



CANADA'S BEST SNOW

August, 2018
Sheila Luey
A/Superintendent
Banff National Park
Parks Canada
P.O. Box 900
Banff, Alberta T1L 1J5

Dear Sheila,

Sunshine Village has the following concerns with the draft site guidelines Parks Canada has prepared:

- 1) The draft site guidelines say that imbalances to on-site parking are addressed, which is incorrect.
- 2) The documents discuss a terrace on the north side of the existing lot, then undermines that notion with the concept of having to increase a buffer on the south side to 15 meters from the current 4.5m. This means the terrace plan actually decreases the net amount of parking stalls. The language is conflicting because it implies the terrace is in the existing disturbed area and Parks Canada has told us the terrace area is outside of the existing footprint.
- 3) The documents discuss a parkade. If the terracing doesn't yield any partial new parking that means that all 1,030 new spaces needed to balance to 8,500 would need to go into a parkade. A huge parkade of 1,030 is unrealistic for several reasons namely ecological integrity, aesthetic, and economic viability.
- 4) A parkade would not meet the Ecological Management Parameters as stated in the draft site guidelines for the Upper Healy Wildlife Corridor. Specifically, it states that development and use in the base area will be designed to facilitate vertical movement and habitat use for Mountain Goat and Bighorn Sheep and Healy Creek through the parking lot. A goat cannot walk through a parkade. This is an example of Parks Canada suggesting we execute a particular development but then adding in conditions that cannot be met which will ultimately block the project later in the process. The conditions of implementation need to be adjusted.
- 5) The Parking and Transportation Strategy likewise sets up a parkade for failure by saying that all strategies must demonstrate maintenance or improvement of wildlife corridors and must be located so as to not impede vertical movement of wildlife. Animals cannot walk through

parkades but they can walk across surface parking lots. This is another example of approving something but then adding conditions that cannot be met in the development permit review process. Our proposal includes a reasonably sized parkade of 280 stalls above the existing parking lot. The language in site guidelines needs to be crafted so that it will make it through the development review process.

- 6) PC is burning up our substantial environmental gain on the exception contemplated with terracing for parking. Then, we are expected to lose parking to create additional storm water treatment and buffer land to Healy Creek. No thank you. This is not something we feel should even be pursued as the environmental gain can be better used elsewhere – such as to offset the satellite parking lot we have proposed and we loose parking on a net basis. Also, I don't think the terrace will generate 200 spots due to the natural drainages and having to remain within the previously disturbed area. Neil's rough calculation overstated the amount of parking that can be created with the terrace.
- 7) The new terrain / lifts do not balance to the 8,500 PAOT under the PC plan. We believe Bye Bye Bowl, Lookout, GEII, GE III and Meadow Park are all essential to balancing and providing a great visitor experience. We are willing to discuss trading Hayes Hill. Our plan will result in more land going back to parks and better balance to 8,500 PAOT. See Golder lease reconfiguration report.
- 8) BC Parks plan recognizes and acknowledges the future development of Bye Bye Bowl lift. Draft site guidelines ignore this fact and the reality that the lift has been anticipated and planned for decades. The terrain is arid and exposed and offers low quality habitat for bears and other wildlife. Site guidelines need to disclose these facts accurately, which it doesn't. This lift needs to be added back into the site guidelines.
- 9) The terrain PC proposes to eliminate in Bye Bye Bowl and Meadow Park is not valuable from an ecological point-of-view. We would prefer PC take the Hayes Hill lift / terrain instead but also issue a LOO to allow the current ski operation in the Hayes Hill area to continue as it is the run out area for Delirium Dive. In return, Bye Bye Bowl, GE II, GE III, Lookout and Meadow Park should be put in site guidelines and shown on an actual map just as with the other ski areas. This plan is better for the environment and better for the visitor experience.
- 10) The draft site guidelines remove the land necessary to develop the lift in the Meadow Park area, then suggest a lift can be developed there (and call it an exception). This doesn't make sense as there is no suitable place left to put the lift after the land is removed. This is a significant planning error. If the lift goes into Meadow Park, the land cannot be removed from Meadow Park. We ask Parks Canada to show us why they think this works as stated.

