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

AND

AN APPLICATION TO EXTEND ENVIRONMENTAL ASSESSMENT CERTIFICATE TD04-01
(CERTIFICATE)

BY
GLACIER RESORTS LTD.

FOR THE

JUMBO GLACIER RESORT PROJECT
(PROJECT)

EXTENSION UNDER SECTION 18

WHEREAS:

A. On October 12, 2004, provincial ministers issued the Certificate to Glacier Resorts Ltd. to develop a year-round ski resort in the Jumbo Creek valley approximately 55 kilometres west of Invermere, British Columbia;

B. Condition 13 of the Certificate requires Glacier Resorts Ltd. to substantially start the construction of the Project within five years from the date of the Certificate, or section 18(5) of the Act provides that the Certificate expires if the Project is not substantially started during that time;

C. Under Section 18(2) of the Act, Glacier Resorts Ltd., as the holder of the Certificate, may apply to the Executive Director of the Environmental Assessment Office for an extension of the deadline specified in the Certificate, stating the reason for the request;

D. Under Section 18(4) of the Act, the minister or Executive Director may choose to extend the deadline specified in the Certificate, on one occasion only, for not more than five years;

E. On December 8, 2008, Pheidias Project Management Corporation applied in writing on behalf of Glacier Resorts Ltd. to the Executive Director for a five-year extension to the Certificate;

F. Glacier Resorts Ltd. cited the need for completion of the Master Development Agreement, which is a responsibility of the Ministry of Tourism, Culture and the Arts and beyond the control of Glacier Resorts Ltd., as the principal reason for not substantially starting construction of the Project;

G. The Executive Director's delegate notified the appropriate federal, provincial and local government agencies of the request from Glacier Resorts Ltd. and invited their comments;

H. The Executive Director's delegate notified the Ktunaxa Nation Council, Shuswap Indian Band and Akisq'nuk First Nation with asserted traditional territory in the vicinity of the Project of the request from Glacier Resorts Ltd. and invited their comments;

I. No comments were received from agencies or the Shuswap Indian Band or Akisq'nuk First Nation that identified concerns about the requested extension, provided that all conditions of the Certificate remain in effect;

J. Comments received from the Ktunaxa Nation Council referenced the results of a recent study estimating the Grizzly bear population to be lower than what was thought to exist during the original environmental assessment review;

K. The Ministry of Environment considered the results of the recent Grizzly bear study and the concerns raised by the Ktunaxa Nation Council and advised the Environmental Assessment Office that the ministry does not believe that there have been any material or specific changes in circumstances since the original environmental assessment review which would impact the conclusions reached in the Certificate; and,

L. The Executive Director has considered the application, the reasons given for the request, and the comments received from agencies and First Nations.

NOW THEREFORE:

Pursuant to section 18(4) of the Act, the Executive Director extends the time by which Glacier Resorts Ltd. must have substantially started construction of the Project to October 12, 2014.

Robin Junger
Executive Director and Associate Deputy Minister

Dated for reference this 26th day of January, 2009, at Victoria, British Columbia.