



REASONS FOR DECISION

FILE NUMBERS: 4406147, 4406148, 4406149

APPLICANT: Powder Renegade Lodge Inc

BACKGROUND: The applicants have applied for a guided cat ski operation located in the Midway Range of the Southern Monashee Mountains, between the Granby and Kettle rivers, approximately 60km northwest of Grand Fords and 70km east of Kelowna.

The initial proposal, submitted in November 2020 under three applications and three separate tenure management plans (TMP) included:

- A lease site (file 4406147) over approximately 14.72 ha+/- of Crown land for a lodge, auxiliary accommodation, construction cabin, staff accommodation, machine workshop, buildings to house boilers, wood, pumps, generators and a fuel cache, and an area for a septic system.
- An extensive use licence (file 4406147) over approximately 8,847 ha+/- of Crown land for guided cat skiing, with two secondary intensive use sites for shelter cabins with heli pads, a repeater site, and site for a weather station.
- A roadway licence (file 4406149) for a licence for approximately 28 road segments, totaling 10.7km (7.78 ha+/-) of permanent road segments within the extensive use area.

Subsequent to mitigation measures taken during the application review process, the three applications under this decision are for:

- A lease site (file 4406147) over approximately 5.8 ha+/- of Crown land for a lodge, staff accommodation, machine workshop, buildings to house boilers, wood, pumps, generators and a fuel cache, and an area for a septic system.
- An extensive use licence (file 4406147) over approximately 6,344 ha+/- of Crown land for guided cat skiing, with two secondary intensive use sites for shelter cabins with heli pads, a repeater site, and site for a weather station.
- A roadway licence (file 4406149) for a licence for approximately 16 road segments, totaling 4.5km (3.5 ha+/-) of permanent road segments within the extensive use area.

DECISION DATE:

DECISION: PROCESSED - TENURE ISSUED



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Pursuant to the [Strategic Policy - Crown Land Allocation Principles](#), the applicant's proposal for a cat ski operation under these files has been assessed as follows:

1. Crown land values are managed for the benefit of the public

The proposal is consistent with provincial economic development goals and strategies of building a stronger economy; provides economic benefits for the public; optimizes alignment with the natural site conditions on the land base; has undertaken environmental assessments and commits to further assessments to minimize impact to habitat and the environment and has demonstrated a business need for the goods and services offered.

2. Economic, environmental, and social needs and opportunities are identified and supported

The recommendation to allow the tenure(s) has considered the social, economic, and environmental outcomes of the proposal. The proposal promotes investment opportunities; provides improved access to the commercial recreation market and provides economic benefit to the province, communities and other businesses and communities through employment opportunities, taxes, rental, purchase of supplies, etc. The promotion of tourism in the province and the economic benefits align with the government's strategic direction and priorities.

3. The interests of First Nations' communities are recognized

The proponents reached out to all First Nations' communities prior to application submission, to recognize their rights and interests in the area and to express a willingness to cooperate and collaborate with the communities. The province has engaged with First Nations' communities throughout the application process, providing all requested information and environmental assessment information. The proponents have retained a qualified professional archaeologist to undertake archaeological studies prior to any ground disturbance in the area.

4. Decisions are timely, well-considered and transparent

The rationale to recommend allowance of the subject application(s) for this proposal are based on the best information available about the land and resources on the land base; the information gathered from public, government agency and First Nations' consultation; evaluation of risk associated with the proposal; review of land use plans applicable to the area and the costs and benefits of the proposed land use. The applications have undergone a thorough review, considered all available information, and have undergone numerous changes to mitigate concerns/issues raised in the review process. Transparency is achieved through the public posting and advertising of the



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original applications/tenure management plans (TMPs), and the public posting of the updated TMPs and the Reasons for decision on the Applications, Comments and Reasons for Decision website.

5. Public accountability is maintained during the allocation of Crown land

The proponents have demonstrated a viable business opportunity and an economic benefit. The proponents have a legal obligation to comply with the provisions of the tenure Agreement(s) and the approved TMPs. Appropriate commercial liability insurance will be held by the proponent. The tenure Agreements and the Land Act contain remedies for non-compliance. The province will retain a substantial security deposit throughout the life of the tenure Agreements to ensure compliance and stewardship of the land.

Land Use Report (LUR)

- I have reviewed the final LURs for these applications and agree with the analysis and resulting recommendations.

Land Act Policy and Procedures

- My decision was guided by the Adventure Tourism/Commercial Recreation Policy, and the Crown Land Allocation Principles Strategic Policy.

Land Status Review

- Conflicts associated with this application in the land status have been addressed and mitigated.

Referral Responses and Public Engagement

- Agency and public comments were all reviewed and considered in the decision. Substantial mitigation efforts have been undertaken to address issues and concerns raised, such as:
 - Further field and environmental impact assessment work; commitments for further environmental and archaeological assessments
 - Reduction on areas under applications
 - Reduced permanent closed roads and ensuring roads under application do not cross any stream networks and include buffer areas
 - Removal of huts and helipads in the extensive use area; only helicopter activity is transportation to lodge site
 - Upgraded TMPs, clarifying no increase to road density, winter use only, snow assessment and economic benefit information, additional mitigation strategies in adherence to recommendations provided by ministry habitat staff; acknowledgement of exemption requirement under motor vehicle closure area and other permit requirements for the operation; mitigation measure was working in major watershed areas, etc.



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- Final approved Tenure Management Plans are uploaded to the Applications, Comments and Reasons for Decision website.

First Nation Consultation

- First Nation consultation is documented in the consultation record and was fully considered in this decision.

Summary Statement: All concerns and conflicts related to this application were addressed and/or suitably mitigated. I consider this tenure a beneficial use of Crown land as demonstrated above under the Crown land allocation principles. The information provided has allowed for a timely, well considered, and transparent decision.

Date signed: April 11, 2022

DECISION MAKER:

Name: Tracy Ronmark

Title: Director of Authorizations

Delegated authority under *Land Act s. 11* (*section of the Land Act under which the decision has been made*)

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