




## Land Procedure Land Exchanges (General)

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<b>NAME OF LAND PROCEDURE:</b>	Land Exchanges (General)
<b>APPLICATION:</b>	Applies to all exchanges involving Crown land, excluding the exchange of Crown land for Indian Reserve lands.
<b>ISSUANCE:</b>	Assistant Deputy Minister, Tenures, Competitiveness and Innovation
<b>IMPLEMENTATION:</b>	Ministry of Forests, Lands and Natural Resource Operations
<b>REFERENCES:</b>	<i>Land Act</i> (Ch. 245, R.S.B.C., 1996) <i>Ministry of Lands, Parks and Housing Act</i> (Ch. 307, R.S.B.C., 1996)
<b>RELATIONSHIP TO PREVIOUS LAND PROCEDURE:</b>	This procedure replaces the previous Land Exchanges (General) procedure with the effective date September 22, 2008

  
Dave Peterson, ADM  
Tenures, Competitiveness and Innovation  
Ministry of Forests, Lands and Natural  
Resource Operations

MAY 26 2011

Date:

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**EFFECTIVE DATE:** June 1, 2011  
**AMENDMENT :**

**FILE:**11340-00

**Land Procedure: Land Exchanges - General**

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<b>APPROVED AMENDMENTS:</b>		
<b>Effective Date</b>	<b>Briefing Note /Approval</b>	<b>Summary of Changes:</b>
June 1, 2011	BN 175892	Policy and Procedure update to reflect reorganization of resource ministries April 2011

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**FILE: 11340-00**

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**EFFECTIVE DATE: June 1, 2011**  
**AMENDMENT :**

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## Table of Contents

1.	PURPOSE .....	1
2.	DEFINITIONS .....	1
3.	GENERAL POLICY AND PROCEDURES .....	1
3.1	Authorizing Agency Projects.....	2
3.2	Land Exchanges Conducted For Client Ministries .....	3
3.3	Exchange Proposals Initiated by Private Parties.....	3
3.4	Negotiation Activities .....	3
APPENDIX 1. INSTRUCTIONS FOR TIMBERLAND APPRAISALS REQUIRED FOR MINISTRY RESPONSIBLE FOR FORESTS.....		4

## 1. PURPOSE

Land exchanges will be considered where there is a clear benefit to the Province and direct purchase of the land is not an option.

This procedure applies to all land exchanges carried out by the Authorizing Agency where Crown land is exchanged for privately held land, except the exchange of Crown land for Indian Reserve lands (see Land Exchanges (Indian Reserve lands)).

The Ministry Executive is responsible for the Authorizing Agency's land acquisition program that includes purchases, gifts, reversions and land exchanges.

## 2. DEFINITIONS

**Acquisition** means a taking of property by sale, discount, negotiation, mortgage, pledge, lien, issue or re-issue, gift or any other voluntary transaction, creating an interest in property. Upon completion, it is legally binding and, for accounting purposes, meets generally accepted accounting principles.

**Authorizing Agency** means the provincial ministry responsible for the specific land use authorization.

**Disposition** is the act of disposing or transferring property to the care or possession of another. Upon completion, it is legally binding and, for accounting purposes, meets generally accepted accounting principles.

**Land Exchange** means the transfer of lands between two parties where part or all of the consideration is the acquisition of the others land. Exchanges have two components (an acquisition and a disposition). Lands to be exchanged are exchanged on an equal-value basis. Timber is usually valued separately and/or negotiated separately from the bare land value. The total value of the two parcels including land and timber value must be equal.

## 3. GENERAL POLICY AND PROCEDURES

Land exchanges are discouraged where other means of acquisition exist. This is particularly the case where recoverable funding from the Crown Land Account or other funding sources can be used for a purchase-sale transaction. Land exchanges will only be considered where acquisition is not an option and there is a clear need and benefit to the Province in doing the exchange.

Agencies of Government have been provided with their own funding mechanisms for obtaining land. Exchanges of Crown land are not part of such mechanisms unless specific and prior authority is provided at the Ministerial or Cabinet level.

Land exchanges initiated by private parties are not encouraged as procedures are cumbersome and costly.

All potential land exchanges initiated for the Authorizing Agency's projects must be approved by the Authorizing Agency's regional director prior to any commitments being made.

All proposed land exchanges on behalf of other agencies of government must be approved by Cabinet or Ministerial Order as appropriate. Where Cabinet approval is not required, a Ministerial Order will be drafted to authorize the exchange. Prior approval by Treasury Board and the Lieutenant Governor in Council is required for land exchanges involving non-recoverable expenditures.

### **3.1 Authorizing Agency Projects**

Where privately held land is required for an Authorizing Agency project and an outright purchase is not possible, the need for a land exchange is identified by the region.

The regional office carries out the preliminary examination, identifies the proposed exchange lands, completes a status of the properties and arranges for an estimate of the approximate property values. The regional office may confer with the private land owner to explain the procedures and to determine if the owner is a willing party, however, no commitments are to be made, particularly with respect to property value or any other terms of exchange.

If an exchange appears feasible and beneficial to the Province, and funding for appraisals, legal survey(s), property purchase tax, real property taxes, etc. are in place, the region prepares an exchange proposal and submits it to Executive.

The Executive Submission will include:

- The rationale for the land exchange including the benefits to the Province.
- Indication of the source of funding to pay for the Authorizing Agency's exchange costs.
- A statement of the costs to the Authorizing Agency including:
  - approximate land value
  - estimate of fee appraisal costs
  - estimate of legal survey costs
  - estimate of property purchase tax estimate of real property taxes
  - estimate of legal services and other costs
  - total cost to the Authorizing Agency
- Estimates of value of the private lands and the Crown land, and clarification on how any difference in value between the properties will be handled.
- Clarification of approvals that will be required, e.g. Order-in-Council to remove land from Provincial Forest, Ministerial Orders, etc.

### **3.2 Land Exchanges Conducted For Client Ministries**

The Authorizing Agency may be responsible for the completion of land exchanges on behalf of other ministries and departments of government.

### **3.3 Exchange Proposals Initiated by Private Parties**

When an exchange is initiated by a member of the public and it is primarily to the proponent's interest, the initiator will be expected to pay the full cost of the appraisal, legal survey, etc. When the exchange is to the advantage of both parties, there may be a sharing of appraisal costs and other expenses. In certain cases, where the Authorizing Agency initiates the exchange, the Authorizing Agency may pay the full costs.

### **3.4 Negotiation Activities**

Once the exchange proposal is approved by Executive, all negotiations are the responsibility of the regional office.

The basis of an exchange will, whenever possible, be for similar use lands, e.g. timberland for timberland, etc.

Independent consultants will be engaged to estimate values, i.e. real estate appraisers, forestry consultants, including forest land appraisers, timber cruisers, log brokers, etc. All parties to the exchange should agree to the choice of the independent consultants and to the terms of reference before the consultants are engaged (see Appraisal procedure, Appendix 3 for Accredited Appraiser Canadian Institute minimum requirements to include in a terms of reference).

Where an exchange includes timber and/or land which are most suitable for the growing of forest crops, the Instructions for Timberland Appraisals Required for Ministry Exchanges will be used (see Appendix 1).

## **Appendix 1. Instructions for Timberland Appraisals Required For Ministry Exchanges**

### **1.1 Fee Simple Lands**

1. The objective of the appraisal is to estimate the market value of the properties being exchanged. The appraisals should, therefore, consider the highest and best use of each property.
2. Where the highest and best use of a property is based on growing and/or harvesting timber, an estimated value derived from separate figures for land, forest cover and merchantable timber should be prepared. If available, market evidence provides adequate information to establish a value based on comparable sales. This should also be presented and the consultant(s) should give his (their) joint opinion regarding the most relevant figure that represents market value.
3. In preparing value estimates based on separate figures for land and merchantable timber, the method should incorporate the following features:
  - (a) land values should be based on comparable sales with due consideration of locality, productivity, and other relevant factors;
  - (b) the net timber values should be based on the following:
    - i) the consultants' best estimates of logging costs (and processing costs, if appropriate) as of the date of the appraisal;
    - ii) the consultant's best estimate of average product values over the past market cycle, adjusted if required, to reflect significant trends or changes in the product values which may be realized over the longer term; prior to averaging, historic product prices should be inflated to dollars of purchasing power comparable to those used in estimating logging (and processing) costs;
  - (c) in preparing estimates of net timber values, the appraiser should identify and estimate any other factors, e.g. value to owner, timing of harvest, etc., affecting timber values in the circumstance of the particular proposed exchange.

### **1.2 Temporary Tenures**

1. The objective of the appraisal is to estimate the net market value of the timber on the existing and new licences being exchanged. The land value in timber production or other uses need not be considered.
2. In valuing merchantable timber, the instructions in Sections 3(b) and 3(c) above should apply.
3. Any cost to the licensee from restrictions and obligations attached to the tenures in question should be considered in the valuation.

## Dailey, Sharon H FLNR:EX

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**From:** Linda Hastings <lhastings@ekappraisals.com>  
**Sent:** Wednesday, November 29, 2017 3:13 PM  
**To:** Dailey, Sharon H FLNR:EX  
**Subject:** RE: Contract  
**Attachments:** Signed contract.pdf

If this does not work I can bring the hard copy to your office in the morning.

