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June 21, 2007

HeliCat Canada Written Submission to WorkSafeBC
Re: Proposed Amendments to Part 4: General Conditions

To Whom It May Concern,

Enclosed please find a written submission from HeliCat Canada with regard to the proposed amendments for the WorkSafe BC initiative, Part 4 General Conditions.

Sincerely Yours,

John Forrest
President
HeliCat Canada



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HeliCat Canada is an industry organization representing about 40 Heli-Skiing and Cat-Skiing operators in British Columbia. As such, we represent employers. However it should be noted that many owner/operators also fulfill an employee role as guide, lodge manager, etc.

HeliCat Canada supports all efforts to make Heli-Skiing and Cat-Skiing operations in British Columbia safer for employees and guests. From all perspectives it is obviously in our best interest. However we don't feel that the currently proposed amendments will be effective in improving safety. Therefore in our submission we **generally disagree** with them.

The members of HeliCat Canada have demonstrated a commitment to continually advancing knowledge in avalanche and snow science by funding research. Currently the association provides significant annual funding to the "NSERC Research Chair in Snow Avalanche Control" at the University of Calgary. One member of HeliCat Canada is the sole industrial partner in the "Industrial Research Chair in Snow and Avalanche Science" at the University of British Columbia. We believe that this partnership of industry and academic research has, and will continue to yield incremental improvements in the safety of all avalanche related activities.

HeliCat Canada members operate in tenured areas licensed through the Ministry of Tourism, Sport and the Arts. They range in size from tens of sq. km. (in the case of a Cat-Skiing operation) to several thousand sq. km. for some Heli-Skiing operations. Within these tenures we are able to identify hundreds to tens of thousands of potential avalanche paths. Some of these involve large avalanche tracks that are obviously avalanche terrain. However most involve small and subtle terrain features, just large enough to bury a skier if they were to avalanche.

Mapping every one of these potential avalanche paths within a single tenure would become a multi-year exercise for a Registered Professional. The number of Registered Professionals in the province of British Columbia with the training and experience qualifying them to do this work could be counted on two hands. Therefore the scope of this exercise becomes unworkable.

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Moreover, the history of avalanche accidents in mechanized backcountry skiing operations in British Columbia shows that in the vast majority of them the guides involved were fully aware that they were in avalanche terrain. The accident was the result of a misjudgment of the stability of the snow on that feature on that particular day. It was **not** a failure to identify the site of the avalanche as being avalanche terrain. Therefore we submit that the extensive exercise of assessing and mapping terrain as proposed in part 4.1.2 would bring no appreciable benefit.

We propose that in the case of mechanized backcountry skiing, a basic assumption be made that every day and on most ski runs we will encounter terrain that under certain conditions has a potential for avalanches. Therefore the emphasis should be on the procedures followed to manage the potential hazard, and not on identifying and assessing terrain.

The number of Registered Professionals with the operational experience qualifying them to develop operating procedures for a backcountry mechanized skiing operation is even lower than the number qualified to assess terrain, therefore we also submit that this work should remain the domain of those most experienced and qualified to do it.

Mechanized backcountry skiing has a 43-year history in British Columbia. Over that time the industry has developed and continually refined operating procedures that are the state of the art, not just in Canada but worldwide. We have learned many lessons over that time and have evolved our operating procedures in response.

Key areas covered by the HeliCat Canada Operations Guidelines include:

- Qualification of guides.
- Required safety training for guides, other employees and guests.
- Safety and emergency equipment.
- Helicopter and snowcat safety protocols.
- Emergency and rescue protocols.
- Flight and operations monitoring requirements
- Mapping and aerial photographs of terrain.
- Observation and recording of weather, snowpack and avalanche occurrences.
- The selection of appropriate ski terrain at twice daily guides' meetings given the days' weather, snow stability and avalanche hazard.
- Field management of avalanche, glacier, cornice, cliff, forest and other hazards.

All members of HeliCat Canada agree to comply with these Operations Guidelines as a condition of membership in our association. Compliance is verified through Operations Reviews by outside experts in the field. New members have probationary status until they pass a review. Ongoing periodic reviews ensure compliance by established members. Continued or deliberate non-compliance, or refusal to be reviewed can result in a loss of membership.

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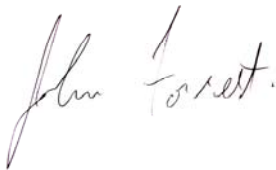
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In Summary:

- HeliCat Canada will work with the Canadian Avalanche Association and other stakeholders to develop alternate wording for the proposed amendments.
- HeliCat Canada does not support the requirement for “avalanche assessments” by Registered Professionals in wilderness operations or similar low traffic worksites, as proposed in Part 4.1.2. We believe that an extensive investigation and analysis of terrain in this setting to identify avalanche hazard areas is not workable and will not result in any appreciable enhancement of safety. We believe that those doing this work on a day-to-day basis, such as the Guides who meet the requirements of HeliCat Canada, Professional Members of the Canadian Avalanche Association or members of the Association of Canadian Mountain Guides are best qualified through knowledge and experience to establish operating procedures to manage potential avalanche hazards in these work settings.
- HeliCat Canada believes that the Guides who meet the qualifications specified in our Operations Guidelines would also be eminently qualified to conduct the “avalanche risk watch” (or equivalent function) as defined in Part 4.1.2 of the draft regulations.
- The HeliCat Canada Operations Guidelines represent the state of the art in backcountry mechanized skiing. We propose that they be accepted as a template for procedures to be followed by people working in a Heli-Skiing or Cat-Skiing operations.
- The Operations Reviews conducted by HeliCat Canada are an effective means of ensuring compliance with those Operations Guidelines, and that Heli-Skiing and Cat-Skiing operators are maintaining the safest possible working conditions for their employees.
- Finally, HeliCat Canada asks that WorkSafeBC, with assistance from the Canadian Avalanche Association update their stakeholder list on avalanche related issues to include all affected parties. To our knowledge, neither our Association, any of our members, or any other individuals or organizations involved in avalanche related work were advised directly of these proposed changes. We believe that the best solutions to improving worker safety will be found through a broad consultation process.

On behalf of HeliCat Canada thank you for the opportunity to present our position.

Sincerely Yours,

A handwritten signature in cursive script that reads "John Forrest".

John Forrest
President
HeliCat Canada