

## GENERAL PUBLIC ACCESS PERMIT

### TO ENTER AND RELEASE

To: The Nature Conservancy of Canada  
Box 875  
Invermere, B.C.  
V0A 1K0

The Nature Conservancy of Canada ("NCC") is the owner of certain forest lands known as Darkwoods and more particularly described as Sublot 1 and Sublot 7 of District Lot 2381 and District Lot 887, Kootenay District (the "Lands").

NCC carries on forest management and conservation activities on the Lands.

The Lands are generally in a natural state and contain natural hazards associated with the activities of NCC conducted on the Lands.

These include, but are not limited to:

- Natural and man-made hazards on the Lands, including but not limited to steep, rugged and uneven terrain; unpredictable snow conditions and avalanche risk; landslides; rockfalls; tree falls; floods; variable and extreme weather conditions; roads, trails, paths, bridges, stairs, handrails and guardrails that are not regularly maintained and inspected and may be in a hazardous or dangerous condition; traffic on roads and railway tracks; forestry activities; absence of footholds, handholds, guardrails, and fences; absence of signs warning of hazards;
- Hazards created by road construction, road deactivation, falling trees, harvesting, clearing or cutting activities;
- Wildlife that may attack, injure or kill humans, including bears and cougars;
- Limited or no availability of first aid, medical care, communications facilities, or search and rescue in the event of an accident;

This is an application to The NCC for permission to enter on to the Lands for and on behalf of all persons named herein (the "Applicants"), all of whom agree to the terms and conditions hereof.

The Applicants jointly and severally acknowledge that the signatory to this permit has the authority to execute and deliver this form for and on behalf of each of them and that each of them hereby appoints the undersigned as agent for and on his behalf to so execute and deliver this form. Each of them also acknowledges that this agreement is legally binding on them.

**Any person who enters on to the Lands without obtaining a permit, and submitting a signed waiver to NCC, will be guilty of trespass and will be liable to prosecution. The Applicants jointly and severally acknowledge that any person accompanying them, or any one of them, who is not named in this form is trespassing and is liable to prosecution. The executed permit must accompany the applicant while on the property. Failure to carry the permit while on the property renders it null and void and the applicant will be liable to prosecution for**

**trespassing.**

This permit will not be considered complete or legitimate until the Applicants have each executed the Release of Liability, Waiver of Claims, Assumption of Risks and Indemnity Agreement (the "Release Agreement") in the manner described in the Instructions for Execution of Release Agreement, both of which have been provided by NCC to the Applicants, and the original executed Release Agreement returned to NCC at the address above.

The Applicants jointly and severally agree as follows:

1. The Applicant:

- **WILL NOT camp overnight on any area of the property except by specific exemption with a written request that is approved in writing by NCC;**
- **WILL NOT enter the land with all terrain vehicles, snowmobiles or motorcycles;**
- **WILL NOT use any cabins on the property except by express written permission from NCC;**
- **WILL observe all posted signs;**
- **WILL NOT travel by vehicles of any type on any skid trail or soft haul roads on the Lands;**
- **WILL NOT cut or remove firewood from the Lands;**
- **WILL remove all garbage;**
- **WILL NOT cause any damage to the Lands or any buildings, signs or equipment thereon;**
- **WILL NOT hunt, chase or trap wildlife;**
- **WILL report vandalism, theft or breach of any of the provisions herein to NCC administration offices;**
- **WILL obey any posted or other rules set by NCC concerning the Lands;**
- **WILL NOT light campfires except at Tye. NCC reserve the right to prohibit such campfires during any period that they determine present significant fire risk; will comply with all BC Ministry of Forests issued fire restrictions and prohibitions;**

- **WILL properly attend all campfires until they are completely extinguished, build the same only in open areas at least 30 feet away from any tree, forest or logs and to use only dead and downed wood for firewood.**
- **WILL NOT transport, permit to be transported, nor carry or convey or permit to be carried or conveyed any animal carcass or any part thereof over the Lands.**

The permit to enter the Lands granted herein is a license only and may be revoked by NCC at any time NCC reserves the right to refuse entry on to the Lands to the Applicants. This permit specifically prohibits the use by the Applicants of access to the Lands through the gate and bridge at Hidden Creek and the access to the Lands at Wildhorse (Ymir Creek), Bayonne, Sheep, Nugget, Newington, Oscar, Hughes, and Diana Creek roads. This permit applies to the Lands only and no permission, express or implied is granted to use or enter upon any adjacent or nearby lands and any entry onto or use of such lands is solely the responsibility of the Applicants.

This permit allows the entry by the Applicants to the Lands on weekends and statutory holidays, during the period stated, through the Porcupine, Topaz and Blazed/Jersey\* road systems. All vehicle traffic must remain on these main roads. Although there are no designated trails on the property, **travel by foot is permitted off the main roads**. The fire lookout at the top of **Mt. McGregor can also be accessed** via the Laib Creek Road and McGregor Road. Vehicles can be parked at the end of the road, and hikers can follow the old lookout road to the summit. See the attached map for details.

A weekend consists of the 48 hour period commencing 12:01 am Saturday and ending midnight Sunday. A Statutory holiday is any day which is a holiday in accordance with the provisions of the Interpretation Act (B.C.).

Notwithstanding anything contained herein, this permit is void and of no force or effect whatsoever, and all privileges granted hereby are revoked upon the pronouncement of any order by the Ministry of Forest closing the Lands.

This permit and the permission to enter upon the Lands granted hereby is a privilege and NCC has the right to terminate this permit and the privileges granted hereby at any time. In the event of such revocation while the Applicants are on the Lands, the Applicants shall leave the Lands as soon as practicable after receiving notice of the revocation of this licence. In the event of failure to do so, they shall be liable to prosecution for trespass.

Full Name(s) of Applicant(s)  
for whom Permit Requested:  
**(PRINT ONLY)**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Full Residential Address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Vehicle Make/ Licence Plate No.: \_\_\_\_\_

Driver's Licence No.: \_\_\_\_\_

Miner's Certificate No.: \_\_\_\_\_

Email address: \_\_\_\_\_

Purpose of Visit \_\_\_\_\_

Dated this \_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Signature

Permit granted this 7th day of April for a period commencing on the 15th day of June 2016 and ending midnight on the 5<sup>th</sup> day of September 2016.

**The Nature Conservancy of Canada**

Per:



**\*NOTE, for access over the Jersey Creek road permission is required from Wynndel Box & Lumber, Wynndel, B.C. (NCC will notify Wynndel box of your Vehicle Make and Licence Plate)**

**\*NOTE, for access over the Porcupine Creek road permission is required from Natures Gallery phone: 250-551-5494**