

BC Parks Ski Resort Policy

Summary of Public Comment

Introduction

BC Parks is part of the Ministry of Environment and is responsible for the designation, management and conservation of a system of provincial parks, ecological reserves, conservancies, protected areas and recreation areas located throughout the province. British Columbia's parks and protected areas contain nationally and internationally significant natural and cultural features and outdoor experiences.

BC Parks has three major ski resorts located within the provincial parks system in Cypress, Mount Seymour and E.C. Manning Provincial Parks. BC Parks began work in 2012 to draft a Ski Resort Policy to provide guidance on aspects of ski resort and ski resort permit management not addressed through other policies or legislation. A policy on ski resorts within BC's provincial park system is intended to help guide management of these areas as well as administration of the park use permit requirements.

BC Parks Ski Resort Policy was approved on October 30th, 2015 and can be found on the BC Parks website at <http://www.env.gov.bc.ca/bcparks/permits/consultation/ski-resort-policy.html>

Background to the review and comment process

BC Parks provided an Intentions Paper for public review and comment in the spring of 2014, describing the proposed policy direction for the Ski Resort Policy. The feedback received during this process was given consideration in the development of a draft policy. A summary of the comments received on the Intentions Paper is posted on the BC Parks website at: <http://www.env.gov.bc.ca/bcparks/permits/consultation/docs/draft-ski-hill-comments-summary.pdf>

BC Parks then posted the draft Ski Resort Policy on its website from March 6 until April 21, 2015. Comments were solicited from the public, with an option to submit comments via an online form. This document summarizes the responses received on the draft policy, and provides a response regarding how the comments were considered and/or addressed.

Summary of Comments Received:

There were three comments received from individuals as part of the review and comment process. The nature of these comments is summarized below:

- One comment was received from a member of the public expressing general support for continued operations at Mt. Seymour Resort.
- One letter was submitted by a member of the public (Mel Turner) identifying concerns with the policy and suggestions for improvements.
- One commenter provided verbal feedback over the phone, recommending that Manning Park Resort should not be included in the same policy as Cypress Mountain Resort or Mt. Seymour Resorts.

Comments were also received from the following non-profit groups and associations:

- Canadian Parks and Wilderness Society (CPAWS);
- Nordic Racers;
- British Columbia Wildlife Federation (BCWF);
- Federation of Mountain Clubs of British Columbia (FMCBC)*¹;
- Outdoor Recreation Council (ORC);
- Federation of BC Naturalists (BC Nature); and
- Friends of Cypress Provincial Park Society (FCPP).

Submissions from these non-profit groups and associations have been included as appendices to this document for reference. Comments addressing specific areas of the policy are listed below in table format for ease of reference.

Comments and Responses

Public Access

Stakeholder	Comments
FMCBC	<p>“The integrity of these parks and free public access to them must not be sacrificed to ski area commercial viability. The public’s desire for minimal access restrictions and minimal disturbance of its enjoyment of these parks’ natural environments should not be secondary to the operators’ need for reasonable profits.”</p> <p>“Although the draft refers to capacity and visitor management, which includes access to parks, it is unclear when capacity and visitor management are assessed and if any public consultation will occur before critical decisions are made which may impact paying public access to the parks....Roles and responsibilities for capacity and visitor management must therefore be clearly set out, including the interrelationship between Ski Resort and park management planning, the timing of capacity and visitor management assessments, and opportunities for public consultation.”</p>
FCPP	<p>“The draft fails to define “recreation” but implies that the only recreation of value in these parks is that provided by the ski resorts.....It should be remembered that the ski operations were originally established to provide downhill and Nordic skiing</p>

¹ Following completion of the review and comment period, 7 other emails were received stating that the sender agreed with the FMCBC’s concerns on the draft policy (proposed term length, adequate consultation opportunities, capacity and visitor management, protection of traditional recreation opportunities, and public access).

Stakeholder	Comments
	opportunities, not to take responsibility for all recreation opportunities taking place in these parks. Free public access and opportunities for non-commercial recreation, including winter recreation, must not be undermined in attempts to provide “certainty for continued operation and development of the Ski Resorts”.” “...the draft distorts, in our view, the meaning of the Park Act to justify maintaining the viability of the ski resorts as if they are necessary for the provision of all recreation in the park.”
BC Nature	“Suggest adding sentence at the end [of section 2.3]: However, where there are areas of sanctioned public use in the Provincial Park beyond the permit area that could be impeded by it, public access will be provided through the permit area.”
Mel Turner	“include the fundamental right of public access to and through the permit area”
BCWF	“Parking: Preferential treatment by operators for paying customers should not facilitate paying customers’ parking needs ahead of the general recreating public who come to use the non-contracted park use areas. Access to parking should be equal and non-discriminatory.”
CPAWS	“The Ski Resort Development Plan and the Management Plan should ensure that public access to popular trails (such as the Baden Powell Trail) is not inhibited by resort activity or jurisdiction during any season. This may include needing to change the liability risk determination of resort edge areas.”

Response

BC Parks has updated the draft policy to include wording that clarifies the scope of the policy and the mechanisms by which park and permit area access are managed. The policy addresses the management of permits for the three Ski Resorts, and is not intended to override or interfere with a park management plan that is approved for each park and which considers broad public recreational use. Visitor access and capacity of parks is managed through park management planning processes, and it is BC Parks standard policy that park management plan development or amendment processes involve public consultation. The policy does include public consultation requirements in the resort development planning processes for the Ski Resorts. Requirements for access through Permit Areas and to the park in general will be managed through these planning processes and will be considered in permit conditions.

Scope of Policy

Stakeholder	Comments
FMCBC	“While we appreciate that this policy addresses commercial use of limited areas of parks, it should reiterate the original purpose of parks- which was for non-motorized recreation and access to wild and natural areas of the park.”
BC Nature	“The title of the policy should include the qualifying words: “for Cypress, Seymour and Manning Provincial Parks”.” “Those three parks should also be named at the top of the first page under the “Relationship to Previous Policy”, where it states: <i>This policy replaces all previous policy regarding permits for Ski Resorts within BC Parks.</i> ”

Stakeholder	Comments
Mel Turner	"The title of the policy should include the qualifying words: "for Cypress, Seymour and Manning Provincial Parks". And the word 'Management' added to the title. Think policy should clarify that it may not reflect current permit conditions but will be used as guide for future permit conditions. (3.1)"

Response

We see the value in being specific on the scope of the policy, and have made changes to the draft policy specifying that it will apply to the three Ski Resorts in Cypress, Manning and Mount Seymour Parks. Both the title of the policy and the statement on its relationship to previous policy now reflect this. Clarification has been added into section 3.1, on the Policy Parameters and Application, that although the policy does not impact existing permit conditions, it will be used as a guide for setting future permit conditions.

The focus of the policy is on management of the permits authorizing the Ski Resorts, and on the activities that the Permittees can conduct as part of Ski Resort operations. The policy is not intended to address public use and recreation facilities outside the permit areas; these are addressed through park management planning and other policies.

First Nations

Stakeholder	Comments
Mel Turner	"I would suggest that a clear statement is required on what Parks will be doing to meet its First Nations' responsibilities in the instance of these three parks. I would also suggest revisiting the word "encouraged" to describe the requirements of the permittees to work with First Nations. I am unclear of the purpose of Section 2.3 and look forward to understanding its inclusion in the policy."

Response

BC Parks encourages all park use permit holders to build and maintain relationships with First Nations whose traditional territory overlaps their permit area. This section of the policy recognizes that working with First Nations is an important part of park management, and that it is the responsibility of BC Parks to ensure consultation with First Nations is completed according to provincial policy. Provincial policy evolves as the Province's relationship with First Nations develops, and BC Parks will follow current provincial direction in meeting consultation obligations.

Background and Introduction

Stakeholder	Comments
Mel Turner	"I would suggest that the Introduction reflect the Introductions of the <i>Boundary Adjustment</i> policy and the <i>Impact Assessment</i> policy by highlighting the purpose of parks (...dedicated to the preservation...use of the public), basically taking the wording in 2.1 and putting it up front so the policy recognizes that it is derived from

Stakeholder	Comments
	<p>the <i>Park Act</i>.”</p> <p>“I would also suggest that the catalyst for the policy, Recommendation 38 from Williams, be explained and recognition be given to obligations of BC Parks in the Cypress permit as it relates to policy development. The policy should also note that the policy may differ from rights and obligations in the existing permits but state clearly that this is the current policy that will reflect future permit conditions.”</p>
F CPP	<p>“The reference in the Williams Report to the development of a policy for ski operations within a park and considering direction from policy for ski resorts on Crown Land [Recommendation #38] is mentioned as fulfilling one of the commitments in the Report. No other recommendations are mentioned, although several are relevant to the draft Ski Resort Policy.”</p> <p>“BC Parks Legacy Project: One of the main recommendations in the Legacy Panel’s Final Report (Feb 1999) was: “Ecological integrity in B.C. parks is paramount, and recreation should be managed within this context.” [MELP News Release, 23 Feb 1999] This was the result of “extensive public consultation” and should be recognized in the new Ski Resort Policy.”</p>

Response

We have updated the policy to clarify that this document will be used as a guide for future permit conditions, and that it does not necessarily reflect current permit conditions. The content in the Introduction and the section on Context were modified to lead with a description of the parks, and their designation and purpose. The specific sections of the Williams Report were mentioned to provide greater ease of reference between the Williams Report and the policy.

