other systems on or under the Land or which serve the Land;
 - (iv) the zoning of the Land and the bylaws of any government authority which relate to the development, use and occupation of the Land; and
 - (v) the application of any federal or Provincial enactment or law to the Land;
- (c) you have been afforded a reasonable opportunity to inspect the Land or to carry out such other audits, investigations, tests and surveys as you consider necessary to investigate those matters set out in subsection (b) to your satisfaction before entering into this Agreement;
- (d) you waive, to the extent permitted by law, the requirement if any, for us to provide you with a "site profile" under the *Environmental Management Act* or any regulations made under that act;
- (e) we are under no obligation, express or implied, to provide financial assistance or to contribute toward the cost of servicing, creating or developing the Land or the Improvements and you are solely responsible for all costs and expenses associated with your use of the Land and the Improvements for the purposes set out in this Agreement; and
- (f) we are under no obligation to provide access or services to the Land or to maintain or improve existing access roads.

11.7 You agree with us that nothing in this Agreement constitutes you as our agent, joint venturer or partner or gives you any authority or power to bind us in any way.

Licence

347743

File No.: 2411533

Disposition No.: 924167

11.8 This Agreement does not override or affect any powers, privileges or immunities to which you are entitled under any enactment of the Province of British Columbia.

The parties have executed this Agreement as of the date of reference of this Agreement.

SIGNED on behalf of **HER MAJESTY
THE QUEEN IN RIGHT OF THE
PROVINCE OF BRITISH COLUMBIA**
by the minister responsible for the *Land Act*
or the minister's authorized representative

Minister responsible for the *Land Act*
or the minister's authorized representative

s.22

Signed before me, a notary public in the Province of British Columbia.

BESSIE L. JACKSON
Barrister & Solicitor
#118-611 Alexander Street
Vancouver, BC V6A 1E1

LEGAL DESCRIPTION SCHEDULE

LEGAL DESCRIPTION: All that Unsurveyed Crown Land adjacent to District Lot 4750, Group 1, New Westminster District and containing 0.073 hectares, more or less.

Ramp and Trail Purposes.

See attached map.

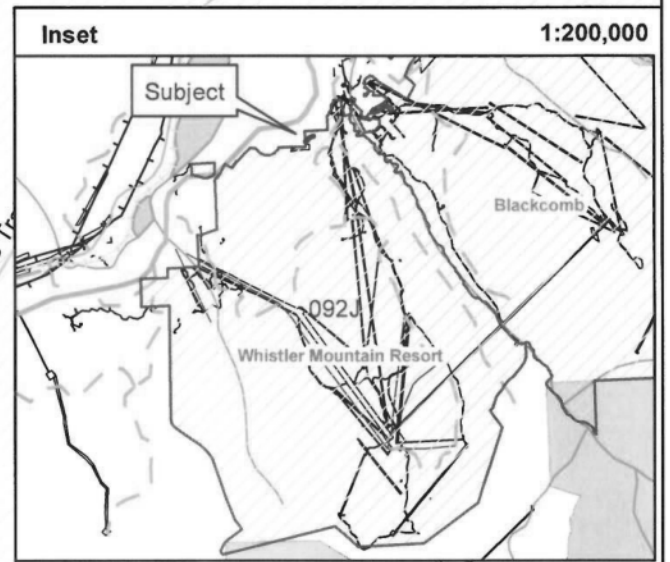
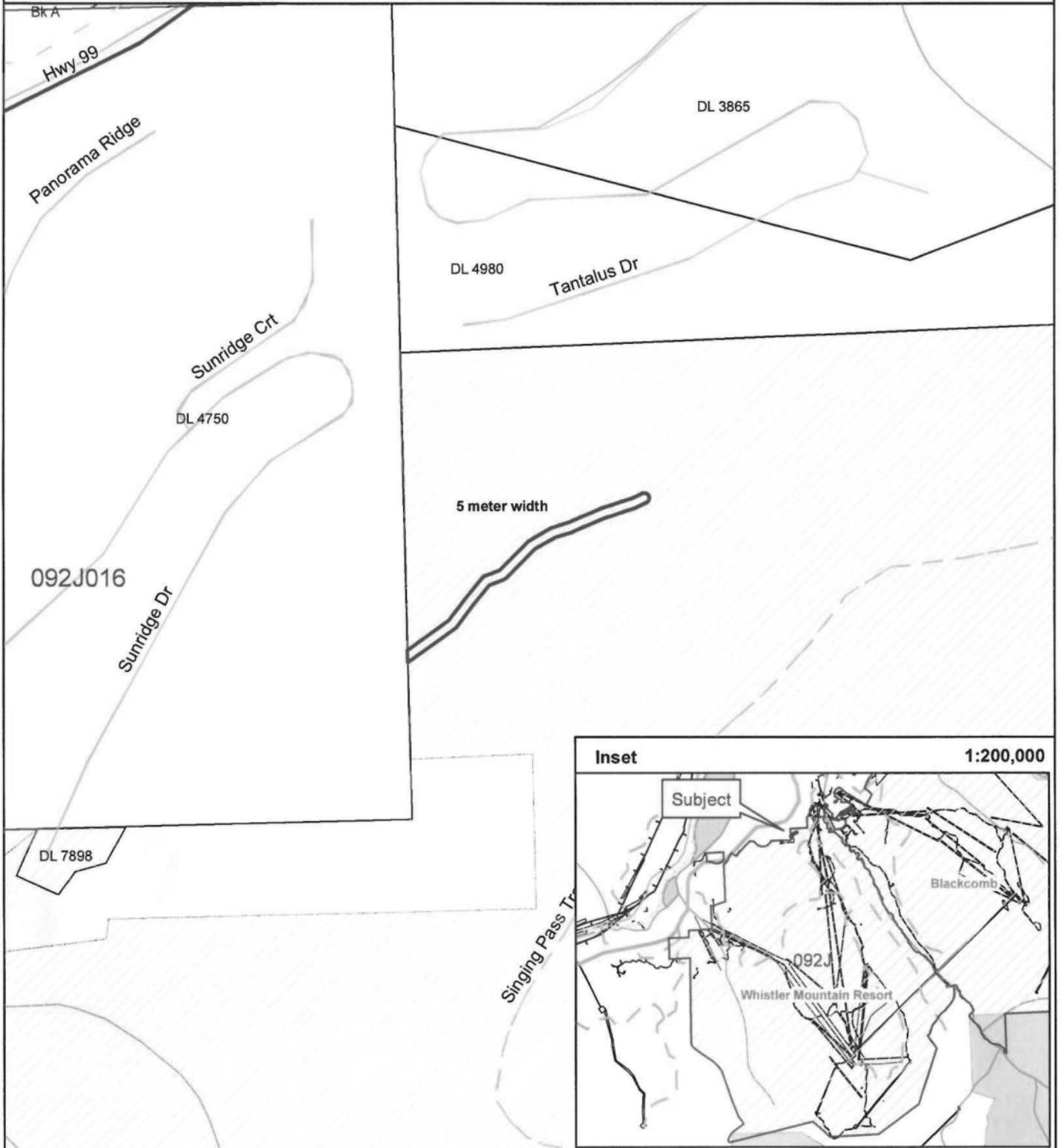
347743

Schedule A Sunridge Connector Trail and Ramp File: 2411533

- ☐ File: 2411533 - 0.073 hectares ±
- ☐ Whistler Controlled Recreation Area
- ☐ All Survey Parcels
- ☐ Surveyed Rights of Way
- ☐ Provincial Parks
- ☐ 20K Mapsheet Tiles



Date: December 18, 2015
File No.: 2411533
Scale: 1:2,500
Projection: Albers, NAD 83
whistler_2411533_schedA_8x11_2_5k.pdf



20 of 20

Whistler Mountain Bike Park - Creekside Expansion Phase 1 - Year 1 & 2

	Trail	Length (m)	Suggested Difficulty	Proposed Trail Builder
Phase 1 - Year 1				
	1.a	1,600	Blue	Whistler Blackcomb
	1.b	2,000	Blue	Whistler Blackcomb
	1.c	429	Blue	Whistler Blackcomb
	1.d	364	Blue	Whistler Blackcomb
	2.a	771	Double Blue	Joyride Bike Parks Inc.
	2.b	2,000	Double Blue	Joyride Bike Parks Inc.
	3.a	997	Black	Gravity Logic
	3.b	121	Black	Gravity Logic
	5.a	1,300	Blue	Whistler Blackcomb
	5.b	961	Blue	Gravity Logic
	5.c	1,300	Blue	Gravity Logic
	5.d	1,200	Blue	Gravity Logic
	13.a	1,900	Double Blue	Gravity Logic
	13.b	873	Double Blue	Gravity Logic
Year 1 Sub-total		15,816		
Phase 1 - Year 2				
	4	1,071	Black	TBD
	6	1,458	Blue	TBD
	12	6,888	Green	TBD
	14	1,607	Black	TBD
	29	3,540	Blue	TBD
Year 2 Sub-total		14,563		
Total (Yr 1-2)		30,379		

Page 453 of 642

Withheld pursuant to/removed as

s.16



Creekside Bike Park Expansion

Year 1 trail construction tree removal estimate

(Report prepared by Tom Prochazka – tel. 661 713-3372, email tom@whistlergravitylogic.com)

Copyright

Page 455 of 642 to/à Page 458 of 642

Withheld pursuant to/removed as

Copyright

Submission of Bike Park Expansion Project at Whistler Blackcomb

From: Doug Forseth <DForseth@whistlerblackcomb.com>
To: Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>
Sent: April 6, 2017 1:16:46 PM PDT
Hi Tori,

Here is the overview and some of the details with regards to the Bike Park expansion at Creekside. Like the Suspension Bridge, I look forward to engaging with you on how to move this through the approval process and begin building later this spring. Thanks.....