*Regards,*  
*Linda Hastings, AACI, P.App.*  
E.K. Appraisals.  
(250) 426-6564

---

**From:** Dailey, Sharon H FLNR:EX [<mailto:Sharon.Dailey@gov.bc.ca>]  
**Sent:** November-29-17 9:19 AM  
**To:** 'lhastings@ekappraisals.com'  
**Subject:** Contract

Hi Linda,

Thank you for your patience on us getting this contract with you. Please provide your Business Number and WorkSafe BC Number on Page 1 and sign/date Page 2. Scan and return to me, then I will sign and finalize the contract.

Cheers,  
Sharon

Sharon Dailey  
Section Head, Land Authorizations  
Kootenay Boundary Region  
Ministry of Forests, Lands and Natural Resource Operations  
Tel: 250-426-1753  
Email: [Sharon.dailey@gov.bc.ca](mailto:Sharon.dailey@gov.bc.ca)



Natural Resource Ministries

## Local Minor Works/Services Contract

MINISTRY CONTRACT/FILE NO.: OT1492025

PROJECT NAME Appraisal of Crown Parcel on Baker  
Mountain Road for Land Exchange

THIS AGREEMENT dated for reference November 10, 2017.

### BETWEEN

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF  
BRITISH COLUMBIA, represented by the MINISTER OF MINISTRY  
OF FORESTS, LANDS, NATURAL RESOURCE OPERATIONS  
AND RURAL DEVELOPMENT

Kootenay Boundary Region / Crown Land Authorizations

(the "Province" "we", "us", or "our" as applicable) at the following address:

1902 Theatre Road  
Cranbrook, BC V1C 7G1

Telephone:  
250 426-1766

Business E-mail Address:  
Sharon.dailey@gov.bc.ca

Ministry Representative: Sharon Dailey

Alternate (if applicable): Christine Lohr

AND 0703244 B.C. Ltd. DBA

E.K. Appraisals

(the "Contractor", "you", or "your" as applicable) at the following address:

3178-49<sup>th</sup> Street S.

Cranbrook, BC V1C 7A2

Telephone:  
250-426-6564

Cell:  
250-421-0191

E-mail Address:  
lhastings@ekapprai  
sals.com

Contractor Representative: Linda Hastings

Business Number: 849620679

WorkSafe BC No: and/or POP No

722562-AA

In consideration of the payments hereinafter stipulated, the Contractor does hereby agree to perform and execute the following works or services (herein called the "Work") in accordance with all terms and conditions set forth in this document:

ITEM NO	DESCRIPTION OF WORKS /SERVICES	AGREED RATE/PRICE (PST and GST EXCLUDED)
1.	Two appraisals of the current market value of the fee simple interest in a single parcel of land: 1) with the gas pipeline right of way included in the land and 2) without the gas pipeline right of way, respectively described as:  1) That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in red and containing 21.4 hectares, more or less  and  2) That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in red and containing 19.8 hectares, more or less	\$ 4200

In no event will payment to the Contractor exceed, in the aggregate, \$4200 (exclusive of Provincial Sales Tax (PST) and Goods and Services Tax (GST)) as a result of this Agreement.

The attached Schedule A / Terms of Reference forms an integral part of this Agreement.

READ TERMS FOLLOWING


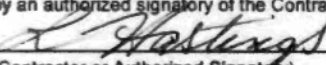


## TERMS OF LOCAL MINOR WORKS/SERVICES CONTRACT

### TERMS AND CONDITIONS:

1. The Contractor will commence the Work on December 1, 2017 and shall complete the Work no later than December 15, 2017.
2. All necessary tools, equipment, materials and personnel required to complete the above Work within the allotted time shall be supplied by the Contractor.
3. The Contractor is an independent Contractor and not the servant, employee or agent of the Province and must not act or purport to act contrary to this section. The Province will allow reasonable access to the Province's land or facilities or both, if necessary to perform the Work.
4. The Contractor must treat all information to which access is given as confidential.
5. The Contractor must not in any manner whatsoever commit or purport to commit the Province to the payment of any money to any person, firm or corporation.
6. The Contractor must not make any assignment or subcontract any Work under the Agreement, without prior written consent of the Province.
7. All material produced by the Contractor under this Agreement and capable of disposition will be the exclusive property of the Province with no further evidence required.
8. The Contractor agrees that the Work performed and materials furnished and used in the production of the said Work have been paid for and are free and clear from all lawful claims or liens under any law for labour, workmanship, material or otherwise.
9. The Province will pay any applicable taxes payable under law or agreement with the relevant taxation authorities. Invoices must show the calculation of any applicable taxes to be paid as a separate line item.
10. Notwithstanding any other provision of this Agreement, the payment of money by the Province to the Contractor pursuant to this Agreement is subject to the provisions of the *Financial Administration Act*. Our obligation to pay money to you is subject to the Financial Administration Act, which makes that obligation subject to an appropriation being available in the fiscal year of the Province, during which payment becomes due.
11. The Contractor shall indemnify and save harmless the Province, its employees and agents from any losses, claims, damages, actions, causes of action, costs and expenses that the Province or any of its employees or agents may sustain, incur, suffer or be put to at any time either before or after this Agreement ends, including any claim of infringement of third-party intellectual property rights, where the same or any of them are based upon, arise out of or occur, directly or indirectly, by reason of any acts or omission of the Contractor's or its Subcontractors', agents, employees, officers, directors or Subcontractors in connection with this Agreement, excepting always liability arising out of the independent acts of the Province and its employees, agents and its other contractors.
12. The Contractor agrees it will provide and maintain any insurance which it is required by law to carry or which it considers necessary to cover risks relating to the performance of work during the term of this Agreement that protects against claims for personal injury, death, property damage, or third party or public liability claims.
13. The Contractor shall, at its own expense, provide the necessary WorkSafe BC compensation coverage for itself, all workers and any shareholders, directors, partners or other individuals employed or engaged in the performance of the Work and shall ensure all approved Subcontractors obtain WorkSafe BC coverage.  
If the Contractor or its Subcontractors do not have the benefit of mandatory workers compensation coverage under the *Workers Compensation Act*, then the Contractor shall ensure that it and its Subcontractors apply for and maintain Personal Optional Protection under the *Workers Compensation Act*.
14. The Contractor shall comply with, and ensure all Subcontractors comply with, all applicable occupational health and safety laws in relation to the performance of its obligations under this Agreement, including the *Workers' Compensation Act* in British Columbia or similar laws in other jurisdictions.
15. The Contractor shall be responsible for and pay for all fines, assessments, penalties and levies made or imposed under the *Workers Compensation Act*.
16. No modification to the Agreement shall be effective unless the change is in writing, is signed by, or on behalf of, both Parties and is in the form of an Amending Document, such as a Contract Modification Agreement, or another standard form of a similar nature issued by the Province.
17. Clauses 4, 7 and 11 continue in force indefinitely, even after this Agreement ends.
18. This Agreement is governed by, and interpreted and construed in accordance with the laws applicable in British Columbia.
19. As at the date this Agreement is executed and delivered by, or on behalf of, the Parties, the Contractor represents and warrants, except to the extent it has previously disclosed otherwise in writing to the Province, all information, statements, documents and reports furnished or submitted by it to the Province in connection with this Agreement (including as part of any competitive process resulting in this Agreement being entered into) are in all material respects true and correct and it has the power and capacity to enter into this Agreement.

The Parties hereto have duly executed this Agreement.

<b>SIGNED AND DELIVERED</b> on behalf of the Province by an authorized representative of the Province   (Authorized Ministry Expense Authority)  Sharon Dailey (PRINTED NAME of Authorized Ministry Expense Authority)  Dated this 29th day of November, 2017	<b>SIGNED AND DELIVERED</b> by or on behalf of the Contractor (or by an authorized signatory of the Contractor if a corporation)   (Contractor or Authorized Signatory)  <b>LINDA HASTINGS of E.K. APPRAISALS</b> (PRINTED NAME of Contractor)  Dated this 29th day of November, 2017
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CODING: ▶	SUPPLIER #	MINISTRY CLIENT #	RESPONSE #	SERVICE LINE	STOB	PROJECT #
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**SCHEDULE A / TERMS OF REFERENCE  
FOR A REAL PROPERTY APPRAISAL ON CROWN LAND**

File Number: **4405812**

Legal Description of Subject Land (with and without gas pipeline ROW area – See maps 1 and 2):

- 1) That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in red and containing 21.4 hectares, more or less  
and
- 2) That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in red and containing 19.8 hectares, more or less

This form is for a land swap, to transfer the subject parcel of Crown land "as is", zoned RR-60 and in the ALR.

The Contractor must submit a narrative appraisal to the Ministry of Forests, Lands, Natural Resource Operations and Rural Development **by December 15, 2017**. The appraisal report can be e-mailed to [sharon.dailey@gov.bc.ca](mailto:sharon.dailey@gov.bc.ca) or mailed to: *The Ministry of Forests, Lands and Natural Resource Operations, Kootenay Boundary Regional Office, 1902 Theatre Road, Cranbrook, BC V1C 7G1*

The purpose of the appraisal is to determine the current market value for the fee simple rights of the Crown land described as

- 1) That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in red and containing 21.4 hectares, more or less.

This description includes the area of a FortisBC gas pipeline right of way, and small remaining area to the west (see Map 1). An excerpt of the ROW Plan (NEP63347) is attached (Map 4).

