



December 1, 2020

File: 3400274

Outdoor Recreation Council of BC
PO Box 28112, West Pender Street
Vancouver, BC V6C 3T7
Via Email: info@orc.bc.ca

RE: Big White Ski Resort – Draft Master Plan Update & MDA Replacement

The Province, as represented by the Mountain Resorts Branch (MRB) of the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD), has received a draft Resort Master Plan update and an application for replacement of the existing Master Development Agreement (MDA) from Big White Ski Resort. The Outdoor Recreation Council of BC has been identified as a stakeholder having interests within the application area and we invite your input on how the draft Resort Master Plan update, the replacement of the MDA and the related Provincial decisions (the “Project”) may impact your interests.

Draft Resort Master Plan Update

The Resort Master Plan is a guiding document that identifies the development components of the resort and assesses potential impacts of the resort. It also proposes mitigation and avoidance measures to address those impacts. At this time the Province is initiating an agency, stakeholder, public and First Nation review of the Project and the Resort Master Plan. Highlights of the plan include:

- Expansion of the Controlled Recreation Area (CRA), approximately double the existing area;
- New and expanded residential areas (approximately 6,800 additional bed units);
- Transformation of the resort into a world-class, all-seasons destination resort;
- Improvements to the balance, quality and diversity of recreational offerings and overall resort experience;
- Addition of 10 new ski terrain pods;
- Phased expansion of the existing downhill mountain biking trail network;
- An expanded “sidecountry” non-motorized recreation area for Nordic skiing, snowshoeing, cross-country mountain biking, and an additional 18-hole golf course; and
- Inclusion of a “backcountry” residential and recreational area catering to motorized activities (e.g. ATV, motocross, snowmobile).

Table 1: Big White Ski Resort – Summary & Comparison of Approved/Proposed Resort Master Plan Components and Current Status of Development

	Current	Approved (1999/2018)	Proposed (2020 MP)
CRA Area	3,140 ha	unchanged	6,900 ha
Phases	n/a	n/a	3 +
Lifts	15	15	37
Ski Trails	108	131	329
Ski Terrain	607 ha	677 ha	1,628 ha

	Current	Approved (1999/2018)	Proposed (2020 MP)
Snowmaking	Yes – terrain park only	no	Yes
Comfortable Carrying Capacity	9,390	14,512	25,624
Balanced Resort Capacity	11,488	n/a	31,825
Bed Units	Existing = 6,796 Committed = 3,737 Total = 10,533	13,800	20,600
Parking	4,290	5,946 cars & 20 buses	5,550 cars, 64 buses
Season	All-Seasons	Winter focus	All-Seasons
Winter Activities	Ski/Snowboard, tubing, Nordic skiing, skating, snowshoeing, snowmobiling, dog sled tours, sleigh rides, ice climbing tower.	Downhill Ski/snowboard, Nordic skiing, ice skating, snowmobiling.	<u>Expanded:</u> Ski/Snowboard, Nordic skiing, backcountry ski touring, snowshoeing, fat biking, snowmobile staging & trails, cat skiing. <u>New:</u> zip lining, theatre, ice skating rink, winter camping, conference & health/wellness facilities.
Summer Activities	Mountain biking, hiking, horseback riding, camping and various events & festivals	Emerging trend & potential for four season operation including future trail riding, year-round trail system, mountain biking, RV camping, hiking & golf.	<u>Expanded:</u> Downhill & cross-country mountain bike trails, bike park, hiking, camping. <u>New:</u> 18-hole golf course, Aerial adventure park, tree walks, zip lining, alpine coaster, adventure/nature trails, equestrian adventures, ATV, motocross, water park, RV park.

Replacement of the Master Development Agreement

The MDA is the overarching tenure/agreement that governs resort operation and development on Crown land. An MDA provides the proponent with land-based rights to develop a resort as per the approved Resort Master Plan. The MDA establishes the form of tenure required for various recreation improvements (i.e. *Land Act* rights-of-way, leases, licences and Crown Grants). The MDA also includes a *Land Act* Licence of Occupation over the resort's CRA, permitting the use and occupation of resort lands as well as the construction of ski trails, access routes and non-permanent recreational infrastructure. The standard term for an MDA is 60 years.