This policy is not intended to cover all aspects of park management, and other BC Parks policies, such as BC Parks Conservation Policies address how conservation will be managed across the parks system.

Assessments and Environmental Considerations

Stakeholder	Comments
CPAWS	<p>“The Ski Resort Development Plan and the Management Plan should be based on maintaining the conservation and ecological values of the park as opposed to the more generic “environmental” values, and that consideration of new activities should be based on potential impacts to these values.”</p> <p>“The ski Resort Development Plan and the Management Plan should clearly outline the environmental remediation requirements for ski areas particularly for after the ski season. The requirements should include removing garbage, ski lift debris, etc. between seasons, and ensure the areas are safe and suitable for wildlife use.”</p> <p>“Any new proposals by the Ski Resorts, not covered within the existing approved Park Management Plan, or inconsistent with the existing Park Management Plan should</p>

Stakeholder	Comments
	require the completion of an Impact Assessment and an updated Park Management Plan with full public involvement prior to a decision being made on the proposal.”
BC Nature	<p>“ecosystem integrity must be respected and if there are impacts, they must be minimized or mitigated to BC Parks satisfaction.”</p> <p>“changes which extend the season to summer use and which would therefore have different impacts on the natural habitat and wildlife than the winter use, should be treated as Category 3 for review.”</p> <p>“Be specific on assessments required for SRDP- Includes species at risk, ungulate migration corridors, bird surveys conducted during potential nesting seasons, reptile and amphibian surveys, vegetation surveys, rare/sensitive vegetation communities, visual quality impact simulation and any other analysis or surveys that BC Parks deems necessary.”</p> <p>“Under 2. Site Analysis</p> <p>Slope analysis; elevation analysis; aspect analysis; climatological analysis; existing use; opportunities and constraints; etc.</p> <p>Include study to determine any likely climate change impacts and possible future winter operation constraints to ensure that sound investments are made in any alpine or nordic ski terrain expansions.”</p> <p>“BC Nature recommends that this example [<i>a summer activity that requires temporary installations within the developed Permit Area</i>] be placed under Category 3. That is, where the change of season of use is from winter to summer, there could be significant ecological impacts on the vegetation and wildlife of the ski slope”</p>
Mel Turner	“Consideration for defining Assessment should be given so that it is clear that all plans and developments will be subject to the BC Parks' Assessment policy.”
BCWF	“Mechanized recreation is of concern to all wildlife species and, in our view, should only be allowed after thorough research into the potential impacts.”
FCPP	<p>“The draft does not provide sufficient protection for the parks’ natural environments and overall ecological integrity and does not provide adequate protection for non-commercial ‘traditional’ recreation or free public access to the parks.”</p> <p>“Instead, the draft distorts, in our view, the meaning of the Park Act to justify maintaining the viability of the ski resorts as if they are necessary for the provision of all recreation in the park.”</p>

Response

BC Parks’ intent is to have the policy require assessments to be done prior to decisions being made on a proposal, where such assessments are deemed necessary by BC Parks to identify potential impacts. Assessments to provide information on potential impacts may be required whether the proposal is for a new Ski Resort Development Plan (SRDP), implementing an item in that plan, or for any new activity or improvement outside that plan. The assessments that will be required will differ depending on the scope and nature of the proposal, but it is intended that all assessments that Permittees are required to prepare will meet the intent of BC Parks Impact Assessment Policy.

Consideration of impacts, and possible mitigation, will be a key factor in decision making on potential amendments to the Ski Resort Permits.

Opposition or Reluctance to a 60 year term

Stakeholder	Comments
Mel Turner	"4.2 Request explanation why 60 year term length was kept in 4.2 the current permit is 50 years, the Parks Canada length for ski permits is 42 years, public consultation on the first draft suggested that it be shorter than 50 and the proposal is 60 years. Some explanation would be helpful"
BCWF	<p>"The BC Wildlife Federation is opposed to extending the leases from 50 years to 60 year term. Currently the 3 resort permits do not allow the resort operators to apply for a renewal until at least the 40th year off the permit term</p> <p>This begs the question, why now why the rush? Is it because the resort operator can foresee a time when they will not be able to operate as Ski Resorts due to climate change and wish for an extended signed permit that will enable them to expand into other tourist roles such as trails that exist or could be built or even expanded Helicopter viewing or hiking?"</p> <p>"Lease term extensions: This business requirement works counter to possible future wildlife management policy changes. Clearly, it's in the draft because it's a business priority. We take the position the existing 40 year term better protects non-commercial, natural park values"</p>
FMCBC	"Such long-term leases will make it difficult for BC Parks to respond to changes to maintain or enhance the integrity of the parks and the needs of the public. In Canadian national parks the renewable lease period is 42 years, so it is difficult to understand why the lease term in a provincial park should be almost 50% more than in a national park."
FCPP	"BC Parks offers no justification for this other than "to be consistent with the term granted for All Season Ski Resorts on other areas of Crown land." We consider this term to be far longer than is needed to finance capital expenditures for a ski area, and question the rationale for allowing the same term length for ski resorts in parks as on ordinary Crown land...In contrast, the Parks Canada policy offers a 42 year lease renewal, which can occur at any time. This could therefore occur ahead of a major capital expenditure, so would give the necessary certainty that the ski areas would need for a major upgrade. This renewal would be conditional on the approval of a "Long-Range Plan.""

Response

BC Parks' intent in developing the policy was to examine existing policy for alpine resorts within British Columbia, and where reasonable adopt similar standards. Recommendation #38 from the Williams Commission Report was that BC Parks review the Commercial Alpine Skiing Area Policy (now the [All Seasons Resort Policy](#)) in consultation with the Canada West Ski Areas Association. This recommendation was followed, and BC Parks does not feel that there is a compelling reason to differ on term length requirements for major Ski Resorts within parks. The permits for all three Ski Resorts contain clauses allowing for development to follow approved SRDPs, and the policy

specifies public consultation to be part of SRDP development. Clauses are included in all permits to provide options for the Province to cancel or take other action against a Permittee should the permit conditions be breached. The option for a mid-term renewal provides both Permittees and BC Parks with an option to revisit the permit and update any development plans.

Public consultation on SRDPs and other proposals

Stakeholder	Comments
Mel Turner	"public and FN should be included in consultation processes"
BCWF	"All new approved development and activities should be within the current lease area and additional public input should be involved if there is a request for this to change."
FMCBC	"The draft provides for some considerable changes to existing ski resort plans relating to public use and park access, and to possible long term impacts on natural and cultural aspects of the park....it is not clear when the public will be consulted as to these changes. It is essential that the public has <i>adequate opportunities for consultation</i> during the planning stages, not after the plans are approved as a "fait accompli"."
FCCP	<p>"It does not provide adequate opportunity for public review and comment on Ski Resort Development Plans [SRDP]. 5.1.4 Ski Resort Development Plan Approval Process mentions "consultation with the general public" as part of the process. But 5.1.1 states that the SRDP "will be made public by the Ski Resort operator upon approval." The stage at which public consultation will take place is unclear."</p> <p>"Category 2 proposals mention having 'limited impact or modification to existing public use or access of the Permit Area' and not having 'significant adverse impacts on park natural, recreational or cultural values as determined through required assessments' But no opportunity is provided for public review of the impacts. We believe the public should be given the opportunity to comment on these "limited" impacts or modifications to existing public use, access and park values."</p> <p>"In 6.3 Category 3 proposals, it is stated that there may be "substantial and long lasting impact or modification to existing public use or access of the Permit Area" and "significant impacts on park natural or cultural features." We believe that the draft policy should be re-worded to state: "The review process MUST (not "may") require public consultation.""</p>
Nordic Racers	"It is encouraging that the Policy recommends a public consultation process in the development of the SRDP's and any proposals for new activities or improvements. However, the requirement for Public input should be more clearly stated. There appears to be too much discretion on the part of Parks to decide whether or not to have a public consultation process even on a category 3 change in section 6 (see pg 10). A category 3 amendment should require a public consultation! The current wording only says it "may" be required."
BC Nature	<p>"...proposed significant changes (Category 3 as described in Section 6) will require public review and discussion"</p> <p>"Suggest the wording be changed to: "The review process will require public consultation...". This wording change is recommended as the scale of changes that would be considered under Category 3 are so significant that in our view public</p>