We would also like a separate value / appraisal for the land without the gas pipeline included (nor any of the remaining area to the west), see Map 2, as follows:

- 2) That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in red and containing 19.8 hectares, more or less

1. Highest and best use for the Crown land is "as is" with current zoning and ALR.
  - a. The parcel is to be appraised as if vacant and unimproved.
  - b. Proper zoning is to be assumed.
  - c. The final appraisal amount is subject to GST.
  - d. Timber values are NOT to be included in this valuation
  - e. The internal road "blip" (see Map 3) is to be discussed, but not factored into value of appraisal. (MOTI intends to close this portion of road).
2. The appraisal should also indicate that the opinion of value is not a reflection of the market value of the entire property for assessment purposes.
3. As you are a member of the Appraisal Institute of Canada (AIC) the appraisal must be completed in accordance with the revised Code of Ethics and Uniform Standards of Professional Appraisal Practice as adopted by the AIC.
4. Please place a copy of these Terms of Reference in the addendum of your report.
5. We are looking for a well substantiated report. Your appraisal report therefore must include reasons for adjustments to the comparable sales, maps showing the location of sales, zoning details, time trends, etc. Comparable sales may require local, regional, provincial, national or international research. Please provide a summary adjustments table that outlines the narrative explanation for adjustments.
6. The report requires a map showing the location of comparable sales, including a brief description of the physical conditions and attributes of each comparable.
7. Current BCA actual values, if available, are to be included in the appraisal.
8. The contents of the appraisal may be subject to a request pursuant to the *Freedom of Information and Protection of Privacy Act* (the Act). The appraiser may include in the appraisal, a notice denying liability to third parties purporting to rely upon the opinions

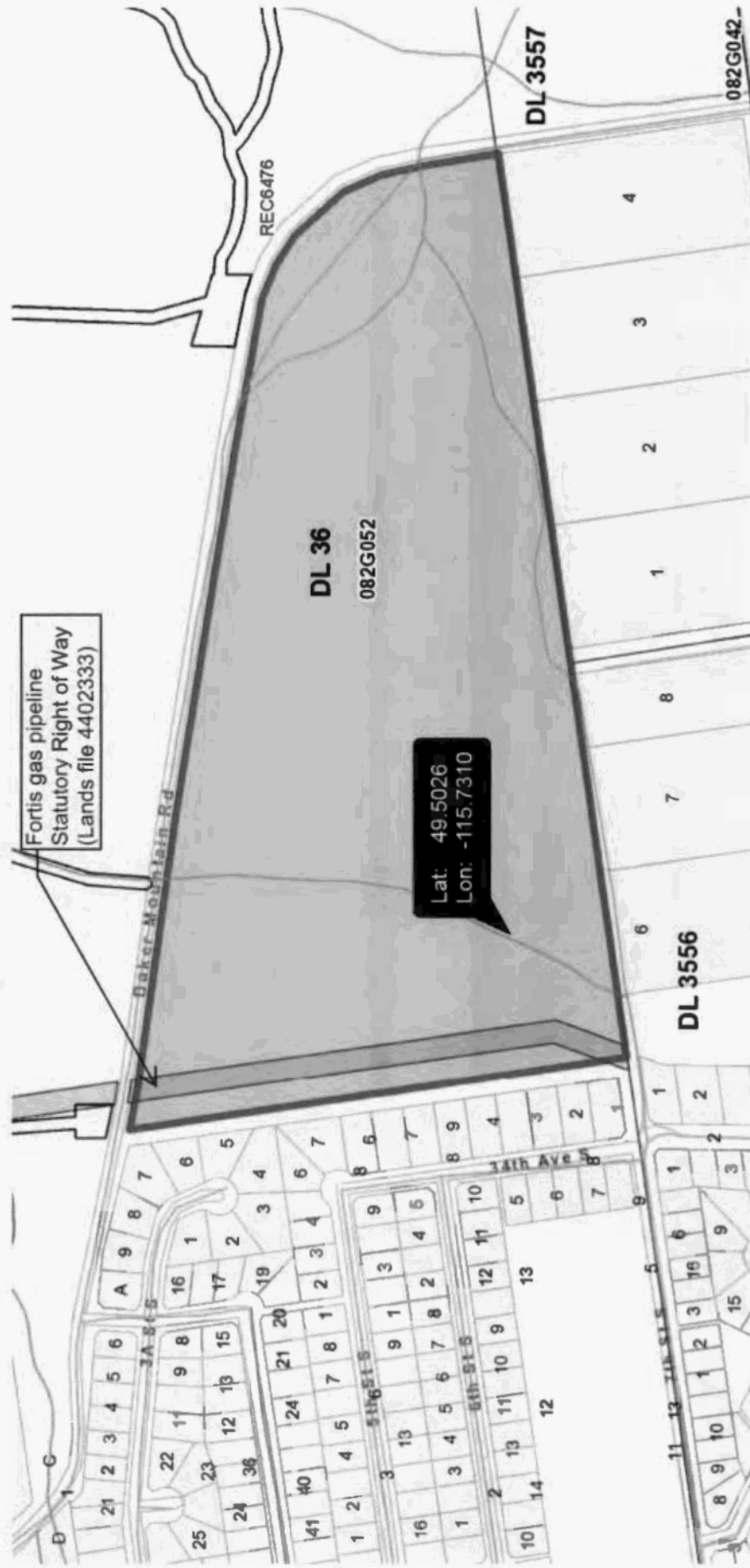
## TERMS OF LOCAL MINOR WORKS/SERVICES CONTRACT

expressed and the information contained in the appraisals, but the Ministry of Forests, Lands, Natural Resource Operations and Rural Development cannot guarantee that the appraisal will not be released to the public upon request under the Act.

9. The appraisal is to be completed by a fully qualified appraiser currently practising in Canada, an A.A.C.I. or R.I. (B.C.) with the appraisal option. Co-signing is not acceptable.
10. The appraisal will be reviewed. In order to assist us in the appraisal review, please provide names and telephone numbers of individuals who have provided sales or other information that cannot be confirmed with Land title Office searches.

# Map 1: Appraisal

That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in red and containing 21.4 hectares, more or less



Scale: 1:5,000

BCGS Mapsheet(s): 82G.052

Area to be appraised

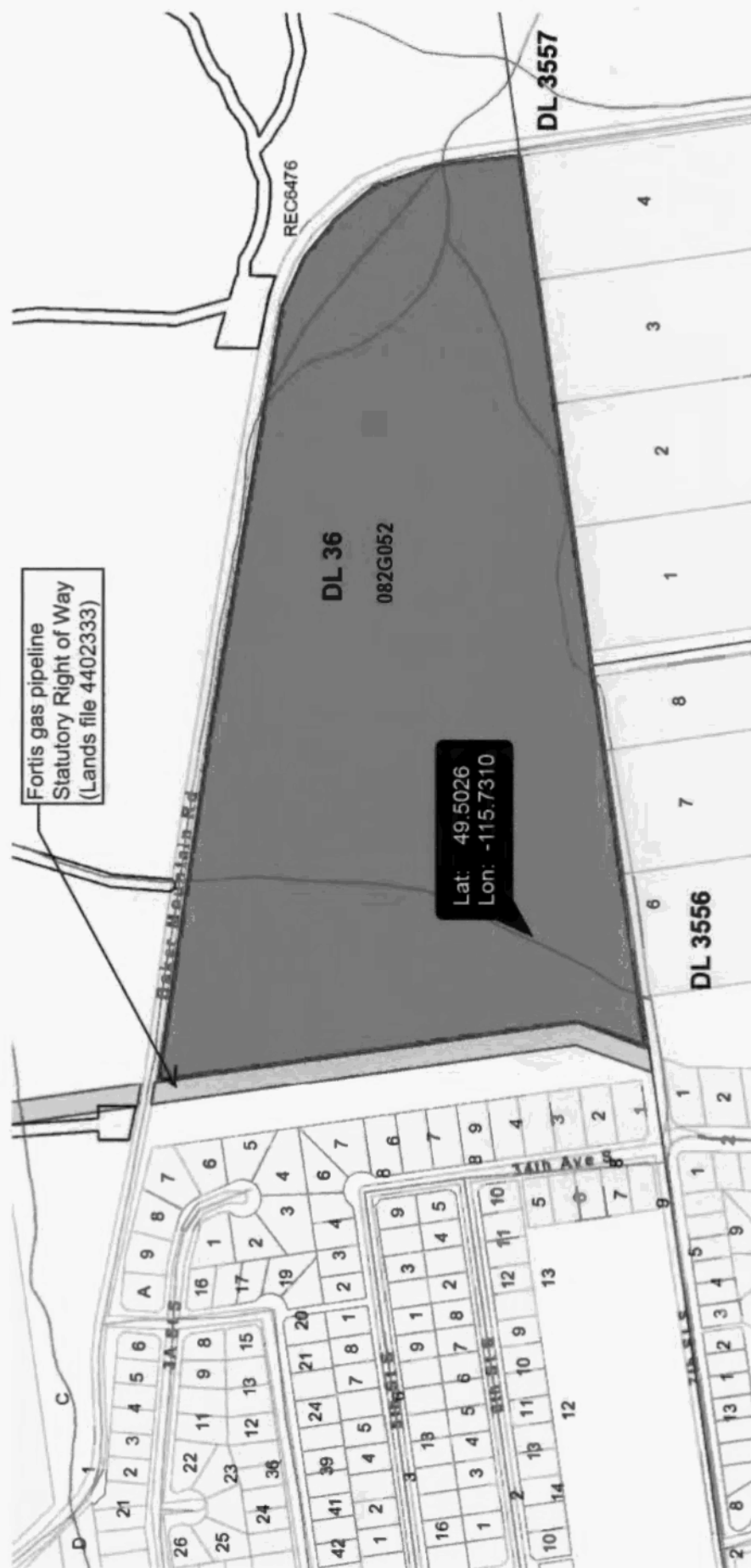


File No.: 4405812

Disposition No.:

## Map 2: Appraisal

That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in red and containing 19.8 hectares, more or less



Scale: 1:5,000

BCGS Mapsheet(s): 82G.052



Area to be appraised



### Map 3 - Appraisal

File No.: 4405812

Disposition No.:

Internal road will be closed and cancelled by Ministry of Transportation and Infrastructure. Please discuss this road in report, but do not incorporate this road into appraisal value.

