

**MEMORANDUM OF UNDERSTANDING
REGARDING MANAGEMENT OF
HELICOPTER AND SNOW-CAT SKIING
IN MOUNTAIN CARIBOU HABITATS**

BETWEEN:

The Ministries of
**Agriculture and Lands
Environment
and Tourism, Sports and the Arts.**

AND:

**British Columbia Helicopter and Snowcat Skiing
Operators Association (BCHSSOA)**

(Collectively referred to as the "Parties")

WHEREAS the Species at Risk Recovery Coordination Office (SaRCO) of the Integrated Land Management Bureau (ILMB) is responsible for developing a structured program for, and a set of recommendations to the provincial government on the recovery of broad ranging species at risk;

AND WHEREAS mountain caribou is one of three key wildlife species on which SaRCO is focused in its activities;

AND WHEREAS one of the mandates of the BCHSSOA is to set standards for environmental stewardship for the helicopter and snow-cat skiing sector and that wildlife issues are one of a number of areas addressed in the Association's "*Best Practices for Sustainability; Stewardship of Mountain Ecosystems*";

AND WHEREAS the Parties agree that there is a range of human, biophysical and climatic factors that may affect recovery of mountain caribou in BC;

AND WHEREAS the Parties agree that – at the time of signing of this agreement – there is no established causal link between declines of mountain caribou and activities of BCHSSOA members;

AND WHEREAS the Parties recognize that the BCHSSOA and individual helicopter and snow-cat skiing operators have developed, and continue to develop wildlife operating practices, and that these practices have improved significantly in response to mountain caribou conservation concerns;

AND WHEREAS the Parties agree on the need for a recovery plan for mountain caribou, and the need to understand the effects, if any, of helicopter and snow-cat skiing on mountain caribou;

AND WHEREAS the Parties agree on the need to develop some consistency in the way in which this is resolved and addressed in BC;

THEREFORE the Parties agree to enter this Memorandum of Understanding as follows:

Principles

Activities undertaken in the context of this memorandum will be based on the following principles:

- **Consistency with mountain caribou recovery objectives** – any actions or initiatives undertaken need to be consistent with relevant objectives set for mountain caribou recovery at the provincial level through the work of Species at Risk Coordination Office (SaRCO)
- **The role of science** – to the greatest extent practicable, proposed management activities will be driven by the best available science relevant to this sector. Where science is available, it will be immediately applied to the operational approaches taken by the sector.
- **Information sharing** – between the parties will allow for the application of the best science available to the specific realities of this sector and facilitate the development of the most effective management recommendations possible.
- **Prioritization** – because of the need to pursue immediate measures while the recovery plan is being developed, it is agreed that the Parties will address priority issues in priority geographic areas, based on advice from knowledgeable individuals working with the SaRCO and the BCHSSOA.
- **Adaptive management** – activities will – without putting the mountain caribou at risk - be considered as learning experiences that will allow for continued improvement of operational practices.
- **The role of local processes** – it is also recognized that in some parts of the province, existing local processes (such as land use plans, tenure review committees, etc) should, where appropriate and consistent with the current provincial recovery process, continue to play a key role in ensuring that the operational practices (below) are implemented, monitored and improved on a tenure-by-tenure basis.
- **Ecosystem approach** – while the focus of this agreement is on mountain caribou, both parties recognize the need to take an ecosystem approach to mountain operations. This normally means that activities and procedures will be conducted in a manner that recognizes and addresses the need to maintain the integrity of ecosystem processes, functions and native species.

Operating Practices

In order to ensure appropriate and consistent operational approaches in all areas of the province, the Parties agree that members of the BCHSSOA will operate under authorized tenures in a manner that is consistent with the operational practices outlined in Appendix A.

It is recognized that individual companies may need to enhance or modify these practices in specific areas where, through collaborative efforts with the SaRCO, the Ministries of Environment and Tourism, Sports and the Arts and the operator, an agreement is reached that such enhancements or modifications are necessary. It is also recognized that differences between these practices and those currently being used by operators under government-approved management plans will be dealt with in a manner that is consistent with implementation of the Tourism-Wildlife Guidelines as they are developed and finalized by government and the tourism sector.