- 11) LL and MB were both given new ski terrain outside of their existing lease in return for land given to Parks. In our case, we are not even asking for new ski terrain outside of the existing boundary – we just want to keep the land that was intended to be part of the ski area. SV is being treated unfair compared to LL and MB.
- 12) The Ecological Management Parameters are written so strictly that one could determine that nothing can ever be developed. SV recommends that the evaluation of the impacts be considered on a landscape level. The conditions of implementation need to be adjusted so that projects contemplated are implementable.
- 13) The Ecological Management Parameters require constant monitoring and reporting for wildlife and aquatic ecosystems. While we do monitor and report our domestic water, wastewater treatment, and Healy Creek steam levels during snowmaking withdrawals (and will continue to do so), this broadly written requirement is not placed on the other ski areas and will be extremely costly and consuming. The scope is not even understandable the way it is written. This is work that Parks Canada should be responsible for if they want it done.
- 14) Under the Water Management and Snowmaking Strategy, it talks about a water pipe failure that resulted in sedimentation in Healy Creek. That area was restored. It is necessary to include this statement now in this document?
- 15) The documents fail to disclose the range of natural variability when it comes to sediment transport into Healy Creek. Massive mudslides occur naturally every year that deposit huge amounts of sediment into the creek. These events are far greater than anything that has resulted from the parking lot operation and/or development. Why are these facts not disclosed in the site guidelines and SEA? This should be disclosed in the existing situation descriptions for Healy Creek and aquatic ecosystems. Transparency and science is important for the sufficiency of the analysis and process.
- 16) The draft site guidelines say the whitebark pine may not be cleared in the alpine areas for snowriding. What if the species is delisted in the future? What if the SAR Act changes? What if SV follows a legal permitting process which includes restoration, rehabilitation and approval? Essentially, the ski area has created nursery habitat for WBP by clearing ski runs. Those areas are developed ski runs and will need to be maintained. SV realizes the requirements and processes necessary to deal with this problem but the site guidelines should not pre-judge the outcome as a broader solution has to be developed to maintain the developed ski runs (including WBP). Parks Canada has acknowledged this to SV in the past.

- 17) The draft site guidelines state that ALL lighting in the leasehold will adhere to dark sky standards. This should be modified to state, "exceptions are allowed for public and employee safety". For example, we have lights on the gondola that assist in evacuation and maintenance in the dark.
- 18) The description of uses in the village need to also include ski school and rental shops.
- 19) The draft site guidelines say the ski area is currently meeting industry standards related to commercial space per skier. This is incorrect. Also, the future commercial space proposed by PC does not balance to the 8,500-future capacity. SV needs 5,050 new square meters of interior commercial space to equal 1.4 meters per person to balance to 8,500. The draft site guidelines use the wrong number for existing interior commercial space. It is 6,858 per the real property report, not 10,125 for day users of the ski resort. It appears PC may be counting the hotel into the existing interior commercial space which is incorrect as it is a hotel operation not day-use skier space. See attached spreadsheet of the Real Property Report approved by PC.
- 20) Deck space should not be included in the 1.4 meters per person goal as it is not utilized very often due to our cold climate and on the rare occasion it is used the indoor space is then underutilized. This happens only a handful of times per year. This is a realistic issue in our northern climate that cannot be dismissed.
- 21) Draft site guidelines are too specific as to the size, scope and uses of redevelopment of the Lower Divide building. That should be left up to the LRP process. Also, it should be stated in the site guidelines that new power, water and wastewater lines will need to be run from the village to the building location. Likewise, the warming huts will need underground infrastructure added too and that should be mentioned. The LRP process will determine the areas where the new commercial space will be proposed. That is how LL was handled.
- 22) The draft site guidelines say that additional tree clearing for the Goat's Eye Day Lodge is not permitted. This is incorrect as SV will need to remove trees for skier safety and potentially a waste water treatment facility. The prior development approval allowed tree removal for those purposes. Why the change now? Having said that, if the tram is approved, and a day lodge at the top terminal, that would create a situation where the lodge at the bottom of Goat's Eye could be smaller which would likely reduce the need for clearing trees for skier circulation. We would still need to clear trees to put in the pump station or wastewater plant below the lodge though.
- 23) The draft site guidelines in the Goat's Eye Area Concept say that SV will not be permitted to use the Goat's Eye Day Lodge after hours. All of our buildings get used after dark at Sunshine. We strongly object to this. It makes no sense to allow the development of a building then tell us we

cannot use it. Also, Parks Canada must not fully understand the level of after dark use in terms of snowcats, snowmobiles, and tracked transport vehicles that drive up and down from Bourgeau to the Village all night long seven days a week during the winter. If the use of Goat's Eye at night is put into the proper context and current reality, the perceived problem is no longer a problem.

