

Appendix A
Project Reviewability



Reference: 91001

File: 135-40/38TranPol

January 8, 2003

Oberto Oberti
President
Pheidias Project Management Corporation
Suite 1660 – 1188 West Georgia Street
Vancouver BC V6E 4A2

Dear Oberto Oberti:

On December 30, 2002, the *Environmental Assessment Act* S.B.C. 2002, c.43 (Act) was proclaimed and the *Environmental Assessment Act* R.S.B.C. 1996, c.119 (former Act) was repealed. Transition provisions in the Act require that the assessment of an application for a project approval certificate under the former Act be continued and disposed of as an application for an environmental assessment certificate.

The Act also allows the Executive Director to make an order specifying the step in the environmental assessment process under the Act to which a project will be transitioned and to vary the review process to the extent necessary to accommodate the review of the project under the Act. Accordingly, I have ordered the transition of the environmental assessment of the Jumbo Glacier Alpine Resort Project (Project) to the Act. A copy of the order is enclosed for your information. It ensures that the assessment of the Project can be completed expeditiously.

The new Act provides flexibility to custom-design review procedures for individual projects and procedural simplification, which should allow more focus on technical issues. The streamlined process should be more timely and reduce the overall duration of reviews. There is no longer a mandatory project committee system, although the Environmental Assessment Office may decide to work with smaller technical committees focused on specific issues.

If you have any questions about the transition order or the new Act, please contact Martyn Glassman, Project Assessment Director, to whom I have delegated authority for the completion of the environmental assessment of the Project.

Sincerely,

Dr. Sheila Wynn
Deputy Minister
Environmental Assessment Office

cc: Martyn Glassman, Project Assessment Director, Environmental Assessment Office

**IN THE MATTER OF THE ENVIRONMENTAL ASSESSMENT ACT (ACT)
S.B.C. 2002, c.43**

and

**GLACIER RESORTS LTD. (PROPONENT)
IN THE MATTER OF AN APPLICATION FOR THE
JUMBO GLACIER ALPINE RESORT PROJECT (PROJECT)**

TRANSITION ORDER # 02-09

WHEREAS:

- A. In August, 1991 Phedias Project Management Corporation, on behalf of the Proponent, submitted a proposal to the Ministry of Environment, Lands and Parks, in response to a call for proposals issued by that Ministry under the Commercial Alpine Ski Policy (the "CASP");
- B. The proposal was to develop a ski resort on Crown land in Jumbo Creek valley in the Purcell Mountain Range west of Invermere, British Columbia;
- C. The Proponent was pursuing the proposal under the CASP, having responded successfully to the call for proposals;
- D. The Project was a reviewable project on June 30, 1995 when the *Environmental Assessment Act*, R.S.B.C. 1996, c.119 (former Act) was proclaimed;
- E. Pursuant to section 93(5) of the former Act, Transition Order M 364 required that the Project be accepted for review under section 8(1) of the former Act and proceed in a review from that step;
- F. In June 1995, under the former Act, the Proponent submitted a five-volume submission entitled *Jumbo Glacier Alpine Resort* in support of its application for a project approval certificate to develop the Project;
- G. The Project includes the design, construction and operation of the following on-site and off-site facilities:
 - ski runs, including circulation corridors; ski lift system; ski run maintenance facilities; rescue facilities; ski lodge; ski village; hotels, condominiums, townhouses, chalets, single family dwellings; road system; water supply systems for all on-site components; solid waste disposal systems for all on-site components, including on-site (and if necessary, off-site) disposal facilities and systems; liquid waste disposal systems for all on-site components, including on-site (and if necessary, off-site) disposal facilities and systems; and

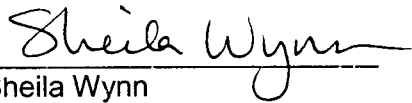
- an access road from Invermere to the proposed resort, with particular focus upvalley from the Panorama ski resort; bridges along the access road; related facilities such as gravel/borrow pits and maintenance yards (if any); proposed off-site parking facilities (e.g. near the Mineral King minesite); the proposed electric transmission line hook-up to the integrated grid; telephone communications; any other project components for which an off-site location is proposed; and relevant operational, environmental design and public safety considerations;
- H. The Project is a reviewable project under the former Act and an assessment of the Project under the former Act was in progress;
- I. Project report specifications issued under the former Act on May 20, 1998 describe additional information required to identify and assess the potential effects of the Project;
- J. The process for establishing a project committee under the former Act is repealed and a process for consulting with members of the former project committee and others will be specified whenever an order is issued under section 11 of the Act; and
- K. Section 51(3) of the Act requires that the assessment of the Project be continued and disposed of as an application for an environmental assessment certificate.

