

## Julie Cozzi

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**From:** S Diggity <heliskialaska@gmail.com>  
**Sent:** Tuesday, August 02, 2016 8:31 AM  
**To:** Julie Cozzi  
**Subject:** Fwd: heli skiing permit system in BC

Hello Julie,

Here is another letter I submitted before the May 31 deadline that I would also like to be reviewed. I'm not sure why this was not included either. Please see that this information is also taken into consideration.  
Thankyou,

Sean Brownell

Shred the Pow

Begin forwarded message:

**From:** S Diggity <[heliskialaska@gmail.com](mailto:heliskialaska@gmail.com)>  
**Date:** May 31, 2016 at 10:56:40 AM AKDT  
**To:** [bryan@haines.ak.us](mailto:bryan@haines.ak.us), Timothy Thomas <[timtomakhs@gmail.com](mailto:timtomakhs@gmail.com)>, [rpjalaska@gmail.com](mailto:rpjalaska@gmail.com)  
**Subject:** Fwd: heli skiing permit system in BC

This is a letter I received from don vanderhorst who was a leader in creating the Tenure System for Heliskiing in BC.

Shred the Pow

Begin forwarded message:

**From:** "[don.vanderhorst@telus.net](mailto:don.vanderhorst@telus.net)" <[don.vanderhorst@telus.net](mailto:don.vanderhorst@telus.net)>  
**Date:** March 8, 2016 at 7:10:07 AM AKST  
**To:** S Diggity <[heliskialaska@gmail.com](mailto:heliskialaska@gmail.com)>  
**Subject:** heli skiing permit system

Sean:

I have had an opportunity to review what you have sent me to this point, along with the recent article (heli ski wars). The article was very helpful in understanding the background to the current situation, and what has been done (by government) to this point to figure out a resolution.

I think the starting point in my comments is to go back to the late 1970s and early 1980s, when heli skiing (and eventually snowcat skiing) was starting to develop as a legitimate business in BC. During that time, I was working in the provincial government, and had the responsibility to implement the policy at that time, so I have good sense of what happened, and why it happened, at that time.

Prior to any land use policy being put in place, heli ski operators were essentially skiing wherever and whenever. There were no rules, regulations, etc....but it was clear to the Province, and to the industry, that as this activity grew, land use policies would be needed. Operators (and government) were increasingly concerned about safety (e.g. more than one operator in the same areas, etc), impacts to other users (public, other industrial users) and wildlife values, and operators looking for certainty for their business...they were marketing a particular product..they wanted to ensure that when they took their clients to a specific location, the product they had promised (and marketed) would in fact be there for them to use (e.g. that someone else had not gone out and skied the area before they did).

So, the outcome of those early discussions between the industry and government was the creation and implementation of the Commercial Mechanized Ski Guiding Policy (CMSGP). What that policy did was to create individual operating areas for each operator (in the initial years the tenures...licenses...were run based...but that changed into area based tenures not long afterwards). The understanding was that each operator would have exclusive use for that area (exclusive for heli skiing), but other non skiing activities could still occur, etc. Each operator was asked to meet with government and outline where and how they operated (management plan), how many clients they took out, etc. That info in turn was used to create a License of Occupation or tenure agreement. With the license agreement in hand, the operator had certainty in where they could operate, without having concerns that another heli ski operator would use the same area. In return, the operator had to pay fees to government, provide proof of insurance, and provide a security deposit, along with other requirements.

That original land use policy (CMSGP) has of course changed over the years, and today we have what is called the Adventure Tourism Policy, but if one reviews the AT Policy, many of the provisions are not that different from what was implemented in the early 1980s.

It is unclear to me, from the info I read in the newspaper article, why the government, in Alaska, decided to open up the heli skiing terrain using a proposal/bid proposal, when it was apparent that more than one company had been operating in that area. My initial thought was...if more than one company has been operating to this point, if we (that being government) are going to establish a permit or tenure for these companies would it not more sense to review exactly where every one is operating...and possibly looking at permitting all or some of them, as opposed to only allowing one operator. In reading the article, the process used by government has resulted in no permit and everyone upset.

BC's Adventure Tourism Policy (which includes a wide variety of adventure tourism activities) is an excellent model on how tenures and permits for heli skiing can be implemented. It maybe that the government in Alaska has a similar system...I have not reviewed that in any detail.

Over the past 20 years, since leaving government, I have assisted a wide range of heli and snowcat operators throughout BC with their tenure agreements (new applications, renewals, amendments) plus assisting operators with other permits (Parks Use Permits, License to Cut for timber removal, water licenses, etc). A

key part of most of the work is preparation of a comprehensive management plans. These plans outline the details of how, where, when, etc each company operates. In addition to assisting individual operators, I have also been contracted by the Province to assist in setting up and implementing a proposal which allows for heli sk companies to submit competitive bids for a new area. That work has also involved reviewing the various bids and making recommendations to government on which company should be issued a tenure/permit. As well, I have been contracted by individual heli or snowcat companies to assist them when preparing and submitting a bid for a certain area when a specific area for heli or snow cat skiing has been made available for a competitive process. In other words...I have worked in virtually all parts of the tenuring system...in government and for the companies, over the last 40 years...so I have a pretty good sense of how all of this works..e.g. what works and what does not. As an aside, I am also on the Policy committee for HeliCat Canada

So....going back to the situation you face. Clearly some form of tenure or permit system is necessary to manage the heli skiing activities..and the process previously used by the Alaska government is an indication they, as well as the operators, want something in place as well. My understanding of what the Alaska government has done to this point, or what they would like to do to address the current situation involving the heli ski operators, is minimal....but I can say this...what BC has done over the past 35 years is definitely a great model to consider (and to be fair...perhaps the Alaska government has exactly done that)

From my perspective, I think that if historically more than one operator has been able to exist and provide heli skiing activities in that area, is there not an option to see if more than one permit or tenure can be issued, rather than only allow one through a competitive process. But perhaps there are mitigating circumstances that do not allow this..therefore the process used to this point has been to focus on a competitive process that ultimately allows only one company to operate.

I hope I have been able to provide some initial thoughts. I can certainly elaborate more on the AT Policy as well as comments and recommendations on the previous competitive processes I have worked on (both from the perspective of government and that of the operator)

I am certainly open for a phone chat at your convenience.

Don

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