As mentioned above, Big White Ski Resort Ltd. has applied for replacement of their existing MDA with an updated All-Seasons Resort MDA. Big White is currently in year 31 of its existing MDA (currently a 50-year term, good through to November 1, 2039). If the updated Resort Master Plan and the request for replacement of the MDA are approved, this would result in replacement of the existing MDA with a new MDA based on a recently updated template that will cover the existing CRA and expansion area and expire 60 years from the date of

approval and sign off by the Province. In addition to the new 60-year term, the new MDA will clarify the following:

- Year-Round Use & Control: Clearly identified rights and responsibilities under the MDA for year-round, use and control of the operating area by the resort with specific reference to summer activities & improvements.
- Licence over the CRA: Provides legal mechanism for the right of the Developer to control access within the CRA for resort operation and development purposes and to ensure public and environmental safety. This Licence allows for ski run, trail, access road development and non-permanent recreational infrastructure that are consistent with the approved Master Plan. Additional tenures for these purposes are not required within the CRA boundary.
- MDA Tenures: Provides a focus on all-seasons recreation rather than just alpine skiing specific.
- Independent Operators: The Resort has the ability under the MDA to authorize independent operators and the associated activities within the CRA, as identified in the approved Master Plan.

Big White Ecological Reserve

Big White Ecological Reserve (951 hectares) was established in 1972 and is currently listed and described in Schedule B of the *Protected Areas of British Columbia Act*. The ecological reserve borders provincial Crown land that is designated as part of Big White Ski Resort's CRA, which was founded in 1963.

When the ecological reserve was established, an error was made that resulted in the inclusion of a small area of ski resort facilities. This error was discovered when more accurate digital mapping of the boundaries of the ecological reserve and Big White Ski Resort's CRA was completed.

MRB is currently working with BC Parks (Ministry of Environment and Climate Change Strategy) and Big White Ski Resort to rectify the boundary error. The current proposal suggests an adjustment of the boundary of the ecological reserve which would result in 3.5 hectares (approximately) being removed from the ecological reserve.

Proposals to remove lands from provincial protected areas are reviewed pursuant to the Cabinet-approved Provincial Protected Area Boundary Adjustment Policy, Process and Guidelines. Requests to amend protected area boundaries fall within one of three categories:

1. "Administrative housekeeping" adjustments undertaken where there have been errors in the initial legal description of the boundary, or an area was captured that clearly was not intended to be captured at the designation stage;
2. Adjustments intended to alleviate a human health and safety concern; and
3. Adjustments where a proponent (private or public) is interested in a boundary adjustment to allow for a development or activity not allowed by authorization under protected areas legislation.

The proposed boundary amendment to Big White Ecological Reserve is considered to be a Category 1.

Given the shared boundary between the Ecological Reserve and the CRA, MRB will lead the consultation process on the proposed boundary change through the consultation process being undertaken for the Big White Project.

Subsequent Provincial Decisions

The following table lists the Provincial decisions required for the Big White Project and the agency responsible for issuing each authorization. These decisions will be required if the Project is approved.

Table 2: Big White Ski Resort – Proposed Decisions

Authorization / Permit	Legislation	Agency	Purpose	Status
Master Development Agreement	<i>Ministry of Lands, Parks and Housing Act</i>	FLNRORD – MRB	60-year contractual agreement between the Province and the resort developer regarding resort development and operations on Crown land. An MDA provides the land-based rights to develop a resort as per the Resort Master Plan.	Application for Replacement and Expansion Under Review
Order in Council	<i>Resort Timber Administration Act</i>	FLNRORD – MRB	MRB is delegated the minister's responsibilities as they relate to forest harvest authorizations within the CRA.	Amendment to include Expansion - Under Review
Removal from the Provincial Forest	<i>Forest Act</i>	FLNRORD – MRB	Removal of portions of land within the CRA from the Provincial Forest. Provincial Forest may be maintained in certain areas of the CRA where commercial timber harvesting aligns with the approved Resort Master Plan and the MDA.	Under Review
Bill – Legislative amendment	<i>Protected Areas of British Columbia Act</i>	Ministry of Environment and Climate Change Strategy – BC Parks	Administrative boundary adjustment to rectify an error in the boundary of the Big White Ecological Reserve to remove an unintentional overlap with Big White Ski Resort's CRA.	Under Review
Crown Grant	<i>Land Act</i>	FLNRORD – MRB	The MDA identifies land uses that may be Crown Granted (e.g., residential, commercial, etc.). Through a Crown Grant title is transferred from the Crown to the developer.	Application required as needed

