

PARKS CANADA RESPONSE TO ITEMS SUBMITTED BY  
SUNSHINE VILLAGE SKI RESORT  
IN A LETTER TO SHEILA LUEY DATED AUGUST 2018.

Item from Written Submission	Parks Canada Response
1	Options to address parking and transportation are addressed in section 4.7 of the site guidelines. It is up to the operator to determine the exact approach to be used from within these options and to propose this to Parks Canada.
2	Given the environmental concerns identified with expanding the main parking lot (i.e. unacceptable negative impacts on drainage, slope stability, unique vegetation, and wildlife habitat and movement), the option for limited terracing along the north east edge of the current parking lot is not feasible, and has been removed from the site guidelines. The approach to mitigating the current and future impacts of the parking lot (including creek buffers) has some flexibility and is described in section 4.7 of the site guidelines.
3	Addressed in section 4.7 of the site guidelines. A parkade is only one of the options offered in the site guidelines to address transportation / parking supply. A fulsome exploration of all options may eliminate the need for a large parkade. Further, if located at the west end of the lot, a parkade may present less of a barrier to wildlife movement given the local topography and wildlife use in that area and be less visually intrusive. Additionally, parkades can be designed to fit with the local environment. Any parkade proposal would be subject to environmental assessment.
4	See #3 above.
5.	See #3 above.
6	See #2 above. Addressed in section 3.4.2. Sunshine will have minimal lease reductions (61ha or 9%) therefore, far less substantial environmental gains relative to the other ski areas. These will be applied against the opportunity to develop new lifts and runs <u>outside</u> the developed area including Meadow Park and Hayes Hill, as well as the opportunity to develop surface water reservoirs which are likely to require substantial terrain modification.
7	<p>Addressed in site guidelines section 3.5. The maximum future allowable growth limits for Sunshine Village Ski Resort (including PAOT and the runs and lifts needed to support that number) were calculated by a third-party industry expert through an analysis of the resort's potential ski terrain capabilities, densities and limitations; the amount of commercial space, lift capacity, private vehicle parking and mass transit capacity; all compared against industry standards.</p> <p>Of the lifts and runs proposed by the operator, only those for Goat's Eye II and Lookout would be inside the existing Developed Area as defined in the <i>Ski Area Management Guidelines</i>. The proposed Wildside (Goat's Eye III), Bye Bye Bowl lifts, as well as the Hayes Hill and Meadow Park lifts, are all outside the existing developed area. The <i>Ski Area Management Guidelines</i> state that "Ski area expansion into Undeveloped Areas (within the leasehold), Un-skied Terrain and Un-serviced Terrain can only be considered if there are Substantial Environmental Gains. An example of an exception that can be considered is a leasehold reduction or reconfiguration that results in better protection of sensitive areas in exchange for development in less sensitive areas". In exchange for lease reductions, the operator will be allowed to develop lifts and runs outside the developed area, as well as additional lifts and runs within the developed area, as described in site guidelines section 4.4.</p> <p>With respect to the proposal to "exchange" the Hayes Hill area for Bye Bye Bowl, Bye Bye Bowl (Sunshine Meadows) and Hayes Hill are of different ecological importance (with Bye Bye Bowl being the more sensitive and important of the two because it is part of the Sunshine Meadows complex). Development of infrastructure and operations associated with new lifts and runs in Bye Bye Bowl would damage areas that are part of the sensitive Sunshine Meadows complex. The lower portion of Bye Bye Bowl is slated for removal from the lease to protect it from future development. Under section 8.2 of the <i>Canada National Parks Act</i>, "maintenance or restoration of ecological integrity, through the protection of natural resources and natural processes, shall be the first priority ... when considering all aspects of the management of park".</p>

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	With respect to the Wildside (Goat's Eye III) lift proposed by the operator, the top elevation and location of this lift would result in direct lift access to areas designated in the site guidelines for avalanche control and off-piste, unserviced skiing and boarding only (i.e. the Alpine Bowls Area). This would constitute a <i>de facto</i> increase in the ski area outside its boundary and is not in keeping with the intent of the <i>Ski Area Management Guidelines</i> .
8	With respect to the ecological value of the Bye Bye Bowl area, see #7 above. Further, the Management Plan for Mt Assiniboine Provincial Park in no way obligates Parks Canada to allow development inside Banff National Park. The lift that was "anticipated and planned" by Sunshine for that area was included in previous long range plans that were clearly withdrawn by Sunshine Village in the 1990's. This is confirmed in the court record of Justice Teitelbaum's 1998 decision ( <i>Sunshine Village Corporation v. the Minister of Canadian Heritage and Minister of the Environment</i> ).