Doug Forseth | Whistler Blackcomb
(M) 604-905-8314 | (W) 604-938-7398

Page 460 of 642 to/à Page 461 of 642

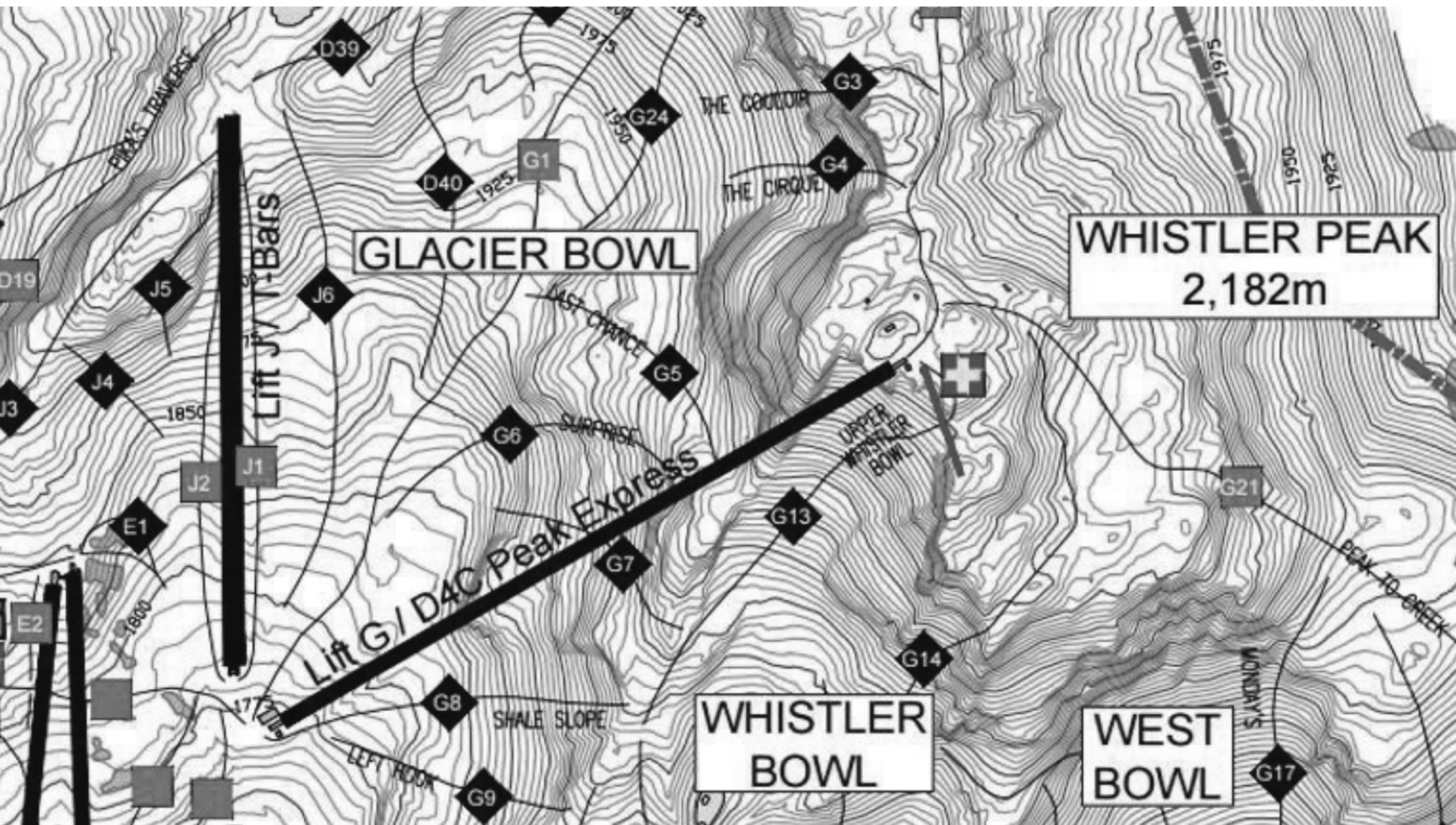
Withheld pursuant to/removed as

s.16

Page 462 of 642 to/à Page 467 of 642

Withheld pursuant to/removed as

Copyright



Page 469 of 642 to/à Page 514 of 642

Withheld pursuant to/removal as

Copyright

WB Mtn Biking - Water Sustainability Act Section 11 Notification

From: Northcott, Kelly FLNR:EX <Kelly.Northcott@gov.bc.ca>
To: Rob McSkimming <RMcSkimming@whistlerblackcomb.com>, Doug Forseth <DForseth@whistlerblackcomb.com>
Cc: Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>, Wendy Robinson <WRobinson@whistlerblackcomb.com>
Sent: May 4, 2017 1:28:00 PM PDT
Hello All,

Just following up on our call yesterday. I have included a few links and some maps to assist you in your project planning. As Tori mentioned will put together a conditional approval letter for the projects that will point to the commitments/obligations under the MDA. I will continue to do some more digging and try and determine the appropriate contact in Water Stewardship branch. Please let me know if you have further questions.

As discussed we would recommend hiring a Biologist/Environmental consultant, one that is familiar with Section 11 submissions and requirements. They are a benefit in that under the professional reliance model, assume a majority of the risk and it provides the proponent with the ability to demonstrate due diligence is there is questions or an incident. They would be the best suited to put together a package for submission through Front Counter BC and will be able to provide you with professional advice/recommendations on the proposed project.

Some of the basic Information that would need to be collected and collated for Section 11 notification:

- Location Map
- Project area map
- Detailed site description
- Dimensions of each structure
- Photos
- Presence of fish or downstream values

Some general information that will be provided by the Habitat officer:

- What values may be a risk
- Sediment and erosion control measures
- Work window for working in and around streams
- Structure suitable for crossing(i.e. bridge outside of wetted edge, properly sized culvert)

General Information about working around water:

<http://www2.gov.bc.ca/gov/content/environment/air-land-water/water/water-licensing-rights/working-around-water>

Section 11 Notification/Approval application:

<http://www.frontcounterbc.gov.bc.ca/guides/surface-water/changes-in-about-stream/overview/>

Licence to Cut:

Application form can be found at:

<http://www2.gov.bc.ca/gov/content/industry/natural-resource-use/resort-development/timber-program>

We will likely amend the licence to cover the Whole CRA to include all of the new portion. We can work with you on this and it should be very easy to accomplish.

Kelly Northcott, RFT
Land Technical Officer
Mountain Resorts Branch
Ministry of Forests, Lands and Natural Resource Operations

From: Rob McSkimming [mailto:RMcSkimming@whistlerblackcomb.com]
Sent: Monday, April 24, 2017 11:02 AM
To: Northcott, Kelly FLNR:EX; Doug Forseth
Cc: Meeks, Tori FLNR:EX; Wendy Robinson
Subject: RE: Call summary

Thanks for the summary Kelly. As per our discussion I have attached the following:

- Suspension Bridge and Viewing Platform Site Overview
 - Shows the location of the structures in various formats
- Bike Park “Master Plan”
 - With minor updates from the plan completed in 2013
 - Includes more detailed maps of the Creekside expansion zone
- Outline of our WB’s contractor, employee and guest safety plans
- Summary of our trail construction SOP’s.

Let me know if you have any questions or we can provide you with additional information.

Thanks,

Rob

From: Northcott, Kelly FLNR:EX [mailto:Kelly.Northcott@gov.bc.ca]
Sent: April 21, 2017 4:03 PM
To: Doug Forseth; Rob McSkimming
Cc: Meeks, Tori FLNR:EX
Subject: Call summary

Hello Doug and Rob,

Just a quick summary of our call yesterday please let me know if there is anything I missed or needs clarification.

s.17

Creekside Mountain Bike

- Discussed the proposal briefly and what the likely tenuring options and requirements would be
- No formal application for a separate tenure will be required it will fall under the blanket licence of occupation that covers the whole Controlled Recreation area
- The Mountain Bike Master Plan, prepared by Eco sign and Whistler Blackcomb’s SOP, contain a lot of information that addresses the requirements under the MDA Schedule “J”, such as Sediment and erosion control, safety, terrain stability, riparian management etc.
- ACTION, WB to provide MRB with the Mountain Bike Master Plan, SOP’s, Safety Plan any other relevant information
- ACTION, MRB to review information and prepare letter of Authorization with any conditions of approval
- ACTION, MRB to check if SECTION 12, work in and about a stream would be required for works on classified streams

- Initial Contact has already been made by WB with the FN, it is yet to be determined if an AOA will be required
- There are tight timelines to ensure this project moves forward this summer
- ACTION, MRB to check exiting licence to cut to see if it covers the proposed trails that are being constructed this Summer

Suspension Bridge

- Discussed the proposal briefly and what the likely tenuring options and requirements would be
- No formal application for a separate tenure required will fall under CRA licence of occupation
- Once consideration is discussing further with BC safety authority and ensuring their requirements will be met
- ACTION, WB to provide a shapefile or location map of the proposed improvement
- Any other information or approvals that are complete MRB would like to have to place on our files
- Initial contact with FN has been undertaken by WB in regards to any AOA that may be required
- Similar to the Mountain Bike proposal it would be authorized by a letter that would have and conditions of the approval detailed within it
- This project also has tight timelines and a limited work window would like to begin construction mid to late June

Thanks and have a good weekend

*Kelly Northcott, RFT
Land Technical Officer
Mountain Resorts Branch
Ministry of Forests, Lands and Natural Resource Operations
(250) 371-3932*



May 8th, 2017

Ref: Lands File: 2400087

Doug Forseth
Whistler Blackcomb Holdings Inc
4545 Blackcomb Way,
Whistler, BC
V0N 1B4

Sent via email: DForseth@whistlerblackcomb.com

Dear Doug:

RE: Mountain Bike Expansion at Creekside

I am writing in response to your email, dated April 6th, 2017 with regard to Whistler Blackcomb's interest in creating an expanded mountain bike trail network in Creekside. Our office has reviewed the information that was provided, including the Whistler Mountain Bike Park (WMBP) Master Plan (updated April 2017), Safety Plan and Environmental Considerations. Given that the proposed mountain bike trails are consistent with the recently approved 2013 Whistler Master Plan and the resort is operating under an approved Master Development Agreement (MDA) with the Province, there is no need for an additional Land Act authorization at this time. The mountain bike trails are considered to be a recreation improvement and the existing licence of occupation, granted under the MDA, permits this use.

