

JUMBO GLACIER MOUNTAIN RESORT MUNICIPALITY
OCP PUBLIC HEARING APPENDIX D.

RECEIVED

HEARING HELD JUNE 16/15.

JUN 10 2015

Brisco, June 8th, 2015

Members of Council
Jumbo Glacier Mountain Resort Municipality (JGMRM)

I have read the Official Community Plan (OCP) for JGMRM that you plan to adopt via bylaw no. 0013, 2015.

I wish to present the following statement and questions to council for its consideration:

1. Regarding section 1.12 Core Value no. 2 " Respect for the environment wildlife and natural areas." Building a project of this size into a narrow, wild, back country valley such as Jumbo is in of its self a complete contradiction of core value no. 2 and shows that this stated core value is just a meaningless group of words.
2. Regarding section 4.12 para. 3 which states "JGMRM will provide building permit services and regulate zoning within the Controlled Recreation Area (CRA)." Why then did council issue building foundation permits for a day lodge and service building to be relocated into an avalanche hazard area?
3. Regarding section 5.2 objective no. 2 " Identify hazardous lands when considering development for human safety and protection of property." This statement is in complete contradiction to your issuing permits for the building foundations I have just previously mentioned. This ludicrous yet dangerous situation regarding the day lodge and the service building leads me to believe that the JGMRM council has no idea of what was going on up in Jumbo in the time period Aug. 20 to Oct. 12/2014.
4. Regarding section 11.3 para. 1- Policing within JGMRM is covered by a mere 1 1/2 lines. Has council had substantial and meaningful negotiations with the R.C.M.P. regarding law enforcement? Approximately 12 years ago the commanding officer of the Invermere R.C.M.P. detachment stated publicly that they would have a very difficult time providing adequate coverage to JGMRM. The OCP fails to mention any zoning policy that would exclude businesses and events that would attract non law abiding elements of society. The OCP should emphatically state that the cost of policing said events must be borne by the event promoters and not the taxpayers of B.C.
5. The OCP should also insist that GRL should prohibit the use of unauthorized all-terrain vehicles in the Controlled Recreation Area as per legally binding commitment # 88.

The OCP for a municipality is only as good as (a) the council administering it and (b) the vigilance of an electorate that is constantly ensuring that the council is administering it in an efficient, open and transparent manner.

In JGMRM's case however, there may never be enough permanent residents to require the province to decree that Jumbo must have an elected council.

If that does happen then Jumbo will in effect really be run by the resort promoters and this OCP which we are talking about to-day will not be worth the paper it is printed on.

Jim Galloway
P.O. Box 35
Brisco, BC

PUBLIC COPY

So I've been thinking about what to say here, TODAY, for weeks. I've been writing & re-writing. Sometimes it sounds too angry, sometimes it sounds too inhibited...

I continue to be disappointed with our provincial govt decisions, and, (I'm sorry Greg) the appointment of you 3!

This whole thing is an insult...

A mayor & council with no town

A municipality with no people

An Official Community Plan with no community

This is nuts.

The RDEK states that, "① an OCP planning process will enable the creation of land use policies which reflect both existing conditions... and the residents vision for the future." "② Objectives & policy statements within OCPs are drafted to balance both public & private interests as well as local & regional interests." "③ the preparation of an OCP provides an opportunity to identify a collective vision for the future of the community..."

So based on the RDEK definition of an OCP, your tabled document in no way meets the criteria. There is no community in this OCP. So who's vision is this? The developers vision & plan.

If public input was truly being sought at this "Public Hearing", perhaps an evening gathering would allow more public participation. I have taken unpaid time off work to attend this morning.

This OCP was edited from the original document tabled on Feb 3rd. Besides some mapping changes due to avalanch risk, there have

been subtle wording changes. For example:

- 4.2 #1 "DO NOT" adversely affect water → to "HELP PREVENT" adversely affect
- 4.11 #2 "PROHIBIT" industrial uses → to "DISCOURAGE" industrial uses
- 11.2 #1 "TO ENSURE" a safe environment for both visitors & residents → to
"STRIVE TO PROVIDE" a safe environment
- 16.3 "TO ENSURE" adequate protection from ground water degradation → to
"TO HELP ENSURE" adequate protection
- 16.4 Design & separation, "AS OPPOSED TO RESTRICTIVE COVENANTS"
is the preferred mechanism to protect lands... → to
Design & separation, "IN CONJUNCTION WITH THE NOMINAL USE OF
RESTRICTIVE COVENANTS"...

This OCP is a laughable attempt to legitimize this ridiculous, unwanted municipality & proposed rezoning.

SPEAKING NOTES: JUDY BURNS.