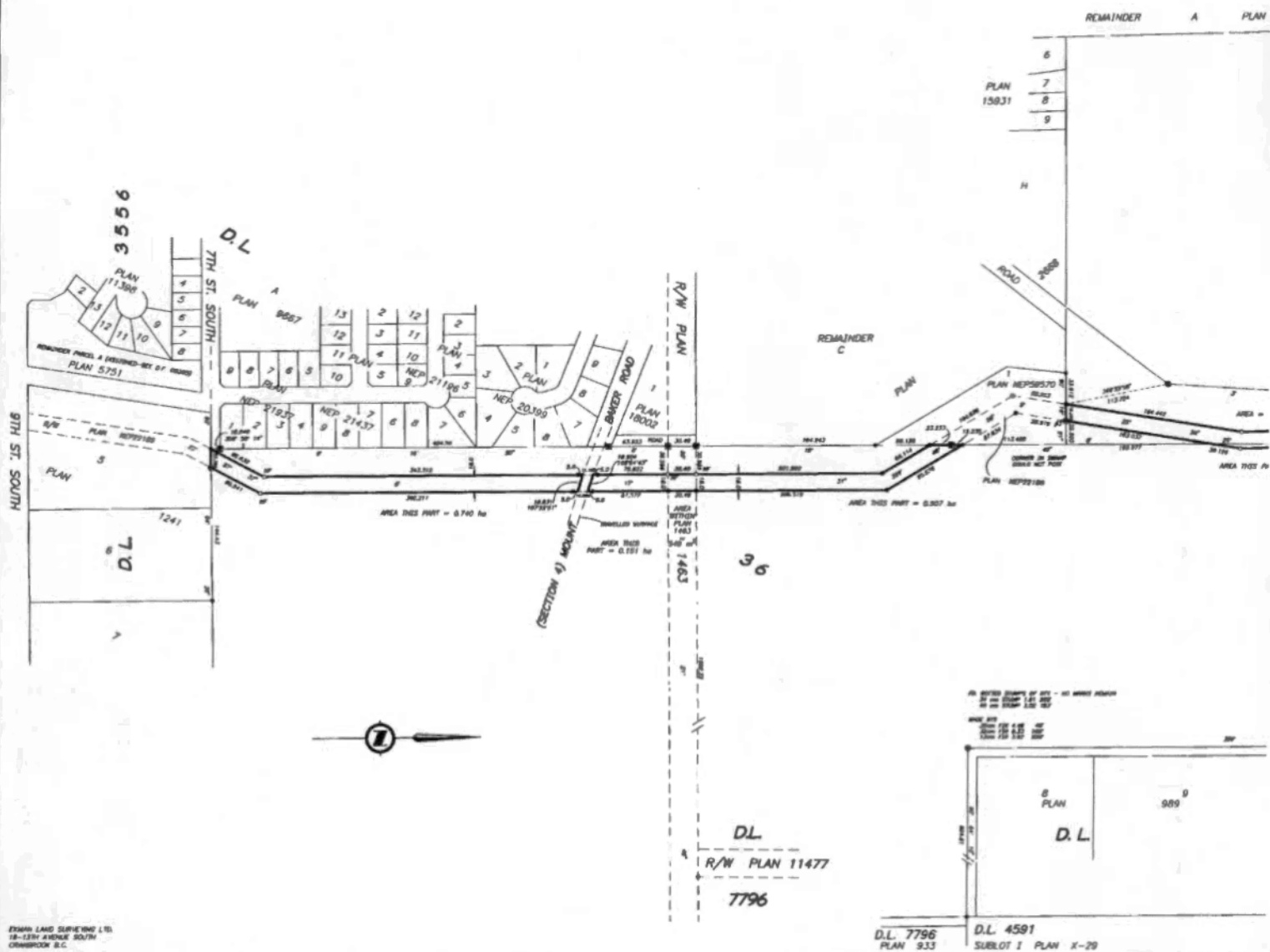


Scale: 1:10,000

BCGS Mapsheet(s): 82G.052



Map 4 - Excerpt of NEP63347



**Dailey, Sharon H FLNR:EX**

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**From:** Dailey, Sharon H FLNR:EX  
**Sent:** Wednesday, November 29, 2017 9:19 AM  
**To:** 'lhastings@ekappraisals.com'  
**Subject:** Contract  
**Attachments:** Scan\_20171129.pdf

Hi Linda,

Thank you for your patience on us getting this contract with you. Please provide your Business Number and WorkSafe BC Number on Page 1 and sign/date Page 2. Scan and return to me, then I will sign and finalize the contract.

Cheers,  
Sharon

Sharon Dailey  
Section Head, Land Authorizations  
Kootenay Boundary Region  
Ministry of Forests, Lands and Natural Resource Operations  
Tel: 250-426-1753  
Email: [Sharon.dailey@gov.bc.ca](mailto:Sharon.dailey@gov.bc.ca)



# Natural Resource Sector

## CONTRACT APPROVAL REQUEST

### MINISTRY IDENTIFICATION

Ministry:	<input type="checkbox"/> Indigenous Relations & Reconciliation <input type="checkbox"/> Agriculture <input type="checkbox"/> Energy, Mines and Petroleum Resources	<input type="checkbox"/> Environment and Climate Change Strategy <input checked="" type="checkbox"/> Forests, Lands, Natural Resource Operations and Rural Development	
Branch / Division:	Crown Lands Authorizations Division		
Region / City:	Kootenay Boundary Region, Cranbrook		
			Primary Contact for This Request (select one)
Expense Authority:	Ray Morello, Director of Authorizations	Phone: (250) 426-1718	<input type="checkbox"/>
Qualified Receiver:	Sharon Dailey	Phone: (250) 426-1753	<input checked="" type="checkbox"/>
Other contact - if applicable:	Christine Lohr	Phone: (250) 365-8627	<input type="checkbox"/>

### REQUEST DETAILS

Contract Number (if known):	OT1492025		
Project Title:	Appraisal of Crown Land for exchange with Fiorentino		
Ministry Cost Estimate:	\$5000		
Cost Recoverable:	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes - Recovery Source (e.g. name of Federal department, private organization, etc. / program or initiative name): Amount of Recovery \$ Recovery Percentage: %		
Funding Source	Base \$5000 Other \$ Specify:		
Describe the Location, Services/Work, Purpose:	Appraisal of a Crown land parcel located near Cranbrook (on Baker Mountain Rd) to be exchanged with a privately-owned parcel adjacent to the Elizabeth Lake Sanctuary and Conservation lands		
Why Can't Existing Staff Fill the Need?	We do not have certified appraisers on staff.		
Describe the Impact on Program Delivery if Not Approved:	It is critical to know the value of the subject Crown land, in order to ensure an equitable exchange of land. The appraisal will ensure Crown assets are properly valued.		
If Direct Award:	N/ A		
Include Option to Renew:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Anticipated Term of Agreement:	From: November 20, 2017	To: December 15, 2017	



### Core Policy Compliance Checklist

Y N n/a

Contract planning needs to be appropriate to the value of and complexity / risks associated with the services or work. Following are some key Core policy and best practices items. However, **this is not a complete list**. References are available at: Chapter 6 of the Core Policy & Procedures Manual, and the Financial Services Procurement Website: Planning.

- |    |  |                          |                                     |
|----|--|--------------------------|-------------------------------------|
| 1. | The <u>Goods and Services Catalogue</u> has been searched and a Corporate Supply Arrangement (CSA) is not available for the required services / works (CPPM 6.3.2.c.2). – Correct – no available supplier -  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. | If request is for a service contract over \$100,000, has a Cost Benefit Justification (CBJ) been prepared and placed on the contract file in the event review of the CBJ is needed (CPPM 6.3.1.5)?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. | If this contract is being direct awarded to a contractor that has been used for similar work in the previous 3 months (3 months from previous expiry date), the new contract must be approved by an expense authority with authority for the combined total of the contracts. If this condition applies to the requested contract, has the contract been approved by the appropriate expense authority (CPPM 6.3.1.4)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. | The contract will not establish an <u>employer / employee relationship</u> (CPPM 6.3.1.7).   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

### Best Practices Checklist

- |  |   |  |                          |
|--|---|--|--------------------------|
| 1.   | Has a Risk Assessment been done to determine appropriate insurance requirements? Refer to the <u>Insurance Requirements Matrix (NRS 1289)</u> . | <input checked="" type="checkbox"/>  | <input type="checkbox"/> |
| Contract Type:   | <input type="checkbox"/> Consulting & General Services (e.g. GSA, FS1)  | <input type="checkbox"/> Minor Works (less than \$100K)                                  |                          |
|  | <input type="checkbox"/> Operational Field Services   | <input type="checkbox"/> Major Works (\$100K or more, or high risk work at lower values) |                          |
|  | <input checked="" type="checkbox"/> Local Minor Works / Services<br>Services (NRS782 – simple / low risk / \$5K max)                            | <input type="checkbox"/> Other contract/custom agreement - specify:                      |                          |
| If unsure of appropriate form of agreement, contact the Contract Support mailbox at <a href="mailto:CSNR.ContractSupport@gov.bc.ca">CSNR.ContractSupport@gov.bc.ca</a> .   |   |  |                          |
| Custom agreements, or modifications to any terms / conditions of an approved contract template, must be vetted through CSNR Procurement Policy and Advice ( <a href="mailto:CSNR.ContractSupport@gov.bc.ca">CSNR.ContractSupport@gov.bc.ca</a> ) for legal and/or risk management review and approval. |   |  |                          |

### ACCOUNT & PROCUREMENT CODING

Account Coding (STOBS: See Master STOB List & Description / Expense Tab if needed)

Client #	Response Centre #	Service Line #	STOB #	Project #	AMOUNT
					\$5000

See Code Descriptions at end of form for full descriptions.