NOW THEREFORE:

Pursuant to sections 10(1)(c), 24(2) and 51(5) of the Act, the Executive Director orders that an environmental assessment certificate is required for the Project and the Proponent may not proceed with the Project without an assessment, subject to the following conditions:

1. The application and supporting information provided to date by the Proponent be accepted as an application under section 16 of the Act, subject to condition 3;
2. The time limit specified by the *Prescribed Time Limits Regulation* (B.C. Reg. 372/02) for the review of this application will commence from the date that the additional information described in the Project report specifications is accepted by the Executive Director for review, subject to condition 3; and
3. The additional information described in the Project report specifications must be provided to the Executive Director by December 31, 2003 or the current assessment of the Project is terminated and the Proponent may not proceed with the Project without a new assessment.

Pursuant to section 51(6) of the Act, the reason for this order is that the continuance of the assessment of the Project in accordance with this order will ensure a fair, orderly and timely review of the effects of the Project under Act.



Dr. Sheila Wynn
Executive Director
Environmental Assessment Office

Dated December 30, 2002 at Victoria, British Columbia.



File: 30250-20/Jumbo-10

Reference: 93472

January 27, 2003

Oberto Oberti
President
Pheidias Project Management Corporation
1660 – 1188 West Georgia St
Vancouver BC V6C 4A2

Dear Mr. Oberti:

I am writing to inform you that, pursuant to section 24(4) of the *Environmental Assessment Act* (the Act), I have issued a Time Limit Extension Order (enclosed). This Order will enable the Environmental Assessment Office to conduct a thorough and timely review of the additional information required to complete the environmental assessment (EA) of the Jumbo Glacier Resort Project as a basis for a decision by Ministers.

This timeline extension enables you to: address some minor deficiencies (e.g. mapping detail) in your Project Report prior to the start of the formal 180 day review period; and provide the results of bird field studies during that period.

In accordance with the Act, Ministers will be provided with a complete package of information and a thorough evaluation of the issues.

If you have any questions about the Time Limit Extension Order, please contact Martyn Glassman, Project Assessment Director, to whom I have delegated authority for the completion of the Project's EA.

Yours truly,

Joan Hesketh
Deputy Minister

Enclosure

pc: Martyn Glassman

**IN THE MATTER OF THE ENVIRONMENTAL ASSESSMENT ACT
S.B.C. 2002, C.43 (the "Act")**

and

**AN ENVIRONMENTAL ASSESSMENT OF THE
JUMBO GLACIER ALPINE RESORT PROJECT (the "Project")**

TIME LIMIT EXTENSION ORDER


WHEREAS:

- A. On December 30, 2002, the Executive Director of the Environmental Assessment Office issued Transition Order #02-09 which set out the next steps for reviewing the Project;
- B. Project report specifications issued under the former *Environmental Assessment Act*, R.S.B.C. 1996, c. 119 in May 1998, describe additional information required from Glacier Resorts Ltd. to identify and assess the potential effects of the Project; and
- C. Condition 3 in Transition Order #02-09 required Glacier Resorts Ltd. to provide additional information described in the Project report specifications to the Executive Director by December 31, 2003.

NOW THEREFORE:

Pursuant to Section 24(4) of the Act, the undersigned hereby extends the time limit as specified in Condition 3 of Transition Order #02-09 for:

- a) information described in Project report specifications A.3 #1, A.7 #2-4, D.1(B) #8, D.2(A) #4, D.2(B) #1 and E.5(A) #1 to February 13, 2004; and
- b) information described in Project report specification D.3(D) to July 15, 2004.



Joan Hesketh

Executive Director

Environmental Assessment Office

Dated this 27 day of January, 2004 at Victoria, British Columbia