

ADDENDUM

File: #4405893

Date: April 29, 2018



YAQAN NUKIY
LOWER KOOTENAY BAND



PROJECT OVERVIEW

The Lower Kootenay Band (yaqaan nuʔkiy) and Retallack (a world-renowned catskiing and mountain biking tour operator) have entered into a 50/50 partnership to propose an innovative adventure tourism tenure within the Ktunaxa Traditional Territory (Ktunaxa ʔamakʔis). The proposed tenure is in the Southern Purcell Mountains on the east side of Kootenay Lake, south of the Purcell Wilderness Conservancy.

The proposed 70,000 ha tenure area encompasses a traditional connectivity corridor and trade route between the Ktunaxa peoples. The multiple use tenure proposes guided hiking, horseback riding, climbing and mountain biking in summer; and guided ski touring, heliskiing, mountaineering, snowshoeing and dogsledding in winter. The proposed tenure area is non-exclusive and will remain open to the public.

The project's use will be limited to a maximum of 36 guests per day across the entire tenure area. An assumed 100-day operating season (winter and summer) would result in a maximum capacity of 3,600 guest days per operating season or up to a maximum of 7,200 guest days per year. Because of the size of the proposed tenure, the activities will be more dispersed and thereby decrease potential impacts to wildlife, the public and other users. In comparison, Retallack's current catskiing and mountain biking guest capacity is 4,800 guest days per year on 4,450 ha, or approximately 20 times the recreational density as that proposed by this tenure.

The proponents have proposed a series of remote mountain biking trail options for consideration to accommodate cross-country, downhill and all-mountain disciplines. Not all of the proposed trails specified in the project's management plan will be built. The proposed trail options will be subject to trail-by-trail additional ground assessments and mapping for critical wildlife, forest, environmental, and Ktunaxa cultural values – in particular with respect to reducing helicopter flights to the greatest extent possible and building sustainable hand-built trails in the alpine and sub-alpine environments. Additional public, First Nations and governmental consultation will also be undertaken prior to the issuing of future permits for trail construction, on an individual trail basis.

The project has also proposed a future lodge and spa to be located on the traditional Gambling Otter lands of the yaqaan nuʔkiy on Kootenay Lake. The term 'Gambling Otter' refers to a historical yaqaan nuʔkiy landmark of an otter playing a stick game.

PROPOSAL STATUS & PUBLIC INPUT

The proposed project is currently undergoing public review pursuant to the Province of British Columbia's Adventure Tourism Policy. The project's management plan and maps can be accessed at: <https://arfd.gov.bc.ca/ApplicationPosting/viewpost.jsp?PostID=54966>. Public comments regarding the application may be submitted to the Province until June 13, 2018.

The Lower Kootenay Band (yaqaan nuʔkiy) and Retallack are currently gathering feedback and holding public information sessions in order to consider future amendments to improve the application. A meeting was held on Wednesday, April 25, 2018 in Crawford Bay that was attended by over 100 local residents. The majority of the written comments received were positive towards the project, however, residents expressed particular concern regarding helicopter noise impacts to local residents. The proponents are committed to further studying this and other issues in order to propose future project amendments to best address identified concerns. Future public meetings in other communities are also currently being planned to be held in May 2018. Additional comments and suggestions for future amendments can also be E-mailed directly to the project team at sustainabletenure@gmail.com.

HIGH-LEVEL PROJECT OBJECTIVES

- To develop an innovative, diverse and sustainable adventure tourism economy for the long-term well-being of the Ktunaxa people and local communities;

- To develop a stewardship economy that involves ecosystem management on the land while realizing socio-economic benefits;
- To hire, train and develop Ktunaxa youth and citizens so that they become future leaders, guides, and employees that are vested in the long-term management of the operation;
- To conduct exemplary, sustainable operations for the benefit of the public, First Nations people and the habitat that we share with wildlife;
- To commit to carbon neutrality in all aspects of operations;
- To re-establish the historic social and economic bridge between Ktunaxa communities;
- To help create and support long-term local employment and existing local businesses;
- To build meaningful relationships with our neighbours;
- To improve current ecosystem management techniques with traditional knowledge;
- To incorporate best practice management techniques that have been refined through years of collaborating with government and NGOs;
- To protect archaeological sites and Ktunaxa cultural values which include strategies around high-value forests and sensitive wildlife habitat.