Bob & Lorraine Campsall

From: "Bob & Lorraine Campsall" <campsalb@telus.net>
Date: June-11-15 12:52 PM
To: <Mark.Read@jgmm.ca>
Cc: "Bob & Lorraine Campsall" <campsalb@telus.net>
Subject: OCP Bylaw No. 0013 2015 revised correspondence

& L Campsall

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JUMBO GLACIER MOUNTAIN RESORT

PO BOX 58 RADIUM HOT SPRINGS B.C.

Thank you for providing this opportunity for us to express our concerns re. the proposed O.C.P. It is unfortunate that there has never been an official public hearing re. the Jumbo Resort Proposal when it was first proposed (or in the approximate 25 years since.)

Our general concerns include:

1. The potential negative impacts to the unique Jumbo area environment, and the wildlife that inhabits the region.
2. The potential cost to the taxpayers of B.C. that will be incurred should the project prove to be uneconomical, as predicted by many experts.
3. The entire Jumbo Glacier Resort proposal is outdated, both in environmental and economic aspects, and it has become a great waste of time and money, and further consideration of it should be terminated.

Our specific concerns re this O.C.P. are as follows, and they basically seek either to improve certain items, or in some instances, to correct them.

1. Section 1.1 Introduction (p.4) states that this O.C.P. is "intended to reflect the long-term vision..." , yet no mention is made of any legitimate

study being required to measure the rate of melt-down of the glaciers upon which the entire Jumbo proposal is based. All evidence is that

these glaciers will be virtually gone in 50 years or less, and unsuitable for skiing much sooner. Why has no scientific study been required

in the O.C.P. to provide some guidance to assist this "long-term vision"? If the glaciers become unstable in a short time, then this whole process will have been ridiculous.

2. Section 1.6 Resort Approval History (p. 5 & 6) Paragraph 3 ends with "...this included a specific recommendation to approve the land use for the

Jumbo Glacier Resort project subject to the outcome of an Environmental Assessment Act review. In April 1995, the Province formally announced the approval of the land-use decision".

These are very misleading and possibly untrue statements. In fact, the EKLUP did not recommend to the provincial government to approve the the JGR proposal, and the province did not approve the JGR project in 1995, which is suggested in the O.C.P. In fact JGR did not receive its

Environmental Certificate until October 12, 2004, and final approval has not yet been forthcoming at all. In fact we believe that section 1.6, paragraph 3 is so questionable that it should be removed from the OCP.

3. page 7, section 1.7 Vision describes a "resort community that is focused upon...year round skiing..." Year-round skiing is mentioned several times, and it should not be, because the possibility of this happening grows less every year, due to the meltdown of the glaciers.

(For reference, see the CBT updates re Climate Change in the Columbia Basin)

4. Section 2.3, p. 8 Timeline and Phasing. The resort's build out period is stated as being 20 - 25 years (presumably from when "substantial commencement" is declared, if ever) This is an unbelievable statement, when one considers that the same projection was made 20 years

ago, and the likelihood of there being any glaciers to ski on in another 25 years is virtually nil. This whole timeline suggests at least another

20 - 25 years of taxpayer subsidization for a "year-round resort" with continuously shrinking ski terrain. The obvious meltdown of the glaciers alone should be justification for terminating the JGR proposal.

5. Section 3. p. 9 FIRST NATIONS This appears to be a very biased, non-objective description of the position that the local First Nations people have

taken, and it should be re-written to include the strong opposition held by the Ktunaxa to the JGR proposal, based on their historical use of the area and its strong cultural and spiritual value to them.

6. Section 6.1 p. 16 Sustainable Design We are pleased to see the "commitment to sustainable environment, economic and social practices..." noted but we would appreciate a statement re which of these commitments has priority. Surely we can all agree that environmental factors will determine whether or not a global economy can be maintained.

Aside from the specific comments we have mentioned, we must state that we are strongly opposed to the whole JGR proposal, the lack of democratic process, the creation of a municipality with no residents, the appointment of an unelected Mayor and Council, the proposed destruction of a unique natural area, all being financed by the taxpayers of British Columbia.

As current taxpayers we express, once again, our opposition to the proposed OCP Bylaw No. 0013, 2015, and we urge you to not approve it.

Respectfully

Bob and Lorraine Campsall



wildsight

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June 14, 2015

Submitted to: Jumbo Glacier Mountain Resort Municipality Council
Re: Draft Official Community Plan

Please accept these comments on the Draft Official Community Plan for the Jumbo Glacier Mountain Resort Municipality.