Procurement Process Code (where direct award applies, include the necessary details in the justification section of this form)		
<input type="checkbox"/> 100 OPEN COMPETITIVE PROCESS	<input type="checkbox"/> 203 DIRECT AWARD – SECURITY, ORDER, Etc. Define how there would be interference.	<input type="checkbox"/> 207 DIRECT AWARD – SERVICES AND CONSTRUCTION UNDER \$25,000 not reasonable or cost effective to compete
<input type="checkbox"/> 200 DIRECT AWARD – PUBLIC SECTOR ORGANIZATION	<input type="checkbox"/> 204 DIRECT AWARD – CONFIDENTIALITY. Define how open bidding harms the ministry's confidentiality.	<input type="checkbox"/> 300 COMPETITIVE PROCESS AMONG SELECTED VENDORS. CONSTRUCTION AND SERVICES UNDER \$75,000 (no use of pre-qualification / select list).
<input type="checkbox"/> 201 DIRECT AWARD – SOLE SOURCE. If using this code, in the Justification area of the "If Direct Award" section of this form, clearly define how you have strictly proven that only one contractor is qualified and/or available.	<input type="checkbox"/> 205 DIRECT AWARD – NOTICE OF INTENT (No substantiated objections)	<input type="checkbox"/> 400 SELECTED VENDOR FROM PRE-QUALIFIED LIST (without undertaking a competitive process)
<input type="checkbox"/> 202 DIRECT AWARD – EMERGENCY	<input type="checkbox"/> 206 DIRECT AWARD – PERMITTED UNDER ANOTHER CORPORATE POLICY OR LEGISLATION	<input checked="" type="checkbox"/> 401 COMPETITION AMONG VENDORS ON A PRE-QUALIFICATION LIST
<input type="checkbox"/> 500 Purchase from a Corporate Supply Arrangement (CSA)		


Trade Agreement Exclusion Codes					
<input type="checkbox"/>	100	Purchase Subject to Agreement on Internal Trade (AIT)	<input type="checkbox"/>	500	Excluded – Security, Order, Etc.
<input checked="" type="checkbox"/>	200	Purchase Below Applicable AIT threshold	<input type="checkbox"/>	600	Excluded – Product Compatibility / Exclusive Rights
<input type="checkbox"/>	300	Purchase of an Exempted Commodity / Service	<input type="checkbox"/>	700	Excluded – Procurement of Prototype
<input type="checkbox"/>	400	Excluded - Emergency	<input type="checkbox"/>	800	Excluded – Regional / Economic Development

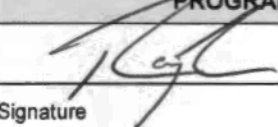
Contract Category (re: STOPS 60, 61, and 63)					
<input type="checkbox"/>	GMA	<input type="checkbox"/>	PRA	<input type="checkbox"/>	BSA
<input type="checkbox"/>	HR/LR	<input type="checkbox"/>	PM	<input type="checkbox"/>	OP
<input type="checkbox"/>	IT	<input type="checkbox"/>	COM	<input checked="" type="checkbox"/>	OTH

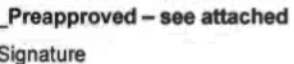
### APPROVAL

Authorization below (or attached) provides approval to proceed with soliciting new contract, i.e. ITQ / ITT / RFP / direct award.

Unless otherwise directed by local procedures, e-mail approval is acceptable provided the completed version of this form is included in the e-mail string.

CONTRACT MANAGER / QUALIFIED RECEIVER - optional	
	Nov 29, 2017
Signature	Date
Print Name: Sharon Dailey	

PROGRAM MANAGER / EXPENSE AUTHORITY - required	
	Nov 29, 2017
Signature	Date
Print Name: Ray Morello	

ADM – as required	
	Nov 27, 2018
Signature	Date
Print Name: Rick Manwaring – see attached	

# CODE DESCRIPTIONS

## CONTRACT APPROVAL REQUEST - NATURAL RESOURCE SECTOR

Procurement Process Codes	
Code	Description
100	<b>Open competitive process:</b> An open competitive solicitation process (e.g., Invitation to Quote, Request for Proposal, Joint Solution Procurement, Invitation to Tender, or other) has been used normally by advertising the opportunity on BC Bid.
200	<b>Direct Award - Public sector organization:</b> Contracts may be negotiated and directly awarded without competitive process where the contract is with another government organization.
201	<b>Direct Award - Sole source:</b> Contracts may be negotiated and directly awarded without competitive process where the ministry can strictly prove that only one contractor is qualified to provide the goods, services or construction or is capable of engaging in a disposal opportunity.
202	<b>Direct Award - Emergency:</b> Contracts may be negotiated and directly awarded without competitive process where an unforeseeable emergency exists and the goods, service or construction could not be obtained in time by means of a competitive process.
203	<b>Direct Award - Security, order, etc.:</b> Contracts may be negotiated and directly awarded without competitive process where a competitive process would interfere with a ministry's ability to maintain security or order or to protect human, animal or plant life or health.
204	<b>Direct Award - Confidentiality:</b> Contracts may be negotiated and directly awarded without competitive process where the acquisition is of a confidential or privileged nature and disclosure through an open bidding process could reasonably be expected to compromise government confidentiality, cause economic disruption or be contrary to the public interest
205	<b>Direct Award - Notice of Intent:</b> When a contract for services or construction valued at \$50,000 or more, is intended to be directly awarded on the basis that there is only one vendor that can provide the services or goods required, but this cannot be strictly proven, a Notice of Intent must be posted on BC Bid.
206	<b>Direct Award:</b> Use this code where the Direct Award was permitted under another corporate policy or legislation. Do not use this code if another direct award code applies.
207	<b>Direct Award - Services and Construction Under \$25,000:</b> Any service or construction opportunity, or supply arrangement for the supply of services or construction, with an estimated value of less than \$25,000, should be competed to the extent reasonable and cost effective. Do not use this code if one of the exceptions in <u>Core Policy and Procedures Manual: Chapter 6.3.3(a)</u> applies. In that case use one of codes 200 to 204 whichever applies.
300	<b>Competitive Process Among Selected Vendors (Construction and Services under \$75,000):</b> A competitive solicitation process among a limited list of vendors and not advertised on BCBid (i.e. solicitation of three or more vendors) If vendors are on a pre-qualification list, then use 401.
400	<b>Selected Vendor from Pre-qualification List:</b> Select this code for a contract that is issued to a vendor on a pre-qualification list without undertaking a competitive process. The process followed must be consistent with the rules set out in the original request for qualifications.
401	<b>Competition Among Vendors on a Pre-qualification List:</b> A competitive solicitation process among a limited list of vendors selected from a pre-qualification list. Select this code if a competitive solicitation process is conducted among a limited list of vendors selected from a pre-qualification list. The process followed to select vendors must be consistent with the rules set out in the original request for qualifications.
500	<b>Purchase from a Corporate Supply Arrangement (CSA):</b> A purchase from a pre-established corporate supply arrangement such as a Master Standing Offer, Standing Offer or the Queens Printer.

Codes continued . . .

**Trade Agreement Exclusion Codes** – These codes reflect Agreement on Internal Trade (AIT) reporting requirements and thresholds only. Do not use these codes to track compliance with policy or with the New West Partnership Trade Agreement (NWPTA) or other applicable trade agreements.

Code	Description
100	<b>Purchase subject to Agreement on Internal Trade (AIT):</b> The purchase is over the trade agreement (AIT) threshold for national advertising (\$25K for goods / \$100K. for services / \$100K. for construction) and is not excluded or exempted under any other category below.
200	<b>Purchase below applicable AIT threshold:</b> The purchase is under the trade agreement thresholds (dollar values as noted above).
300	<b>Purchase of an exempted commodity/service:</b> The purchase is for goods, services or construction that is exempted from coverage of AIT or to which AIT does not apply by virtue of its specific reference in AIT (for example grants, entitlements or ministerial appointments).
400	<b>Excluded – Emergency:</b> A purchase where an unforeseeable situation of urgency exists and the goods, services or construction cannot be obtained in time by means of an open procurement.
500	<b>Excluded - Security, order, etc.:</b> A purchase where compliance with the open tendering provisions set out in AIT would interfere with the Province's ability to maintain security or order or to protect human, animal or plant life or health.
600	<b>Excluded - Product compatibility/exclusive rights:</b> A purchase which must: ensure compatibility with existing products; recognize exclusive rights, such as exclusive licenses, copyright and patent rights; or maintain specialized products that must be maintained by the manufacturer or its representative.
700	<b>Excluded - Procurement of prototype:</b> The procurement of a prototype or a first good or service to be developed in the course of and for a particular contract for research, experiment, study or original development, but not for any subsequent purchases.
800	<b>Excluded - Regional/Economic development:</b> A purchase which, under exceptional circumstances, may be excluded by the Province from the application of applicable chapters of the agreements for regional and economic development.