Stakeholder	Comments
	<p>consultation should be required. The existing verb “may” indicates the other extreme, namely that in most cases public consultation would not be required.</p> <p>It is also recommend that Category 3 approvals be made by a BC Parks Manager at least one level higher than the Regional Director because of the potential impacts on the park they are located in.”</p> <p>“[Under] Permit review and amendment, Add a sentence that: “Any changes proposed by the Permittee must be reviewed in terms of their fit with the natural features and attractions of the park and with public recreation access through the permit area. BC Parks will undertake public notice and comment for proposed changes to the permit (other than financial considerations or minor adjustments to length of season or footprint).””</p>
CPAWS	<p>“Any new proposals by the Ski Resorts, not covered within the existing approved Park Management Plan, or inconsistent with the existing Park Management Plan should require the completion of an Impact Assessment and an updated Park Management Plan with full public involvement prior to a decision being made on the proposal.”</p>

Response

It was the intent of the policy to clearly set out that public consultation would be a required part of the development of a SRDP. This consultation would be required prior to a plan being finalized and submitted to BC Parks for a decision. The policy has been updated to clarify the timing for this process and that it will occur during development of the SRDP. BC Parks also feels that it is important for approved SRDPs to be readily accessible for the public to view, and will keep the existing language requiring approved SRDPs to be posted on the Permittee’s website.

The Province’s obligations to consult with First Nations are not impacted by this policy, and consultation with First Nations whose traditional territory overlaps the Permit Areas for the Ski Resorts will be undertaken according to current provincial policy and procedures and any agreements the Province has in place with a First Nation.

Any changes to Ski Resort operations that would require major new developments, changes to the permit area, or any change that is not addressed in an existing SRDP and on which the public has not been consulted, will generally require public consultation. This process would follow the standards for public consultation required of all SRDPs. The process for review of Category 3 proposals has been updated to clarify that public consultation will normally be a part of the review and assessment process for these proposals. Amendments to a permit regarding changes in operations, other than minor amendments, would be tied to either a Category 3 proposal or changes to an SRDP and would therefore by default involve public comment.

Category 2 proposals will be assessed based on the potential impacts of the activity, which will vary depending on the location and type of activity being proposed. If greater impacts are identified the category would be escalated to a Category 3, and process requirements, including public consultation, would apply for that category.

BC Parks Regional Directors have been designated to act on behalf of the minister for issuing permits under the *Park Act*, and have the training and expertise to act as statutory decision makers for all park use permits within the Province. Consideration of impacts from a proposed activity is part of every statutory decision that is made.

Limits to Development

Stakeholder	Comments
BCWF	<p>"All new approved development and activities should be within the current lease area and additional public input should be involved if there is a request for this to change."</p> <p>"Enhanced business certainty: Yes certainly, but not by sacrificing the natural values of our three parks. (Avoid another Banff with its wide-ranging, world renown conflicts.)"</p> <p>"“Permits outside of the Permit Area” p13, 6.4: Suspensions arise here. The plan becomes open-ended and suspect with this statement near the end. More limitations are required to maintain public trust. Please supply examples and conditions?"</p>
FCPP	<p>"Establishing parameters for maintaining ski resort viability: We recognize the value of the winter recreation opportunities that the resorts provide and the need to maintain the resorts' viability, but within limits. Ski resort viability must be guided by BC Parks' fundamental responsibility to protect the parks' natural environments, public access and non-commercial recreation opportunities. Unfortunately, the draft policy does not provide clear limits or parameters for maintaining ski resort viability within Class A parks. Instead, it appears to interpret the Park Act as providing justification for ensuring certainty for ski resort viability."</p> <p>"It [the policy] does not establish park-based parameters within which the ski resorts can operate and can present proposals for facility improvements and new activities."</p>
CPAWS	<p>"An expansion of the Permit Area within the provincial parks should not be considered."</p> <p>"The Park Management Plan should establish acceptable recreational activities which may be authorized within the park and Permit Areas and address visitor capacity and associated impacts."</p>

Response

The policy proposes to embed public consultation processes as part of any major change to Ski Resort operations. Decisions on whether a proposed change will be allowed will consider any applicable public consultation, results of First Nations consultation, and potential impacts and proposed mitigation.

All-season Use

Stakeholder	Comments
BC Nature	“changes which extend the season to summer use and which would therefore have different impacts on the natural habitat and wildlife than the winter use, should be treated as Category 3 for review.”
FCPP	<p>“Unfortunately, the draft policy does not provide clear limits or parameters for maintaining ski resort viability within Class A parks. Instead, it appears to interpret the Park Act as providing justification for ensuring certainty for ski resort viability.”</p> <p>“It should be remembered that the ski operations were originally established to provide downhill and Nordic skiing opportunities, not to take responsibility for all recreation opportunities taking place in these parks.”</p>
CPAWS	<p>“In 1984, when the three ski areas were initially sold, the intention was to continue to provide winter recreational opportunities for the public. However, the BC Parks Ski Resort Policy Intentions Paper states “Creating a Ski Resort Development Plan will provide an opportunity for resort operators to identify appropriate activities for year-round use within the resort area“. (BC Parks Ski Resort Policy, 2015 Draft, p.3)”</p> <p>“Guidelines and requirements for acceptable seasonal expansion of commercial activities within the Permit Areas should be included as part of the Park Management Plan.”</p>
BCWF	“We do not want any activities that might negatively impact the park values to make up for the loss of snow skiing.”

Response

Any proposal for a new activity being undertaken by a Ski Resort would be considered under the process set out in the policy. This means that the level of review required will be determined based on the nature of the proposal. Either it would be already included in an approved SRDP (which involves assessments and public consultation), or it would be assessed as a Category 2 or 3 proposal. Activities outside of the ski season that would have unknown or potentially major impacts (e.g. mountain biking in new areas) would fall into Category 3. Activities that would use existing facilities and that are not expected to have any major impacts (e.g. use of facilities for summer camps), and that are not included under an approved SRDP, would be assessed under Category 2.

Since the ski hill permits were originally drafted in 1984, the provincial policy for Ski Resorts (originally the Commercial Alpine Ski Area Policy) has also changed and updated to become the All Seasons Resort Policy. The policy sets guidance on how all season activities could be proposed and assessed to allow resorts to respond to public recreation interests such as mountain biking, guided hiking, and other all season recreation opportunities typically offered at a Ski Resort. The Manning Park Resort permit has always allowed for all season activities.

Accommodation Clarification

Stakeholder	Comments
Mel Turner	"I also see that accommodation has been included as part of the Ski Resort definition. Where does this inclusion come from as accommodation associated with ski areas has not before been a policy, permit or park management plan objective and was specifically excluded when the facilities were divested in 1983."
Nordic Racers	"It is hard to take the generic wording and imagine what each of the 3 ski hill permittees might apply for to improve their operations as each mountain has its own set of challenges. For example there are several references to providing accommodation on the ski hills..... The accommodation issue should be given more thought and consultation."

Response

The definition of a Ski Resort included in the draft policy mentioned accommodation as an example of a service or amenity that a Ski Resort could provide. Accommodation is also listed as an example of a Resort Improvement. Although accommodation services are not offered at Cypress Mountain Resort or at Mt. Seymour Resorts, Manning Park Resort has always had accommodation as part of its overall (and all season) resort operation. Accommodation is therefore listed as an example of the type of service that a Ski Resort could provide.

Park Management Plans

Stakeholder	Comments
Mel Turner	"In 5.3 Not sure why there is a statement of a park management plan existing, at least for Cypress and EC Manning"
Nordic Racers	"The draft Policy does not specifically recommend a proactive BC Parks management regime as it appears to imply that potential developments or activity changes should only be proposed by the permittees. Without a strategic plan developed by BC Parks in concert with users and local Municipalities & First Nations and Permittees for each Park, the full potential of each area for all citizens may not be realized."
CPAWS	<p>"A current (within the last 10 years) and approved Park Management Plan, with full public involvement, should be required prior to beginning work on a Ski Resort Development Plan. The Park Management Plan should establish acceptable recreational activities which may be authorized within the park and Permit Areas and address visitor capacity and associated impacts."</p> <p>"Any new proposals by the Ski Resorts, not covered within the existing approved Park Management Plan, or inconsistent with the existing Park Management Plan should require the completion of an Impact Assessment and an updated Park Management Plan with full public involvement prior to a decision being made on the proposal."</p>
BC Nature	"This causes concern because the Cypress Master Plan is dated June, 1997, the E. C. Manning Plan is dated November, 2004, while the Mount Seymour Management Plan on the BC Parks website informs "Online Management planning information for this park is not available at this time." In light of the management plans

	informing policy direction for these parks, we strongly encourage BC Parks to make creating and updating these management plans a top planning priority before any major management decisions are contemplated.”
FMCBC	“Roles and responsibilities for capacity and visitor management must therefore be clearly set out, including the interrelationship between Ski Resort and park management planning, the timing of capacity and visitor management assessments, and opportunities for public consultation.”