Research and Adaptive Management Trials

The Parties agree to work together to develop, pursue funding for, and implement specific research projects and adaptive management trials which will address questions related to the potential effects of sector activities on mountain caribou and their habitats.

Further, BCHSSOA agrees to support – through expert consultation and information sharing – the provincial Mountain caribou recovery process currently underway under the auspices of the SaRCO.

Monitoring and Inventory

The Parties agree to work together, along with other partners in government, industry and conservation groups, to develop monitoring and inventory projects that will:

- monitor the effectiveness of, and compliance with the operating practices in Appendix A; and
- continue to build an understanding of the distribution, sub-population sizes and nature of habitat use by mountain caribou and caribou-human interactions.

Communications

The Parties agree to work together to prepare communication materials relating to any aspect of this agreement, and to look for opportunities to promote this agreement through academic, professional and public presentations.

Dispute Resolution

The Parties agree to resolve disputes related to this agreement, or related to activities or projects undertaken through this agreement through the SaRCO Coordinator and the Chair, BCHSSOA Environmental Standards Committee. Only where disputes cannot be resolved at those levels will resolution be pursued at higher levels in each organization.

Term

The Parties agree that the term of this agreement will be for five years from November 23rd, 2005. Discussions about continuation or cancellation can occur at the request of either party, but both parties must agree to continuation or cancellation.

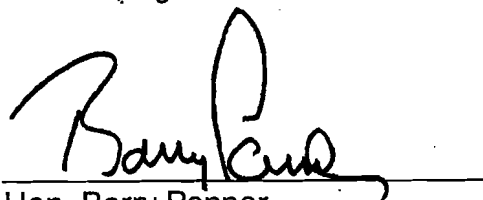
Signatories:



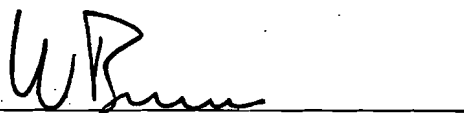
Hon. Pat Bell
Minister, Agriculture and Lands



Hon. Olga Ilich
Minister, Tourism, Sports and the Arts



Hon. Barry Penner
Minister, Environment



Walter Bruns
President, BCHSSOA

Appendix A

Wildlife Operating Procedures for Helicopter and Snowcat Skiing in Mountain Caribou Habitats

Wildlife Operating Procedures for Helicopter and Snowcat Skiing in Mountain Caribou Habitats

A.) Objectives

The objectives are these practices are to ensure:

- i. that tenured tourism activities - in all BCHSSOA member operations that overlap with mountain caribou habitats - do not result in displacement¹ of mountain caribou from their preferred winter habitats;
- ii. consistency in approach by BCHSSOA member companies operating in mountain caribou habitat, while recognizing the unique geographic and operational nature of each business; and
- iii. consistency in approach by government agencies in managing and administering the tenured activities of BCHSSOA members.

B.) Recognition of Habitats and Caribou Use of Habitats

Each BCHSSOA member will work regularly with MOE and ILMB to ensure that they are aware of:

- i. mapped mountain caribou habitats in their operating areas;
- ii. management activities related to mountain caribou being undertaken within their region; and
- iii. the most current information available with respect to mountain caribou habitat use and other important information related to mountain caribou recovery efforts.

Members will use this information in efforts to achieve the objective of "no displacement." However, members will use the procedures in this appendix in any areas where mountain caribou are located, whether or not they are in mapped mountain caribou habitats.

C.) Staff Training

Each BCHSSOA member will commit to include at least one 2-hour module about mountain caribou (habitats, habitat use, and the company's practices to address same) in its annual training of staff (guides, pilots, snow-cat operators, etc) prior to each operating season. Where practical, the company will use outside experts to assist with the training.

The training will review:

- i. relevant aspects of mountain caribou biology, including general life history characteristics and habitat use;
- ii. an up-date on current recovery actions;

¹ For the purpose of this agreement, displacement is defined as the temporary (for a period of days or longer) or permanent abandonment of suitable and occupied mountain caribou habitat caused by the activities of the operator.