9	<p>Addressed in item 7 above, and in section 3.4.1 of the site guidelines, and in the <i>Strategic Environmental Assessment</i>.</p> <p>Under section 8.2 of the <i>Canada National Parks Act</i>, maintenance or restoration of ecological integrity, through the protection of natural resources and natural processes, shall be the first priority ... when considering all aspects of the management of park". The Bye Bye Bowl Extension is part of the unique and sensitive Sunshine Meadows alpine environment that extends from Fatigue Pass, north to Mount Bourgeau, and west to Healy Pass and the Monarch Ramparts. The area includes Species at Risk (Whitebark Pine), 69 known rare plant species, and was a significant factor in the nomination of the Canadian Rocky Mountain Parks for UNESO World Heritage Site status. The environmental report on <i>Summer Use and Leasehold Reconfiguration</i> (Golder, August 2018) submitted by Sunshine, states "the Sunshine Meadows are used by grizzly bears and considered high quality habitat for them. However managing human use in high quality grizzly bear habitat will be a key component of maintaining grizzly bear habitat security in the future", thus supporting increased protection for this area. This same report also notes that the Bye Bye Bowl area includes ecosites of moderate importance to ungulates in summer and high importance to sheep and goats as winter range. The Hayes Hill area is of a different ecological value altogether, with Bye Bye Bowl being the more sensitive and important of the two. The removal of Bye Bye Bowl from the lease remains.</p> <p>Meadow Park will not be removed from the lease as proposed in the draft site guidelines. While the area currently provides cover for wary wildlife, the forest cover over much of the ski area is not as open as would be expected under natural historic fire conditions. The potential development of runs and glades in the Meadow Park area would not necessarily be inconsistent with these conditions. Further, Meadow Park has been skied as side-country for many years, thus having some past and ongoing effect on habitat security for winter active wary species. It is a small area of land in relation to the sizes and distributions of habitats that facilitate regional movements by wary species. See section 4.4 for a description of all new allowable lifts. Maps have been adjusted accordingly.</p>
10	See #9 above. There are some exceptional stands of Lyall's larch in this area; extra care to safeguard them must be exercised in any development and operational plans.
11	See #6 above. Addressed in sections 3.4 and 3.4.1 of the site guidelines. Lease reductions in the site guidelines for other ski areas were considerably higher (Lake Louise 50%; Mt. Norquay 44%, Marmot 18%) and the ecological considerations were different.
12	There is no science or fact to substantiate the view that "nothing can ever be developed" within the ecological parameters. In fact, the site guidelines specifically allow for improvements to parking and transportation including a potential parkade and mass transportation, potential for increased run development and lifts, more commercial space, lower reservoir development, and ski out improvements. In addition, a Goat's Eye day lodge has long been approved for development but subsequently not pursued by Sunshine. All allowances for development and adjustments (to be included in a long range plan) are proposed to help achieve better balance for a daily 6500 capacity, and a potential increase to the maximum of 8500.

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	<p>The approach and ecological parameters are comparable to those used with the other national park ski areas, and appropriate for a business operating in a national park context where, under <i>the Canada National Parks Act</i>, ecological integrity must be the first priority.</p> <p>The achievement of “ecological integrity” relies upon the identification and elaboration of the protection needs for “valued components”. These components are present at specific sites, and at landscape and regional scale levels. There is no distinction that any one of these scales is more or less important than the other. The identification of these components has taken into account science monitoring data, science-based Parks Canada objectives, and evaluation of current scenarios and potential effects based on scientific literature and professional knowledge. These are presented in the Strategic Environmental Assessment.</p>
13	The monitoring requirements are outlined in section 6 of the site guidelines. They are in keeping with what is expected of other business operators in the mountain national parks. Ski areas are expected to develop a monitoring strategy as part of their long range plan development – each will be unique according to their specific location and environmental conditions.
14	Item deleted.
15	Addressed in 8.6.2 of the <i>Strategic Environmental Assessment</i> . Parks Canada data indicates that Healy Creek water quality and aquatic habitats have long been adversely impacted from runoff from the base parking lot including: losses and/or insufficient reclamation of the protective riparian buffer along the length of the parking lot, direct deposition of snow and accumulated materials into the stream channel, and wastewater treatment issues. The findings cannot entirely be attributed to the “natural variability” from mudslides, although it is certain that the operational practice of grading the parking lot along its northeast edges without proper remediation has contributed to increased soils and other debris washing down toward Healy Creek during rain events and/or spring melt.