Response

BC Parks has Management Planning policy in place that guides the development and use of park management plans. The Ski Resort Policy does not intend to override or compete with the direction that is set out in park management plans, or in park management planning policy. These policy documents, which are developed with public consultation, are where public use, recreation, and conservation goals for parks are set out, including zoning. Review of existing park management direction will be conducted as part of the review and decision process for new proposals, including changes to an SRDP.

Implementation of SRDP

Stakeholder	Comments
Nordic Racers	<ul style="list-style-type: none"> “A major missing piece in the proposed Policy is a statement outlining the consequences to the permittees of not following through on an approved SRDP, new activity or improvement. In our opinion, the lack of consequences has hampered the full realization of Park Management Plans approved back in the nineties. (Example: the facility upgrades of the Nordic facilities at Cypress were promised in the 1997 Plan but have not materialized. The recent agreement to renew the old lodge with financial input from BC Parks Olympic legacy and West Vancouver funds only partially addresses the facility upgrades promised almost 20 years ago!). As with any use of public land there should be regular reviews of the plan to determine if time lines have been met. Penalties might include permit cancelation or a financial penalty for not meeting timelines agreed upon in the Plan. The current and proposed policies do not mention that there should be time lines specific to each operation in these Management Plans or SRDP's. While it is encouraging that the policy calls for a review every 5 years, interim time lines in the order of 5 years or less should be incorporated in the renewed permits especially as the policy proposes a lease duration of 60 years with a renewal at 30 years. “

Response

The policy commits the Province and the Permittees to meet at 5 year intervals to review the SRDP. The developments proposed within an approved SRDP are the responsibility of the Permittee, and the full implementation of these plans is influenced by factors such as market forces and capital resources. The approval to undertake development and operation in an SRDP does not include the

requirement for those actions to be fulfilled. Operation of existing facilities in a safe, clean and sanitary condition is required regardless of the content of an approved SRDP.

Rent to Province

Stakeholder	Comments
BCWF	"Revenue generation from parks: If profits are seen to go to managing and developing our parks system, visitors and all supporters would be more willing to spend more and visit more. Ownership would be stimulated."
CPAWS	<p>"The three Ski Resorts are surrounded by the protected lands within provincial parks. The statements "To ensure the fee for use of land within the park is fair and considers fees for other Crown land based commercial ski operations within BC" and "BC Parks commits to reviewing the Rent required under each Permit, and that all reviews of Rent to be paid to the Province will consider current policy and rates for All Seasons Resorts" (BC Parks Ski Resort Policy, 2015 Draft, p.7) undermines the commercial value which should exist for exclusive rights to operate with a provincial park."</p> <p>"The fee for use of land within the park should also consider comparative fees for other commercial ski operations within provincial or national parks in other jurisdictions."</p> <p>"Higher permit fees and environmental standards should be required for the exclusive right to operate in a provincial park."</p>

Response

BC Parks supports having a fair return to Crown for use of public land across the province. We also recognize that the park land base is more constrained in terms of what types of development may be allowed, and that these constraints affect the market value of these opportunities. Fees for park use permits have been approved by the provincial government and contribute to the Province's general revenues and support government programs set through an annual budget. Since the permits were originally issued in 1984, conditions in each permit document requiring the Province to review the fees being charged have not been met.

Public communication

Stakeholder	Comments
BC Nature	"we suggest indicating the Park Use Permit (PUP) area on the map of the park (both the website version and any printed material) as well as on-site map signage would make it clear to the public what area of the park the permittee has rights granted on. The long term rights conferred by a PUP for a Ski Resort should be visible to the public, which should help to alleviate confusion over where the Ski Resort operation boundaries are and also serve to prevent friction between the public and the Ski Resort operator."

Response

We see the value in having more open information on Ski Resort operations. The policy requires that the SRDP, which would include details on proposed operations as well as locations of developments and other information, be made publicly available by the Permittees. Requiring maps and other visual aids to increase understanding of on-the-ground operations and permit rights would be beneficial as well.

Request for a Stakeholder Meeting and other Process Concerns

Stakeholder	Comments
FMCBC	"We look forward to meeting with all the stakeholders soon to discuss the draft BC Parks Ski Resort Policy to consider ways to protect the natural environments and appropriate public use and access within the parks while providing reasonable certainty for the ski resort operators."
FCPP	"I am writing on behalf of Friends of Cypress Provincial Park Society (FCPP) to express our very serious concerns about BC Parks' draft Ski Resort Policy for existing ski operations within Cypress, Mt. Seymour and E.C. Manning provincial parks, and to request that a meeting be held with BC Parks and park stakeholders to discuss the draft policy before any decision is made to approve it."
ORC	"We are extremely concerned at your comment that you are not considering a public stakeholder meeting for the review of the draft policy..... It has become obvious to me from attending many meetings in past years concerned with environmental assessments, among other matters, that there is invariably much to be gained from having meetings attended by a variety of stakeholders.In the case of the Policy there are clearly matters related to the Park Act and the PUPs [Park Use Permits] which may not be understood by the stakeholder groups and some aspects may not even be known to them."
Mel Turner	<p>"I believe that BC Parks should go beyond - you may have already done so - asking for comments on this draft and devote sufficient time, as has been done with the permittees, to directly engage those who wish to participate by holding a workshop on the draft policy so it can be fully explained and discussed."</p> <p>"BC Parks should have a comment and rationale for all the issues raised by the public consultation so that those who have invested their time on the reasons why their views have been accepted or not and noting incorrect information."</p>

Response

Following the conclusion of the public comment period, BC Parks arranged a meeting with interested stakeholder groups to allow for a full hearing and discussion of their comments on the draft policy. This document is intended to detail the comments received through the public comment period and provides BC Parks' response to any comments, including a rationale as to why the draft policy was or was not updated based on feedback received.

Appendix A

Canadian Parks and Wilderness Society Comments

Comments: CPAWS BC Comments and Recommendations on BC Parks Draft Ski Resort Policy

1. Ski Resort Development Plan

â Ć A current (within the last 10 years) and approved Park Management Plan, with full public involvement, should be required prior to beginning work on a Ski Resort Development Plan. The Park Management Plan should establish acceptable recreational activities which may be authorized within the park and Permit Areas and address visitor capacity and associated impacts.

â Ć Any new proposals by the Ski Resorts, not covered within the existing approved Park Management Plan, or inconsistent with the existing Park Management Plan should require the completion of an Impact Assessment and an updated Park Management Plan with full public involvement prior to a decision being made on the proposal.

2. Scope Creep

â Ć In 1984, when the three ski areas were initially sold, the intention was to continue to provide winter recreational opportunities for the public. However, the BC Parks Ski Resort Policy Intentions Paper states â Creating a Ski Resort Development Plan will provide an opportunity for resort operators to identify appropriate activities for year-round use within the resort areaâ . (BC Parks Ski Resort Policy, 2015 Draft, p.3)

â Ć Guidelines and requirements for acceptable seasonal expansion of commercial activities within the Permit Areas should be included as part of the Park Management Plan.

3. All Season Resort Policy (Ministry of Forests, Lands and Natural Resource Operations)

â Ć The three Ski Resorts are surrounded by the protected lands within provincial parks. The statements â To ensure the fee for use of land within the park is fair and considers fees for other Crown land based commercial ski operations within BCâ 1 and â BC Parks commits to reviewing the Rent required under each Permit, and that all reviews of Rent to be paid to the Province will consider current policy and rates for All Seasons Resortsâ (BC Parks Ski Resort Policy, 2015 Draft, p.7) undermines the commercial value which should exist for exclusive rights to operate with a provincial park.

â Ć The fee for use of land within the park should also consider comparative fees for other commercial ski operations within provincial or national parks in other jurisdictions.

â Ć Higher permit fees and environmental standards should be required for the exclusive right to operate in a provincial park.

4. Climate Change

â Ć With winters such as we have just experienced, it may become increasingly difficult for the existing Ski Resorts (especially those on the North Shore Mountains), to run economically viable operations. If this trend of decreasing snowpacks continues, the Ski Resorts will be looking for increased opportunities to stay solvent.

â Ć It is recommended that the implications of climate change (including economic viability) be addressed within the Park Management Plan and included in the Permit. Any new proposed economic opportunities should be subject to the Impact Assessment Process and be included as part of the park management planning process with full public involvement. An expansion of the Permit Area within the provincial parks should not be considered.