- iii. scientific and management literature related to the effects of helicopters, snow-cats and skiing activities on the behaviour of mountain caribou and other wild ungulates;
- iv. company operating procedures, including:
 - a. office and field procedures designed to minimize the probability of encountering mountain caribou during activities;
 - b. actions taken when mountain caribou are encountered;
 - c. office procedures for recording observations and actions taken; and
 - d. roles and responsibilities of guides, pilots, snow-cat operators and other relevant staff.

D.) Information Management

Each BCHSSOA member operating in mountain caribou habitat will commit to developing an information management system that captures relevant mountain caribou information (e.g. current mapping, telemetry locations, etc.) as well as wildlife observations (tracks and animals) made by field staff and any operational decisions arising from those observations. The system, which can be either manual or computer-based, will:

- ensure that observations are consistent and accurate
- include the location of observed animals (to the nearest 100 m, using UTM coordinates), the behaviour of those animals when observed, and their reaction to the presence of humans;
- include a description of the specific operational actions taken by the operator to prevent displacement; and
- ensure that the most current information is used to minimize the probability of encountering animals during activities.

This information will be shared with MOE and ILMB on a regular basis.

E.) Operational Practices to Achieve Objectives

▪ Adapt Activities to Best Information Available

Each BCHSSOA member operating in areas used by mountain caribou will use their information system to:

- proactively highlight specific areas where the probability of encountering mountain caribou is relatively high and to ensure that these areas are not used for skiing until appropriate reconnaissance is completed to confirm that animals are not in the vicinity;
- when caribou are in the area, suspend activities there for at least 48 hours and until a reconnaissance can confirm that the caribou have left the area;
- all actions will be sufficiently documented to demonstrate diligence, and will be used to improve the effectiveness of the procedures in meeting the "no displacement" objective.

▪ **Flight Paths and Flight Practices**

Except where client or staff safety is an issue, guides and pilots will choose helicopter flight paths to maintain at least 500 m. (1640 ft.) horizontal or vertical separation from occupied caribou habitats. This separation distance should be immediately increased if animals occupying these habitats show any evidence of being negatively disturbed (via "flight or fright" behaviours) by the presence of the machine.

The parties recognize that scientific evidence to support specific separation distances between helicopters and mountain caribou is weak due to the large number of variables that can influence the potential impact on animals (e.g. prior experience of caribou, group size and composition, size of aircraft and approach vectors). As a result, the parties agree to regularly review the effectiveness of the operating procedures in relation to current scientific and management literature and to modify separation distances (and other practices under the control of the operators) as required.

Guides and pilots will make all possible efforts to use regular and predictable flight paths to minimize disruption to animals and maximize the predictability of the human presence.

Except where staff or client safety is an issue, flight practices (speed, elevation, rate of ascent/descent, rate of turn, etc.) will be modified in the vicinity of known caribou habitats to minimize potential impacts. In particular, guides and pilots will choose flight paths that avoid commonly occupied habitats and minimize the probability of "surprise" approaches or encounters.

In all cases, known cow-calf groups will be completely avoided, and the helicopters will not be used for wildlife viewing.

▪ **Snow-cats and Snow-cat Routes**

Snowcat trails will be kept to the absolute minimum required to access suitable ski terrain. Trail braiding should not occur.

Specifically, members will minimize glading or creating trails that could facilitate snowmobile or predator access from lower elevation logging roads or clear cuts.

▪ **Skiing**

If a guide in a member company observes mountain caribou on, or in the immediate vicinity of a ski run once he/she is on that run with a group, it is important to do all necessary (within the bounds of safety) to ensure that the presence of the group does not displace those animals. This will include any or all of the following:

- Choosing a ski line and/or pick-up that will take the group away from where the animal is located;
- Using slopes that are steeper than those preferred by caribou;

- Keeping groups of skiers together to minimize the chances of disturbing animals that may not be visible prior to starting a run and to avoid the possibility of separating animals from each other if they are encountered;
- Holding the group until the animal(s) has continued on its intended path;
- Immediately contacting any following groups by radio to ensure that they use other lines or runs to avoid any further disturbance of the animals;
- Ensuring that the incident is properly entered in the information management system and that further skiing activities do not occur until a reconnaissance trip can confirm that the animals are no longer in the area.

- **Miscellaneous**

BCHSSOA members will minimize facility development in mapped caribou habitats.