PROJECT VALUES

- Respect the Ktunaxa's right to determine use and management of the Ktunaxa Traditional Territory;
- Contribute to the betterment of future generations;
- Balance the economic use of land with cultural and spiritual values;
- Follow natural law of taking only what is needed;
- Ensure that long-term sustainability and ecological integrity take precedence;
- Ensure access to, and protection of, traditional foods, medicines, resources and spiritual sites;
- Maintain, protect, manage and restore healthy and diverse ecosystems;
- Ensure land, air and water are and will be clean and healthy;
- Manage corporate governance and operations which are based on integrity, honesty, accountability, prudence and openness;
- Respect and uphold the Ktunaxa Nation's governance legislation, regulations, policies, processes and decision-making;
- Appreciate the contributions made by others that support and contribute to the project through business partnerships and agreements.

WILDLIFE, WATER AND ENVIRONMENTAL OVERVIEW

A unique industry-first adaptive management strategy has been proposed for this project that incorporates embedding professional wildlife technicians and Ktunaxa citizens within the daily operations in order to better monitor and manage wildlife values. Though none of the proposed tenure areas are in current or recently proposed restricted federal or provincial caribou habitat, the project proponents acknowledge and value that sensitive species (e.g. caribou, wolverine, mountain goats, grizzly bears) will roam around and may be present in the tenure at any time. For this reason, the project's innovative adaptive management strategy incorporates professional biologist recommendations that will ensure compliance with provincial regulations and standards, and it is augmented by Ktunaxa traditional knowledge. These include:

- Pre-season wildlife and habitat surveys;
- Pre-season wildlife and environmental staff training;
- Daily wildlife / habitat location review conducted twice-daily in morning and evening guide meetings;
- Wildlife guest education and training;
- Wildlife flight path optimization;
- In-field adaptive management practices including chance encounter wildlife procedures and minimum wildlife default distances;
- Guides, pilots and wildlife technicians will be equipped with the latest GPS and moving map technology that will them allow to view and record in real-time:
 - Wildlife sightings;
 - Critical wildlife habitat locations (e.g. dens, hibernacula, huckleberry patches, etc.);
 - Flight paths, flight parameters and present location;
 - Acquired data will also be available to government agencies and First Nations in order to assist with ongoing wildlife quality assurance and improvement efforts.

With the exception of the construction of a limited number of mountain biking trails and minimal glading, the project proposes to use the current land base 'as-is.' It is important to note that no new roads will be constructed. This will help with the ongoing preservation of wild spaces that are critical for wildlife. Old growth

forest will be protected – in particular trails will not be built if they are determined to be harmful to sacred western white pine and whitebark pine. Special consideration has also been given to avoid negative impacts to domestic watersheds.

As a result of helicopter access, groups will be managed by professional guides in order to ‘leave no trace’ on the landscape. Smaller, nimbler helicopters and the strategic placement of environmentally safe fuel caches will also be used in order to reduce noise for both wildlife and residents and to better avoid recreationists (e.g. snowmobilers, ski tourers, hikers) in the backcountry. The yaqan nuʔkiy and Retallack have also committed to making this project carbon neutral via high-quality regional or local carbon offset projects.

Retallack is a world leader in backcountry mountain biking and has established a reputation for building world-class, environmentally responsible trails. It is one of the only operators in the industry that employs professional trail builders to design, build and maintain sustainable trails utilizing techniques to:

- Minimize vegetation and tree removal to the greatest extent possible;
- Prevent and withstand erosion;
- Prevent damage to riparian areas;
- Prevent the spread of invasive weeds;
- Support current and future use with minimal impact to the area’s natural systems;
- Produce negligible soil loss or movement while allowing vegetation to inhabit the area;
- Recognize that pruning or removal of certain plants may be necessary for proper maintenance;
- Not adversely affect the area’s wildlife;
- Provide designated users with their desired experiences;
- Minimize user conflict;
- Prevent private land and mineral claim conflicts;
- Accommodate existing use while allowing only appropriate future use;
- Require little rerouting and minimal long-term maintenance.