**Contract Category for STOB 60, 61, and 63:** The following definitions are to be used to classify contracts in STOBs 60, 61, and 63 which fall into the categories listed. If the contract does not fit into one of these broad categories, it should be excluded from the analysis. If the contract falls into more than 1 category, choose the predominant category. Recoverable contracts should be identified as such and will be excluded from the information submitted to central agencies if submission is required.

Code	Description
GMA	<b>General Management Advice:</b> Contract providing information for, or advice on, the planning and/or management of programs.
HR/LR	<b>Human Resources &amp; Labour Relations:</b> Contracts providing Human Resources services or human resource related services such as coaching/facilitation and organizational design.
IT	<b>Information Technology:</b> Consulting services related to information technology. This would include contracts consulting on systems development or management of systems. It would not include the work done to develop the system, writing code, data entry etc
PRA	<b>Policy, Research and Analysis:</b> Contracts providing planning services that contribute to or recommend policy, or consultation on policy issues; contracts that provide research and analysis to advise in program management
PM	<b>Project Management:</b> Contracts where an external project manager is hired to run a project or facilitate activities.
COM	<b>Communications:</b> Contracts proving professional services related to the planning writing, preparation or distribution of communications.
BSA	<b>Business Support &amp; Administrative:</b> Contracts where administrative support is supplied such as administrative service, filing, cataloguing, records administration, etc. Also includes Secretariat support services.
OP	<b>Operational:</b> Contracts where non-consulting type work is being performed that is performing a service that does not fit into one of the categories above. Examples include data entry, building fences, maintenance activities, writing and delivery of training program.
OTH	<b>Other:</b> Contracts which do not fall into any of the above categories.

# Kootenay Boundary Region

## Stob 60 Contract Requests to ADM For Approval (FY 18)

November 13 & 20, 2017

Number	Division & Submitter	Estimated \$ Value	Description of Works	Funding Source	Comments
FY18-#142	RM / Bohm - Szkorupa	\$5,000	Contractor to assist with developing a winter ungulate feeding procedure	Base	
FY18-#143	RM / Bohm - Szkorupa	\$15,000	Contractor to develop a wildlife highway crossing database	MoTI Funding	
FY#18-144	Morello/Dailey	\$5,000	Contract to complete a valuation appraisal for a parcel of crown land. The appraisal is required as part of a private land/crown land exchange effort between Fiorentino and the Prov. The exchange is to add land to the Elizabeth Lake Sanctuary and Conservations Lands - max contract value is \$5000	Base	
FY#18-145	RM / Bohm - Lamson	\$35,000	Contract Fisheries scientists to aid in analyzing Westslope Cutthroat Trout genetics data, with a focus on hybridization risks. Submit paper analysing datasets that have been gathered over the past 20 years for publication in peer reviewed journal.	BC Hydro, FLNRORD Research, Department of Fisheries and Oceans	
FY#18-146	RM/Schindler	\$2,400	BCCF contract for aging of kokanee otoliths from spawning channels (Hill Creek, Meadow Creek and West Arm Kootenay Lake ) and Arrow Lakes Reservoir tributaries	FWCP and HCTF	Signed LoA – F18 (FWCP) – HCTF – O and M funding
FY#18 - #147	RM/Schindler	\$4,250	Obtain height diameter measurements from Douglas Fir and White Pine trees at the Rover Long-term Site Productivity trial to determine effects of soil treatments on tree growth and health	Provincial Research Funds	
FY#18-#148	RM/Schindler for Mowatt	\$36,000	Funding for genetic analysis of South Rockies Grizzly Bear inventory	Provincial Research funds	

For pre-approval please.

Thanks, K.

Approved: *J. Schindler*  
November 13, 2017





Natural Resource Ministries

## Local Minor Works/Services Contract

MINISTRY CONTRACT/FILE NO.: OT1492025

PROJECT NAME **Appraisal of Crown Parcel on Baker Mountain Road for Land Exchange**

THIS AGREEMENT dated for reference November 10, 2017.

### BETWEEN

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA, represented by the MINISTER OF MINISTRY OF FORESTS, LANDS, NATURAL RESOURCE OPERATIONS AND RURAL DEVELOPMENT

Kootenay Boundary Region / Crown Land Authorizations

(the "Province", "we", "us", or "our" as applicable) at the following address:

1902 Theatre Road  
Cranbrook, BC V1C 7G1

Telephone:  
250 426-1766

Business E-mail Address:  
Sharon.dailey@gov.bc.ca

Ministry Representative: Sharon Dailey

Alternate (if applicable): Christine Lohr

### AND

E.K. Appraisals

(the "Contractor", "you", or "your" as applicable) at the following address:

3178-49<sup>th</sup> Street S.

Cranbrook, BC V1C 7A2

Telephone:  
250-426-6564

Cell:  
250-421-0191

E-mail Address:  
lhastings@ekappraisals.com

Contractor Representative: Linda Hastings

Business Number:

WorkSafe BC No: and/or POP No.

In consideration of the payments hereinafter stipulated, the Contractor does hereby agree to perform and execute the following works or services (herein called the "Work") in accordance with all terms and conditions set forth in this document:

ITEM NO	DESCRIPTION OF WORKS /SERVICES	AGREED RATE/PRICE (PST and GST EXCLUDED)
1.	Two appraisals of the current market value of the fee simple interest in a single parcel of land: 1) with the gas pipeline right of way included in the land and 2) without the gas pipeline right of way, respectively described as:  1) That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in red and containing 21.4 hectares, more or less  and  2) That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in red and containing 19.8 hectares, more or less	\$ 4200

In no event will payment to the Contractor exceed, in the aggregate, \$4200 (exclusive of Provincial Sales Tax (PST) and Goods and Services Tax (GST)) as a result of this Agreement.

The attached Schedule A / Terms of Reference forms an integral part of this Agreement.


### READ TERMS FOLLOWING

# TERMS OF LOCAL MINOR WORKS/SERVICES CONTRACT

## TERMS AND CONDITIONS:

1. The Contractor will commence the Work on December 1, 2017 and shall complete the Work no later than December 15, 2017.
2. All necessary tools, equipment, materials and personnel required to complete the above Work within the allotted time shall be supplied by the Contractor.
3. The Contractor is an independent Contractor and not the servant, employee or agent of the Province and must not act or purport to act contrary to this section. The Province will allow reasonable access to the Province's land or facilities or both, if necessary to perform the Work.
4. The Contractor must treat all information to which access is given as confidential.
5. The Contractor must not in any manner whatsoever commit or purport to commit the Province to the payment of any money to any person, firm or corporation.
6. The Contractor must not make any assignment or subcontract any Work under the Agreement, without prior written consent of the Province.
7. All material produced by the Contractor under this Agreement and capable of disposition will be the exclusive property of the Province with no further evidence required.
8. The Contractor agrees that the Work performed and materials furnished and used in the production of the said Work have been paid for and are free and clear from all lawful claims or liens under any law for labour, workmanship, material or otherwise.
9. The Province will pay any applicable taxes payable under law or agreement with the relevant taxation authorities. Invoices must show the calculation of any applicable taxes to be paid as a separate line item.
10. Notwithstanding any other provision of this Agreement, the payment of money by the Province to the Contractor pursuant to this Agreement is subject to the provisions of the *Financial Administration Act*. Our obligation to pay money to you is subject to the Financial Administration Act, which makes that obligation subject to an appropriation being available in the fiscal year of the Province, during which payment becomes due.
11. The Contractor shall indemnify and save harmless the Province, its employees and agents from any losses, claims, damages, actions, causes of action, costs and expenses that the Province or any of its employees or agents may sustain, incur, suffer or be put to at any time either before or after this Agreement ends, including any claim of infringement of third-party intellectual property rights, where the same or any of them are based upon, arise out of or occur, directly or indirectly, by reason of any acts or omission of the Contractor's or its Subcontractors', agents, employees, officers, directors or Subcontractors in connection with this Agreement, excepting always liability arising out of the independent acts of the Province and its employees, agents and its other contractors.
12. The Contractor agrees it will provide and maintain any insurance which it is required by law to carry or which it considers necessary to cover risks relating to the performance of work during the term of this Agreement that protects against claims for personal injury, death, property damage, or third party or public liability claims.
13. The Contractor shall, at its own expense, provide the necessary WorkSafe BC compensation coverage for itself, all workers and any shareholders, directors, partners or other individuals employed or engaged in the performance of the Work and shall ensure all approved Subcontractors obtain WorkSafe BC coverage.  
If the Contractor or its Subcontractors do not have the benefit of mandatory workers compensation coverage under the *Workers Compensation Act*, then the Contractor shall ensure that it and its Subcontractors apply for and maintain Personal Optional Protection under the *Workers Compensation Act*.
14. The Contractor shall comply with, and ensure all Subcontractors comply with, all applicable occupational health and safety laws in relation to the performance of its obligations under this Agreement, including the *Workers' Compensation Act* in British Columbia or similar laws in other jurisdictions.
15. The Contractor shall be responsible for and pay for all fines, assessments, penalties and levies made or imposed under the *Workers Compensation Act*.
16. No modification to the Agreement shall be effective unless the change is in writing, is signed by, or on behalf of, both Parties and is in the form of an Amending Document, such as a Contract Modification Agreement, or another standard form of a similar nature issued by the Province.
17. Clauses 4, 7 and 11 continue in force indefinitely, even after this Agreement ends.
18. This Agreement is governed by, and interpreted and construed in accordance with the laws applicable in British Columbia.
19. As at the date this Agreement is executed and delivered by, or on behalf of, the Parties, the Contractor represents and warrants, except to the extent it has previously disclosed otherwise in writing to the Province, all information, statements, documents and reports furnished or submitted by it to the Province in connection with this Agreement (including as part of any competitive process resulting in this Agreement being entered into) are in all material respects true and correct and it has the power and capacity to enter into this Agreement.

