

Commercial Cat – Skiing

MANAGEMENT PLAN

ADDENDUM

**Retallack**

FILE #:	4402411
LICENSE #:	404252
DATE:	November 7, 2019

ACCEPTED BY:

SIGNED on behalf of HER MAJESTY THE QUEEN IN THE RIGHT OF THE **PROVINCE OF BRITISH COLUMBIA** by Crown land Adjudication, Ministry of Forests, Lands, Natural Resource Operations and Rural Development, authorized representative of the minister responsible for the *Land Act*

The signature of the Province's authorized representative is solely for the purpose of acknowledging the Province's acceptance of this document as the Tenure Management Plan for the purposes of the Licenses and does not represent a certification by the Province or its signatory of any factual content of acceptance of professional responsibility by the Province's signatory for any advice or analysis contained in this document.

_____ Authorized Signature Crown Land Adjudication Ministry of Forests, Lands, Natural Resource Operations and Rural Development	_____ Print Name
---	---------------------

SIGNED on behalf 0792107 BC LTD DBA RETALLACK
by a duly authorized signatory:

_____ Authorized Signatory	_____ Print Name
-------------------------------	---------------------

containing 28 pages including this page

Table of Contents

EXECUTIVE SUMMARY	3
INTRODUCTION.....	5
MANAGEMENT PLAN ADDENDUM.....	7
2.0 GENERAL DESCRIPTION OF OPERATING AREA.....	7
2.2 Description of Operating Area.....	7
2.2.3.8 Retallack East.....	7
3.0 COMMERCIAL REC ACTIVITIES OFFERED ON CROWN LAND	11
3.1 Description of Activities.....	11
3.2.2 Snow Road and Trail Development.....	11
3.2.3 Gladding and Spacing.....	12
4.0 INTENSIVE USE SITES.....	13
7.0 IMPACTS ON OTHER USERS.....	15
7.1 Public Use and Access.....	15
7.2 Resource and Industrial Interests.....	16
7.2.1 Timber Tenures and Forestry Management.....	16
7.2.2 Mineral and Energy Tenures.....	16
7.2.3 Guide Outfitters and Trappers.....	17
7.3 Other Commercial or Public Recreation Interests.....	17
7.4 Existing Land Use Plans.....	18
8.0 WILDLIFE MITIGATION STRATEGY	20
9.0 FIRST NATIONS INTERESTS AND VALUES.....	21

EXECUTIVE SUMMARY

This Tenure Management Plan Addendum has been prepared by 0792107 BC Ltd dba Retallack (Retallack) for submission to the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD). The purpose of this management plan addendum is to support an amendment to Retallack's existing Adventure Tourism (AT) License Agreement (dated 2010), situated on Crown land east of the community of new Denver and west of the community of Kaslo in south eastern BC.

Retallack is an existing adventure tourism operator that provides guided mechanized skiing tours on Crown land in the West Kootenays. The company has an existing License Agreement and Management Plan, approved in November 2010, for a 30-year term. Retallack is now seeking approval to provide additional ski terrain (approximately 1400 ha) that is adjacent to the company's existing operating area as well as establishing a new Intensive Use (IU) site to incorporate a new radio repeater site.

The overall intent of Retallack's request for expansion of their existing tenure area is to provide additional ski terrain for their guests, as ongoing climate changes, including changes to winter temperatures and precipitation levels, are creating challenging issues for Retallack, as well as most other heli and cat ski operators. To respond to changing climatic conditions, many heli and snowcat operators are looking at options to make better efficiency of their terrain and continue to provide high quality skiing for their guests. For example, a number of heli operators are proposing cat skiing within their tenure area as viable options for days when the helicopter cannot fly.

In the case of Retallack, access to parts of their tenure area are difficult, and as a result, part of the overall process to provide additional ski terrain for their guests, and to provide efficient access to the terrain in a timely manner, the company is also requesting approval to allow very limited helicopter access from its lodge to the upper elevation points of their tenure area. Many of the higher alpine areas within the tenure area, which are often difficult to access by snowcats, could then be utilized when accessed by helicopter. The company will have the helicopter will drop off skiers in certain locations (which will vary from day to day, subject to weather and snow conditions) and for balance of the day, skiers will be transported within tenure area by snowcats.

Additionally, as part of the company's goal to provide different ski experiences, Retallack is requesting approval to amend the purpose of their AT license to offer a limited amount of guided ski touring within both their existing tenure area and the additional terrain outlined in this management. The location of ski touring is not subject to a specific area within the tenure area, but will vary depending on weather conditions and client expectations.

In support of its application for an amendment to its existing Adventure Tourism tenure, Retallack has prepared a management plan addendum which outlines its proposed activities, a description of the lands they are proposing to use, as well as a description of

other resource and public recreation uses and values within the areas to be added to their tenure area

Management Plan Addendum Highlights

The following management plan amendment incorporates a number of key highlights:

- *Updated mapping to illustrate the new radio repeater site, the location of the additional ski terrain and location of new snow roads and trails.*
- *Updated information regarding snow road and trail development within the proposed expansion area*
- *Updated wildlife mitigation strategy, which is provided as a separate report, to address potential impacts to wildlife values within the areas to be added to Retallack's tenure area.*

All other aspects of Retallack's Tenure Management Plan, as approved in 2010, remain valid.

INTRODUCTION

This Tenure Management Plan Addendum has been prepared by 0792107 BC Ltd dba Retallack (Retallack) for submission to the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD). The purpose of this mgmt. plan addendum is to support an amendment to Retallack's existing Adventure Tourism (AT) License Agreement (dated 2010), situated on Crown land west of the community of Kaslo in south eastern BC.

Retallack is an existing adventure tourism operator that provides guided mechanized skiing tours on Crown land in the West Kootenays. The company has an existing License Agreement and Management Plan, approved in November 2010, for a 30-year term. Retallack is now seeking approval to provide additional ski terrain that is adjacent to the company's existing operating area as well as establishing a new Intensive Use (IU) site to incorporate a new radio repeater site.

The overall intent of Retallack's request for expansion of their existing tenure area is to provide additional ski terrain for their guests, as ongoing climate changes, including changes to winter temperatures and precipitation levels, are creating challenging issues for Retallack, as well as most other heli and cat ski operators. To respond to changing climatic conditions, many heli and snowcat operators are looking at options to make better efficiency of their terrain and continue to provide high quality skiing for their guests. For example, a number of heli operators are proposing cat skiing within their tenure area as viable options for days when the helicopter cannot fly.

In the case of Retallack, access to parts of their tenure area are difficult, and as a result, part of the overall process to provide additional ski terrain for their guests, and to provide efficient access to the terrain in a timely manner, the company is also requesting approval to allow very limited helicopter access from its lodge to the upper elevation points of their tenure area. Many of the higher alpine areas within the tenure area, which are often difficult to access by snowcats, could then be utilized when accessed by helicopter. The company will have the helicopter will drop off skiers in certain locations (which will vary from day to day, subject to weather and snow conditions) and for balance of the day, skiers will be transported within tenure area by snowcats.

Additionally, as part of the company's goal to provide different ski experiences, Retallack is requesting approval to amend the purpose of their AT license to offer a limited amount of guided ski touring within both their existing tenure area and the additional terrain outlined in this management. The location of ski touring is not subject to a specific area within the tenure area, but will vary depending on weather conditions and client expectations.