5. Values

â Ć The Ski Resort Development Plan and the Management Plan should be based on maintaining the conservation and ecological values of the park as opposed to the more generic â environmentalâ values, and that consideration of new activities should be based on potential impacts to these values.

6. Access

â Ć The ski Resort Development Plan and the Management Plan should ensure that public access to popular trails (such as the Baden Powell Trail) is not inhibited by resort activity or jurisdiction during any season. This may include needing to change the liability risk determination of resort edge areas.

6. Additional

â Ć The ski Resort Development Plan and the Management Plan should clearly outline the environmental remediation requirements for ski areas particularly for after the ski season. The requirements should include removing garbage, ski lift debris, etc. between seasons, and ensure the areas are safe and suitable for wildlife use.

Appendix B

Nordic Racers Comments

Comments: These comments are from the Nordic Racers, a ski club that uses both Cypress & Manning Park Nordic trails. We do most of our club activities at Cypress Park throughout the winter on evenings and during the weekends. Individual members use the trails and facilities from opening to closing on most days (with snow, of course!)

A general comment:

The proposed Policy is short on examples to explain what the application of the new amended policy would look like on the ground so it is hard to know if the policy is headed in the right direction.

Some specific Comments:

1) It is encouraging that the Policy recommends a public consultation process in the development of the SRDP's and any proposals for new activities or improvements. However, the requirement for Public input should be more clearly stated. There appears to be too much discretion on the part of Parks to decide whether or not to have a public consultation process even on a category 3 change in section 6 (see pg 10). A category 3 amendment should require a public consultation! The current wording only says it "may" be required.

2) A major missing piece in the proposed Policy is a statement outlining the consequences to the permittees of not following through on an approved SRDP, new activity or improvement. In our opinion, the lack of consequences has hampered the full realization of Park Management Plans approved back in the nineties. (Example: the facility upgrades of the Nordic facilities at Cypress were promised in the 1997 Plan but have not materialized. The recent agreement to renew the old lodge with financial input from BC Parks Olympic legacy and West Vancouver funds only partially addresses the facility upgrades promised almost 20 years ago!). As with any use of public land there should be regular reviews of the plan to determine if time lines have been met. Penalties might include permit cancelation or a financial penalty for not meeting timelines agreed upon in the Plan. The current and proposed policies do not mention that there should be time lines specific to each operation in the Management Plans or SRDP's. While it is encouraging that the policy calls for a review every 5 years, interim time lines in the order of 5 years or less should be incorporated in the renewed permits especially as the policy proposes a lease duration of 60 years with a renewal at 30 years.

3) It is hard to take the generic wording and imagine what each of the 3 ski hill permittees might apply for to improve their operations as each mountain has its own set of challenges. For example there are several references to providing accommodation on the ski hills. This would be a major change to the current policy yet it is not given a separate section in the Policy. It does not give us confidence that the obvious benefit to the operator would result in significant benefits to the general public, especially at Seymour or Cypress. We believe the Policy should be much more prescriptive of the kinds of accommodation BC Parks would contemplate approving. The accommodation issue should be given more thought and consultation.

4) The draft Policy does not specifically recommend a proactive BC Parks management regime as it appears to imply that potential developments or activity changes should only be proposed by the permittees. Without a strategic plan developed by BC Parks in concert with users and local

Municipalities & First Nations and Permittees for each Park, the full potential of each area for all citizens may not be realized.

Thank you for considering our input

Appendix C

BC Wildlife Federation Comments

BC Wildlife Federation Position on BC Parks Ski Resort Policy

The BC Wildlife Federation is opposed to extending the leases from 50 years to 60 year term. **Currently the 3 resort permits do not allow the resort operators to apply for a renewal until at least the 40th year off the permit term**

This begs the question, why now why the rush? Is it because the resort operator can foresee a time when they will not be able to operate as Ski Resorts due to climate change and wish for an extended signed permit that will enable them to expand into other tourist roles such as trails that exist or could be built or even expanded Helicopter viewing or hiking?

While I understand that Cypress and Mt Seymour have a large commercial public role in their proximity to the large urban areas, why would parks include Manning park in the mix? All these parks are protected under the Park Act.

I spent 2 years 1997-1999 touring this province as a panellist on the BC Parks Legacy Panel. One of the largest public input exercises held in BC. Our role was to ask the people of British Columbia what they wanted to bring their Parks system into the 21st century?

In every region of this province we held 145 public meetings, workshops and open houses. During those two years we certainly got the message.. that was included in the final report delivered to the Minister of Environment in 1999.

What we heard from the public

“Governments, as stewards of protected places on behalf of the people of the province must be responsible for protecting and managing These Areas”

“Give conservation a priority over recreation”

“Parks are a public asset that must never be privatized or commercialized”

While I understand that perhaps in the areas under consideration, the greater use is commercial with ski resorts. This might change if we have a time when there is no snow to support these activities . We do not want any activities that might negatively impact the park values .to make up for the loss of snow skiing.

All new approved development and activities should be within the current lease area and additional public input should be involved if there is a request for this to change.

In future the BC Wildlife Federation should be informed of any proposed changes within our Provincial Park System. The 40,000 member BC Wildlife Federation has a history of Park Protection that goes back over 50 years..

Appendix D

BC Wildlife Federation Region 2 Comments

—Operators liability insurance: Absolutely, full support! Any private resort policy located on public land must include this requirement. I don't understand how this essential requirement was neglected previously?

—Enhanced business certainty: Yes certainly, but not by sacrificing the natural values of our three parks. (Avoid another Banff with its wide-ranging, world renown conflicts.)

—As in our discussion, Manning values differs somewhat from Seymour and Cypress. These differences should be accounted for in the plan.

—Proposed commercially operated mountain bike trails expansion within the exiting permitted area is acceptable, after studies examine the impacts upon wildlife, especially in spring. For example, when bear feed on new spring grass and herbs, especially on ski runs. As Allen mentions, our Cascade grizzly have special needs that must not be negatively impacted by expanded commercial operations. This will necessitate the input of grizzly expert. This is one area where Manning differs & has special needs.

—Lease term extensions: This business requirement works counter to possible future wildlife management policy changes. Clearly, it's in the draft because it's a business priority. We take the position the existing 40 year term better protects non-commercial, natural park values

—Parking: Preferential treatment by operators for paying customers should not facilitate paying customers' parking needs ahead of the general recreating public who come to use the non-contracted park use areas. Access to parking should be equal and non-discriminatory.

—Conflicts between various recreational user groups should be avoided. For example, naturalists on a nature hike will find mechanized recreationists unwelcome. Again, equestrians on a designated horse trail become exposed to wrecks and serious injury on trails shared by mechanized users. Our BC Parks hold varying values for each group. It's important for Parks to balance needs & to respect values of all groups. Commercialized mountain bike trails are needed near our urban population in the front country areas, following a comprehensive wildlife study.

—Bear-Human conflicts: BCWF endorses the temporary closure to recreationists in areas of kills where bears feed. In the past such closures have been vigorously opposed by some groups. On this measure Parks has our support. This includes temporary closures within Ski Resort permitted areas.

—Revenue generation from parks: If profits are seen to go to managing and developing our parks system, visitors and all supporters would be more willing to spend more and visit more. Ownership would be stimulated.

—Ski Resort employees. A policy statement should include preference for hiring resident workers, foreign temporary workers excluded. Our youth need job opportunities.

—Climate change: A lack of snow to accommodate needs of ski operations will lead to expansion of other commercial permitted uses all 4 seasons. Protecting & conserving the natural values of our parks is our top priority.

—Banff National Park, an example: The lobby for economic growth in Banff is well known for it's negative results on the park's wilderness values. We should limit Banff-like expansionist development policies in our provincial parks, regardless of the strong lobbying by commercial business interests.

—Crown Policy - Park Policy: The two are not the same. Park land values are higher than Crown land values. To equate the two as similar or equal, and bring them under similar management policies, is to downgrade our parks. Ski Resort Policy for the two different land bases should reflect the two differing sets of values.

—Dogs: What's the dog policy? Problematic dog owners are a rising problem.

—“Permits outside of the Permit Area” p13, 6.4: Suspensions arise here. The plan becomes open-ended and suspect with this statement near the end. More limitations are required to maintain public trust. Please supply examples and conditions?—Finally a reminder by former 1999 Parks Legacy Panel member Ed Mankelow on the Panel's results: 1. “Government as steward of protected places on behalf the people of the province, responsible for protecting and managing these areas.” 2. “Give conservation a priority over recreation.” 3. “Parks are a public asset that must never be privatized or commercialized.”

- All season recreational activities (whether within the ski operation boundaries or not) are likely to have some negative impact on the local wildlife populations.

- Grizzly Bears are of special concern, due to their "threatened" status in south west BC.

- Of the three parks under discussion in the DRAFT POLICY, Manning Park seems the most likely to have Grizzly Bear's.