The Parties hereto have duly executed this Agreement.

<b>SIGNED AND DELIVERED</b> on behalf of the Province by an authorized representative of the Province   (Authorized Ministry Expense Authority)  Sharon Dailey (PRINTED NAME of Authorized Ministry Expense Authority)  Dated this 29th day of November, 2017	<b>SIGNED AND DELIVERED</b> by or on behalf of the Contractor (or by an authorized signatory of the Contractor if a corporation)   (Contractor or Authorized Signatory)  (PRINTED NAME of Contractor)  Dated this _____ day of _____, 20____
--	---

CODING: ▶	SUPPLIER #	MINISTRY CLIENT #	RESPONSE #	SERVICE LINE	STOB	PROJECT #
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## Dailey, Sharon H FLNR:EX

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**From:** Gus Fiorentino s.22  
**Sent:** Wednesday, November 29, 2017 10:46 AM  
**To:** Dailey, Sharon H FLNR:EX  
**Subject:** RE: Update

Thanks Sharon

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**From:** Dailey, Sharon H FLNR:EX [<mailto:Sharon.Dailey@gov.bc.ca>]  
**Sent:** Wednesday, November 29, 2017 9:28 AM  
**To:** 'Gus Fiorentino'; s.22 'Lina Fiorentino'  
**Subject:** Update

Hi guys,

Bureaucracy at its best..... I just got the approval to sign-off on the appraisal contract for the Crown land parcel. The contract was awarded to Linda Hastings who will submit an appraisal to me by December 15<sup>th</sup>.

s.22 Christine did talk to Brad about your appraisal and it is my understanding that he will be providing an addendum now based on no legal access. I assume that you are aware of this and that Brad has been in touch with you.

I will be working through the Christmas holidays this year: In the office on December 19<sup>th</sup>, 20<sup>th</sup>, 21<sup>st</sup>, 27<sup>th</sup>, 28<sup>th</sup> and 29<sup>th</sup>. Hopefully we can touch base once the appraisals are complete before you s.22  
s.22

Just wanted to give you an update of where we are at on my end. Sorry that it took so long from Executive to approval the appraisal contract.

Thanks,  
Sharon

Sharon Dailey  
Section Head, Land Authorizations  
Kootenay Boundary Region  
Ministry of Forests, Lands and Natural Resource Operations  
Tel: 250-426-1753  
Email: [Sharon.dailey@gov.bc.ca](mailto:Sharon.dailey@gov.bc.ca)



## **Dailey, Sharon H FLNR:EX**

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**From:** Lohr, Christine P FLNR:EX  
**Sent:** Tuesday, November 21, 2017 9:42 AM  
**To:** Dailey, Sharon H FLNR:EX  
**Subject:** FW: Appraisal - Brad McInnes

Hi Sharon: I sent the e-mail below to Brad McInnes. I don't have an email response, so then our discussion on this was verbal, and Brad did agree to revise the Fiorentino land appraisal to account for the no legal access.

So there was no issue there. Do you want me to call Brad and follow up, to confirm how things are going on that front?



*Christine Lohr, RPF*

**Acting Section Head**

Crown Lands Authorizations Division / Kootenay Boundary Region

845 Columbia Avenue

Castlegar, BC V1N 1H3

(250) 365-8627

**Forests, Lands and Natural Resource Operations**

***\*\*If you have a question on how to apply for a Crown Land use: please call: FrontCounter BC (Toll free): 1-877-855-3222***

---

**From:** Lohr, Christine P FLNR:EX  
**Sent:** Thursday, October 26, 2017 7:38 AM  
**To:** 'Brad McInnes'  
**Subject:** FW: Appraisal

Hi Brad, I just received some information from Sharon Dailey on this, and she stated that we have done extensive work with MOTI on this roadway and MOTI has confirmed that there is NO legal access to this property. You can contact Darin Welch (MOTI) if you need confirmation. The whole point of the land exchange is based on this confirmation.

Do you want to discuss on the phone? Thanks,

*Christine Lohr, RPF*

**Acting Section Head**

Crown Lands Authorizations Division / Kootenay Boundary Region

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**From:** Gus Fiorentino s.22  
**Sent:** Wednesday, October 25, 2017 3:51 PM  
**To:** Dailey, Sharon H FLNR:EX  
**Cc:** Lohr, Christine P FLNR:EX  
**Subject:** FW: Appraisal

Please see email below regarding the access question that came up during the last meeting.

**From:** Brad McInnes [<mailto:brad@rmappraisal.ca>]  
**Sent:** Tuesday, October 24, 2017 1:41 PM  
**To:** Gus Fiorentino  
**Subject:** Re: Appraisal

Gus I took a look at the appraisal and it was done "assuming" access, I believe the old roadway was still legally there which accesses the property so I don't see any change in the appraisal. Let me know if you require further clarification.

thanks

**Brad McInnes AACI, P.App**

Rocky Mountain Appraisal

Suite 2 926 Baker Street Cranbrook BC V1C 1A5

250-489-4413 I [brad@rmappraisal.ca](mailto:brad@rmappraisal.ca) I [www.rmappraisal.ca](http://www.rmappraisal.ca)

**Please consider the environment before printing this email.**

On Fri, Dec 23, 2016 at 10:40 AM, Brad McInnes <[brad@rmappraisal.ca](mailto:brad@rmappraisal.ca)> wrote:  
Gus

Please find the attached

Thanks and Merry Christmas

**Brad McInnes AACI, P.App**

Rocky Mountain Appraisal

Suite 2 926 Baker Street Cranbrook BC V1C 1A5

250-489-4413 I [brad@rmappraisal.ca](mailto:brad@rmappraisal.ca) I [www.rmappraisal.ca](http://www.rmappraisal.ca)

**Please consider the environment before printing this email.**

**Dailey, Sharon H FLNR:EX**

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**From:** Dailey, Sharon H FLNR:EX  
**Sent:** Tuesday, November 21, 2017 9:43 AM  
**To:** Lohr, Christine P FLNR:EX  
**Subject:** RE: Appraisal - Brad McInnes

Nope, no need for follow-up. If he said he will do an addendum, I'm sure he will 😊

Thanks!

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**From:** Lohr, Christine P FLNR:EX  
**Sent:** Tuesday, November 21, 2017 9:42 AM  
**To:** Dailey, Sharon H FLNR:EX  
**Subject:** FW: Appraisal - Brad McInnes

Hi Sharon: I sent the e-mail below to Brad McInnes. I don't have an email response, so then our discussion on this was verbal, and Brad did agree to revise the Fiorentino land appraisal to account for the no legal access. So there was no issue there. Do you want me to call Brad and follow up, to confirm how things are going on that front? 😊

*Christine Lohr, RPF*  
**Acting Section Head**  
Crown Lands Authorizations Division / Kootenay Boundary Region  
845 Columbia Avenue  
Castlegar, BC V1N 1H3  
(250) 365-8627  
**Forests, Lands and Natural Resource Operations**

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Do you want to discuss on the phone? Thanks,

*Christine Lohr, RPF*  
**Acting Section Head**  
Crown Lands Authorizations Division / Kootenay Boundary Region  
845 Columbia Avenue

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(250) 365-8627  
Forests, Lands and Natural Resource Operations

**\*\*If you have a question on how to apply for a Crown Land use: please call: FrontCounter BC (Toll free): 1-877-855-3222**

---

**From:** Gus Fiorentino<sup>s.22</sup>  
**Sent:** Wednesday, October 25, 2017 3:51 PM  
**To:** Dailey, Sharon H FLNR:EX  
**Cc:** Lohr, Christine P FLNR:EX  
**Subject:** FW: Appraisal

Please see email below regarding the access question that came up during the last meeting.

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**Sent:** Tuesday, October 24, 2017 1:41 PM  
**To:** Gus Fiorentino  
**Subject:** Re: Appraisal

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thanks

**Brad McInnes AACI, P.App**

Rocky Mountain Appraisal

Suite 2 926 Baker Street Cranbrook BC V1C 1A5

[250-489-4413](tel:250-489-4413) | [brad@rmappraisal.ca](mailto:brad@rmappraisal.ca) | [www.rmappraisal.ca](http://www.rmappraisal.ca)

**Please consider the environment before printing this email.**

On Fri, Dec 23, 2016 at 10:40 AM, Brad McInnes <[brad@rmappraisal.ca](mailto:brad@rmappraisal.ca)> wrote:  
Gus

Please find the attached

Thanks and Merry Christmas

**Brad McInnes AACI, P.App**

Rocky Mountain Appraisal

Suite 2 926 Baker Street Cranbrook BC V1C 1A5

250-489-4413 I brad@rmappraisal.ca I www.rmappraisal.ca

**Please consider the environment before printing this email.**

Page 032 to/à Page 034

Withheld pursuant to/removed as

NR

## **Dailey, Sharon H FLNR:EX**

---

**From:** Lohr, Christine P FLNR:EX  
**Sent:** Thursday, October 26, 2017 8:39 AM  
**To:** Dailey, Sharon H FLNR:EX  
**Subject:** RE: Appraisal

Will do!