The request to amend the purpose of the AT license agreement to authorize limited ski touring and the use of helicopters to access the ski terrain is reflective of changes in the helicopter and snowcat industry, as operators look to identify options for their clients due

to ongoing weather and climate changes (e.g. higher elevation terrain, which is often inaccessible via snowcat, has become increasingly more valuable).

Retallack a significant local employer and supports local business, suppliers and trades workers and also sponsors local public recreation and volunteer groups. Retallack assists with public trail and road maintenance and provides backcountry emergency response and rescue for members of the public, government, and other operators. Retallack is also the first operator in its industry to receive a prestigious 4-Green Key Eco-Rating for demonstrating “national industry leadership and commitment to protecting the environment through wide ranging policies and practices.” Retallack is a longstanding Active Member of HeliCat Canada and is in compliance with the association’s Operational and Risk Management Guidelines and best management practices for addressing wildlife disturbance concerns. As per HeliCat Canada’s guidelines, the company is audited by an external third party to ensure ongoing compliance with these guidelines and best management practices.

This management plan amendment provides a detailed description of the proposed new radio repeater site and the new ski terrain to be added to the company’s operating area, along with supporting maps that illustrate the distribution of existing and proposed operating areas, intensive use sites, and future facilities. Considerable attention is paid in this amendment to demonstrating how Retallack operates within the constraints imposed by multiple resource uses in the proposed operating areas. Where potential conflicts are identified, specific management actions are proposed for avoidance and mitigation.

This management plan addendum conforms to the current AT Policy, and the company’s existing License agreement. The management plan requirements and client responsibilities include:

- Specifying and justifying the proposed areas, purpose, terms and conditions;
- Establishing a proposed level of use for commercial recreation activities including the estimated number of clients on an annual basis;
- Specifying measures to eliminate or minimize conflicts with existing interests in the area;
- Specifying measures to protect environmental integrity; ensure maintenance of public access and recreation; protect affected parties’ interests; and minimize / mitigate impacts on other resource users.

This management plan addendum represents Retallack’s commitment to safety, professionalism, responsible land and environmental stewardship, and the spirit of co-operation with other land users.

The following management plan addendum provides details on Retallack’s proposed development and use of the additional terrain for their Extensive Use Area within the License Agreement. All other aspects of the management plan, as approved in 2010, remain valid.

MANAGEMENT PLAN ADDENDUM

The following information has been prepared in manner that is consistent with the existing format of Retallack's current management plan (2010).

2.0 GENERAL DESCRIPTION OF OPERATING AREA

2.2 Description of Existing Operating Area

Retallack's existing mechanized skiing tenure consists of two areas that comprise a total land base of approximately 4400 ha. The areas are located on Crown land on the north and south side of Highway 31A, between Kaslo and New Denver, in the vicinity of the historic mining townsite of Retallack (see Figure 2 – 1). The northern portion of the current operating area is adjacent to Goat Range Provincial Park, and to the south (but not adjacent to the license area) is Kokanee Glacier Provincial Park. All operations are based out of Retallack Lodge that is accessible by car approximately 1.5 hours north of Nelson BC. The 1115 sq. m luxury lodge can accommodate up to 24 guests and is built on private land owned by Retallack. Within the immediate vicinity of Retallack Lodge are additional staff accommodation buildings and a snowcat maintenance garage and refueling facility. In addition to its skiing terrain, the company also has sites for 1) safety caches (equipped with emergency equipment to aid in rescue incidents), 2) fuel caches for refueling snowcats and 3) an existing radio repeater site.

To date, Retallack has undertaken limited improvements within its existing operating area license. The main improvements include maintenance and upgrade to existing forestry and mining roads so that snowcats can access ski terrain throughout the operating area. These improvements include some earth work, where required, plus brushing and some limited tree removal to ensure regular access by snowcats. As well, the roads are regularly plowed and groomed by snowcats throughout the winter operating season. The forestry roads are public roads, and some public use does occur, given that the roads have been plowed and groomed. Signs have traditionally been posted at the entrance to forestry roads, advising public users to use extreme caution while using the roads, as they may encounter snowcats on these roads within Retallack's operating area. Beyond the network of forestry roads, the company also has a network of snowroads (winter only) that are created each year for access to other areas of the tenure.

2.2.3.8 Retallack East

The company is now seeking approval to incorporate additional skiing terrain (1382 ha) to conduct guided mechanized skiing (See Figure 2 – 2). The new terrain has historically been difficult to access and is adjacent to Retallack's existing operating area. Presently there are no roads (i.e. FSR or snowcat) that access this terrain, however, there are several lower elevation Forest Service Roads between Robb and 12-mile creeks that have recently been constructed in the last few years.

Access to the new terrain will need to be accomplished primarily via snowcat and new snowroads. To limit the amount of new snow roads in the alpine, Retallack is also proposing to occasionally access the higher elevation areas via cat-assisted ski touring and/or helicopter. Any new snowcat roads will need to be constructed and linked to Retallack's existing snowcat road network and the lower elevation FSRs. Presently, active logging is still taking place in the vicinity of these FSRs; therefore, any activities will need to be carefully coordinated with forestry efforts. Fortunately, current forestry activities generally occur predominantly outside of the winter ski season and as such do not generally pose a conflict. Regardless, Retallack remains committed to working with any forestry agencies in a mutually cooperative manner to ensure that forestry activities are not impeded.

Data BC was contacted, and cadastral mapping was ordered for the tenure amendment area. Upon review of available documents, a small privately held fee-simple land and mineral claim with surface rights were identified within the proposed Retallack East Zone. This private land has therefore been omitted from this tenure amendment to ensure no conflict. This small parcel of private land lies on a ridge within the Retallack East Zone that is ideal for constructing a snowcat road. It is Retallack's understanding that the landowner's future intent is to harvest timber on this property. In order to access this property, however, a road will be required to be developed. Retallack will therefore seek an agreement to coordinate any snowcat road construction efforts with this landowner for the mutual benefit of both parties. Barring an agreement, Retallack will reroute its snowcat road infrastructure so as to not conflict with this property.

Any limited helicopter activities will originate at Retallack Lodge. It is important to note that only the upper alpine areas of Retallack's existing tenure area, and the proposed expansion area, are appropriate to access by helicopter and there is not enough terrain to support a full-time heliskiing program with either this new area or Retallack's existing operating area. As such, limited helicopter activities will only take place sporadically as conditions allow. Any landing and pick-up sites will be chosen for their suitability and safe location. If necessary, these sites will be selected and modified to mitigate potential impacts to wildlife. To the greatest possible, any limited helicopter operations will utilize the terrain as-is including natural clearings or existing harvest openings for helicopter landing drop-offs and pick-up sites. Where necessary, improvements normally involve cutting small numbers of trees or shrubs to create or enhance openings for helicopter landing zones.