As stated in the draft document, this draft OCP "is a planning document and the principles herein are intended to reflect the long-term vision of the community" and furthermore, to "establish the land use policies for planned and future development of the JGMRM". We object to the process of the Council creating and adopting an Official Community Plan for a community without a resident population and having an unelected council making land use decisions. This objection is in-line with objections raised by local governments across British Columbia in the resolution passed by the Union of British Columbia Municipalities (UBCM) in 2012:

"THEREFORE BE IT RESOLVED that the UBCM ask the Ministry of Community, Sport, and Cultural Development to consider a governance structure for Mountain Resort Municipalities that includes elected representatives responsible for land-use decisions and a permanent population of at least 200 people.

AND FURTHER THAT the UBCM does not support the concept of an unelected body making land decisions for an area with no population."

Furthermore, the creation of the JGMRM has been legally challenged and will be heard in the BC Supreme Court in July 2015.

One of the stated goals of the JGMRM as noted in the draft OCP is to "Promote and enhance environmental values and assets" and to "Promote the efficient use of water and energy". The Jumbo Valley is an internationally important wildlife corridor and grizzly biologist Dr. Michael Proctor, supported by 18 other grizzly bear biologists across North America, contends that:

"[K]eeping this core anchor sub-population healthy, intact and un-fragmented is likely essential to maintaining the long-term self-sustainability of the larger Canadian regional Purcell-Selkirk grizzly as well as maintaining the international grizzly bear distribution extending directly south into the United States."

Additionally, Section 6.1 outlines the JGMRM's commitment to sustainability and embodying the principles of Environmental Stewardship through conserving resources, preventing pollution and protecting and enhancing natural systems.

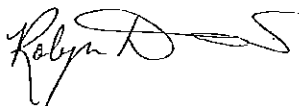
Section 15.1 outlines how the JGMRM will support protection of the environment, promoting conservation and the maintenance of sensitive ecosystems. If the JGMRM had a true interest in promoting and enhancing environmental values and assets, embodying environmental stewardship and environmental protection, it would not build a resort in the remote Jumbo Valley that threatens to fragment the habitat and connectivity of grizzly bears in the Columbia Mountains.

Section 5.1 addresses the issue of Land Use Restrictions (Hazard/Environmental), stating that the "JGMRM will take a conservative approach when considering development adjacent to natural hazard areas because of the uncertainties presented by future climate change". This is in stark contrast to the small amount of work undertaken to date within the JGMRM boundaries, whereby 2 concrete slabs were permitted to be poured in hazardous avalanche terrain, as identified by RK Heliski and further confirmed by Dynamic Avalanche Consulting and the Environmental Assessment Office. Given this situation, the OCP's statement that it will limit or prohibit development that may be subject to natural hazards does not adequately address how it will protect public safety from environmental hazards, such as avalanches.

The draft OCP document states that a First Nations Advisory Body will be maintained, suggesting that it has already been established. The Ktunaxa Nation has made it abundantly clear that they do not support the development of a resort in their sacred territory. This OCP fails to recognize this and instead plans for a large-scale development in the heart of their sacred territory.

Thank you for the opportunity to comment on the draft OCP. Once again, we urge that this OCP not be adopted until such time as the JGMRM has a resident population that can participate in the creation and adoption of the long-term plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Robyn Duncan". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Robyn Duncan,
Executive Director



I am Graham Holt resident of Windermere B.C. and general manager for RK Heliski.

I and RK Heliski are adamantly opposed to the adoption of an official community plan.

RK Heliski revealed last October in a detailed report the potential avalanche risk and public safety concern for the hastily relocated day lodge site. Glacier Resorts Ltd., not only built one (service building) but two (day lodge) foundations in a large scale avalanche path without even knowing it.

The revelation of this information lead GRL and a very strong recommendation by the EAO and government to undergo an avalanche risk report for the day lodge and service building.

The end result proved clearly through the Dynamic Avalanche Consulting avalanche risk report that the day lodge and service building were located in a large scale avalanche path.

On the Jumbo Glacier Mountain Resort Municipality's website a second report by Dynamic Consulting was undertaken, this report is a snow avalanche hazard map, and to be clear, not a detailed avalanche risk report (Like the Pink Panther/Karnak Avalanche Paths).

Who commissioned the 2nd report and paid for it? (Pheidias Project Management Corp)

Was the report also requested by government?

The second Dynamic Avalanche Hazard Mapping report is an overview map only. Detailed field observations and modeling were completed ONLY for the Pink Panther and Karnak Paths. 25 paths were identified, where paths are capable of producing Sz. 3 avalanches or greater.

When comparing schedule B4 (Development area avalanche map) and B1 (Planned Land Use) with this (second Dynamic Hazard Mapping report it seems difficult to understand based on limited information why mixed commercial residential, multiple family residential and single family lots would be put on the existing boundary of large scale avalanche paths where no in depth avalanche risk assessment has been completed.