Please consider this letter to be the Province's conditional authorization for the proposed mountain bike trails, as identified in the WMBP Master Plan. Please note that prior to any construction on the ground and throughout the use and operation of the trails, it is Whistler Blackcomb's responsibility to ensure compliance with the requirements and obligations under the MDA with the Province, as well as meet the commitments identified in the Umbrella Agreement that was recently signed with the Squamish and Lil'wat Nations, dated February 2017.

I am excited to see this new development move forward after many years of planning and hard work behind the scenes. Please continue to work with Craig Morrison, Timber Technician to ensure that the appropriate forest harvesting authorizations are in place and feel free to contact me at Tori.Meeks@gov.bc.ca, 250-371-3943 or Kelly Northcott at Kelly.Northcott@gov.bc.ca, 250-371-3932, if you require more information or have any questions.

Mountain Bike Expansion at Creekside
Page 2

Sincerely,

A handwritten signature in cursive script, appearing to read 'Tori Meeks'.

Tori Meeks
Senior Manager Major Projects
Mountain Resort Branch

cc: Rob McSkimming
RMcSkimming@whistlerblackcomb.com

Craig Morrison, Land and Timber Technician, MRB
Craig.Morrison@gov.bc.ca

Page 520 of 642 to/à Page 521 of 642

Withheld pursuant to/removed as

s.16

FW: Decision regarding consultation: 04202017-001 WB Creekside Bike Park Expansion - Whistler Black Summer Projects

From: Wendy Robinson <Wrobinson@vailresorts.com>
To: Northcott, Kelly FLNR:EX <Kelly.Northcott@gov.bc.ca>
Cc: Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>
Sent: August 3, 2017 12:47:31 PM PDT
Kelly,

Please find our Archaeological Overview Assessment for the Whistler Blackcomb Creekside Bike Park Expansion for your records.

Warm regards,

Wendy Robinson | Business Development Manager | Whistler Blackcomb
p: 604.938.7324 **f:** 604.938.7527 **e:** wrobinson@vailresorts.com
4545 Blackcomb Way | Whistler, BC | V0N 1B4
whistlerblackcomb.com
Twitter: @WhistlerBlackcomb
Facebook: <http://www.facebook.com/whistlerblackcomb>



Please consider the environment before printing this e-mail.

From: Rob Mcskimming
Sent: Friday, July 28, 2017 4:56 PM
To: Wendy Robinson ; Doug Forseth
Subject: FW: Decision regarding consultation: 04202017-001 WB Creekside Bike Park Expansion - Whistler Black Summer Projects

Page 523 of 642 to/à Page 526 of 642

Withheld pursuant to/removal as

Copyright

RE: Whistler Blackcomb Bike Trails

From: Wendy Robinson <Wrobinson@vailresorts.com>
To: Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>
Cc: Northcott, Kelly FLNR:EX <Kelly.Northcott@gov.bc.ca>, Sarah Mccullough <Smccullough@vailresorts.com>
Sent: November 10, 2017 9:45:05 AM PST
Hi Tori,

Pdf versions of the shape files attached. Included is the updated Creekside Phase 1, Yr 1-2 Map with our build progress and proposed plans for 2018 construction.

We do plan to connect with FN and complete Enviro and AOA assessments.

I'll leave it to Sarah to connect to discuss further.

Warm regards,

Wendy Robinson | Business Development Manager | Whistler Blackcomb

p: 604.938.7324 **f:** 604.938.7527 **e:** wrobinson@vailresorts.com

4545 Blackcomb Way | Whistler, BC | V0N 1B4

whistlerblackcomb.com

Twitter: @WhistlerBlckcmb

Facebook: <http://www.facebook.com/whistlerblackcomb>



Please consider the environment before printing this e-mail.

From: Meeks, Tori FLNR:EX [mailto:Tori.Meeks@gov.bc.ca]

Sent: Friday, November 10, 2017 8:35 AM

To: 'Paula Palmer' ; Wendy Robinson

Cc: Northcott, Kelly FLNR:EX

Subject: RE: Whistler Blackcomb Bike Trails

Thanks Paula, we can forward these shapefiles onto our GIS Technician. Do you have any maps showing the data that you would like to forward as well so that we know what we are to be looking at?

Pete and Sarah mentioned that the trails that were added this past year have been a success and that there were plans for more trail development. Is this data with respect to the addition of new trails? If you or Wendy can provide a bit of background information as to what it is you would like us to do with the information and if these are new, proposed trails that you would like us to review for approval of development that would be appreciated. If this is a proposal for development it would also be helpful to have a description of what it is WB is proposing, what is the timing of development, are the trails consistent with the approved Master Plans for Whistler and Blackcomb, are there any constraints to development, etc... Also would be good to know if the Nations have been contacted and keeping us in the loop with that correspondence or any work that you complete with them (ie. Environmental or Arch assessments) is also appreciated.

Please feel free to give me or Kelly a call to discuss further if you like, happy Friday!

Tori

Tori Meeks | Senior Manager, Major Projects | Mountain Resorts Branch

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

510 - 175 2nd Ave, Kamloops, BC V2C 5W1

Phone: 250-371-3943 | Cell: 250-320-2791 | Fax: 250-371-3942

From: Paula Palmer [mailto:ppalmer@ECOSIGN.COM]
Sent: Thursday, November 9, 2017 5:06 PM
To: Meeks, Tori FLNR:EX; Northcott, Kelly FLNR:EX
Cc: Wendy Robinson
Subject: Whistler Blackcomb Bike Trails

Hi Kelly and Tori

I have been working with Wendy on bike trail development maps on both Whistler and Blackcomb Mountains. Here is the information she has asked me to send to you.

Please do not hesitate to contact me if you need anything else.

Thanks,
Have a great day
Paula

Paula Palmer Dip CAD/CAM, Adv Dip GIS, Assoc Cert Web Technologies
Senior AutoCAD/GIS
System Administrator

Ecosign Mountain Resort Planners Ltd.
8073 Timber Lane, P.O. Box 63
Whistler, B.C., Canada V0N 1B0
Tel: 604.932.5976 Fax: 604.932.1897
www.ecosign.com

*For attachments exceeding 10MB, please send to ecosignmrp@gmail.com

The information contained in this message is confidential and intended only for the use of the individual or entity named above, and may be privileged. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please reply to the sender immediately, stating that you have received the message in error, then please delete this e-mail. Thank you.

Page 529 of 642 to/à Page 531 of 642

Withheld pursuant to/removed as

Copyright

Whistler Mountain Bike Park - Creekside Bike Expansion Phase 1 - Year 2

From: Wendy Robinson <Wrobinson@vailresorts.com>
To: Northcott, Kelly FLNR:EX <Kelly.Northcott@gov.bc.ca>, Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>
Cc: Sarah Mccullough <Smccullough@vailresorts.com>
Sent: March 3, 2018 6:21:56 PM PST
Kelly/Tori,

Thanks again for taking the time to roll through all of our potential developments back in December. As we are approaching spring, we have taken the time to review and refine our plans. The Whistler Mountain Bike Park (WMBP) Creekside trails are the most important trails on the list of trails that we are planning. As such, I have pulled together a summary of the Creekside trails, including both Phase 1 - Year 1 and 2 (see attachment). I will provide a summary of the trail developments outside of the WMBP in a separate email later next week.

Paula from Ecosign provided the shape files by email on Thursday, I have attached a .pdf version for your reference. Please note that the trails are colour coded to phasing, not trail difficulty.

I think I have covered everything that pertains to the Creekside expansion that we discussed on our call. Please let me know if you need clarity on the details or any other information.

Warm regards,

Wendy Robinson | Business Development Manager | Whistler Blackcomb

p: 604.938.7324 **f:** 604.938.7527 **e:** wrobinson@vailresorts.com

4545 Blackcomb Way | Whistler, BC | V0N 1B4

whistlerblackcomb.com

Twitter: @WhistlerBlckcmb

Facebook: <http://www.facebook.com/whistlerblackcomb>



Please consider the environment before printing this e-mail.

The information contained in this message is confidential and intended only for the use of the individual or entity named above, and may be privileged. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please reply to the sender immediately, stating that you have received the message in error, then please delete this e-mail. Thank you.