Figure 2 – 1: General Location Map – Proposed Terrain Expansion Area and Intensive Use Site

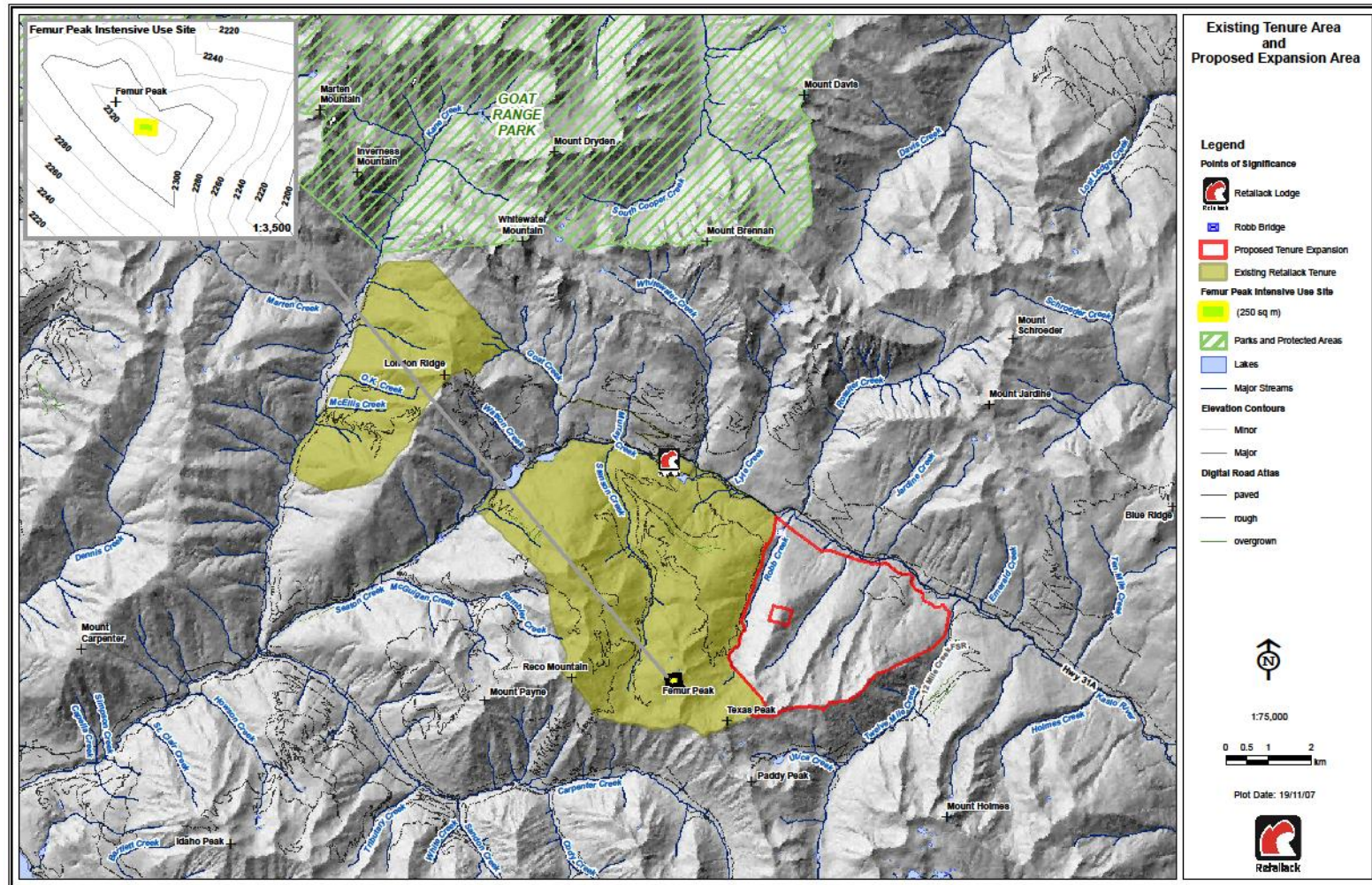
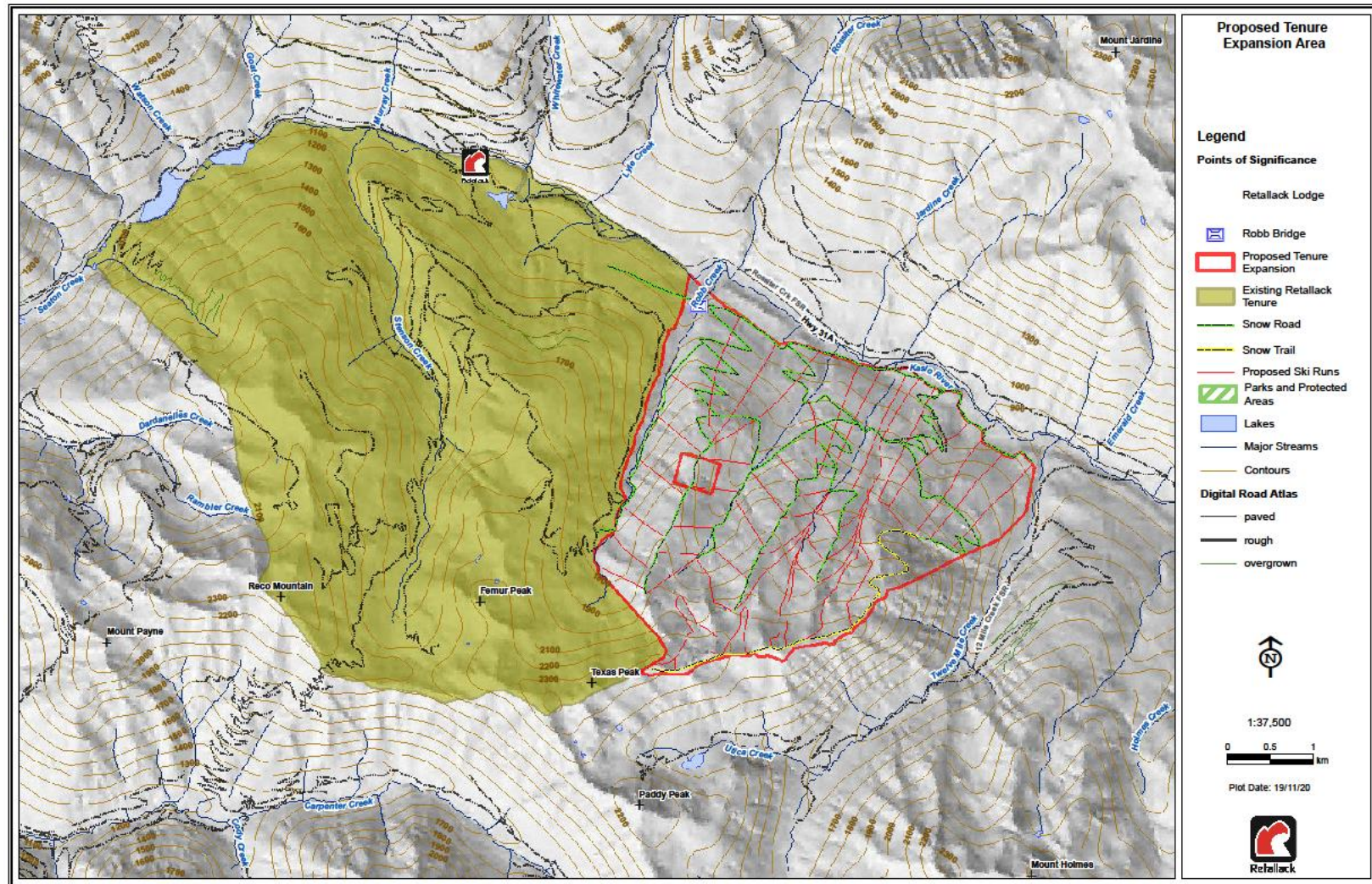


Figure 2 – 2: Proposed Expansion Area



3.0 COMMERCIAL REC ACTIVITIES OFFERED ON CROWN LAND

3.1 *Description of Activities*

In addition to its primary guided cat skiing activities, the company is seeking to augment access to its terrain (in combination with its existing cat skiing operations) via a limited amount of ski touring and/or helicopter access. All activities will continue to be based out of Retallack's lodge and be conducted via multi-day or occasional day skiing packages.