- 24) The Sunshine Coast traverse should allow snowmaking if we are not permitted to improve the skiway with terrain modifications. The document should say that. This is not that big of an area and snowmaking is a reasonable solution to allow the run to be opened and widened without grading or reshaping the traverse in the dirt.
- 25) The draft site guidelines say that noisy activities are not permitted. What is a "noisy activity"? Does that mean our spring concert series and Slush Cup outdoor music events are no longer permitted? SV believes the public will disagree with that as we have been doing this for decades. The superintendent has the authority to regulate anyway. That statement should be removed.
- 26) The hotel should also be allowed to expand its commercial space to better serve its visitors. We have always envisioned a better spa and fitness facility, retail, and additional meeting rooms. This should be added into what is allowed at the hotel, without increasing the number of overnight rooms (which we are not requesting). We are requesting an additional 2,000 square meters for these uses at the hotel.
- 27) Maintenance, operations, and administrative space is not adequately mentioned in the site guidelines. We are currently short offices and employee lockers at Bourgeau, the vehicle maintenance shop site, and the Village. We need a larger and more modern vehicle maintenance shop on the mountain and another base area maintenance/operations shop to replace and enlarge the temporary trailer at Bourgeau that was installed after the 2013 flood. The site guidelines should say that proposals for these uses can be brought forward in a LRP.
- 28) SV should be allowed to rebuild the employee housing units that existed previously. 34 beds should be allowed to be reconstructed in the village core area (14 – OSL, 14 – Tilton Hilton, 10- Day Lodge). This should be added to the staff housing strategy and allowed to be brought forward in a LRP.
- 29) SV needs a fiber line up the road, this should be mentioned in site guidelines.
- 30) The Winter Use strategy should talk about the need for flexibility as the sport and technology evolves in the future.

- 31) SV should not be forced to replace its wastewater treatment plant when we have demonstrated we have met the leadership targets. Through the hard work and diligence of our staff, SV has upgraded the plant and changed the processes to improve its performance and we should not be penalized. The draft site guidelines should acknowledge that the plant has met the leadership targets as it is a true statement. Admittedly, there are a few times when the targets slip slightly, but we have demonstrated that the plant can reach the targets. The Town of Banff membrane plant misses the targets occasionally too, even though the plant is designed to meet them. This is the nature of the treatment process. In no event has the treatment fallen below the federal and provincial standards for the past several years. We should not be treated differently and unfairly when the plant is performing this well.
- 32) The Lake Louise approved site guidelines for summer use is exactly like what SV is proposing. In that case, the LL summer use, through a LRP, will be relocated to the top of the Grizzly gondola and supported by a new lodge and small trail system at that location in the area above the bear and other sensitive species habitat. Existing summer use at the Whitehorn lodge will discontinue once the new lodge at the top of the gondola is constructed. The relocation of summer use at LL in this fashion is deemed a substantial environmental gain. We also view our proposal as a substantial environmental gain by taking the existing commercial summer use out of the Sunshine Creek wildlife corridor, the village area, and Sunshine Meadows and moving it to the upper terminal area of the new secondary access lift into what is defined as poor wildlife habitat. If this proposal is denied, one could conclude that Parks Canada is preventing SV from implementing a legitimate substantial environmental gain in this site guidelines process.
- 33) LL is allowed to develop a new day lodge and small interpretive trail in the vicinity of the top terminal of the Grizzly Gondola to support relocated summer use operations. We are asking for the same treatment. SV would be willing to reduce the size of the Goat's Eye Day Lodge at the base of Goat's Eye if a reasonably sized lodge at the top of the secondary access lift was included in site guidelines. We believe this should be included in site guidelines and allowed to be brought forward in a LRP. That would be a win-win-win.
- 34) SV's proposal for relocated summer use is not unlike the Jasper Skytram, Lake Louise summer use relocation plan, or the Banff Gondola. Each of these have proven to be reasonable from an ecological integrity point-of-view while providing an excellent visitor experience.
- 35) Summer Use existing situation paints a bleak and unfair picture by stating that off-trail travel associated with increasing visitor use has resulted in some negative ecological impacts such as erosion, trail braiding and the introduction of non-native vegetation and disturbance to wildlife species. SV is getting no credit for all the hard work and investment we have put into restoring and improving the trails and managing the public's behaviors. We have installed wildlife rubbish bins everywhere. We monitor bear activity and clear the trails when a bear is identified until it