- It is important that Provincial Biologists - with knowledge of the area - be consulted about the potential impacts which all season recreational activities could have on all wildlife species in these parks. Manning Park Grizzly Bears would be a priority in our minds.

- Ski resort operators and other users of the parks may also have information about the level of Grizzly Bear use. We would encourage BC Parks to gather this information prior to making further decisions on all season use.

- A wildlife monitoring plan - if not already in place - would be an excellent addition to management plans for ski operations.

- Emerging female Grizzly Bears with cubs require the best possible spring forage to ensure the survival of their cubs. If Grizzly Bears are known to use any of the ski areas for spring forage we would suggest that a seasonal closure of recreational activities be considered to ensure that these bears are not forced off their favoured feeding areas.

- Mechanized recreation is of concern to all wildlife species and, in our view, should only be allowed after thorough research into the potential impacts.

We realize that some of these points may "cross" over into specific issues which are best handled through a management plan rather than the POLICY under discussion. If that is the case, we trust that BC Parks will do their best to incorporate our comments in the most appropriate way possible.

Appendix E

Federation of Mountain Clubs of BC Comments

Thank you for this opportunity to comment on the draft Ski Resort Policy. Our members are concerned that as currently drafted, this policy will not help resolve disputes between the public and the ski resort operators in Cypress and Mount Seymour Provincial Parks.

As you know from our previous discussions and correspondence related to BC Parks' Ski Resort Policy Intentions Paper and the North Shore Ski Resorts operational problems, the FMCBC is well aware of the importance of maintaining the viability of ski operations in these parks. The winter operation of these ski resorts results in a driveable access to the high country for backcountry recreation users, as well as enhancing recreational opportunities in certain areas of the parks for those who require a more developed environment, i.e., Controlled Recreation Areas. That being said, the two fundamental responsibilities of BC Parks in a Class A Park are to protect the park's natural environments and to facilitate public access for non-commercial, non-motorized recreation. Studies have shown that these two fundamental aspects are strongly supported by the public and yet they are not clearly discernible in the present draft.

The integrity of these parks and free public access to them must not be sacrificed to ski area commercial viability. The public's desire for minimal access restrictions and minimal disturbance of its enjoyment of these parks' natural environments should not be secondary to the operators' need for reasonable profits.

We believe the following points referenced in the draft policy should be reviewed, clarified and/or revised:

1. A 60-year lease is excessively long for providing certainty to the operator. We are told that a 60-year term is typical for resorts operating on non-park Crown Land; however, these are Class A Parks, a fundamental distinction, and operators within parks should be held to a higher standard. More importantly, BC parks is in no better position today than it was 30 years ago in envisioning the nature or magnitude of changes, which may occur and which may impact the ski resorts but more importantly parks. As described in the BC Parks Ski Resort Policy Intentions Paper:

Those factors include ever increasing public interest for year-round use; the need for frequent major infrastructure investments; changes in recreational opportunities (e.g., rise in popularity of mountain biking and snowshoeing); and changes in climate affecting ski conditions.

For those same reasons, it does not make sense to extend the permit term to 60 years. Such long-term leases will make it difficult for BC Parks to respond to changes to maintain or enhance the integrity of the parks and the needs of the public. In Canadian national parks the renewable lease period is 42 years, so it is difficult to understand why the lease term in a provincial park should be almost 50% more than in a national park.

2. The draft provides for some considerable changes to existing ski resort plans relating to public use and park access, and to possible long term impacts on natural and cultural aspects of the park. The operator will make these changes public when the ski resort development plans "are approved", presumably by BC Parks, but it is not clear when the public will be consulted as to these changes. It is essential that the public has *adequate opportunities for consultation* during the planning stages, not after plans are approved as a "fait accompli".
3. Although the draft refers to capacity and visitor management, which includes access to parks, it is unclear when capacity and visitor management are assessed and if any public consultation will occur before critical decisions are made which may impact non-paying public access to the parks. Visitor management is referenced in sections 2.3 and 5.2:

- In 5.2, the draft states, “This planning process [i.e., the park management planning process] may be used to determine visitor capacity, and if any limits for visitation are determined the Park Management Plan will set those limits.”

Given the public’s heavy use of the parks (both paying and non-paying), which will only increase given the proximity of the parks to the Lower Mainland, capacity and visitor management are critical to continued public access and enjoyment of the parks’ natural environments. Roles and responsibilities for capacity and visitor management must therefore be clearly set out, including the interrelationship between Ski Resort and park management planning, the timing of capacity and visitor management assessments, and opportunities for public consultation.

4. We feel the draft does not address adequately the maintenance of traditional and low impact use of parks, but instead concentrates on commercial use and development of parks. While we appreciate that this policy addresses commercial use of limited areas of parks, it should reiterate the original purpose of parks - which was for non-motorized recreation and access to wild and natural areas of the park.

We look forward to meeting with all the stakeholders soon to discuss the draft BC Parks Ski Resort Policy to consider ways to protect the natural environments and appropriate public use and access within the parks while providing reasonable certainty for the ski resort operators.

Appendix F

Outdoor Recreation Council Comments

Thank you for your e-mail dated April 8 and for meeting with Mel Turner and myself on March 17. Our Executive Committee discussed your comments at its monthly meeting last week. We are writing at this time because we are concerned about the lack of an effective process for stakeholder groups to fully understand the implications of the Ski Resort Policy (the Policy).

It became obvious to me during our meeting with you that some of the issues related to the Policy are complex because they are affected by the Park Act and by the Park Use Permits held by the operators of the three ski resorts in question. As a result they may not necessarily be readily understood by outdoor recreation groups.

We are extremely concerned at your comment that you are not considering a public stakeholder meeting for the review of the draft policy. From what you said in your e-mail you appear to be prepared to devote a considerable amount of time to meeting with representatives of stakeholder groups on a case-by-case basis if a meeting is required to assist in their review. Given that commitment we do not understand why you are not prepared to arrange a public stakeholder meeting.

It has become obvious to me from attending many meetings in past years concerned with environmental assessments, among other matters, that there is invariably much to be gained from having meetings attended by a variety of stakeholders. All in the room benefit by gaining a better understanding of the issues involved and the background of the initiative. In the case of the Policy there are clearly matters related to the Park Act and the PUPs which may not be understood by the stakeholder groups and some aspects may not even be known to them.

In the case of the Policy we are aware that BC Nature, the Federation of Mountain Clubs and the Friends of Cypress Provincial Park all have concerns and all are requesting a meeting. Mel Turner has also recommended that a stakeholders' meeting be held. We suggest that it would be far more efficient and that it would benefit everyone to hold one meeting to be attended by those groups and any other public recreation groups which may have communicated with you. We urge you to provide all the public stakeholders with an opportunity to gain a full understanding of the issues and schedule such a meeting. We suggest that by holding such a meeting BC Parks can be satisfied that it has received most if not all comments which are relevant to the Policy. The Policy is likely to be much improved as a result and less vulnerable to criticism in future.

Appendix G

BC Nature, Federation of BC Naturalists Comments

BC Nature believes preparation of the BC Parks Ski Resort policy warrants a meeting with representatives from interested groups and the public. BC Nature finds significant areas of concern to be discussed with BC Parks prior to approval of the policy since it sets significant direction for the future of its relationship with private ski operators within the parks.

Here follows concerns of BC Nature that we wish to discuss with BC Parks during the review of this draft policy. We believe several wording changes should be made to ensure that requirements for continued public recreation in the permit areas and ecological health of the parks will be maintained.

Concern #1

The title of the policy should include the qualifying words: "for Cypress, Seymour and Manning Provincial Parks".

Those three parks should also be named at the top of the first page under the "Relationship to Previous Policy", where it states: *This policy replaces all previous policy regarding permits for Ski Resorts within BC Parks.*

Concern #2

One of the goals of the BC Parks Ski Resort Policy, states:

"To promote land use that is consistent with the intent of park designations and park management intent, recognizing recreational, cultural and natural values."

This goal should be emphasized in these two sections by adding sentences:

2.1 Management of Class A Provincial Parks.

Suggest adding sentence:

The operation of the permit area will respect the Class A Provincial Park that it is located within, including reference in its signage that the permit area is within a Provincial Park.

This section also states:

"BC Parks manages Class A parks using direction from Park Management Plans."

This causes concern because the Cypress Master Plan is dated June, 1997, the E. C. Manning Plan is dated November, 2004, while the Mount Seymour Management Plan on the BC Parks website informs *"Online Management planning information for this park is not available at this time."* In light of the management plans informing policy direction for these parks, we strongly encourage BC Parks to make creating and updating these management plans a top planning priority before any major management decisions are contemplated.

2.3 Capacity and Visitor Management

Suggest adding sentence at the end:

However, where there are areas of sanctioned public use in the Provincial Park beyond the permit area that could be impeded by it, public access will be provided through the permit area.