16	<p>Whitebark Pine is a SARA listed species and likely to remain so for the foreseeable future. There is potential to develop innovative strategies to manage in and around Whitebark pine at the ski area, in ways that may contribute to species protection and recovery. As indicated in the site guidelines, the ski operator must develop a Ski Run and Vegetation Management Strategy that should specifically address:</p> <ul style="list-style-type: none"> <li>• Whitebark pine management strategies set out in the Strategic Environmental Assessment and</li> <li>• Ski run development and operational maintenance in and around Whitebark pine.</li> </ul> <p>This is also a requirement in the Skiing Louise Site Guidelines, so there may be potential for collaboration.</p>
17	Addressed in site guidelines section 3.1.
18	Addressed in site guidelines sections 4.1 and 4.5
19	Addressed in site guidelines section 3.5. Sunshine’s existing commercial space of 9092 square metres was determined by applying the same criteria used to calculate commercial space for the other mountain park ski areas, and did not include hotel rooms, deck space, or administrative / maintenance spaces. It did include the common areas of the hotel e.g. restaurants, coffee shops) used by day skiers. The industry standard for commercial space per skier is from 1.0 to 1.5 square metres per skier. Using 6,500 skiers/day as a base, Sunshine’s existing commercial space equates to ~1.4 square metres per skier, thus falling within the industry standard. Applying this same standard to 8,500 skiers/day, plus space for the development Goat’s Eye day Lodge, the resort can have up to 12,742 square metres of commercial space, or 1.49 square metres per skier.
20	See #19 above.
21	Addressed in site guidelines section 4.5 which clarifies Parks Canada’s view of a warming hut. Lower Divide is still mentioned but there is no obligation to redevelop.
22	Addressed in site guidelines section 4.1.

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23	Addressed in site guidelines section 4.1.
24	Addressed in site guidelines section 4.8. Expansion of snowmaking into areas above the unbroken treeline does not conform to park policy that aims to protect important upper subalpine and alpine vegetation and habitat. Snowmaking will not be permitted in the Alpine Bowls Area or along egress trails.
25	Addressed in site guidelines section 3.3. The language is less prescriptive than other site guidelines e.g. those for Skiing Louise state that "Noise from outdoor visitor use is contained at decibel levels that would not disturb wildlife beyond 100m from the lodge".
26	See item #19 above.
27	Addressed in site guidelines section 3.5.
28	No additional on hill housing will be allowed. Addressed in site guidelines 4.11.
29	Addressed in site guidelines 4.6.
30	Addressed in site guidelines sections 2 and 3.3.
31	All wastewater treatment in Banff is expected to <u>consistently</u> meet all of the Banff National Park Management Plan leadership targets, not just most / some of the time. Addressed in site guidelines sections 2.0, 3.6, and 4.6.
32	The beneficial notion of relocating summer use from Sunshine Meadows to Goat's Eye would have to be considered partial at best. Hikers would still have the ability to access the meadows through the existing trail system, and while some of this use may shift to Goat's Eye were summer use to be allowed there, it is anticipated that use of Sunshine Meadows would continue as individuals and groups continue to seek an Alpine Meadows / wilderness experience. Further, summer maintenance / operations would see continued use of vehicles and personnel along the road and at the village and lift areas. At the same time, with the proposed Goat's Eye tram proposal, summer use would increase significantly in another area that presently sees no use at all. Further, summer use on Goat's Eye Mountain would require significant and irreversible terrain modification and development (for the tram, daylodge and trail construction), so the analysis of the benefits and impacts goes well beyond relocating visitors from one place to another.
33	It is up to the operator to determine how best to use its total commercial space allotment, as expressed in a long range plan, subject to the environmental parameters in the site guidelines. Parks Canada is not prescribing a large lodge at the bottom of Goat's Eye, nor anywhere else on the resort, as addressed in site guidelines section 4.5. Any proposal for upper Goat's Eye Mountain should consider the effect on alpine flora, fauna, and sensitive terrain and soils, as well as views from elsewhere inside and outside the resort.
34	Each of the gondola locations cited have different valued components /ecological considerations than those encountered on Goat's Eye Mountain and the Sunshine Village Ski Resort. Further, the Banff Gondola and Jasper Skytram were developed more than 5 decades ago when our understanding of the local environment was less refined than it is today and prior to <i>Parks Canada's Ski Area Management Guidelines</i> coming into effect. With the proposed Goat's Eye tram proposal, summer use would increase significantly in an undeveloped area that presently sees no use at all, thus expanding the developed footprint in the park. Further, the tram would require significant and irreversible terrain modification and development for the tram, daylodge and trail, and potentially access road, construction.