3.2.2 *Snow Road and Trail Development*

Retallack uses an extensive network of existing forestry, mining and snow roads to access the ski terrain. A significant portion of the roads are constructed solely of snow which allows passage of the cats throughout the alpine areas. Once there is approximately 1.5 meters of snow settled on the ground, these winter roads are created simply by driving the snowcat over the snow. Most roads are designed to facilitate efficient upward movement but does not unduly strain the cat, or result in the need for an extensive road maintenance program.

Based on the definition of roads for cat skiing operations as outlined in the "Selkirk Forest District Mechanized Skiing Operating Plan for Occupant License to Cut authorities", dated January 18, 2016, Retallack utilizes both Snow Roads and Snow Trails in its operations. The company understands any new snow road and trail development will require further assessment by certain stakeholders including resource agencies and First Nations.

Snow Roads

Snow roads are defined as permanent tracks that may require some timber removal and may necessitate use of an excavator to construct side cuts into the mineral soils. Any existing logging roads that were previously constructed by the forest licensee fall into this category. These roads can either be active or deactivated.

In certain instances, Retallack has connected historic logging roads in previously logged areas to the alpine areas. There may be several short locations where a steep side hill prevents the company from connecting areas with reasonable snow road building characteristics. In this case, an excavator will be used to create a more level dirt road. Some tree removal may be required to establish this road.

Snow Trails

Snow trails are constructed using snow, and may, in certain instances require timber to be removed to negotiate a section of steep terrain, however these roads do not require soil to be disturbed. Snow trails are constructed in locations which use natural terrain features such as benches and ridges to facilitate easy travel.

They are usually in approximately the same location each winter. Most snow trails, especially those in the tree line elevation band can be constructed simply by driving the cat over the snow. The snow trails completely melt by early summer with no impact to the underlying vegetation.

Future Road Development

Retallack understands that any future development of snow roads and trails, beyond what is outlined in this mgmt plan addendum and the company's current approved mgmt plan, may require an amendment to the company's Occupant License to Cut (OLTC) if any tree removal is needed during future snow road and trail development. Where an excavator is used for snow road construction, erosion prevention measures such as down-sloping the road bench, installing water bars, and seeding the area will be implemented.

3.2.3 Gladding and Spacing

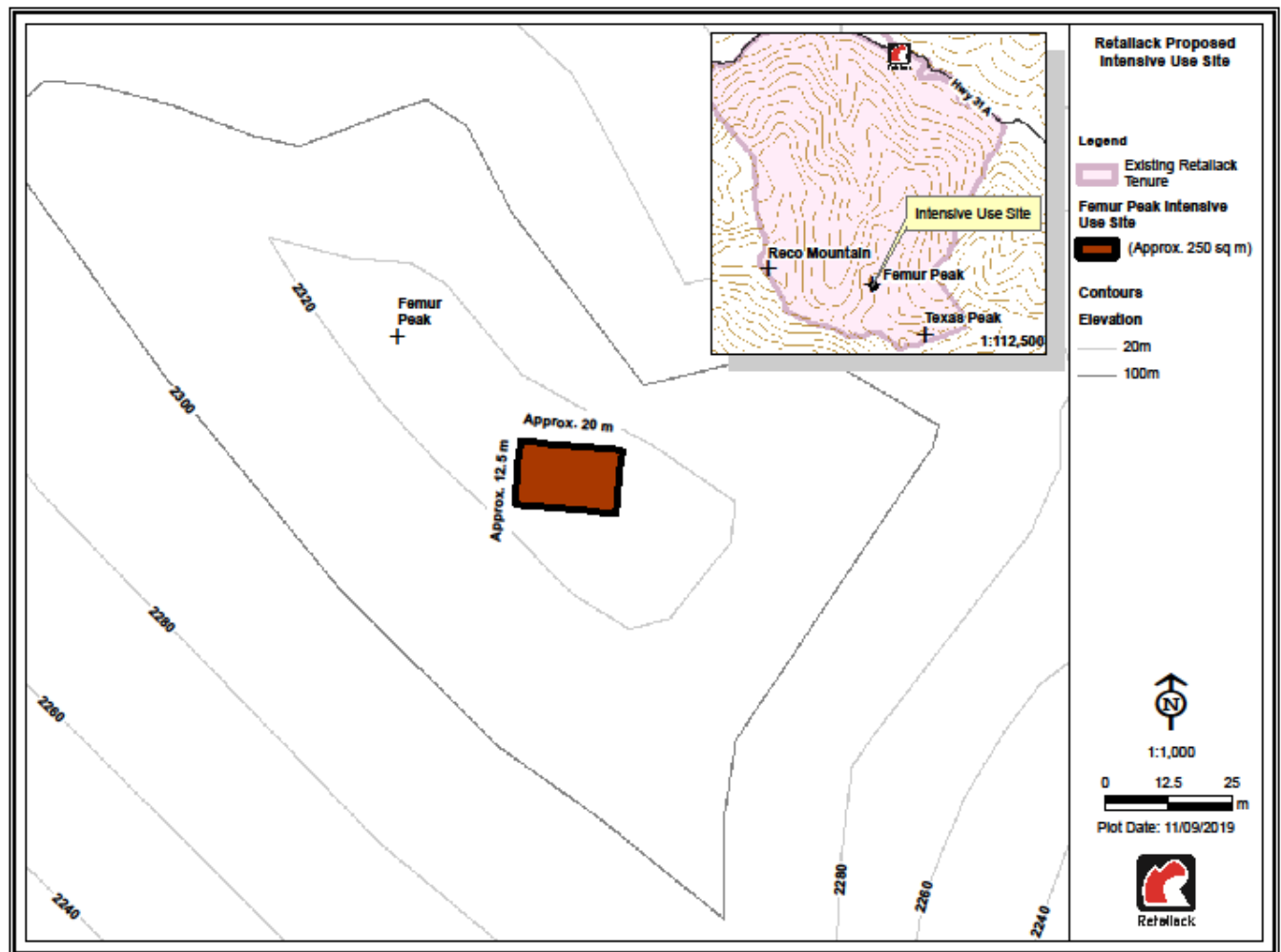
There are areas within Retallack's operating area where gladding and spacing may be appropriate to improve the quality of tree skiing. No gladding or spacing is currently being proposed, however the company is aware that prior to any tree removal for gladding and spacing work, its existing OLTC will need to be amended and approved. The company is also aware that any future OLTC application may require additional wildlife assessment work as part of the OLTC submission.

Gladding is defined as removing select, natural timber from a stand of timber that has not previously been harvested, to improve the spacing between the trees. Spacing is defined as removing (thinning) regeneration trees in "free to grow" cut blocks. Where gladding is proposed, minimal merchantable trees will be removed and the focus will be on removal of smaller, non-merchantable timber to achieve the optimal spacing for tree skiing activities. If merchantable timber is cut during the gladding program, stumpage is paid for volume of trees removed.