Concern #3

4. Park Use Administration

This section states:

Approval for proposed new Resort Activities or Resort Improvements in the Permit Areas will be considered based on contents of the approved Ski Resort Development Plan, the Park Management Plan intent, the Park Act, and assessments provided as part of the proposal submission.

However, the definition of “Resort Improvement” lists a wide range of possible developments, including recreation trails and accommodation. Therefore this section should be expanded to explain that:

- **proposed significant changes (Category 3 as described in Section 6) will require public review and discussion,**
- **changes which extend the season to summer use and which would therefore have different impacts on the natural habitat and wildlife than the winter use, should be treated as Category 3 for review.**
- **ecosystem integrity must be respected and if there are impacts, they must be minimized or mitigated to BC Parks satisfaction.**
- **we suggest indicating the Park Use Permit (PUP) area on the map of the park (both the website version and any printed material) as well as on-site map signage would make it clear to the public what area of the park the permittee has rights granted on. The long term rights conferred by a PUP for a Ski Resort should be visible to the public, which should help to alleviate confusion over where the Ski Resort operation boundaries are and also serve to prevent friction between the public and the Ski Resort operator.**

Concern #4

4.3 Renewal

This section states:

Providing there is no Event of Default outstanding at the time of application, a Permit will be renewed on or after its mid-term anniversary in accordance with the specific terms and conditions as set out in the Permit. When a decision is made to renew a Permit the length of term and other conditions contained in the renewal Permit will be consistent with current policy.

This wording of “specific terms and conditions” should be expanded further. The high level expectations (goals) of BC Parks should be named here to emphasize their importance in renewal considerations. For example, state expectations such as:

- **provide recreation for the public,**
- **respect for and enhance where possible the natural values of the provincial park,**
- **provide appropriate balance between the recreation development while ensuring the natural habitats and ecological integrity of the park area are conserved.**

Concern #5

4.7- Communication for Ski Resort Activities

This section states:

The Ski Resort Development Plan (SRDP) and amendments to the SRPD will be the vehicle by which proposed changes in Ski Resort operation will be communicated between the Permittee and BC Parks. At no longer than 5 year intervals BC Parks and the Permittee will meet to comprehensively discuss the progress on and status of the current SRDP. The SRDP will also be used to communicate to the public the plans and operations of the Ski Resort. The Permittee and BC Parks will meet annually to discuss scheduling of their respective operations for the ensuing year.

This wording about the 5 year review to “comprehensively discuss progress” should be expanded. A sentence could be added as follows: For example, the review of comprehensive progress should include discussion on success with: provision of recreation activities, fit with natural values of the park, public access through the permit area, positive relationship with First Nations and park users and efforts to support the overall park vision.

Concern #6

4.8 Permit Review and Amendment

Add a sentence that:

Any changes proposed by the Permittee must be reviewed in terms of their fit with the natural features and attractions of the park and with public recreation access through the permit area. BC Parks will undertake public notice and comment for proposed changes to the permit (other than financial considerations or minor adjustments to length of season or footprint).

(Although this is described further in "Section 6-Approval for New Resort Activities or Resort Improvements," it is good to also mention this under Section 4.8.)

Concern #7

5.1.2. Ski Resort Development Plan Review and Approval

Now reads:

BC Parks review of proposed Ski Resort Development Plans will consider whether the proposed plan will:

- *benefit the park by providing recreation opportunities;*
- *support the long-term operation and viability of the Ski Resort;*
- *not be inconsistent with park management intent; > be consistent....*
- *minimize or mitigate the impacts of the operation; and*
- *consider the results of consultation.*

Suggest two more points be added for emphasis:

- **Respect and enhance the natural values of the Provincial Park, Achieve balance between the recreation developments and the natural habitats, ecology and wildlife of the park**

In recognition of the Provincial Park setting, the bar needs to be set high to ensure that any potential Ski Resort development does not adversely affect the natural values of the park, so the following should also be required:

5.1.3. Content of Ski Resort Development Plan:

Under 1. Mapping and Inventory

iii. Environmental Inventory, add:

Includes species at risk, ungulate migration corridors, bird surveys conducted during potential nesting seasons, reptile and amphibian surveys, vegetation surveys, rare/sensitive vegetation communities, visual quality impact simulation and any other analysis or surveys that BC Parks deems necessary.

Under 2. Site Analysis

- i. Slope analysis; elevation analysis; aspect analysis; climatological analysis; existing use; opportunities and constraints; etc.

Include study to determine any likely climate change impacts and possible future winter operation constraints to ensure that sound investments are made in any alpine or nordic ski terrain expansions.

Concern #8

6.2 Category 2

This category is for proposals that are considered minor, and therefore would not require the same level of review as Category 3. However, one example given for Category 1 is: *a summer activity that requires temporary installations within the developed Permit Area.*

BC Nature recommends that this example be placed under Category 3. That is, where the change of season of use is from winter to summer, there could be significant ecological impacts on the vegetation and wildlife of the ski slope; for example, ~~to~~ birds that ground nest in the summer on the ski slopes. Therefore this example of an activity that is changing the season of use to summer activities should be moved to Category 3 or another potentially less disrupting example used for this category.

Concern #9

6.3 Category 3

Now reads:

The review process may require public consultation, an environmental impact and mitigation study consistent with general park policy (BC Parks Impact Assessment Policy), a capital budget and operating plan, and other submissions consistent with what would be required for approval of similar developments according to industry standards

Suggest the wording be changed to:

The review process will require public consultation....

This wording change is recommended as the scale of changes that would be considered under Category 3 are so significant that in our view public consultation should be required. The existing verb “may” indicates the other extreme, namely that in most cases public consultation would not be required.

It is also recommend that Category 3 approvals be made by a BC Parks Manager at least one level higher than the Regional Director because of the potential impacts on the park they are located in.

Appendix H

Friends of Cypress Provincial Park Society Comments

I am writing on behalf of Friends of Cypress Provincial Park Society (FCPP) to express our very serious concerns about BC Parks' draft Ski Resort Policy for existing ski operations within Cypress, Mt. Seymour and E.C. Manning provincial parks, and to request that a meeting be held with BC Parks and park stakeholders to discuss the draft policy before any decision is made to approve it. We suggest that this meeting should be held in early May, as several potential key participants will be away in April.

FCPP was founded in 1990 as a result of concerns about the ski operator's proposed substantial ski expansion in Cypress Provincial Park. Controversy regarding the proposal went on for another five years before the Williams Commission brought some resolution to the matter, at considerable expense to BC Parks. It took several more years before a working relationship between FCPP, other park advocacy organizations and Cypress Mountain Resort was achieved. We are now concerned that BC Parks' Ski Resort Policy, as currently drafted, will lead to renewed conflict in future at Cypress and may result in conflict at Seymour and Manning as well.

Following are FCPP's comments on BC Parks' draft Ski Resort Policy and our reasons why we cannot accept it in its present form.

- 1) **Establishing parameters for maintaining ski resort viability:** We recognize the value of the winter recreation opportunities that the resorts provide and the need to maintain the resorts' viability, **but within limits.** Ski resort viability must be guided by BC Parks' fundamental responsibility to protect the parks' natural environments, public access and non-commercial recreation opportunities. Unfortunately, the draft policy does not provide clear limits or parameters for maintaining ski resort viability within Class A parks. Instead, it appears to interpret the Park Act as providing justification for ensuring certainty for ski resort viability.
- 2) **Defining recreation:** The draft fails to define "recreation," but implies that the only recreation of value in these parks is that provided by the ski resorts. On Page 2, the draft states that "Providing **certainty** for continued operation and development of the Ski Resorts is **necessary** to ensure they continue to operate competitively **to preserve or maintain the recreational value of these parks.**" On page 3, Section 2.1 "Management of Class A Provincial Parks," the draft states: "Consistent with the *Park Act*, park use permits for the three ski resorts in parks were issued to preserve and maintain the recreational values of these parks, which included alpine skiing and other forms of intensive public recreation." It should be remembered that the ski operations were originally established to provide downhill and Nordic skiing opportunities, not to take responsibility for **all** recreation opportunities taking place in these parks. Free public access and opportunities for non-commercial recreation, including winter recreation, must not be undermined in attempts to provide "certainty for continued operation and development of the Ski Resorts."
- 3) **Background documents used for policy development:** The introductory paragraph to the draft policy states that the policy "incorporates" recommendations from the 1995 Williams Report and "considers" recommendations from the 1998 Legacy Project Panel. No further reference is made to the Legacy Panel.

We are surprised that there is no reference to Parks Canada's Ski Area Management Guidelines, which certainly have relevance to the operation of ski areas in parks.