35	Addressed in site guidelines section 4.2.

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36	Due to the sensitive nature of the meadows, the nearly 4-fold visitation increase since 2016, and uncertainties about the impacts of visitation of grizzly bear habitat security, Parks Canada is not willing to entertain an operating season beyond what is specified in the site guidelines section 4.2.
37	Addressed in site guidelines section 4.2. From Parks Canada's perspective, there is no existing summer use plan in effect. Due to: the sensitive nature of the meadows, the nearly 4-fold visitation increase since 2016, uncertainties about the impacts of visitation of grizzly bear habitat security, the summer operation must remain as per 2016/17 (including the operating season specified in 4.2 of the site guidelines) until a summer use plan can be developed by the operator and submitted to Parks Canada for approval.
38	Addressed in site guidelines section 3.6, 4.1 and 4.2.
39	Site guidelines are not designed to "recognise past (environmental) performance" but rather to guide future performance.
40	The developed area was mapped according to the definition described in the <i>Ski Area Management Guidelines</i> . Parks Canada believes it correctly represents the situation at Sunshine Village. The mapping of this area does not, in any way, "cause a desire by Parks Canada to remove more land unnecessarily". Areas initially proposed to be removed from the lease have been reduced and are addressed in site guidelines section 3.4.1.
41	Skiable terrain was determined by an industry expert, using criteria applied at other ski areas and information provided by Sunshine Village Ski Resort.
42	Sunshine village staff were present when the ski area boundary and the Licence of Occupation boundary was surveyed. The opportunity to correct / adjust was offered at that time.
43	Addressed in site guidelines section 3.4.2.
44	Addressed in site guidelines section 3.6, 4.1 and 4.2. None of these say that there cannot be evening use, rather that it must be minimised.
45	Addressed in site guidelines sections 3.4.2 and 4.4. Only lifts and runs for Goat's Eye II and Lookout would be inside the existing Developed Area) as defined in the <i>Ski Area Management Guidelines</i> . The proposed Hayes Hill and Meadow Park lifts are all outside the existing developed area (but within the lease). The <i>Ski Area Management Guidelines</i> state that "Ski area expansion into Undeveloped Areas (within the leasehold), Un-skiied Terrain and Un-serviced Terrain can only be considered if there are Substantial Environmental Gains. Sunshine Village will see very modest (9% or 52ha) lease reductions in comparison to other mountain park ski areas (Lake Louise 50%; Mt. Norquay 44%, Marmot 18%.) in return for the exceptions listed in 3.4.2 of the site guidelines.
46	Addressed in site guidelines 4.1. This is needed as a mitigation to protect ecological integrity and does not make operations "impossible". Similar but more restrictive language appears in other ski area site guidelines, and they have been able to work successfully with it.
47	Addressed in site guidelines section 4.1. It is not true that "other ski areas were not required to do this" as the language is virtually duplicated in the Skiing Louise site guidelines section 4.1.
48	As there have been previous inquiries on this matter, this language remains in the site guidelines section 4.2 for clarity and certainty.
49	Addressed in site guidelines section 4.1.
50	Clarification as to what can be allowed for Angel Traverse has been addressed in site guidelines sections 4.1, 4.3 and 5.3.
51	The developed area was mapped according to the definition described in the <i>Ski Area Management Guidelines</i> . Parks Canada is of the view that it correctly represents the situation at Sunshine Village. The top of the proposed lift is clearly outside the developed area. Further, the top elevation and location of this proposed lift would result in direct lift access to areas designated in the site

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	guidelines for avalanche control and off-piste, unserviced skiing and boarding only (i.e. the Alpine Bowls Area). This would constitute a <i>de facto</i> increase in the ski area outside its boundary and is not in keeping with the intent of the <i>Ski Area Management Guidelines</i> .
52	Alpine Bowls area is for avalanche control and off-piste skiing only. As such, it is intended for visitor use that requires minimal services and facilities, for access to natural, un-groomed, and challenging terrain when snow and avalanche conditions allow. Section 5.4 of the site guidelines specifies what will and will not be considered in this area in respect of an egress trail - this does not include grooming.
53	The site guidelines for the resort are consistent with what is provided for under <i>Ski Area Management Guidelines</i> ; however, they are not intended to re-iterate every project that might be possible or contemplated in future by the operator. The clearly stated goal in the <i>Ski Area Management Guidelines</i> is that the resort develop a long range plan in order that it may move away from using the 'like-for-like' provisions.
