

**WHISTLER NORDIC CENTRE PROJECT  
(The "PROJECT")**

**FILE COPY  
TRANSLATION**

**RECOMMENDATIONS OF THE EXECUTIVE DIRECTOR  
AND REASONS FOR RECOMMENDATIONS**

Pursuant to section 17 of the *Environmental Assessment Act* S.B.C. 2002, c. 43 (the Act), the Executive Director of the Environmental Assessment Office (EAO) provides the following recommendations and reasons relating to the Project. In preparing this document, the following have been considered:

- Whistler Nordic Centre Application for an Environmental Assessment Certificate, including Appendices (the Application);
- All subsequent Project review documentation identified in Schedule A to the proposed Environmental Assessment Certificate (the Certificate);
- A need to differentiate Project components as:
  - component "A", consisting of Nordic competition facilities, trails and associated infrastructure and internal roads in an area comprising approximately 260 hectares, as well as two access roads to the facilities (Project Component "A"); and
  - component "B", consisting of non-competition recreation trails and facilities over several areas in the Callaghan Valley, to create a recreational legacy for the public after the 2010 Winter Olympic and Paralympic Games (Project Component "B"); and
- Whistler Nordic Centre Project Assessment Report (the "Assessment Report").

The Executive Director recommends that an Environmental Assessment Certificate for the Project be issued for Project Component "A", and that Project Component "B" require further assessment, for the following reasons:

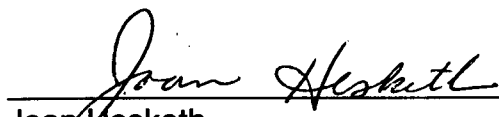
1. The environmental assessment of the Project was carried out in accordance with the scope, procedures and methods identified in the order issued by the EAO under section 11 of the Act, on July 4, 2004.
2. The environmental assessment of the Project addressed the effects identified in the section 11 order issued for the Project, including the potential effects of the Project on its environmental, social, economic, heritage and health setting.
3. Measures relating to the distribution of information about the Project to the public have been carried out by the Proponent in accordance with the section 11 order, including the holding of public open houses and meetings with local government councils and interest groups.
4. Measures relating to the distribution of information about the Project to First Nations have been carried out by the Proponent in accordance with the section 11 order. The affected First Nations are the Squamish and Lil'wat

(Mount Currie) First Nations (the First Nations), whose asserted traditional territories include the Callaghan Valley, where the Project is located. Measures included the holding of community open houses in Squamish First Nation communities, the provision of Project documentation during the assessment process, and provision of a funding agreement for the participation of the First Nations in the assessment process and the preparation of Aboriginal Interests and Use Studies (AIUS) for the First Nations.

5. Opportunities have been provided by the EAO for First Nations consultation in the assessment process, and for opportunities for discussion and resolution of aboriginal interests related to the Project. These included the review of draft terms of reference for the Application, review of the draft section 11 order, review of the Application and its supplementary information, and participation in a working group established for the Project. Funding for participation was provided by the EAO to supplement the funding provided by the Proponent.
6. Opportunities have been provided by the EAO for federal, provincial and local government agencies to participate in the environmental assessment process, along with the First Nations, as members of a Project Working Group, chaired by the EAO. This Working Group was involved in preliminary scoping of the Project, and all subsequent stages of the assessment process. Since the Project triggered a federal screening under the Canadian Environmental Assessment Act, the assessment process has been designed to harmonize federal and provincial review processes.
7. Issues identified by the public, First Nations, and provincial and federal government agencies that fall within the purview of the assessment of the Project have been considered, and the Assessment Report identifies these issues and documents practical means to prevent or reduce to an acceptable level any potential significant adverse effects of the Project.
8. Public issues raised during the formal 67-day public comment period on the Application were few, with only eight written submissions received. Most of these issues were related to recreational user conflicts before and after the 2010 Winter Olympic and Paralympic Games. The Proponent has satisfactorily responded to the public on the issues raised.
9. First Nations issues raised during the assessment process were substantial. In their AIUS studies, the First Nations identified a number of key issues and recommended mitigation measures associated with the Project. These were augmented by specific technical concerns about information provided by the Proponent, including the Proponent's proposed mitigation measures for identified effects on First Nations interests.

10. With respect to First Nations issues, a number were determined as Proponent responsibilities, to be addressed within the EA process. Others are Proponent and / or provincial government responsibilities related to the 2002 Shared Legacy Agreement. Still others were determined to rest with the Province in negotiating forums outside of the assessment process. Of those determined to be Project-related responsibilities of the Proponent, the issues associated with Project Component "B" (the recreation legacy trails and facilities) were of greatest concern to First Nations.
11. The spectrum of issues raised by First Nations led to discussions both within and outside the assessment process, between the First Nations, various provincial government representatives, and the Proponent. Technical issues respecting Project Component "A" have been satisfactorily addressed through the commitments provided by the Proponent in the Certificate. First Nations issues associated with Project Component "B" have been satisfactorily addressed through a February 2, 2005 Letter of Mutual Understanding between the Proponent and the First Nations, which commits to a consultation process for the recreation legacy trails before seeking their certification or approval. Broader impact, consultation and accommodation issues with the Province were addressed to the satisfaction of the First Nations in a January 31, 2005 letter from the Province that commits to implementation of the 2002 Shared Legacy Agreement and supports the approach to certification negotiated between the Proponent and the First Nations. First Nations provided a letter of support for certification of Project Component "A" on February 15, 2005.
12. Provincial, federal and local government issues were identified and addressed through Working Group meetings, and meetings between the Proponent and individual agencies throughout the process. The key issues that required more extensive review and resolution were associated with the effects of Project Component "A" on: aquatic resources, including wetlands and fish-bearing streams; water supply and waste disposal; water quality; vegetation; wildlife, including migratory birds, bears and species at risk; air quality; public health and safety; and archaeological and cultural resources. The Proponent has made commitments that satisfactorily address these issues for Project Component "A".
13. The environmental assessment associated with Project Component "A" has satisfactorily addressed the effects identified in the Application Terms of Reference, issued for the Project on June 16, 2004.
14. All potential significant adverse effects of Project Component "A" are considered to be manageable to an acceptable level through:
  - the implementation of the Proponent's commitments and mitigation measures identified in the conditions of the EA Certificate;

- compliance with the conditions of the EA Certificate; and,
  - compliance with subsequent statutory permits, licences and approvals, or any authority required under any other enactment.
15. With respect to Project Component "B", further assessment is required on its effects on fish and fish habitat, wildlife and vegetation, land use (particularly recreational use), First Nations interests, and archaeological sites, in recognition of the evolving location, design and information requirements associated with the post-Games recreation legacy trails, and in recognition of ongoing discussions between the Proponent and the Squamish and Lil'wat First Nations.
16. Any decision on certification of Project Component "B" should be based on the further assessment of the factors outlined in 15 above, as well as consideration of:
- an application for amendment to the certificate issued for Project Component "A";
  - a report by the Proponent on the outcome of the process outlined in the February 2, 2005 Letter of Mutual Understanding between the Proponent and the First Nations, and appropriate commitments to locations, design principles and other actions;
  - any report from the Squamish and the Lil'wat First Nations on the outcomes of the process referred to above; and
  - the views of relevant provincial and federal agencies.

  
\_\_\_\_\_  
Joan Hesketh  
Executive Director and Deputy Minister  
Environmental Assessment Office

Dated: Feb 21, 2005