

SOUTHEAST FIRE CENTRE

Kootenay Lake Fire Zone

Letter of Agreement

Date: June 1, 2018

Term: June 1, 2018 to October 15, 2018

File:

District Contract NO:

Between

Whitewater Ski Resort Ltd.	Business Phone Number	(250) 354-4944
P.O. Box 60	Cell Phone Number	(250) 509-1404
Nelson, B.C. V1L 5P7	Fax Number	(250) 354-4988
Outside Operations Manager	Email:	colby@skiwhitewater.com

And

Ministry of Forests, Lands and Natural Resource Operations, Southeast Fire Centre –
Kootenay Lake Fire Zones, Arrow Fire Zone, hereafter referred to as “The Fire Centre”.

This agreement is between Whitewater Ski Resort Ltd and MOFLNRO to provide a safe and convenient location for Ministry fire crews to acquire chain saw training.

Scope:

Whitewater Resort will allow Ministry of Forest and Range fire crews to fall trees on ski resort tenure, for chainsaw/ faller certification and proficiency training. Tree Spacing will be between 5 to 8 meters. Except in pre-determined areas where Heli Pad training occurs

Services/Deliverables:

The Fire Centre will provide a Worksafe BC certified faller to oversee all falling project at the Whitewater Ski Resort.

The Fire Centre will ensure:

- i. All Worksafe BC Regulations are complied with, including first aid, safety and training requirements.
- ii. All Wildfire Act and Wildfire Regulations are complied with, including fire suppression equipment on site, and fire hazard requirements. (The Smallwood weather station will be monitored).

The Fire Centre will provide:

- i. All transportation (motor vehicle) and fuel to and from the work areas.
- ii. All necessary chainsaws, fuel and oil required to run the chainsaws.
- iii. All necessary hand tools (shovels, rakes, Pulaski's etc.)
- iv. All required personal protective safety equipment. (Leg protection, helmets, face screen, gloves.)
- v. All required safety equipment (level 3, ETV etc.) to meet Worksafe BC Regulations.
- vi. All fire suppression equipment as required by the Wildfire Act and Wildfire Regulations.

The Fire Centre shall:

1. Carry out works as directed by the Whitewater staff, including:
 - i. Removal of all **obvious** hazards on established work sites, such as dead trees, trees with excessive lean, dead limbs, etc. They will not be required to do a formal danger tree assessment on the ski runs or trails.
 - ii. Crews will target Green Subalpine Fir.
 - iii. Removal of juvenile trees with in the training area.
 - iv. All limbed and all felled trees and brush will be bucked to ensure that the slash is no higher than **1 meter** off the ground.
 - v. **Will not remove any Spruce greater than 20 cm DBH unless instructed to do so within a specific area.**
 - vi. Will not fall or damage any spruce trees while completing this project.
 - vii. **Any damaged spruce trees over 20cm must be felled and bucked into 1 meter lengths and stood on end to discourage spruce beetle attraction.**
 - viii. **Any spruce stumps must be preferably less than 20cm but in no cases greater than 30 cm in height.**
 - ix. Will not fall any trees within two tree lengths striking distance of any structures including the lodge, chair lifts, or buildings.
 - x. Will ensure that all active falling areas are monitored so that access to the area is restricted. Each site will be monitored by staff with radio communications to both the Southeast Fire Centre and the falling instructor/trainer onsite.
 - xi. Crews will not fall trees into riparian areas and if so, remove trees from main flow of drainage.
 - xii. Tree spacing will be kept between 5 to 8 meters. Except in pre-determined areas where Heli Pad training occurs.
2. Carry out all work in a manner that will create the least disruption and inconvenience to the Whitewater staff, and the general public.

Whitewater Will Provide:

- i. Detailed instructions on the areas that require tree falling.
- ii. Notification of all known hazards within the work areas.
- iii. Will provide onsite representation as required.
- iv. Maps of work locations if required.
- v. Feedback on work that is completed to ensure that it meets Whitewater Ski Resorts Ltd. requirements.
- vi. Will restrict access to falling areas.
- vii. First aid facilities and or services from onsite OFA 3 attendants if required.

Indemnity. Whitewater Ski Resort Ltd. releases Her Majesty the Queen in right of the Province of British Columbia from any and all claims, present and future, to compensate for losses, injuries, costs, expenses and damages arising from works performed at the Whitewater Ski Resort, by the Ministry of Forests and Range, Protection Program, Fire Suppression Staff, for the term of this agreement. (June 1, 2018 to October 15, 2018), provided that the Ministry of Forest and Range Fire Suppression crews have acted in good faith.

Both parties agree that there will be no monetary compensation for works completed by the Fire Centre under the terms of this agreement.

Both parties agree that fire hazard and suppression activities will take precedence over this agreement.

We the undersigned, hereby agree to the terms and conditions outlined in this agreement.

Mike Allan Kootenay Lake Fire Zone
1907 Ridgewood Road,
Nelson, BC,
V1L 6K1

Colby Lehman
Outside Operations Manager
Whitewater Ski Resort Ltd.
P.O. Box 60
Nelson, B.C.
V1L 5P7

Date Signed: _____

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