4.0 INTENSIVE USE SITES

Retallack presently has a seasonal (Minimal Impact Site) radio repeater facility installed at the top of Robb Ridge (GPS Coordinates – 117 11.2 143 W and 49 59.53 737 N). This facility is removed at the end of each operating season.

To improve radio coverage of its existing (and proposed) operating area, it is necessary that a more permanent radio repeater facility be installed on Femur Peak.

Figure 4 – 1 Site Plan of Radio Repeater Facility

7.0 IMPACTS ON OTHER USERS

7.1 *Public Use and Access*

Retallack would like to express its thanks to all members of the public who have supported its operations over the past 23 years. Retallack is very cognizant of increasing public concerns regarding climate change and the use of the land for commercial recreation activities. Retallack shares these concerns and seeks to conduct its operations in a sustainable manner to actively care for the backcountry we use, the wildlife habitat we share, and the local communities in which we live, work and play.

Public recreation use (ski touring and snowmobiling) does occur within Retallack's existing tenure area and it is steadily increasing. Whilst this new area has been traditionally difficult to access, Retallack recognizes that public recreation will inevitably also increase in this area and Retallack is committed to continuing to engage in open, constructive dialogue so as to identify mutual strategies to mitigate any future conflict.

Retallack remains concerned, however, about the ongoing lack of strategic land planning in the Highway 31A corridor that could also be used to mitigate conflicts. Of particular concern are the ongoing commercial activities of North Valley Huts and the newly proposed ski resort (www.zincton.com) adjacent to Retallack's existing tenure.

Retallack is supportive of private land owners' rights to develop their property as they see fit it. Retallack would also welcome additional private investment into the area, in particular, if it is proven to be positively socio-economically beneficial to the neighbouring communities of New Denver and Kaslo. Retallack is increasingly concerned, however, that the playing field is becoming unlevel for commercial operators and the overarching public interest. Retallack's position is therefore:

- *Any adventure tourism operator utilizing Crown Land should be required to obtain a Licence of Occupation via the Province's existing Adventure Tourism Policy so as to ensure public transparency and accountability;*
- *Any ski resort or lift development that creates access to Crown Land should be required to obtain a Master Development Agreement as per the Province's existing All Season's Resort Policy so as to ensure public transparency and accountability.*

Retallack remains optimistic and willing to coordinate with all parties (e.g. the public, First Nations, government and commercial enterprises) to identify and implement mutually beneficial solutions that ensure that all parties continue to benefit from sharing the land.

7.2 Resource and Industrial Users

7.2.1 Timber Tenures and Forestry Management

There are several forest licenses and tenures within Retallack's existing and proposed operating areas (i.e. BCTS). Although forest harvesting takes place within Retallack's existing tenure area, impacts between mechanized skiing and forest development have historically been minimal. The company maintains a working relationship with the forestry companies and will continue to ensure that any issues and concerns are addressed and resolved in a timely and appropriate manner.

Retallack's existing and proposed operating areas lie primarily within the Kootenay Lake and Arrow Boundary Forest Districts. Portions of several of the mechanized skiing operating zones are located in the alpine areas above the level of active harvesting. The proposed expansion area has recently been logged at lower elevations. Since numerous FSRs have also been constructed, they are ideal to connect to Retallack's existing snowcat road network.

Retallack currently has an existing Occupant License to Cut (OLTC) which permits the construction of snow roads and trails, improvements to previously built snow roads and trails, and the development of gladed ski runs in specific locations within its operating tenure. The nature of mechanized skiing normally equates to little or no alteration of wildlife habitat. The most significant habitat issue will be the need to cut small numbers of trees – on occasion – to improve the ski terrain (i.e. glading, spacing, and brushing) or create landing zones. Landing zones are always very small openings (Retallack will utilize natural openings wherever and whenever it can), so these should not present a problem from the perspective of creating changes to the age class or seral stage composition of the stands.

Retallack will review all future glading, spacing, and brushing plans with FLNRO under its OLTC and understands that the plans must be consistent with local and regional plans, and with any Provincial standard operating procedures (SOP) for cutting, for snowcat or helicopter skiing purposes

7.2.2 Mineral and Energy Tenures

Retallack's existing operating area, and the proposed expansion area are heavily encumbered with various mineral tenures from historic mining activity. There are many existing mining/exploration companies operating within Retallack's operating areas, but these activities are generally limited. Impacts from mining and exploration activities are considered minimal and Retallack often provides

accommodation to mining/exploration employees when they are working in Retallack's operating or adjacent areas during their summer operating seasons.

The proposed tenure amendment will not affect any mineral claims. Retallack will look forward to a cooperative program with any mineral tenure holder. To date, Retallack has had minimal conflicts with mineral tenure holders. Retallack is aware that many Mineral Claims exist within this proposed tenure amendment area. Retallack understands that mineral claim owners may have questions and concerns relating to commercial recreation occurring on or nearby their area.

Retallack acknowledges that mineral tenures may at any time be placed over any mechanized skiing tenure areas. Retallack is also committed to routinely communicating with claim holders regarding their plans for mineral development. Retallack is committed to allowing mineral claim holders full access to any mineral developments or projects including relocation or re-routing of ski runs. Retallack is also committed to periodically checking with mineral tenure holders online and follow-up with overlapping mineral tenure holders to determine the extent of planned development and determine if any actions are required to allow both mechanized skiing and mineral exploration activities to co-exist.

Retallack acknowledges that any subsequently issued mechanized skiing tenure amendment will be subject to the provisions of Mineral Tenure Act, Petroleum and Natural Gas Act, Coal Act, Forest Act, Range Act, Wildlife Act or Water Act.

7.2.3 Guide Outfitters and Trappers

Guide Outfitters

Retallack is committed to maintaining regular communication with Guide Outfitters to ensure that its operating activities do not affect their hunting activities. No Guide Outfitter Licenses, however, have been identified within the proposed operating zone.

Trapping

Present policy protects the interests of trapline licensees. Traditionally, there is one trapper who operates in Retallack's existing tenured area. Retallack is on good terms with him and ensures that impacts to his traps for rabbits and martin are minimized to the greatest extent possible.

7.3 Other Commercial or Public Recreation Interests

The new proposed area does not have any overlaps with any winter commercial recreation activities, however there are adjacent AT tenure operations, but due to the nature of ground-based catskiing and the separation via several ridgelines;

any disturbance effects are therefore expected to be minimal on their operations (see Figure 7 – 1).