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OCP

Sec.5 Land Use Restrictions

5.1 States: Natural hazard areas are lands susceptible to flooding, wildfire, avalanche, erosion, and or landslip. JGMRM will take a conservative approach when considering development adjacent to natural hazard areas because of the uncertainties presented by future climate change.

Dynamic Consulting states: Any area where residential development is anticipated should be mapped to a higher level of detail according to the avalanche risk zones defined in the Guidelines for Snow Avalanche Risk Determination and Mapping in Canada. This level of work was completed for the Day lodge and Service building.

Have any risk assessments been completed for avalanche paths within the village area, excluding the Pink Panther and Karnak avalanche paths?

How can an official community plan be adopted without understanding the risks for permanent infrastructure="The Public"?

5. Land Use Restrictions:

5.2 states: Identify hazardous lands when considering development for human safety and protection of property.

Numerous attempts by government and especially the EAO office had made requests for an Avalanche Safety Plan, which is a requirement under section 4.1.1 of the Occupational Health and Safety Regulation.

Key requirements of 4.1.1 are:

- **new requirements for snow avalanche assessment for ski hills, eco tourism, backcountry operations etc.,**
- **avalanche safety plan**
- **active avalanche safety program**
- **involvement of professionals**
- **training of workers**

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In regards to a Avalanche safety plan and active avalanche program

If the risk assessment identifies an avalanche risk zone, an avalanche safety plan must be developed and implemented before work is conducted in that zone when snow conditions have the potential to create an avalanche. The avalanche safety plan must follow CAA's *Land Managers Guide to Snow Avalanche Hazards in Canada* and *Guidelines for Snow Avalanche Risk Determination and Mapping in Canada*. It must also specify:

- Passive measures to mitigate or reduce the avalanche risk (e.g., supporting structures, snow sheds, snow collector fences)
- An active avalanche safety program (e.g., temporary or permanent closure, use of explosives) if it is necessary to monitor and manage any avalanche risk that has not been mitigated through use of passive measures

Why has a safety plan or active avalanche program report not been presented to outline many of the potential hazards and risks?

5.3 Limit and, if necessary, prohibit development that may be subject to natural hazards. Where construction is proposed in locations that might be subject to such natural hazards, buildings should be engineered to minimize risk of loss of property or personal injury.

Last September, GRL, was able to build not only one but two foundations in a large scale avalanche path without even knowing it.

Who is accountable and responsible for the poor decision making of locations of permanent infrastructure?

What measures are in place by the municipality to prohibit development in avalanche hazard areas now clearly identified?

5.4 An assessment of the susceptibility of an area to avalanche may be required at the time of the development.

How can a community plan be planned or adopted without understanding the risks?

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Land Use

4.1 Residential Housing

212 townhome and 1019 multifamily dwelling, I have heard your estimates of 6000 people on site at any given time.

What are the responsibilities of the municipality and the province for evacuating people?

Where would all these people be housed, in other words, what building's would accommodate large numbers of people gathering during a road closure, accident or active avalanche control program?

7.0 Transportation

7.1

1. Ensure safe, efficient and accessible transportation options for pedestrians, cyclists and motorists

RKHS initial report identified numerous avalanche paths that pose a risk to potential workers, employees and guests travelling into the CRA.

Isn't it the responsibility of the municipality and the government to look at what is involved for avalanche control for the upper Toby creek Rd and lower jumbo creek forest service road extending into the CRA and make that available to the public, so everyone is informed as to the scale of avalanche control and potential cost of maintaining and controlling a gravel road.

Why has no global review been completed for avalanche risk or avalanche control on the access road leading into the proposed resort by the municipality, GRL or the Ministry of Transport?

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6.1 Sustainable Design

States: This commitment to sustainable environment, economic and social practices shall be met through the following principles:

Social Responsibility: Communicate openly and consulting with stakeholders.

Is the municipality aware of the most recent update to the Adventure Tourism Policy (announced at the end of March 2015) which helps to provide guidance on the compatibility of an Alpine Ski Resort Commercial Recreation Area and an adventure tourism tenure. The new version of the compatibility matrix clearly indicated that skiing activities are not compatible with one another. The matrix, which has received wide support amongst Adventure Tourism stake holders and has been signed off by senior levels within government, should be used to help assess the compatibility and/or applicability of any CRA application over an existing helicopter or snowcat skiing tenure.

Does the municipality have any comments regarding the latter?

Graham Holt
General Manager
RK Heliski

Accordingly with the Guidelines for Snow Avalanche Risk Determination and Mapping in Canada CAA, (2002) which are the generally accepted guidelines for land development and operations located in avalanche terrain states:

Special structures where large numbers of people may gather, multi-unit residences or structures used for essential services (hospitals, schools, police and fire stations) must be placed only in a White zone and where there is a high confidence that the avalanche risk is low.”

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