Page 533 of 642 to/à Page 535 of 642

Withheld pursuant to/removed as

Copyright

2018 Whistler Blackcomb Summer Recreational Trail Network

From: Wendy Robinson <Wrobinson@vailresorts.com>
To: Northcott, Kelly FLNR:EX <Kelly.Northcott@gov.bc.ca>, Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>
Cc: Sarah Mccullough <Smccullough@vailresorts.com>
Sent: March 9, 2018 4:52:10 PM PST
Tori/Kelly,

Please find a summary attached of our summer recreational trails proposed for construction in 2018. The summer recreational trails include cross country mountain bike trails and a proposed Via Ferrata climbing route.

I have attached pdf maps for your reference. Paula from Ecosign sent the Khyber Zone shape files last week, Via Ferrata and Blackcomb XC shape files were sent Nov. 9, 2017.

Feel free to contact me with any questions that you may have.

Warm regards,

Wendy Robinson | Business Development Manager | Whistler Blackcomb

p: 604.938.7324 **f:** 604.938.7527 **e:** wrobinson@vailresorts.com

4545 Blackcomb Way | Whistler, BC | V0N 1B4

whistlerblackcomb.com

Twitter: @WhistlerBlckcmb

Facebook: <http://www.facebook.com/whistlerblackcomb>



Please consider the environment before printing this e-mail.

The information contained in this message is confidential and intended only for the use of the individual or entity named above, and may be privileged. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please reply to the sender immediately, stating that you have received the message in error, then please delete this e-mail. Thank you.

Page 537 of 642 to/à Page 540 of 642

Withheld pursuant to/removed as

s.16

FW: Proposed trail construction for the summer 2018

From: Sarah McCullough <Smccullough@vailresorts.com>
To: Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>, Northcott, Kelly FLNR:EX <Kelly.Northcott@gov.bc.ca>
Sent: April 20, 2018 10:23:24 AM PDT
Bike park.

Sarah McCullough | Director, Government and Community Relations | Whistler Blackcomb
p: 604.938.7380 **c:** 604.328.1956
whistlerblackcomb.com

s.16

FW: Whistler Blackcomb Creekside Bike Park Expansion, year 2

From: Sarah McCullough <Smccullough@vailresorts.com>
To: Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>, Northcott, Kelly FLNR:EX
<Kelly.Northcott@gov.bc.ca>
Sent: April 20, 2018 10:23:01 AM 4 PT
Last one.

Sarah McCullough | Director, Government and Community Relations | Whistler Blackcomb
p: D03.698.7980 **c:** D03.928.165D
whistlerblackcomb.com

s.16

Page 543 of 642 to/à Page 551 of 642

Withheld pursuant to/removed as

s.16



File: 2400087

May 4, 2018

Sarah McCullough
Director, Government and Community Relations
Whistler Mountain Resort Limited Partnership
4545 Blackcomb Way,
Whistler, BC V0N 1B4

Dear Sarah:

RE: Whistler – Proposed Summer Recreational Improvements

I am writing in response to your email, dated March 13th, 2018 with regard to Whistler Mountain Resort Limited Partnership's (WMRLP) interest in several different recreational improvements within the Whistler Controlled Recreation Area (CRA), they are as follows:

- **Via Ferrata:** An additional rock climbing route is proposed to travel up the Whistler Bowl Ridge within the Whistler CRA. The proposal is an extension to an existing rock climbing trail from the Glacier Lookout trail to Whistler Peak. The new trail will travel up the Whistler Bowl Ridge below the Peak Express Chair and is consistent with the recently approved 2013 Whistler Master Plan.
- **Khyber Zone, Kashmir Connector and Babylon Connector Cross Country Mountain Bike trails:** The resort is proposing a variety of cross country mountain bike trails to build on the existing trail network that is currently available at Whistler. The 2013 approved Master Plan for Whistler has an area identified for mountain biking, and while some of the proposed mountain bike trails extend outside of the area identified in the Master Plan, they are conceptually consistent with the proposed development and the intended use of the CRA.

The resort is operating under an approved Master Development Agreement (MDA) with the Province dated February 23, 2017. The proposed Via Ferrata and the mountain bike trails are considered to be recreation improvements under the MDA and the CRA licence of occupation permits this use. There is no need for an additional Land Act authorization at this time. Please consider this letter to be the Province's conditional authorization for the improvements as identified on the maps labelled "Via Ferrata – Whistler Bowl Ridge" and the "Whistler Mountain-Khyber Zone-Cross Country Trails", attached here.

Please note that prior to any construction on the ground and throughout the use and operation of the trails, it is WMRLP's responsibility to ensure compliance with the requirements and obligations under the Umbrella Agreement with the Squamish and Lil'wat Nations (dated February 2017), the MDA and all applicable legislative and regulatory requirements. In addition, during construction and operation, WMRLP must be aware of, and take into consideration, any existing and prior interests on the land.

I am pleased to see the resort continuing to invest in a diversity of recreational offerings, ensuring that it remains an industry leader in all-seasons resort development. Please feel free to contact me at Tori.Meeks@gov.bc.ca, 250-371-3943 or Kelly Northcott at Kelly.Northcott@gov.bc.ca, 250-371-3932, if you require more information or have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Tori Meeks'.

Tori Meeks
Senior Manager Major Projects
Mountain Resort Branch

Encl. Via Ferrata – Whistler Bowl Ridge Map
Whistler Mountain-Khyber Zone-Cross Country Trails Map

cc: Wendy Robinson Wrobinson@vailresorts.com



File: 0349523

May 4, 2018

Sarah McCullough
Director, Government and Community Relations
Blackcomb Skiing Enterprises Ltd.
4545 Blackcomb Way,
Whistler, BC V0N 1B4

Sent via email: Smccullough@vailresorts.com

Dear Sarah:

RE: Blackcomb – Proposed Mountain Bike Cross Country Trails

I am writing in response to your email, dated March 13th, 2018 with regard to Blackcomb Skiing Enterprises Ltd's (BSEL) interest in adding additional cross country trails within the Blackcomb Controlled Recreation Area (CRA). The 2013 approved Master Plan for Blackcomb has identified an area for mountain biking and while some of the proposed mountain bike trails extend outside of the area identified in the Master Plan, they are conceptually consistent with the proposed development and the intended use of the CRA. The resort is operating under an approved Master Development Agreement (MDA) with the Province dated February 23, 2017. The mountain bike trails are considered to be a recreation improvement under the MDA and the CRA licence of occupation permits this use. There is no need for an additional Land Act authorization at this time. Please consider this letter to be the Province's conditional authorization for the proposed mountain bike trails, as identified on the "Blackcomb Cross-Country Trails Map" (attached).

Please note that prior to any construction on the ground and throughout the use and operation of the trails, it is BSEL's responsibility to ensure compliance with the requirements and obligations under the Umbrella Agreement with the Squamish and Lil'wat Nations (dated February 2017), the MDA and all applicable legislative and regulatory requirements. In addition, during construction and operation, BSEL must be aware of, and take into consideration, any existing and prior interests on the land.

I am pleased to see the resort continuing to invest in a diversity of recreational offerings, ensuring that it remains an industry leader in all-seasons resort development. Please feel free to contact me at Tori.Meeks@gov.bc.ca, 250-371-3943 or Kelly Northcott at

Page 2

Kelly.Northcott@gov.bc.ca, 250-371-3932, if you require more information or have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Tori Meeks'.

Tori Meeks
Senior Manager Major Projects
Mountain Resort Branch

Encl. Blackcomb Cross-Country Trails Map

cc: Wendy Robinson Wrobinson@vailresorts.com



December 2018

**2018 WHISTLER BIKE PARK CREEKSIDE EXPANSION
PHASE 1, YEAR 2
POST-CONSTRUCTION ENVIRONMENTAL MONITORING SUMMARY**



PREPARED FOR:

WHISTLER BLACKCOMB
4545 BLACKCOMB WAY
WHISTLER, BC V0N 1B4

PREPARED BY :

SARTORI ENVIRONMENTAL SERVICES
106-185 FORESTER STREET
NORTH VANCOUVER, BC V7H 0A6

Page 557 of 642 to/à Page 601 of 642

Withheld pursuant to/removal as

Copyright

Whistler Mountain Bike Park Creekside Expansion - Phase 1 Year 3

From: Wendy Robinson <Wrobinson@vailresorts.com>
To: Northcott, Kelly FLNR:EX <Kelly.Northcott@gov.bc.ca>, Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>
Cc: Sarah Mccullough <Smccullough@vailresorts.com>, Matthew Davies <Madavies@vailresorts.com>
Sent: March 12, 2019 5:53:12 PM PDT
Tori/Kelly,

We have been working through the planning for year 3 of the Whistler Mountain Bike Park Creekside Expansion. I have pulled together a summary of the construction to date along with our proposed trail plans for 2019 for both the Creekside Expansion and the Whistler Summer Recreational Trail Network. Updated maps of Phase 1 Year 1 & 2, with Year 3 proposed trails are also attached.

We have gps'd our Phase 1 Year 1-2 completed trails and updated our maps with these alignments. Paula from Ecosign will send over the shape files this week.

We will again be working with Sartori with our Environmental Monitoring and our WSA Section 11 notification.