has left the area. We have extensive stay-on-the-trail signage. We have trail hosts roving the trails and at designated stations along the trails all the time educating and monitoring the public. We have an interpretive center with significant education and messaging about how to behave. We have hosts ride the buses and one stationed at the top of the gondola educating people as they arrive. Our brochures, website, and social media serve to educate public behavior. We put all our staff through bear training each spring. Our trail work has resulting in the restoration of braided areas and the composition of natural vegetation. The trail system and vegetation looks far better today than several years ago even though we have more visitors/hikers. Why doesn't the document disclose the positive elements of active management too? We get no acknowledgement from Parks Canada for all this good work. The document is slanted to the negative throughout.

- 36) Summer Use Guidelines state that the season runs from July 1 to September 24. This is not correct. We have an will run in June and after September 24. It should not be so specific as to the date but rather reference suitable trail conditions.
- 37) The Summer Use Guidelines state that the use of operational (e.g. trails) or commercial facilities may not change from what existed in 2016/17. The description does not need to be so specific to that year and should allow us flexibility in accordance with our existing summer use plan or any other summer use plan that is developed in the future. This presumed summer use is not relocated though.
- 38) The Summer Use Guidelines state there is a goal of completely eliminating the use of the upper access road except for emergencies after dark. This goal is simply impossible for dozens of operational and commercial reasons and should be removed from the document.
- 39) There is no recognition of our past performance with successful environmental mitigation in connection with all the development projects of the past. SV is a leader in the industry in this area and has set a very high standard for best management practices and environmental performance. The documents need to be transparent and disclose these positive facts too.
- 40) The developed area is incorrectly mapped in the draft site guidelines. It incorrectly deletes the developed areas skier's left of the top of Goat's Eye Express and Meadow Park, which meet the definition of developed area in the 2006 Ski Area Management Guidelines. Because of this, we are depleting the "environmental gain" unnecessarily and calling development "exceptions" when they are not. This also causes a desire by Parks Canada to remove more land (Bye Bye Bowl and Meadow Park) unnecessarily because the exception areas are overstated.
- 41) Current Skiable terrain is listed at 431 hectares. That is incorrect. It is 535 hectares.

- 42) The LOO boundary is incorrect, particularly in the Wild West area. It does not pick up areas we are currently skiing and controlling for avalanche.
- 43) Reservoirs are called exceptions in the case of SV but are considered environmental gains for LL. This is unfair to SV. They should be shown as environmental gains at SV. For example, if we build a reservoir in the flat area by zone 15 and use it for snowmaking on the ski out, we would cease direct water withdrawals in the late fall and winter for snowmaking, as we currently do.
- 44) The draft site guidelines say that night time operations will be minimized. This is not possible as we operate 24/7. Also, this will become another issue like what happened with the Goat's Eye Lodge. It is not fair to give us approval to build something then say we cannot use it.
- 45) New terrain development is incorrectly characterized as exception areas when they already meet the definition of a developed area. This overstates the areas required for environmental gains to offset the development.
- 46) The Winter Use Guidelines state that on-hill operating hours and outdoor guest programs and activities will be established to ensure low use periods that facilitate normal use and movement by wildlife on and around the ski area. This is impossible to achieve as the ski area (by definition) is an exception to the wilderness zone. This language is unachievable and a set up for failure immediately and in the future. It should be removed as it is inconsistent with the reality that a ski resort is located in this area and is zoned for the same.
- 47) The Winter Use Guidelines require that SV develop and implement best practices for competitive and special events as part of its first LRP. SV has hosted competitive and special events for decades and this implies there is a problem and it needs now to be proposed and run through a LRP planning process. Other ski areas were not required to do this. The superintendent has the authority to regulate those uses anyway. This language should be removed.
- 48) The Winter Use Guidelines say that the Sunshine Access Road may not be used as a venue for special events. The superintendent has the authority to regulate those uses anyway. This language should be removed.
- 49) The Winter Use Guidelines say that commercially guided winter activities by SV will be subject to the same assessment criteria and review process used for other commercial guided licence requests in the park. This does not differentiate between inside the lease boundary or outside the lease boundary and it should as we have a lease that allows us commercial uses inside the

boundary. Ski school is essentially the same as commercial guiding. I think you intended to refer to commercial guiding outside of the lease boundary.