Authorization / Permit	Legislation	Agency	Purpose	Status
Lease	<i>Land Act</i>	FLNRORD – MRB	A lease conveys exclusive use of a site for a specific purpose (e.g., day skier facilities, parking areas, etc.). Any MDA-related leases would coincide with the duration of the MDA.	Application required as needed
Licence of Occupation	<i>Land Act</i>	FLNRORD – MRB	Non-exclusive use of the land for temporary/movable improvements or to permit construction of an improvement that requires final survey post construction. MDA-related licences would coincide with the duration of the MDA.	Application required as needed
Right-of-Way	<i>Land Act</i>	FLNRORD – MRB	Non-exclusive use of the land for linear purposes (e.g. lift, utility, etc.). MDA-related rights-of-way would coincide with the duration of the MDA.	Application required as needed
Occupant Licence to Cut (OLTC)	<i>Forest Act</i>	FLNRORD – MRB	Removal of timber for resort development and operational requirements.	Application required as needed
Forestry Licence to Cut (FLTC)	<i>Forest Act</i>	FLNRORD – MRB	Removal of timber for reasons such as stand intervention, salvage, addressing forest health issues and wildfire fuel reduction projects.	Application required as needed
Changes in and about a Stream	<i>Water Sustainability Act</i>	FLNRORD – Regional Operations Division	Crossing structures will be required where the access routes noted in the Resort Master Plan have stream crossings.	Application required as needed
Water Licence	<i>Water Sustainability Act</i>	FLNRORD – Regional Operations Division	As per the Resort Master Plan, the resort will source water from one or more surface water reservoirs; all water use is allocated through the issuance of water licences under the <i>Water Sustainability Act</i> .	Application required as needed

Resources

- 1) Approved Big White Master Plan (1999 Master Plan and 2018 Master Plan Modification):
<https://www2.gov.bc.ca/gov/content/industry/natural-resource-use/resort-development/proposed-approved-resort-master-plans/list-of-approved-plans/big-white>
- 2) Draft Resort Master Plan update and Project supporting information:
<https://www2.gov.bc.ca/gov/content/industry/natural-resource-use/resort-development/proposed-approved-resort-master-plans/list-of-proposed-plans/big-white-project-review>
- 3) Application Geomark, including the existing CRA and the proposed expansion area (this site will allow you to download and save the shapefile, or view the area in Google Earth):
<https://apps.gov.bc.ca/pub/geomark/geomarks/gm-C55DA30BD2A14785B376BE27DA2BD399>
- 4) Applications, Comments and Reasons for Decision website (search for File Number 3400274):
<https://comment.nrs.gov.bc.ca/applications>
- 5) All-Seasons Resort Policy: https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resource-use/land-water-use/crown-land/asr_policy.pdf
- 6) All-Seasons Resort Guidelines
 - a. Chapter I (Introduction): https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resource-use/all-seasons-resorts/asr_guidelines_-_chapter_1_introduction_-_web.pdf
 - b. Chapter II (Mountain Resorts): https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resource-use/all-seasons-resorts/chapter_2-mountain_resorts_amended_aug_25_2009.pdf

Information Sharing Sessions

Big White Ski Resort, in cooperation with the MRB, will be hosting two public open houses, one being a virtual session, and the other will be a gallery-style presentation to allow for in-person viewing of the draft Resort Master Plan concepts while respecting public health guidelines. MRB will advise as soon as the dates for these information sharing sessions have been finalized.

Next Steps

An issues tracking spreadsheet will be maintained throughout the review period to collate questions and concerns from agencies, stakeholders, First Nations and the public. This will be shared with Big White and updated on an ongoing basis as we work through the issues resolution process and develop solutions to address the potential impacts from the project. If necessary, updates may be made to the draft Master Plan to mitigate the identified issues and specific conditions or commitments may also be included within the legal framework of the MDA. This process is expected to take many months and upon the conclusion of the Project review, MRB will prepare recommendations for decision for the updated Resort Master Plan as well as the replacement MDA.

Request for Comments

Mountain Resorts Branch is requesting you review the draft Resort Master Plan update and the implications of the MDA replacement with respect to your interests and provide us with your comments by **February 26, 2021**. If this timeline poses a challenge, please let us know as soon as you can. Comments can be sent to the email addresses provided below, uploaded to the Applications, Comments and Reasons for Decision website listed in the resources section above, or sent by regular mail to:

Mountain Resorts Branch
Attention: Amber McAfee
510 – 175 Second Avenue
Kamloops, BC V2C 5W1

If you have questions or require more information, please contact the undersigned at 250-312-6659, Amber.McAfee@gov.bc.ca, or Tori Meeks, Senior Manager, Major Projects, at 250-371-3943, Tori.Meeks@gov.bc.ca.

Sincerely,

A handwritten signature in blue ink that reads "Amber McAfee". The signature is written in a cursive, flowing style.

Amber McAfee, Licenced Land Officer
Mountain Resorts Branch