Please let me know if you have any questions.
Warm regards,

Wendy Robinson | Business Development Manager | Whistler Blackcomb

p: 604.938.7324 **f:** 604.938.7527 **e:** wrobinson@vailresorts.com

4545 Blackcomb Way | Whistler, BC | V8E 0X9

whistlerblackcomb.com

Twitter: @WhistlerBlackcomb

Facebook: <http://www.facebook.com/whistlerblackcomb>



Please consider the environment before printing this e-mail.

The information contained in this message is confidential and intended only for the use of the individual or entity named above, and may be privileged. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please reply to the sender immediately, stating that you have received the message in error, then please delete this e-mail. Thank you.

Whistler Mountain Bike Park Creekside Expansion - Phase 1 Year 2 Environmental Summary

From: Wendy Robinson <Wrobinson@vailresorts.com>
To: Northcott, Kelly FLNR:EX <Kelly.Northcott@gov.bc.ca>, Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>
Cc: Sarah Mccullough <Smccullough@vailresorts.com>
Sent: March 12, 2019 5:56:18 PM PDT
Tori/Kelly,

Whistler Mountain Bike Park Creekside Expansion - Phase 1, Year 2 Environmental Summary from Sartori attached for your records.

Warm regards,

Wendy Robinson | Business Development Manager | Whistler Blackcomb

p: 604.938.7324 **f:** 604.938.7527 **e:** wrobinson@vailresorts.com

4545 Blackcomb Way | Whistler, BC | V8E 0X9

whistlerblackcomb.com

Twitter: @WhistlerBlckcmb

Facebook: <http://www.facebook.com/whistlerblackcomb>



Please consider the environment before printing this e-mail.

The information contained in this message is confidential and intended only for the use of the individual or entity named above, and may be privileged. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please reply to the sender immediately, stating that you have received the message in error, then please delete this e-mail. Thank you.



May 23, 2019

Ref: Lands File: 2400087 (Whistler MDA)

Wendy Robinson
Business Development Manager
Whistler Blackcomb
4545 Blackcomb Way,
Whistler, BC V8E 0X9

Sent via email: wrobinson@vailresorts.com

Dear Wendy:

**RE: Whistler Mountain Bike Park Creekside Expansion, Phase 1 Year 3
& Summer Recreational Trail Construction**

I am writing in response to your email of March 12, 2019 with regard to Whistler Blackcomb's planning for Year 3 of the Whistler Blackcomb Mountain Bike Park (WMBP) Creekside Expansion. Our office has reviewed the information that was provided, including the WMBP Creekside Expansion Phase 1 (Years 1-3) Summary, Whistler Summer Recreational Trail Network proposal, and the Phase 1, Year 2 Post-Construction Environmental Monitoring Summary by Satori Environmental.

Given that the proposed trails are consistent with the approved 2013 Whistler Master Plan, and the resort is operating under an approved Master Development Agreement (MDA) with the Province, there is no need for an additional *Land Act* authorization at this time. The mountain bike trails are considered to be a recreation improvement and the existing licence of occupation, granted under the MDA, permits this use.

Please consider this letter to be the Province's conditional authorization for the proposed trails, as identified in the WMBP Creekside Expansion Plan & Whistler Summer Recreational Trail Network. Please note that prior to any construction on the ground and throughout the use and operation of the trails, it is Whistler Blackcomb's responsibility to ensure compliance with the requirements and obligations under the MDA with the Province, as well as meet the commitments identified in the Umbrella Agreement that was signed with the Squamish and Lil'wat Nations in February 2017. Further, it is Whistler Blackcomb's responsibility to obtain any required approvals under the *Water Sustainability Act* for works in and about streams. We appreciate that you have already acknowledged and planned for this requirement.

We are excited to see the trail expansion progress, and appreciate all of the hard work and planning behind the scenes to ensure continued high standards of practice for construction, operation and maintenance of the trails. Please continue to work with Laurie Hirtle and Craig Morrison in our timber department to ensure that the appropriate forest harvesting authorizations are in place. Feel free to contact me at Tori.Meeks@gov.bc.ca, 250-371-3943 or Charlene Mortensen at Charlene.Mortensen@gov.bc.ca, 250-371-3932, if you require more information or have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Tori Meeks', written in dark ink.

Tori Meeks
Senior Manager Major Projects
Mountain Resort Branch

cc: Sarah McCullough, Director, Government and Community Relations, Whistler
Blackcomb, smccullough@vailresorts.com

Charlene Mortensen, Land Technical Officer, MRB
Charlene.Mortensen@gov.bc.ca

Laurie Hirtle, Land and Timber Manager, MRB
Laurie.Hirtle@gov.bc.ca

Page 606 of 642 to/à Page 610 of 642

Withheld pursuant to/removed as

Copyright

Whistler Mountain Bike Park Creekside Expansion & Summer Recreational Trails

From: Wendy Robinson <Wrobinson@vailresorts.com>
To: Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>, Mortensen, Charlene FLNR:EX <Charlene.Mortensen@gov.bc.ca>
Cc: Sarah Mccullough <Smccullough@vailresorts.com>
Sent: March 21, 2020 12:35:53 PM PDT
Charlene, Tori,

I hope you are both well, despite the current state of the world.

I am sending over our trail plan for summer 2020, my understanding is that there is no need for an additional Land Act authorization as these trails are consistent with our approved 2013 Whistler Master Plan. Please correct me if my assumption is inaccurate. I am working to keep you as informed with our trail plans as best I can. We continue to work closely with Sartori Environmental on our environmental monitoring and necessary notifications, our WSA Section 11 notification has already been submitted. And we will go through process of an AOA with our local First Nations.

I've included a summary of our plans, and maps.

Please feel free to reach out with any questions that you might have.

Stay healthy,

Wendy Robinson | Business Development Manager | Whistler Blackcomb
p: 604.938.7324 **f:** 604.938.7527 **e:** wrobinson@vailresorts.com
4545 Blackcomb Way | Whistler, BC | V8E 0X9
whistlerblackcomb.com



Please consider the environment before printing this e-mail.

The information contained in this message is confidential and intended only for the use of the individual or entity named above, and may be privileged. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please reply to the sender immediately, stating that you have received the message in error, then please delete this e-mail. Thank you.



April 2, 2020

Ref: Lands File: 2400087 (Whistler MDA)

Wendy Robinson
Business Development Manager
Whistler Blackcomb
4545 Blackcomb Way,
Whistler, BC V8E 0X9

Sent via email: wrobinson@vailresorts.com

Dear Wendy:

**RE: Whistler Mountain Bike Park Creekside Expansion, Phase 1 Year 4
& Summer Recreational Trail Construction**


I am writing in response to your email of March 21, 2020 with regard to Whistler Blackcomb's planning for Year 4 of the Whistler Blackcomb Mountain Bike Park (WMBP) Creekside Expansion and the addition of summer recreation trails at the resort for cross country mountain biking and hiking. Our office has reviewed the information that was provided, including the WMBP Creekside Expansion Phase 1 (Years 1-4) Summary and the Whistler Summer Recreational Trail Network proposal.

Given that the proposed trails are consistent with the approved 2013 Whistler Master Plan, and the resort is operating under an approved Master Development Agreement (MDA) with the Province, there is no need for an additional *Land Act* authorization at this time. The mountain bike trails are considered to be a recreation improvement and the existing licence of occupation, granted under the MDA, permits this use.

Please consider this letter to be the Province's conditional authorization for the proposed trails, as identified in the WMBP Creekside Expansion Plan & Whistler Summer Recreational Trail Network. Please note that prior to any construction on the ground and throughout the use and operation of the trails, it is Whistler Blackcomb's responsibility to ensure compliance with the requirements and obligations under the MDA with the Province, as well as meet the commitments identified in the Umbrella Agreement that was signed with the Squamish and Lil'wat Nations in February 2017. Further, it is Whistler Blackcomb's responsibility to obtain any required approvals under the *Water Sustainability Act* for works in and about streams. We appreciate that you have already acknowledged and planned for these requirements.

We are excited to see the trail expansion progress, and appreciate all of the hard work and planning behind the scenes to ensure continued high standards of practice for construction, operation and maintenance of the trails. Please continue to work with Laurie Hirtle and Craig Morrison in our timber department to ensure that the appropriate forest harvesting authorizations are in place. Feel free to contact me at Tori.Meeks@gov.bc.ca, 250-371-3943, if you require more information or have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Tori Meeks'.

Tori Meeks
Senior Manager Major Projects
Mountain Resort Branch

cc: Sarah McCullough, Director, Government and Community Relations, Whistler
Blackcomb, smccullough@vailresorts.com

Laurie Hirtle, Land and Timber Manager, MRB
Laurie.Hirtle@gov.bc.ca

Page 614 of 642 to/à Page 616 of 642

Withheld pursuant to/removed as

Copyright



May 4, 2022

Ref: Lands File: 2400087 (Whistler MDA) and 0349523 (Blackcomb MDA)

Wendy Robinson
Senior Manager
Planning and Business Development
Whistler Blackcomb
4545 Blackcomb Way,
Whistler, BC V8E 0X9

Sent via email: wrobinson@vailresorts.com

Dear Wendy:

RE: Whistler Mountain Bike Park Creekside Expansion, Phase 1 Year 4 (2022) and Blackcomb Mountain Recreation Trails

I am writing in response to your email of March 16, 2022 with regard to Whistler Blackcomb's planning for Year 4 of the Whistler Blackcomb Mountain Bike Park (WMBP) Creekside Expansion and the improvement of an uphill trail on Blackcomb for both mountain bikers and uphill winter skiers. Our office has reviewed the information that was provided, including the WMBP Creekside Expansion Phase 1 (Years 1-4) and Blackcomb Mountain Recreational Trails summaries.