- a) The reference in the Williams Report to the development of a policy for ski operations within a park and considering direction from policy for ski resorts on Crown Land [Recommendation #38] is mentioned as fulfilling one of the commitments in the Report. No other recommendations are mentioned, although several are relevant to the draft Ski Resort Policy.
- b) BC Parks Legacy Project: One of the main recommendations in the Legacy Panel's Final Report (Feb 1999) was: "Ecological integrity in B.C. parks is paramount, and recreation should be managed within this context." [MELP News Release, 23 Feb 1999] This was the result of "extensive public consultation" and should be recognized in the new Ski Resort Policy.

4) Parks Canada's Ski Area Management Guidelines

The Parks Canada policy has some helpful precedents in dealing with term length and permit renewal. These are key elements of the policy and deserve closer attention and scrutiny. The draft BC Parks Ski Resort Policy states that permits for the operation of the Ski Resorts will be issued for a "term of 60 years." BC Parks offers no justification for this other than "to be consistent with the term granted for All Season Ski Resorts on other areas of Crown land." We consider this term to be far longer than is needed to finance capital expenditures for a ski area, and question the rationale for allowing the same term length for ski resorts in parks as on ordinary Crown land.

In contrast, the Parks Canada policy offers a 42 year lease renewal, which can occur at any time. This could therefore occur ahead of a major capital expenditure, so would give the necessary certainty that the ski areas would need for a major upgrade. This renewal would be conditional on the approval of a "Long-Range Plan."

5) Further specific comments and concerns about the draft Ski Resort Policy

- a) The draft does not provide sufficient protection for the parks' natural environments and overall ecological integrity and does not provide adequate protection for non-commercial "traditional" recreation or free public access to the parks.
- b) Instead, the draft distorts, in our view, the meaning of the Park Act to justify maintaining the viability of the ski resorts as if they are necessary for the provision of all recreation in the park.
- c) It does not establish park-based parameters within which the ski resorts can operate and can present proposals for facility improvements and new activities.
- d) In contrast, Parks Canada's Ski Area Management Guidelines (2014-06-09) states, under Basic Approach, "Parks Canada's primary goal for the management of ski areas is to achieve long term land use certainty that: ensures ecological integrity will be maintained or restored; contributes to facilitating memorable national park visitor experiences and educational opportunities . . .".
- e) It does not provide adequate opportunity for public review and comment on Ski Resort Development Plans [SRDP]. 5.1.4 Ski Resort Development Plan Approval Process mentions "consultation with the general public" as part of the process. But 5.1 .1 states that the SRDP "will be made public by the Ski Resort operator upon approval." The stage at which public consultation will take place is unclear.

- f) 6.2 Category 2 proposals mention having “limited impact or modification to existing public use or access of the Permit Area” and not having “significant adverse impacts on park natural, recreational or cultural values as determined through required assessments.” But no opportunity is provided for public review of these impacts. We believe the public should be given the opportunity to comment on these “limited” impacts or modifications to existing public use, access and park values.
- g) In 6.3 Category 3 proposals, it is stated that there may be “substantial and long lasting impact or modification to existing public use or access of the Permit Area” and “significant impacts on park natural or cultural features.” We believe that the draft policy should be re-worded to state: “The review process MUST (not “may”) require public consultation.”
- h) As noted in 4) above, the draft does not explain the rationale for increasing the permit term length from 50 years to 60 years, except to say that the increase is to be consistent with the term for All Season Resorts on Crown land. The term for ski resorts in national parks is 42 years and can be renewed at any time together with an approved Long-Range Plan.

We look forward to meeting with you to discuss the draft BC Parks Ski Resort Policy further and to consider ways in which BC Parks can develop a policy that protects the parks’ natural environments and appropriate public use and access while providing reasonable certainty for the ski resort operators.

Appendix I

Mel Turner's Comments

I wanted to give you some comments on the draft policy prior to our meeting on Tuesday. If it works for you, we can review the comments in more detail.

As you may, a few years ago, I was asked by ORC to be an advisor to the Board and I have encouraged the Board to take an active role in the review of this draft policy given its significance and the history of at least two of the permits as they have affected ORC's interest. To that end, I have invited Jeremy McCall to join us on Tuesday.

The following comments are mine as I have not reviewed with Jeremy. He may/not agree with any or all of the comments.

Firstly, I am pleased to see some distance from the Lands Branch policy on commercial ski areas injected in this draft. This was recognized by the William's report as a major issue: ski areas in provincial parks need to be recognized and managed differently from ski areas on other Crown Provincial lands and was a source of much of the historic difficulties with the Cypress permit and continues with the Mt. Seymour permit. In any event, the draft addresses the differences and that is positive in my view. As noted in my submission on the first draft, I had hoped that the policy would look at and adopt some of the policies that Parks Canada has for the 3 major ski areas in the mountain parks. However, I do not see that in this draft but would still urge BC Parks to review the Parks Canada management of its ski areas and speak to the Park Superintendents involved.

To specific comments:

On the title: I would suggest adding the word "Management" and the words identifying the parks involved if this policy is only to apply to those parks

On the Introduction: I would suggest that the Introduction reflect the Introductions of the *Boundary Adjustment* policy and the *Impact Assessment* policy by highlighting the purpose of parks (...dedicated to the preservation...use of the public), basically taking the wording in 2.1 and putting it up front so the policy recognizes that it is derived from the *Park Act*. You may wish to review Parks Canada's Intro wording to their policy that clearly shows that this is a park policy, derived from park legislation. I would also suggest that the catalyst for the policy, Recommendation 38 from Williams, be explained and recognition be given to obligations of BC Parks in the Cypress permit as it relates to policy development. The policy should also note that the policy may differ from rights and obligations in the existing permits but state clearly that this is the current policy that will reflect future permit conditions. Finally, on history, it should be noted that BC Parks never operated the alpine and associated facilities at Mt. Seymour.

In the Objectives: In addition to those listed, these should reflect some of the points in the revised Intro with respect to preservation of the natural environment...of the public but also include the fundamental

right of public access to and through the permit area, the presence of BC Parks as managers of the permits and balancing park development with park protection. Parks Canada has objectives including “protection of park resources/facilitating memorable park experiences/ecological restoration” that are worthy of review.

In the Context: I would suggest that a clear statement is required on what Parks will be doing to meet its First Nations' responsibilities in the instance of these three parks. I would also suggest revisiting the word “encouraged” to describe the requirements of the permittees to work with First Nations. I am unclear of the purpose of Section 2.3 and look forward to understanding its inclusion in the policy.

In Policy Management:

3.1 I believe that it should be clearly stated that although this policy may not impact parts of the existing permits, this policy will guide future permits

3.2 The public and First Nations should be included in consultation processes

3.3 Consideration for defining Assessment should be given so that it is clear that all plans and developments will be subject to the BC Parks' Assessment policy. I also see that accommodation has been included as part of the Ski Resort definition. Where does this inclusion come from as accommodation associated with ski areas has not before been a policy, permit or park management plan objective and was specifically excluded when the facilities were divested in 1983.

In Park Use Permit Administration: This section should also address who manages the permit- presumably Regional Director-, BC Parks' presence in the permit area as seen by the public as the permit manager and BC Parks' fundamental components within a the permit. For example, parking lots are park assets as are summer trails and some winter trails and infrastructure systems.

Overall, some of the subsections are not policy statements such as 4.1.2 and 4.5

4.2 the current permit is 50 years, the Parks Canada length for ski permits is 42 years, public consultation on the first draft suggested that it be shorter than 50 and the proposal is 60 years. Some explanation would be helpful

4.3 and 4.4 are different than the current permits. Some explanation would be helpful

4.5 This should be definitive-what are the overlapping jurisdictions given the Park Act? This section is obviously permittee driven and reflects their concerns

In Planning: Activities are currently outlined in the permits. Williams even commented on some activities-rock concerts. Are additional activities being contemplated that fall outside the existing recognized activities?

In 5.1.2 The objectives of the policy should be the measure of considerations

In 5.3 Not sure why there is a statement of a park management plan existing, at least for Cypress and EC Manning

In Approval

6.4 It should specify what the standard requirements are: advertisement intent/committee review

In addition, I believe that it is important to have a policy statement on 3rd party advertising and signage standards in the permit area.

On overall consultation process, I believe that BC Parks should go beyond-you may have already done so-asking for comments on this draft and devote sufficient time, as has been done with the permittees, to directly engage those who wish to participate by holding a workshop on the draft policy so it can be fully explained and discussed. In addition, BC Parks should have commented on the comments submitted on the previous draft. For example, some groups suggested that the permit length should not be 60 years but the current draft has kept the original proposal but with no rationale. Also, one group erroneously commented on the responsibility of the ski area on public access leaving a false impression. BC Parks should have a comment and rationale for all the issues raised by the public consultation so that those who have invested their time on the reasons why their views have been accepted or not and noting incorrect information.

Hope this is helpful. I shall review again before the meeting.