The project envisions hiring, training and developing local and Ktunaxa youth to become future professional trail builders and stewards.

PROJECT BENEFITS

Social and Economic

- Develop tourism in a non-exclusive manner that maintains local access to lands;
- Create economic activity within the surrounding communities;
- Support local businesses and suppliers;
- Support local workforces and trades workers;
- Provide direct permanent or seasonal employment to approximately 125 people;
- Generate tax revenues for federal, provincial, regional and municipal governments;
- Create a better quality of life for residents by improving recreational and cultural activities in local communities;
- Provide backcountry emergency response and rescue services;
- Enhance local firefighting infrastructure for the protection of local communities.

Environmental

- Preserve habitat by using the land for light recreational use rather than heavy extractive industry;
- Improve wildlife monitoring;
- Increase wildlife and habitat scientific knowledge;
- Preserve habitat and wild spaces by not constructing new roads;
- Maintain carbon neutrality;
- Provide environmental education opportunities;
- Divert profits to fund local environmental and wildlife initiatives.

First Nations

- Advance reconciliation;
- Protect language and culture;
- Protect archaeological sites;
- Provide employment, training and skill development for First Nations people;
- Provide business opportunities for First Nations people;
- Provide youth employment;
- Provide non-exclusive reconnection with traditional lands.

ABOUT THE LOWER KOOTENAY BAND (yaqan nuʔkiy)

The yaqan nuʔkiy are the original Ktunaxa inhabitants of the Lower Kootenay area. The name yaqan nuʔkiy literally means “where the rock stands” and refers to an important place in the Creston Valley. The Ktunaxa have inhabited the Kootenays for over 13,000 years. The ‘Kootenays’ are named after the Ktunaxa – ‘Kootenai’ or ‘Kootenay’ is an anglicized term that European traders adopted from the Blackfoot language. The Traditional Territory of the Ktunaxa covers approximately 70,000 square kilometres (27,000 square miles) within the Kootenay region of south-eastern British Columbia and historically included parts of Alberta, Montana, Washington and Idaho.

For thousands of years the Ktunaxa and other First Peoples enjoyed the natural bounty of the land, seasonally migrating throughout their territories to follow vegetation, fishing and hunting cycles. They obtained all food, medicine and material for shelter and clothing from nature. The Ktunaxa were one of the last First Nations in North America to be ‘contacted’ by Europeans. European settlement in the late 1800s significantly altered their way of life and led to the establishment of present day First Nations reserves and bands.

The Ktunaxa Nation is now made up of six bands. Four of the bands are located in British Columbia and two in the United States:

- yaqan nuʔkiy – Lower Kootenay Band (Creston, BC)
- ʔakisq̓nuk – Columbia Lake Band (Windermere, BC)
- ʔaq̓am – St. Mary’s Band (Cranbrook, BC)
- ʔakin̓kum̓ʔasnuq̓ʔit – Tobacco Plains Band, (Grasmere, BC)
- ʔaq̓anq̓mi – Kootenai Tribe of Idaho (Bonners Ferry, Idaho)
- k̓upawiçq̓nuk – Ksanka Band (Elmo, Montana)

The Ktunaxa language is one of the eleven original aboriginal language families in Canada. The language is an isolate and is not related to any other language in the world. It is currently under threat with approximately only 25 fluent speakers left. Shared lands, a rich cultural heritage, and a language so unique that it is not linked to any other in the world make the Ktunaxa people unique and distinctive.

ABOUT RETALLACK

Retallack is a Kootenay-owned business based in Nelson, BC that provides world-class backcountry catskiing, snowboarding and mountain biking adventures in the Selkirk Mountains of British Columbia, Canada.

Retallack’s operations are based out of its backcountry lodge located in the historic mining town of Retallack, BC (between Kaslo and New Denver). Retallack is one of the largest employers in the local area and currently employs 75 locally based staff.

In addition to being a significant local employer, Retallack 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.”*