54	Addressed in site guidelines sections 3.4.2 and 4.9. The word "small" no longer appears.
55	The site guidelines section 5.1 indicate the base area is intended to serve as the access and staging area for visitor and operational activities on the upper mountain. This direction was set with consideration for the constrained topography, limited parking supply, and the environmental issues associated with upper Healy Creek and Healy wildlife corridor and summer use. As stated in the <i>Ski Area Management Guidelines</i> (page 10), site guidelines are intended to provide a clear framework and direction for the preparation of long range plans. They are not intended to be open-ended so that all things may be considered again in the long range planning process. This is consistent with the approach used for the other national park ski areas.
56	The direction set for the Goat's Eye area is described in section 5.2 of the site guidelines. As stated in the <i>Ski Area Management Guidelines</i> (page 10), site guidelines are intended to provide a clear framework and direction for the preparation of long range plans. They are not intended to be open-ended so that all things may be considered again in the long range planning process. This is consistent with the approach used for the other national park ski areas.
57	Addressed in site guidelines section 3.5. Advice from an industry expert was used in arriving at the maximum allowable skiers at one time, commercial space and terrain requirements. Through the long range planning process, it is the resort operator that must ensure that existing key imbalances related to transportation /parking supply, skier access/egress, and water supply are addressed prior to or as part of any proposal to increase ski resort capacity beyond 6,500 skiers. Any additional development proposals and/or subsequent long range plans must ensure that these key components remain in balance. Further, parking lot impacts on Healy creek must be addressed prior to any new development.
58	<p>Parks Canada is obliged to manage within the framework of the <i>Canada National Parks Act and Regulations</i>, as well as applicable policies. The need to complete a site guidelines and a long term plan to guide operations, development and growth, has been consistently communicated to Sunshine Village since Parks Canada's Ski Area Policy was announced in October 2000, and later amended as the <i>Ski Area Management Guidelines</i> in 2006.</p> <p>Sunshine is the last ski area to have site guidelines, which have been discussed with the ski area operator for many years. Parks Canada's objectives, constraints and timelines have been clearly explained in writing multiple times. Multiple meetings have taken place and ideas exchanged for at least the last decade.</p> <p>Sunshine was afforded numerous opportunities for input into the draft site guidelines, first receiving the working copy in July 2017. Parks Canada continued to receive comments and submissions from Sunshine Village throughout and after the public engagement period during the summer of 2018. These were thoroughly considered in drafting the final site guidelines.</p>

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	<p>Further delays in completing the site guidelines would have put a new lease in jeopardy when the current one expires in 2020, as it is through the approval of site guidelines that the ski area boundaries are confirmed and then added to Schedule 5 of the <i>Canada National Parks Act</i>. Under that same act, a new lease cannot be issued until the ski area boundaries are listed. The site guidelines are then appended to the new lease.</p> <p>Unlike the other national park ski areas, Sunshine Village will not be required to complete a long range plan prior to receiving a new lease, and through the site guidelines process, will be allowed the highest amount of commercial space per skier, and will see the least amount of lease reductions (substantial environmental gains) while being accorded the ability to bring forward considerable future development such as additional lifts and runs, water reservoirs and other facilities.</p> <p>Thus, any differences in process appear to be to the benefit of Sunshine Village.</p>
59	See item 58 above.
60	<p>Addressed in the 'What We Heard' document. Parks Canada efforts during the consultation period were comparable to or greater than those used in the public engagement processes for the other ski area site guidelines (e.g. the public engagement period was 60 days compared to 20 or 30 days). In addition, Sunshine Village mounted its own (social, print, and electronic) media campaign to highlight its interpretation of the site guidelines and its proposals. Over 4,000 comments were received during the 60-day public engagement period, which is more than received during any previous site guideline engagement program. Skiers were well represented among those commenting.</p>
61	<p>See item #45 above. The proposed Hayes Hill and Meadow Park lifts are outside the existing developed area as defined in the <i>Ski Area Management Guidelines</i>. These same guidelines state that "Ski area expansion into Undeveloped Areas (within the leasehold), Un-skied Terrain and Un-serviced Terrain can only be considered if there are Substantial Environmental Gains. Sunshine Village will see the smallest (9% or 61ha) lease reductions of all the mountain park ski areas (Lake Louise 50%; Mt. Norquay 44%, Marmot 18%.) in return for the exceptions listed in 3.4.2 of the site guidelines. It should also be noted that the ecological considerations vary from ski area to ski area, so direct comparisons are not possible.</p>