- 50) The Sunshine Meadows Area Concept guidelines talk about allowing the Angel Traverse, then back-peddle by putting conditions in that make it unfeasible to implement. Additionally, the guidelines immediately deem our existing temporary structures as out of compliance and imply they have to be removed each summer. This is all unrealistic – we can't build a normal skiway and we can't put up a temporary structure like we have today, and leave it up. Note: it is too large to put up and take down each off-season.
- 51) The Alpine Bowls Area Concept should include Goat's Eye III (Wildside) lift as per our proposal. The location of the lift is in the current developed area, except for the very top. The developed area boundary in this area is incorrect.
- 52) The Alpine Bowls Area Concept incorrectly says that a full width groomed egress trail is not considered necessary or suitable. In fact, we currently have a groomed egress trail in that area and we need to keep it.
- 53) Projects in advance of LRP – should accurately include the language out of the 2006 SAMG, including but not limited to like-for-like replacements.
- 54) The Water Management and Snowmaking Strategy allows SV to bring forward snowmaking proposals but also describes the storage ponds as "small". That is a setup for failure at the LRP level and pre-judges the outcome and feasibility before we have even brought a proposal forward. "Small" is subjective and should be removed. The reservoirs in the Lake Louise Site Guidelines were not described as "small", or any particular size. We believe it should be based on a site-specific proposal in an LRP.
- 55) Base Area Concept inappropriately prevents SV from bringing forward proposals in a long-range plan for recreation facilities or attractions. That pre-empts the LRP process.
- 56) Goat's Eye Area Concept inappropriately limits the scope of use and development that may be considered in a LRP proposal. That pre-empts the LRP process.
- 57) The draft site guidelines state that this is to set a framework for the successful operation of SV into the future. This is not the case in many areas, as listed above. The document states that everything will be balanced, which is not true.

- 58) Since the draft site guidelines are made part of the lease, that implies both parties should agree. When we are being locked out of a dialog and collaboration is not happening, this runs the risk of harming the lease process. This is not how LL, NQ, and MB were treated. In their cases, multiple copies were passed back and forth which ultimately resulted in agreement by both parties. It is unfair to treat SV differently than the other ski areas regarding collaboration, transparency and negotiation.
- 59) See Prentice clarification letter on 2006 Ski Area Management Guidelines. We are unaware of any other clarifications which would supersede the ministers letter. The letter states:
- a. Lease boundary reconfigurations are based on mutual agreement of both Parks Canada and the lessee; and
 - b. Sunshine Village and Parks Canada should work collaboratively to negotiate site guidelines.
- 60) The public outreach process is inadequate. LL, MB, and NQ all had extensive open houses in both Edmonton and Calgary. Parks Canada is not giving the public a reasonable opportunity to provide meaningful input on this important document that will affect the ski resort indefinitely. It is unfair to treat SV differently than the other ski areas regarding public outreach and comment.
- 61) SV is not getting enough in return for what it is giving up. The calculations for the gives and gets are incorrect in many significant ways – all disadvantaging SV. The quantity and quality of lands being given up do not balance with what the ski area is receiving in return, particularly comparing how the other ski areas were handled. Lake Louise was given large wilderness areas outside of their old lease boundary (West Bowl and Hidden Bowl) to develop a chairlift and warming hut, operated through LOOs. These new development areas encroached on designated wilderness areas. Nothing in our plans, including the one (1) tower for the secondary access lift and the satellite parking lot (#3) encroach on the existing designated wilderness zone. MB was given a new beginner ski terrain, cross country terrain, and a chairlift to the peak outside the developed area and outside the original lease boundary.

Please let me know if you have any questions or if I can provide any additional information to help.

Sincerely,

Dave Riley
Senior Vice President / Chief Operating Officer