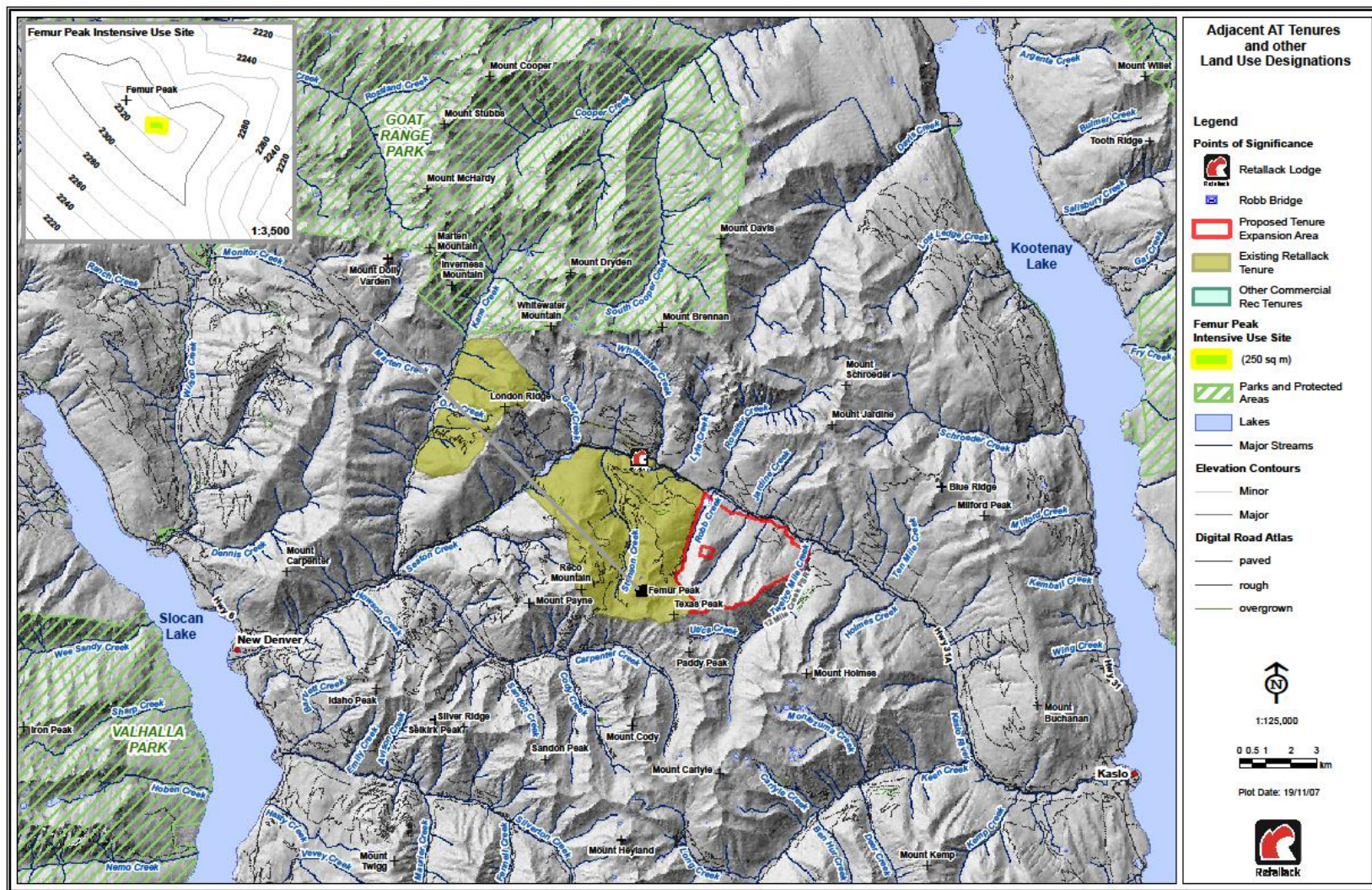
Due to the winter nature of this application, no conflicts are anticipated with respect to any existing AT operations or public recreation summer use.

7.4 Existing Land Use Plans

The proposed expansion area falls within the Regional District of Central Kootenay (RDCK) Areas D and H. A review of the existing land use bylaws indicates that Retallack's activities are consistent with the permitted uses outlined in the bylaws.

A review of the West Kootenay-Boundary Land Use Plan indicates that Retallack's activities within the expansion area are consistent with the overall intent and specific land use designations of the planning document.

Figure 7 – 1: Adjacent AT Tenures and Other Land Use Designations



8.0 WILDLIFE MITIGATION STRATEGY

An updated wildlife mitigation strategy has been prepared and is provided as a separate report, in support of Retallack's amendment application.

9.0 FIRST NATIONS INTERESTS AND VALUES

The first Indigenous people to settle and use the areas surrounding Kootenay Lake and Slocan Lake were the Lower Ktunaxa (*yaqan nu?kiy*) and Sinixt (*sngaytskstx*), who traded amongst each other and had camps along the foreshores of the local lakes and rivers. The Okanagan (*Syilx*) and Schuswap (*Secwepemc*) also made traditional use of the surrounding areas.

For thousands of years, Indigenous peoples enjoyed the natural bounty of the land, seasonally migrating throughout their Traditional Territories to follow vegetation, fishing and hunting cycles. They obtained all food, medicine and material for shelter and clothing from nature.

European settlement in the late 1800s significantly altered the Indigenous peoples' way of life and led to the establishment of present day First Nations reserves and bands. Current cultural and heritage values represent the physical and spiritual remains of activities that were, or are still, being practiced for the purposes of ritual, ceremonial, spiritual, economic or cultural well-being of first peoples' traditions. Accordingly, Retallack continues to consult with First Nations in a cooperative sense of sharing to identify values and to wherever possible address concerns in the areas of archaeology, cultural or traditional use, environment, wildlife and economics.

Retallack understands the historic aboriginal rights that First Nations have with the lands within the company's existing operating area as well as the proposed expansion area, and is interested in working with First Nations through a cooperative sense of sharing. Retallack appreciates its use of the land is not exclusive and is keen to work in a manner that benefits all parties that have an interest in using the land. Retallack recognizes First Nations are interested in opportunities arising from tourism and recreation developments within their Traditional Territories, and to that end, Retallack remains open and willing to develop protocols and agreements that outline how those opportunities can be implemented in an effective and meaningful way.

During the course of its research for this amendment application Retallack has identified four potential areas of concern including:

- Archaeological Concerns
- Cultural and Traditional Use Concerns
- Environmental and Wildlife Concerns
- Economic Concerns

Retallack will continue to consult with First Nations in order to identify any concerns, and will utilize its best efforts to attempt to resolve or mitigate any issues that may arise from the company's activities.

Figure 9 – 1: Ktunaxa Nation Traditional Territory (ktunaxa ʔamakís)

