

# JUMBO GLACIER RESORT APPROVAL PROCESS

## - VOCABULARY -

### **B.C. Approval Process Terminology for Ski Areas and Mountain Resorts (on remote provincial Crown land – without existing services):**

**ASRP:** All Seasons Resort Policy, the new name for CASP .

**CASP:** Commercial Alpine Ski Policy, the long standing policy (since early 1980s) of all B.C. provincial governments regarding the development of Crown lands for ski areas and mountain resorts.

**CODA:** Calgary Olympic Development Agency; recently renamed Winsport Canada, the society that operates the Calgary ski area left by the Calgary Winter Olympics and that has a contract to arrange training camps for the Canadian Alpine Ski Team. It has been training the Canadian athletes on Farnham Glacier in the summer, one of the four glaciers of the Jumbo Glacier Resort ski area, within the Study Area of the Interim Agreement and the CRA of the Master Plan.

**CORE:** Commission on Resources and the Environment, the most extensive local land use designation process ever undertaken in B.C., it was the process funded by the B.C. government in 1992 to empower local stakeholders and to end all land use controversies, The **East Kootenay CORE Table**, which included the Regional District of East Kootenay (RDEK) representatives, made the land use decision for Jumbo Valley. It was the basis of the following government processes and of the regional land use plan.

**CRA:** Controlled Recreation Area, the boundary of the area of responsibility, of the license and of the ski area of the Master Plan.

**Environmental Certificate:** the result of the review and the completion of the process according to the EA Act.

**Expression of Interest:** definition of location and type of project proposal; if the project is deemed suitable according to government policies the proponent is invited by provincial staff of the appropriate Ministry (previously B.C. Lands, now Tourism) to make a Formal Proposal.

**Formal Proposal:** the first step for a CASP application.

**Interim Agreement:** the third step under CASP, following the Proposal Call, selecting the successful proponent and creating an agreement between the applicant chosen for the best proposal and the Province, subject to a Master Plan approval by the Province. In the Interim Agreement the Province agrees that the

applicant has exclusive rights to study the project presented in the Formal Proposal and to propose a Master Plan for review by all authorities having jurisdiction. The Province offers that if the applicant proves compliance with all policies and obtains the necessary preliminary approvals of the plan from all authorities, the applicant will have the right to do the project through a final agreement, the Master Development Agreement. The Province has the legislative power to enter into the agreement.

**Master Development Agreement:** following approval of the Master Plan this is the conclusive step that replaces the Interim Agreement with the long term contract for the ski area and resort development on Crown land. The contract is normally for fifty or sixty years, renewable. The part of Crown land required for overnight accommodation under the Master Plan can be acquired by the developer following construction of the ski lifts with a capacity that is in the required proportion to the bed base according to the Master Plan.

**Master Plan:** the next step under CASP. This is a public process that includes a review of the environmental studies and the adequacy of environmental impact mitigation measures contained in the Master Plan. It also includes the requirement of a preliminary review and approval from all ministries and authorities having jurisdiction.

**Mountain Resort Municipality;** The B.C. Government in 1995 created both the EA Act and the Mountain Resort Associations Act (MRAA) with provisions to enable the Province to create a Mountain Resort Area and Municipality in lieu of governance by a Regional District for new or existing mountain resort. Previously only Whistler had received such designation. The provisions of the MRAA were diluted following the change of government in 2001, but were reinstated and strengthened in 2007 with Bill 11-2007. The purpose is to allow the approved Master Plan to be implemented by a local governance structure committed to the implementation of the approved Master Plan according to the policies that created it. The Mountain Resort Municipality (MRM) local government is initially filled by appointments and later (once a per-established number of electors is in place) by elections. Whistler was made a Mountain Resort Municipality in 1975. Sun Peaks was made a Mountain Resort Improvement District for municipal services only in 1995. In 2010 Sun Peaks was made an MRM. Kicking Horse Mountain Resort was made a Mountain Resort Area in 2000, but the letters patent to create the future Mountain Resort Municipality have not been done. At KHMR governance is provided by the developer according to the Master Plan and provincial regulations for new developments, and by the strata councils of the condominium areas for existing developments. At KHMR the Regional District of Columbia Shuswap (RDSC) has accepted the Master Plan and provincial subdivision approval process as the development control and planning tool. For Jumbo Glacier Resort (JGR) the recent vote (August 2009) of the Regional District of East Kootenay (RDEK - reinstating the vote of September 1996) requested from the Province that JGR be formed as an MRM, and the Province has

confirmed by letter of the Minister that it will act on the request once the MDA is done.

**Project Specifications:** the questions (prepared in two and a half years – three volumes – not in the required forty days) to be addressed in the environmental review according to the B.C. Environmental Assessment Act (EA Act). They were drafted by the **Project Director** of the **Project Committee**, the reviewing body according to the EA Act, consisting of about sixty members including all government agencies, the local governments and the First Nations representatives that agreed or requested to participate. A **Public Advisory Body (PAC)** of local stakeholders, fielded primarily by project opponents by decision of the Project Director to ensure maximum public participation, was added to the **Project Committee**.

**Project Report** (prepared in six years – thirteen volumes): the submission made in response to the Project Specifications for final review by the Environmental Assessment Office in order to obtain a report giving reasons for an Environmental Certificate to be granted by the three designated Ministers.

**Proposal Call:** the second step under CASP, it is the provincial response, advertising the formal proposal by the Province and inviting others to come forward (if they can make a better proposal – a rather unethical process, offering in a public auction the first proponents' concept to see if a better offer may be received).

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JGR is the smallest application for a new ski resort in B.C. by number of beds and it is the only mountain resort project that has complied with all of the above policies and processes to date. Please see the list of mountain resort projects for reference.

Pheidias Project Management Corporation, May 2010