Given that the proposed trails are consistent with the approved 2013 Whistler and Blackcomb Master Plans, and the resort is operating under approved Master Development Agreements (MDAs) with the Province, there is no need for additional *Land Act* authorizations at this time. The mountain bike (and winter uphill ski) trails are considered a recreation improvement and the existing licence of occupation, granted under the MDAs, permits this use.

Please consider this letter to be the Province's conditional authorization for the proposed trails, as identified in the WMBP Creekside Expansion Plan and Blackcomb Mountain Recreation Trails. Please note that prior to any construction on the ground and throughout the use and operation of the trails, it is Whistler Blackcomb's responsibility to ensure compliance with the requirements and obligations under the MDA with the Province, as well as meet the commitments identified in the Umbrella Agreement that was signed with the Squamish and Lil'wat Nations in February 2017. Further, it is Whistler Blackcomb's responsibility to obtain any required approvals under the *Water Sustainability Act* for works in and about streams. We appreciate that you have already acknowledged and planned for these requirements.

We are excited to see the trail expansion progress and appreciate all of the hard work and planning behind the scenes to ensure continued high standards of practice for construction,

Page 2

operation and maintenance of the trails. Please continue to work with Laurie Hirtle in our timber department to ensure that the appropriate forest harvesting authorizations are in place. Feel free to contact me at Tori.Meeks@gov.bc.ca, 250-312-7415, if you require more information or have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Tori Meeks', written in black ink.

Tori Meeks
Senior Manager Major Projects
Mountain Resort Branch

cc: Geoff Buchheister, COO, Whistler Blackcomb
Gbuchheister@vailresorts.com

Laurie Hirtle, Land and Timber Manager, MRB
Laurie.Hirtle@gov.bc.ca

RE: Whistler Blackcomb - 2022 Creekside Bike Park Expansion

From: Wendy Robinson <Wrobinson@vailresorts.com>
To: Mortensen, Charlene FLNR:EX <Charlene.Mortensen@gov.bc.ca>
Cc: Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>, Geoffrey Buchheister <Gbuchheister@vailresorts.com>
Sent: May 4, 2022 3:38:58 PM PDT
Attachments: image003.png

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

Charlene,

Thank you for sending this over. I am super excited to see our construction plans come together this summer, the improvements will definitely be welcomed by both winter and summer guests. I'm also just working through finalizing a preliminary field reconnaissance, to meet our archeological assessments requirements with Squamish and Lil'wat Nations. There is still a decent snowpack in the Creekside, so the timing of your response is perfect.

On a side note, I will connect with you again in June, once I've had a chance to collect the uphill data from our remote trail counters and survey results.

Warm regards,

Wendy Robinson | Senior Manager, Planning and Business Development | Whistler Blackcomb
p: 604.938.7324 f: 604.938.7527 e: wrobinson@vailresorts.com
4545 Blackcomb Way | Whistler, BC | V8E 0X9
whistlerblackcomb.com

We work, live & play on the unceded territory of the Skwxwú7mesh (Squamish) and Lil'wat7úl (Lil'wat) Nations.

From: Mortensen, Charlene FLNR:EX <Charlene.Mortensen@gov.bc.ca>
Sent: May 4, 2022 3:10 PM
To: Wendy Robinson <Wrobinson@vailresorts.com>
Cc: Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>; Geoffrey Buchheister <Gbuchheister@vailresorts.com>
Subject: RE: Whistler Blackcomb - 2022 Creekside Bike Park Expansion

ATTENTION: This eMail originated from outside of Vail Resorts and may or may not be legitimate. Although we do our best to screen phishing emails, please use extra caution before opening any attachments or clicking on any links unless you are absolutely sure the source of the email is trusted. If in doubt about the legitimacy of this email, please use the Report Phish button for validation.

Hi Wendy,

Apologies for the delay in getting this letter to you. We have completed our review of the material you provided for the Whistler Mountain Bike Park Creekside Expansion and Blackcomb Recreation Trails and a letter of authorization is attached.

We really appreciate your organization and due diligence with regard to planning and executing these improvements. It is exciting to see the continued growth of the resort and the forthcoming installation of two new lifts and mountain bike trail building in Creekside this year.

Please feel free to reach out to Tori or I if you have any questions.

Cheers,
Charlene



Charlene Mortensen, Land Officer
Mountain Resorts Branch
Tourism Sector Strategy Division
Ministry of Tourism, Arts, Culture & Sport
510 – 175 2nd Ave, Kamloops, BC V2C 5W1
(250) 312-6722

From: Wendy Robinson <Wrobinson@vailresorts.com>

Sent: March 16, 2022 5:26 PM

To: Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>; Mortensen, Charlene FLNR:EX <Charlene.Mortensen@gov.bc.ca>

Subject: Whistler Blackcomb - 2022 Creekside Bike Park Expansion

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

Tori; Charlene;

It's been a few years since we have been able to expand our bike park trail network, I'm a little unsure as to who I should send this to at the Mountain Resorts Branch, if personnel has changed? I wanted to provide an update on our plans, all of which should be consistent with the 2013 Master Plans. My understanding, (please correct me if I am wrong) is that there would be no need for additional Land Act authorization for these recreation trail improvements? That my intentions should be to keep the MRB informed of our capital plans and projects?

With either direction in mind, our plans are to continue with Phase 1 – Year 4 of the Whistler Mountain Bike Park Creekside Expansion, with construction planned this summer, pending necessary approval from First Nations and support (if required) by the MRB. I will connect with both Squamish and Lil'wat for Archaeological Assessments. Plan and maps for the Creekside trails are attached.

I have also added a quick summary and trail alignment for the Blackcomb uphill trail, which would be a multi-use, multi-season track intended for mountain bike, trail running and uphill skiing. s.21

s.21

There are a few water crossings on the proposed trails in the Creekside and on Blackcomb. We are continuing to work with Sartori Environmental with our WSA Section 11 Notification and onsite environmental monitoring.

Please let me know if you have any questions or feedback.

Warm regards,

Wendy Robinson | Senior Manager, Planning and Business Development | Whistler Blackcomb

p: 604.938.7324 **f:** 604.938.7527 **e:** wrobinson@vailresorts.com

4545 Blackcomb Way | Whistler, BC | V8E 0X9

whistlerblackcomb.com

We work, live & play on the unceded territory of the Skwxwú7mesh (Squamish) and Liłwat7úl (Lil'wat) Nations.

The information contained in this message is confidential and intended only for the use of the individual or entity named above, and may be privileged. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please reply to the sender immediately, stating that you have received the message in error, then please delete this e-mail. Thank you.

RE: INFO REQUEST: Illegal trail building in Whistler and Blackcomb CRAs

From: Wendy Robinson <Wrobinson@vailresorts.com>
To: Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>, Geoffrey Buchheister <Gbuchheister@vailresorts.com>, Doug Macfarlane <Dmacfarlane@vailresorts.com>, Kate Roddick <Kroddick@vailresorts.com>
Cc: Mortensen, Charlene FLNR:EX <Charlene.Mortensen@gov.bc.ca>
Sent: May 5, 2022 12:47:45 PM PDT
Attachments: image003.png

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

Hi Tori,

I call recall Doug Forseth and Rob McSkimming working on this back in 2014-2017. There were quite a few old trails in the Whistler Valley and on the edges of the WB CRA, much like North Vancouver and other areas of BC – mountain biking did start with unauthorized trail building many years ago, long before Whistler Blackcomb started operating a commercial bike park. As Doug was working through the updates to the WB MDA, we pulled together inventory of existing bike trails in the WB CRA and outside the Whistler Mountain Bike Park boundary. We created a trail plan, we assessed the trail alignment and conditions, decommissioned some and invested over \$100,000 to bring the trails to a sustainable state. The investment and trail work was scheduled to begin in 2016. It was around that time that whispers of Dark Crystal's existence was brought to our attention, Rob McSkimming sat down with both trail builders. My understanding is that Doug or Rob did notify the MRB of this trail when it was discovered. Sartori Environmental was brought in specifically for an environmental review of Dark Crystal, I have a report from them on file dating back to July 20, 2017. Trail alignments were also changed on Microclimate to shift the trail exit away from a stream – as per direction following environmental review.

Since this track of work began, we have put a ton of time into building relationships with known trail builders in the community, along with Whistler Off-Road Cycling Association as unsanctioned trail building occurs well beyond the CRA. WB supports WORCA's volunteer trail nights outside the CRA, which has been a great venue for those interested in trail building and maintenance. That venue has been a great place to educate trail builders on trail building techniques and to help pass on the message that rogue building is not acceptable. It seems to be keeping trail builders busy and involved in building WORCA planned trails. Through these relationships, we have been able to manage rogue trails from popping up in WB's CRA.

There are many stakeholders that have been involved with reigning in rogue trail building throughout Whistler. WORCA's Trails Committee and RMOW's Trails Planning Working Committee are two that stand out as helping curb illegal trail building.

I have been fairly involved with recreational trail expansions within the CRA since 2017, and know firsthand that they go through the standard process of approval with MRB and First Nations.

I was not aware of the outcome of the Sunridge ramp, but it's a good call out. Illegal building does not always take place in the same location and for the same reasons, we should continue to all monitor areas because apparently residents would also like to build their own ski out access. I am happy to revisit this as we get closer to that license expiring.

Let me know if you have any other questions.