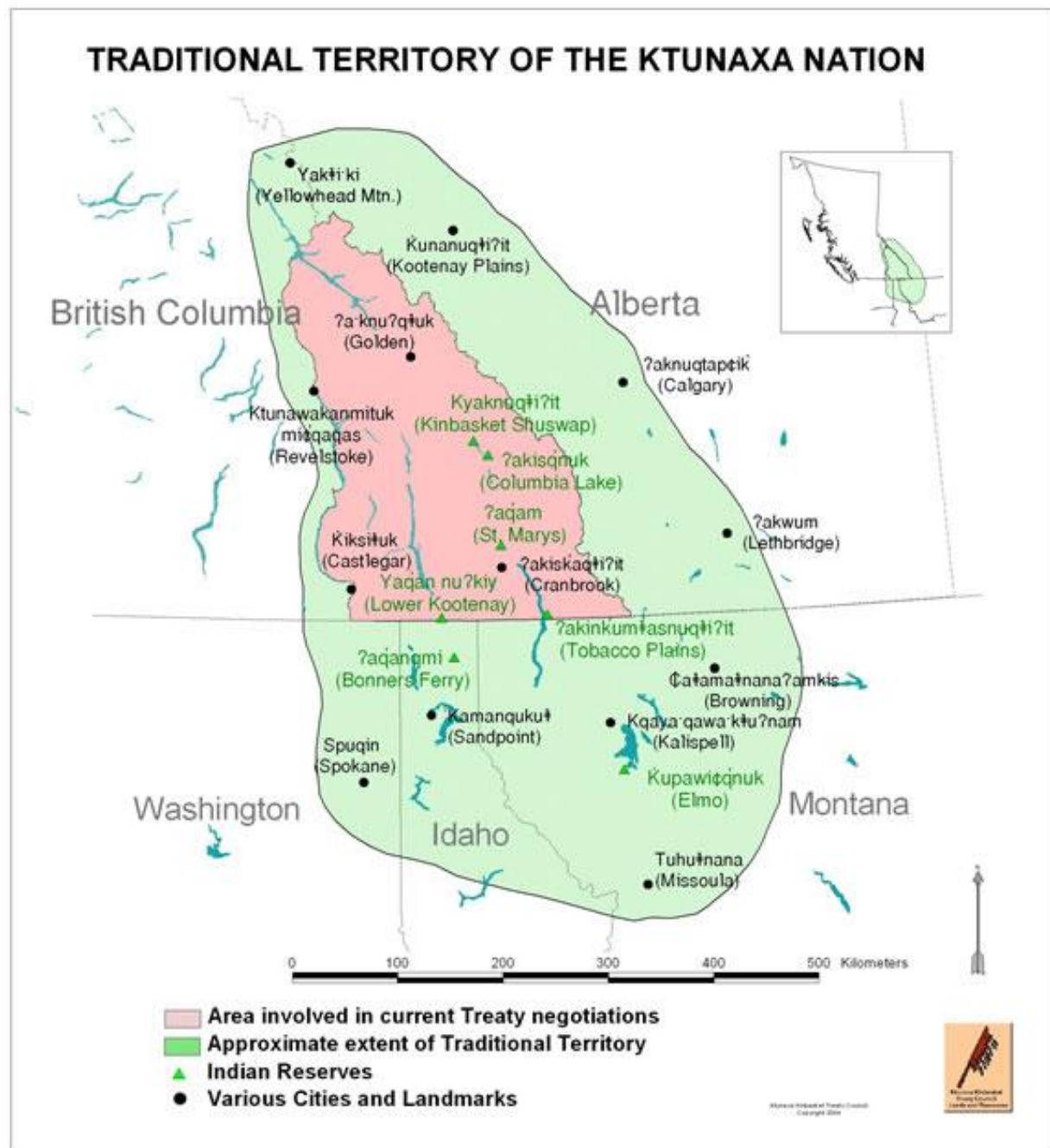


Figure 9 – 2: Okanagan Traditional Territory (Syilx)

Figure 9 – 3: Sinixt Traditional Territory (sinixt-tum-xula7xw)

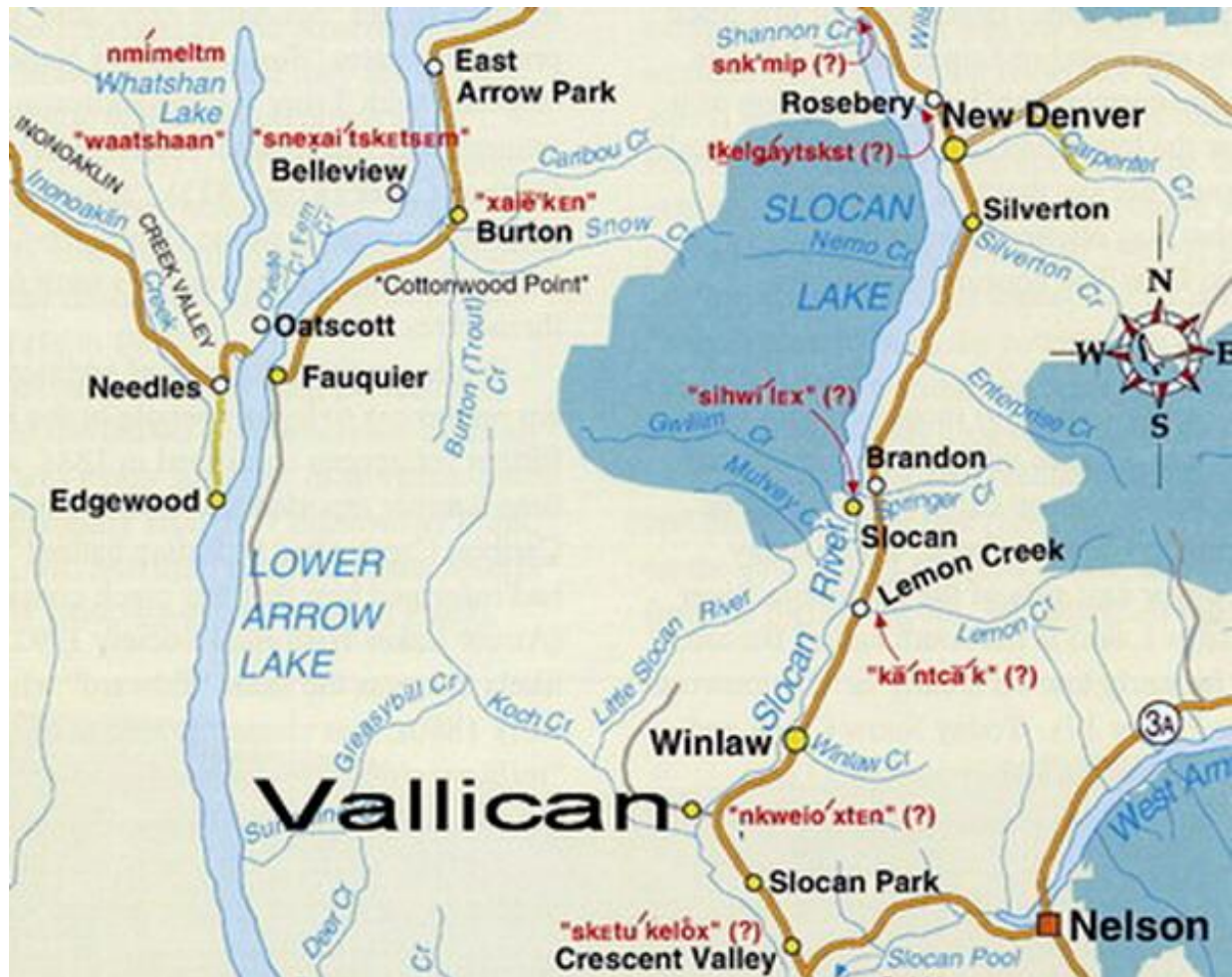
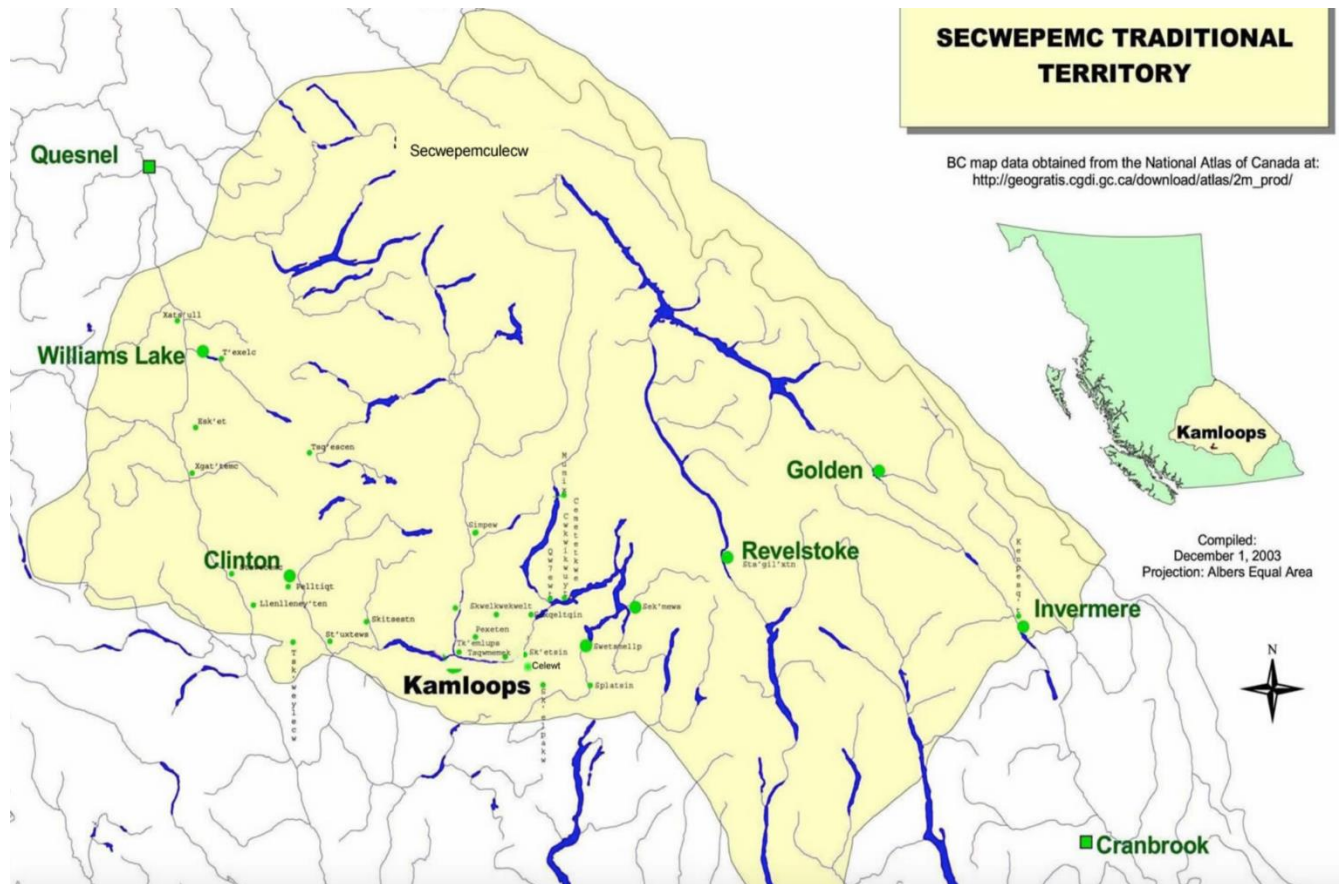