Wendy Robinson | Senior Manager, Planning and Business Development | Whistler Blackcomb
p: 604.938.7324 f: 604.938.7527 e: wrobinson@vailresorts.com
4545 Blackcomb Way | Whistler, BC | V8E 0X9
whistlerblackcomb.com

We work, live & play on the unceded territory of the Skwxwú7mesh (Squamish) and Lil'wat7úl (Lil'wat) Nations.

From: Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>

Sent: May 5, 2022 9:02 AM

To: Geoffrey Buchheister <Gbuchheister@vailresorts.com>; Wendy Robinson <Wrobinson@vailresorts.com>; Doug Macfarlane <Dmacfarlane@vailresorts.com>; Kate Roddick <Kroddick@vailresorts.com>

Cc: Mortensen, Charlene FLNR:EX <Charlene.Mortensen@gov.bc.ca>

Subject: INFO REQUEST: Illegal trail building in Whistler and Blackcomb CRAs

ATTENTION: This eMail originated from outside of Vail Resorts and may or may not be legitimate. Although we do our best to screen phishing emails, please use extra caution before opening any attachments or clicking on any links unless you are absolutely sure the source of the email is trusted. If in doubt about the legitimacy of this email, please use the Report Phish button for validation.

Good morning Geoff and team!

Please see the note below from Mr. Kubik. Quite some time ago, I recall having conversations with Doug Forseth around the efforts WB was making in working with the local clubs and the RMOW to curb unauthorized trail building at Whistler and I do recall some trails being taken on by WB, but I don't recall this being brought up as an issue over the last number of years. There was also a situation around the Sunridge Connector Trail and Ramp which was unauthorized and built within the Whistler CRA. In that situation MRB and WB worked with the individual and authorized a licence of occupation to s.22 [our File 2411533 – note this licence expires in 2026 & we should revisit in the next couple of years to ensure WB is still supportive of this tenure).

I will have to provide a response to Mr. Kubik and MLA Sturdy and I am wondering if you able to provide some background on this? I.e. What is the scope? Is it an ongoing issues? What has WB done to curb the unauthorized trial building and ensure the conditions and commitments are continually being met under the MDA? Etc... Any information and assistance you can provide would be greatly appreciated.

Thanks,
Tori



Tori Meeks, Senior Manager, Major Projects

Mountain Resorts Branch

Tourism Sector Strategy Division

Ministry of Tourism, Arts, Culture and Sport

510-175 2nd Ave, Kamloops, BC V2C 5W1

250-312-7415 (Office) 250-320-2791 (Cell)

**Please be advised that as of April 1st Mountain Resorts Branch has moved from FLNRORD to TACS. Our Branch continues to be available in the same capacity under the new Ministry.*

From: Paul Kubik s.22

Sent: May 4, 2022 4:33 PM

To: Meeks, Tori FLNR:EX <Tori.Meeks@gov.bc.ca>

Cc: McClure, Cameron LASS:EX <Cameron.McClure@leg.bc.ca>; Sturdy.MLA, Jordan LASS:EX

<Jordan.Sturdy.MLA@leg.bc.ca>

Subject: Illegal trail building in Whistler and Blackcomb CRAs

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

Hi Tori,

A recent article in the online Cycling Magazine discussed the illegal construction of the Dark Crystal trail on Blackcomb Mountain inside the CRA and its subsequent approval by Blackcomb.

The article is here: <https://cyclingmagazine.ca/mtb/costs-of-rogue-trail-building/>

Subsequently, a correspondent from Whistler informed me of other illegal trail building, saying:

[Dark Crystal] was the only illegal trail at that point in time [2015], but every single trail on Blackcomb (and Whistler) mountain outside the bike park that is now sanctioned was built the same way [illegally, beg for forgiveness later]. Microclimate, Hey Bud, Crazy Train, Golden Boner, Roam In The Loam, Instant Gratification, Khyber Pass, Ride Don't Slide, Babylon By Bike, Kashmir, Kush, Line Of Control etc etc are all in the same boat (at least one of those was built by one of the other commenters in this thread, who was also a patroller). Many of those are way "worse" than DC too in that they do actually cross operational parts of the resort. Many of the trails inside the bike park were also built the same way (Tatiana, Crack Addict/Pulp Fiction, French Connection for example). Like it or not, WB have shown that they're more willing to grant forgiveness than permission.

This comment and others can be seen in this Facebook post:

<https://www.facebook.com/groups/BackcountryBC/posts/1006536713305734/>

Assuming there is truth to the article and the correspondence quoted here, I ask if Whistler Blackcomb is abiding by its covenants in the two master development agreements when it sanctions illegal trail building within its controlled recreation areas only to forgive the trespass and illegal activity at a later time. Secondly, is construction of illegal trails sanctioned by Mountain Resorts Branch and does it conform to the All-seasons Resort Policy? Have there been environmental assessments of all the illegal trails? Does illegal trail building conform to the Framework Agreement with Lil'wat on unauthorized uses and activities on Crown lands?

Paul

The information contained in this message is confidential and intended only for the use of the individual or entity named above, and may be privileged. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please reply to the sender immediately, stating that you have received the message in error, then please delete this e-mail. Thank you.



July 4, 2022

VIA EMAIL: Jennifer.Goad@gov.bc.ca

Jennifer Goad
Executive Director
Mountain Resorts Branch

Dear Jennifer Goad:

RE: Illegal trail building on Whistler Blackcomb

I wrote to Tori Meeks on May 4th about illegal trail building on Whistler Blackcomb. Regrettably, I did not receive a reply.

A recent article in the online Cycling Magazine discussed the illegal construction of the Dark Crystal trail on Blackcomb Mountain inside the CRA and its subsequent approval by Blackcomb.

The article is here: <https://cyclingmagazine.ca/mtb/costs-of-rogue-trail-building/>

Subsequently, a correspondent from Whistler informed me of other illegal trails on Whistler and Blackcomb, saying:

[Dark Crystal] was the only illegal trail at that point in time [2015], but every single trail on Blackcomb (and Whistler) mountain outside the bike park that is now sanctioned was built the same way [illegally, beg for forgiveness later]. Microclimate, Hey Bud, Crazy Train, Golden Boner, Roam In The Loam, Instant Gratification, Khyber Pass, Ride Don't Slide, Babylon By Bike, Kashmir, Kush, Line Of Control etc etc are all in the same boat (at least one of those was built by one of the other commenters in this thread, who was also a patroller). Many of those are way "worse" than DC too in that they do actually cross operational parts of the resort. Many of the trails inside the bike park were also built the same way (Tatiana, Crack Addict/Pulp Fiction, French Connection for example). Like it or not, WB have shown that they're more willing to grant forgiveness than permission.

This comment (Figure 1, below) and others can be seen in this Facebook post: <https://www.facebook.com/groups/BackcountryBC/posts/1006536713305734/>

Based on the information provided by Cycling Magazine and the Facebook post quoted here, there is rampant illegal trail construction occurring over a long timeline at Whistler Blackcomb. Instead of shutting down the illegal activities, Whistler Blackcomb is approving the trails and incorporating them into its bike park business.

When did Mountain Resorts Branch become aware of the situation? I ask what action has it taken on the matter since it became aware?

Is Whistler Blackcomb abiding by its covenants in the two master development agreements when it gives official approval for illegal trail building within its controlled recreation areas? Is construction of illegal trails approved by Mountain Resorts Branch and does it conform to the All-seasons Resort Policy? Have there been environmental assessments of all the illegal trails? Does illegal trail building conform to the Framework Agreement with Lil'wat on unauthorized uses and activities on Crown lands? Has Mountain Resorts Branch asked the Conservation Officer Service to investigate the illegal activity on Whistler Blackcomb? Is the minister responsible for Mountain Resorts Branch aware of the illegal activities on Whistler Blackcomb?

Sincerely,

Paul Kubik, Advocate, Backcountry BC



BackcountryBC

Like Reply Share 8w

Copyright

FIGURE 1: COMMENT ON FACEBOOK REGARDING ILLEGALLY CONSTRUCTED TRAILS ON WHISTLER BLACKCOMB

Re: Illegal trail building on Whistler Blackcomb

From: Paul Kubik S.22
To: Meeks, Tori FOR:EX <Tori.Meeks@gov.bc.ca>
Cc: Goad, Jennifer FOR:EX <Jennifer.Goad@gov.bc.ca>, Sturdy.MLA, Jordan LASS:EX <Jordan.Sturdy.MLA@leg.bc.ca>
Sent: July 19, 2022 3:17:51 PM PDT
Attachments: image001.png

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

Hi Tori,

I'm going to have to raise this issue higher up because I noted in my letters to you and Jennifer Goad that the issue of illegal trail building within the CRA is rampant. Dark Crystal was just the first one and the only one you directly addressed in your response below. Steve Mathews, whom I quoted in my correspondence, stated that since 2015, when DC was built and approved retroactively, "every single trail on Blackcomb (and Whistler) mountain outside the bike park that is now sanctioned was built the same way [as DC]. Microclimate, Hey Bud, Crazy Trail, Golden Boner, Roam in the Loam, Instant Gratification, Khyber Pass, Ride Don't Slide, Babylon by Bike, Kashmir, Kush, Line of Control etc." He then goes on to say that trails inside the bike park have also been built illegally and sanctioned later. He mentions "Tatiana, Crack Addict/Pulp Fiction, French Connection etc."