Figure 9 – 4: Secwepemc Traditional Territory (Secwepemcúł'ecw)



9.1 Archaeological Concerns

First Nations are concerned about the preservation of archaeological sites. Archaeological sites have spiritual connections for many First Nations people and they sustain and nurture their relationship to the land. First Nations want to be assured that archaeological sites are not being damaged by any proposed activities.

In addition, archaeological sites are protected under the *Heritage Conservation Act*. Archaeological sites must not be damaged or altered in any way except under permit from the Archaeology Branch at the Ministry of Forests, Lands, Natural Resource Operations & Rural Development. Archaeological sites are protected regardless of whether they have been registered or not.

Resolution of Archaeological Concerns

Retallack is committed to continual information sharing and will refer all development plans with the appropriate First Nations. A written 30-day notification, with a map illustrating the location of planned development, will be referred to the First Nations as indicated in the *Consultative Areas Database*. The objective of this notice is to provide First Nations with an opportunity to identify areas of concern to ensure that concerns are addressed to the extent practicable prior to development of an area of Crown land allocated to Retallack's development activities.

Retallack will document and keep on record any cultural heritage resource information provided by the First Nations, this will include how planned activities will or will not accommodate identified heritage resources. Any cultural heritage resource information received will be kept confidential.

If any evidence of cultural heritage resources is observed, becomes known, or is brought to Retallack's attention, the appropriate archaeological / heritage authority and First Nations, if appropriate, will be consulted. All Retallack field staff will be trained in existing procedures for *Chance Find of Archaeological Material*.

A reasonable effort, to the extent practicable, will be made to conserve or protect the cultural heritage resource before development proceeds.

If Retallack is provided with any Archaeology Overview Assessment models (i.e. that illustrate polygons with moderate and high potential in the operating area), Retallack will evaluate this information and keep it confidential. Retallack will then be able to carefully consider all development activities on areas with any Archaeology Overview Assessment polygons and will seek the advice of a qualified registered professional before proceeding with activities that cause any concern.

It is understood that there is always a limited possibility that unknown archaeological sites may exist in the proposed operating area. The *Heritage Conservation Act* protects both known and unknown archaeological sites. If an archaeological site is encountered during operations, activities will be halted immediately, and attempts will be made as

soon as possible to contact the appropriate archaeological/heritage authority and First Nations, if appropriate.

If there are multiple First Nations asserting traditional territory over the proposed operating area as listed on the government *Consultative Areas Database*; Retallack is not in a position to decide which of the First Nations asserting traditional territory have greater strength of claim and will not endorse one First Nation over another.

9.2 Cultural and Traditional Use Concerns

Retallack understands that First Nations have concerns about protection and sustainability of their respective cultures and traditional use concerns. First Nations cultures and traditional uses are tied to the land in a way that is essential to their survival. Many First Nations people are dependent on their Traditional Territories in a way that non-natives are not. As such, they have a special interest in protecting their tangible and intangible cultural assets and traditional use concerns.

Resolution of Cultural and Traditional Use Concerns

Retallack understands that the First Nations peoples may have traditional use or cultural concerns. Retallack will continue to consult with First Nations in order to accommodate their traditional uses and values as they are identified.

9.3 Environmental and Wildlife Concerns

Retallack understands that First Nations have concerns about the protection and sustainability of the environment. First Nations cultures and economies are tied to the land in a way that is essential to their survival. Many First Nations people are dependent on animal and plant species in a way that non-natives are not. As such, they have a special interest in protecting the resources.

Resolution of Environmental and Wildlife Concerns

Retallack has retained qualified biologists and professionals to undertake the appropriate studies and make recommendations to ensure the least impact to environmental resources. The activities proposed are by nature low impact, but special measures will be implemented to protect sensitive wildlife such as goats, grizzly bear, wolverine, moose and caribou (see Section 2). Retallack will make available any environmental or wildlife plans or studies to applicable First Nations for review. If concerns not identified by the biologists are presented, additional measures to protect the resources will be considered.

9.4 Economic Concerns

Retallack understands that First Nations peoples are seeking employment that is close to home and is in line with their cultural values. Retallack understands the desire to

participate in the benefits derived from tourism opportunities within their Traditional Territories.

Resolution of Economic Concerns

Retallack will continue to seek partnerships with First Nations in order to pursue mutually beneficial economic opportunities within their Traditional Territories.