If you count up the trails that were mentioned as built illegally since DC in 2015 there are 16 plus potentially more because Steve Mathews stated "et cetera." That seems to be the way of doing business for WB. Hardly "best practices."

What you say is "MRB understands that this work [education of people interested in trail building] has curbed unauthorized trail building [since 2017]." You may wish to believe that but it does not seem to correspond to reality as stated by Steve Mathews, an advocate for build and ask for forgiveness later. Please provide me with proof that what you say is true. That would include the mentioned phased development plan for mountain bike trails, annual updates since 2015, proposals for trail development, record of site visits, necessary studies and authorizations.

Paul

On 2022-07-15 10:49 a.m., Meeks, Tori FOR:EX wrote:

Good morning Paul,

Thanks for your email on May 4th and the follow up letter dated July 4, 2022. I understand you are seeking information related the Province and Whistler Blackcomb's approach to address unauthorized trail building within the Controlled Recreation Areas (CRA) for Whistler Blackcomb and clarification regarding the action that was taken for the Dark Crystal mountain bike trail.

The construction of a trail on Crown land requires authorization and can fall under various forms of legislation and regulation depending on the intended use of the trail, existing interests on the land, environmental conditions and requirements. Trails that are constructed on Crown land without Provincial authorization are built in trespass and have the potential to impact public safety, the environment and wildlife. Unauthorized trail building is an issue throughout the province and when the Province is made aware of these trails we will initiate compliance and enforcement action, work with the interested parties and determine next steps on a case by case basis.

Whistler Blackcomb (WB) advised Mountain Resorts Branch (MRB) of the Dark Crystal mountain bike trail in the spring of 2016 and the resort met with the people responsible for the construction of the trail, explained WB's contractual obligations within the CRA, the need to mitigate risk to the public, the environment, wildlife and cultural heritage values. MRB understands that WB took initial steps to close and decommission the trail, installed signage, educated members of the public and users of the trail through their website, Whistler Off Road Cycling Association (WORCA) and other communication channels. Subsequently, WB began to assess the trail and its potential for future adoption which included an assessment of the trail against the overall community trail strategy and WB's trail strategy, consideration of environmental standards, wildlife habitat, etc.. In 2017, Sartori Environmental was brought in specifically for an environmental review of Dark Crystal trail and following this assessment, WB made some changes to trail alignments as per recommendations from the environmental review and subsequently adopted the Dark Crystal into WB's existing trail network and phased trail development plan which is authorized by MRB through the Master Development Agreement (MDA).

Since 2017, WB continues to focus on communication and relationship building with RMOW's Trails Planning Working Group, WORCA and known trail builders in the community. WB supports WORCA's volunteer trail nights outside the CRA, which offers an opportunity to educate people interested in trail building on appropriate trail building standards, techniques and maintenance as well as the need to seek appropriate authorization for trail building. MRB understands that this work has curbed unauthorized trail building and has allowed RMOW and WB to manage the issue proactively. Illegal trail building is an issue that we are monitoring and working with Crown land based resort operators of all resorts, including WB. All trail development on Crown land must be authorized by the Province.

As per the requirements in their MDAs and their agreement with the Lil'wat and Squamish Nations ("Nations"), WB provides an annual update on their phased development plan for mountain bike trails at WB. Proposed trail development is reviewed in context with the MDAs and Master Plans and the Nations, in collaboration with WB, will conduct site visits and complete necessary studies related to archaeology, environment, culture and heritage.

Authorization for trail building is provided by MRB subject to support by the Nations and WB's compliance with the requirements and obligations under the MDA. WB continues to operate in compliance with the Master Development Agreements, legislation, regulation and best practices.

Thanks again for your interest in this matter and the opportunity to provide the update.

Tori



Tori Meeks, Senior Manager, Major Projects

Mountain Resorts Branch

Tourism Sector Strategy Division

Ministry of Tourism, Arts, Culture and Sport

510-175 2nd Ave, Kamloops, BC V2C 5W1

250-312-7415 (Office) 250-320-2791 (Cell)

**Please be advised that as of April 1st Mountain Resorts Branch has moved from FLNRORD to TACS. Our Branch continues to be available in the same capacity under the new Ministry.*

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

From: Paul Kubik s.22

Sent: July 4, 2022 10:41 AM

To: Goad, Jennifer FOR:EX <Jennifer.Goad@gov.bc.ca>

Subject: Illegal trail building on Whistler Blackcomb

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

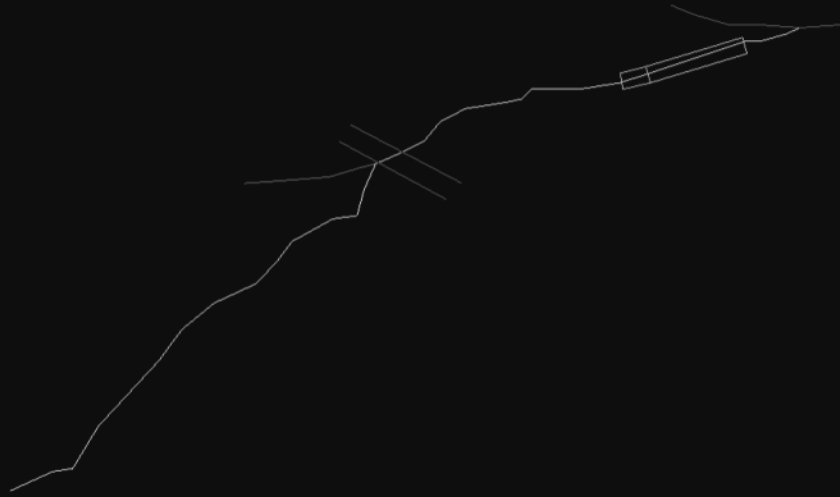
Dear Ms. Goad,

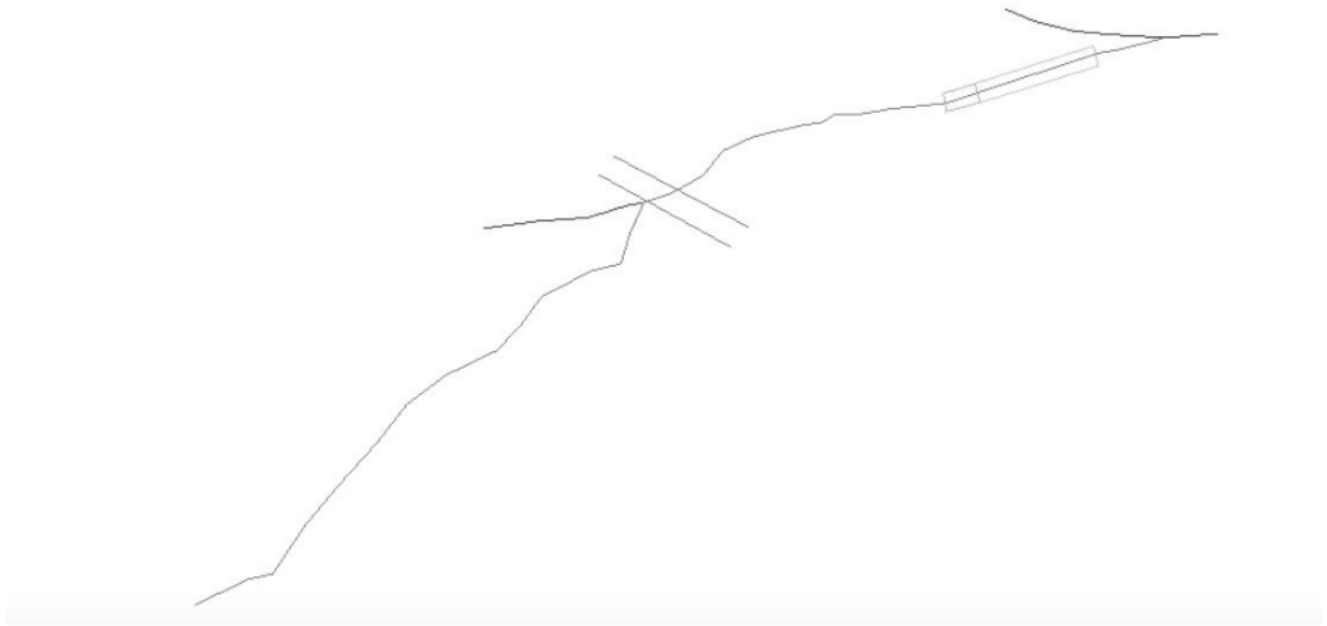
Please find attached a letter (PDF, 500 KB) regarding illegal trail building on Whistler Blackcomb. I request a response to the questions raised in the letter.





Paul Kubik, Advocate, Backcountry BC



Trail (NAD83
meters).dwg





Full Name...	Carson Hamm		
Company	s.22		
Job title			
File as	Hamm, Carson		
Internet			
 Email...	s.22		
Display as	s.22		
Web page address			
IM address			
Phone numbers			
Business...			
Home...			
Business Fax...			
Mobile...	s.22		
Addresses			
Business...			
<input type="checkbox"/> This is the mailing address		 Map It	
		Notes	



Page 636 of 642 to/à Page 637 of 642

Withheld pursuant to/removal as

Copyright



Whistler Blackcomb Holdings Inc.

TO: Mountain Resort Branch

DATE: July 9, 2014

FROM: Rob McSkimming

SUBJECT: Whistler Blackcomb Unofficial Mountain Bike Trail Adoption

Copyright

Page 639 of 642 to/à Page 642 of 642

Withheld pursuant to/removal as

Copyright