**Christine Lohr, RPF**  
**Acting Section Head**  
Crown Lands Authorizations Division / Kootenay Boundary Region  
845 Columbia Avenue  
Castlegar, BC V1N 1H3  
(250) 365-8627  
**Forests, Lands and Natural Resource Operations**

**\*\*If you have a question on how to apply for a Crown Land use: please call: FrontCounter BC (Toll free): 1-877-855-3222**

---

**From:** Dailey, Sharon H FLNR:EX  
**Sent:** Thursday, October 26, 2017 5:47 AM  
**To:** Lohr, Christine P FLNR:EX  
**Subject:** Fw: Appraisal

Hi Chris,

Can you contact Brad and let him know that we have done extensive work with MOTI on this roadway and MOTI has confirmed that there is NO legal access to this property. Brad can contact Darin Welch if he needs confirmation. The whole point of the land exchange is based on this confirmation.

Thanks,  
Sharon

---

**From:** Gus Fiorentino s.22  
**Sent:** Wednesday, October 25, 2017 4:50 PM  
**To:** Dailey, Sharon H FLNR:EX  
**Cc:** Lohr, Christine P FLNR:EX  
**Subject:** FW: Appraisal

Please see email below regarding the access question that came up during the last meeting.

**From:** Brad McInnes [<mailto:brad@rmappraisal.ca>]  
**Sent:** Tuesday, October 24, 2017 1:41 PM  
**To:** Gus Fiorentino  
**Subject:** Re: Appraisal

Gus I took a look at the appraisal and it was done "assuming" access, I believe the old roadway was still legally there which accesses the property so I don't see any change in the appraisal. Let me know if you require further clarification.

thanks

**Brad McInnes AACI, P.App**

Rocky Mountain Appraisal

Suite 2 926 Baker Street Cranbrook BC V1C 1A5

250-489-4413 | [brad@rmappraisal.ca](mailto:brad@rmappraisal.ca) | [www.rmappraisal.ca](http://www.rmappraisal.ca)

Please consider the environment before printing this email.

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Gus

Please find the attached

Thanks and Merry Christmas

**Brad McInnes AACI, P.App**

Rocky Mountain Appraisal

Suite 2 926 Baker Street Cranbrook BC V1C 1A5

250-489-4413 | [brad@rmappraisal.ca](mailto:brad@rmappraisal.ca) | [www.rmappraisal.ca](http://www.rmappraisal.ca)

Please consider the environment before printing this email.



**Dailey, Sharon H FLNR:EX**

---

**From:** Gus Fiorentino s.22  
**Sent:** Wednesday, October 25, 2017 4:51 PM  
**To:** Dailey, Sharon H FLNR:EX  
**Cc:** Lohr, Christine P FLNR:EX  
**Subject:** FW: Appraisal

Please see email below regarding the access question that came up during the last meeting.

**From:** Brad McInnes [<mailto:brad@rmappraisal.ca>]  
**Sent:** Tuesday, October 24, 2017 1:41 PM  
**To:** Gus Fiorentino  
**Subject:** Re: Appraisal

Gus I took a look at the appraisal and it was done "assuming" access, I believe the old roadway was still legally there which accesses the property so I don't see any change in the appraisal. Let me know if you require further clarification.

thanks

**Brad McInnes AACI, P.App**

Rocky Mountain Appraisal

Suite 2 926 Baker Street Cranbrook BC V1C 1A5

[250-489-4413](tel:250-489-4413) | [brad@rmappraisal.ca](mailto:brad@rmappraisal.ca) | [www.rmappraisal.ca](http://www.rmappraisal.ca)

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On Fri, Dec 23, 2016 at 10:40 AM, Brad McInnes <[brad@rmappraisal.ca](mailto:brad@rmappraisal.ca)> wrote:  
Gus

Please find the attached

Thanks and Merry Christmas

**Brad McInnes AACI, P.App**

Rocky Mountain Appraisal

Suite 2 926 Baker Street Cranbrook BC V1C 1A5

[250-489-4413](tel:250-489-4413) | [brad@rmappraisal.ca](mailto:brad@rmappraisal.ca) | [www.rmappraisal.ca](http://www.rmappraisal.ca)

Please consider the environment before printing this email.

## **Dailey, Sharon H FLNR:EX**

---

**From:** Lohr, Christine P FLNR:EX  
**Sent:** Tuesday, October 24, 2017 2:38 PM  
**To:** Dailey, Sharon H FLNR:EX  
**Subject:** RE: Exploring land exchange options - BC Government

Thanks!

**Christine Lohr, RPF**  
**Land Officer**  
Crown Lands Authorizations Division / Kootenay Boundary Region  
845 Columbia Avenue  
Castlegar, BC V1N 1H3  
(250) 365-8627  
**Forests, Lands and Natural Resource Operations**

**\*\*If you have a question on how to apply for a Crown Land use: please call: FrontCounter BC (Toll free): 1-877-855-3222**

---

**From:** Dailey, Sharon H FLNR:EX  
**Sent:** Tuesday, October 24, 2017 1:34 PM  
**To:** Lohr, Christine P FLNR:EX  
**Subject:** Fw: Exploring land exchange options - BC Government

Here you go :)

---

**From:** Gus Fiorentino s.22  
**Sent:** Saturday, December 24, 2016 9:27 AM  
**To:** Dailey, Sharon H FLNR:EX  
**Cc:** s.22 ; [jim@fiorentinobros.com](mailto:jim@fiorentinobros.com)  
**Subject:** FW: Exploring land exchange options - BC Government

Hi Sharon  
Further to our scheduled December 28<sup>th</sup> meeting, attached please find for discussion purposes, an appraisal and a timber valuation for our Elizabeth property.  
Merry Christmas  
Cheers  
Gus Fiorentino  
Cell s.22

---

**From:** Gus Fiorentino s.22  
**Sent:** Tuesday, October 25, 2016 1:28 PM  
**To:** 'Dailey, Sharon H FLNR:EX'  
**Cc:** s.22  
**Subject:** RE: Exploring land exchange options - BC Government

Hi Sharon

Thanks for sending me an email, now we can all stay in touch no matter where we travel. s.22

s.22

I still do a lot of computer work for our company.

I really appreciate you fitting us into your tight schedule on Dec. 28<sup>th</sup> at 8:30 a.m., see you then.

Cheers

Gus Fiorentino

Cell s.22

---

**From:** Dailey, Sharon H FLNR:EX [<mailto:Sharon.Dailey@gov.bc.ca>]

**Sent:** Monday, October 24, 2016 2:14 PM

**To:** s.22

**Subject:** Exploring land exchange options - BC Government

Hi Gus,

Frank was just in to see me and gave me your email address, so I thought I would send you a quick email to confirm that I have blocked off my calendar for a meeting with you and Frank on Dec 28<sup>th</sup> at 8:30am.

By sending you this email, it also gives you my email address and contact information. As I told Frank, s.22  
s.22

I'm looking forward to meeting you.

Regards,

Sharon Dailey

Section Head, Land Authorizations

Kootenay Boundary Region

Ministry of Forests, Lands and Natural Resource Operations

Tel: 250-426-1753

Email: [Sharon.dailey@gov.bc.ca](mailto:Sharon.dailey@gov.bc.ca)

## Dailey, Sharon H FLNR:EX

---

**From:** Dailey, Sharon H FLNR:EX  
**Sent:** Tuesday, October 24, 2017 2:34 PM  
**To:** Lohr, Christine P FLNR:EX  
**Subject:** Fw: Exploring land exchange options - BC Government  
**Attachments:** Appraisal; Timber Valuation\_2016.pdf

Here you go :)

---

**From:** Gus Fiorentino s.22  
**Sent:** Saturday, December 24, 2016 9:27 AM  
**To:** Dailey, Sharon H FLNR:EX  
**Cc:** s.22 [jim@fiorentinobros.com](mailto:jim@fiorentinobros.com)  
**Subject:** FW: Exploring land exchange options - BC Government

Hi Sharon

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Merry Christmas

Cheers

Gus Fiorentino

Cell s.22

---

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**Cc:** s.22  
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Hi Sharon

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s.22 I still do a lot of computer work for our company.

I really appreciate you fitting us into your tight schedule on Dec. 28<sup>th</sup> at 8:30 a.m., see you then.

Cheers

Gus Fiorentino

Cell s.22

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**To:** s.22  
**Subject:** Exploring land exchange options - BC Government

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By sending you this email, it also gives you my email address and contact information. As I told Frank, s.22  
s.22

I'm looking forward to meeting you.

Regards,

Sharon Dailey  
Section Head, Land Authorizations  
Kootenay Boundary Region  
Ministry of Forests, Lands and Natural Resource Operations  
Tel: 250-426-1753  
Email: [Sharon.dailey@gov.bc.ca](mailto:Sharon.dailey@gov.bc.ca)

Page 042 to/à Page 053

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## Dailey, Sharon H FLNR:EX

---

**From:** Brad McInnes <brad@rmappraisal.ca>  
**Sent:** Friday, December 23, 2016 10:41 AM  
**To:** Gus Fiorentino  
**Subject:** Appraisal  
**Attachments:** Fiorentino acreage.pdf

Gus

Please find the attached

Thanks and Merry Christmas

**Brad McInnes AACI, P.App**

Rocky Mountain Appraisal

Suite 2 926 Baker Street Cranbrook BC V1C 1A5

250-489-4413 | brad@rmappraisal.ca | www.rmappraisal.ca

Please consider the environment before printing this email.

November 20, 2016

Attn: Jim Fiorentino

Re: Timber accounting for private land parcel at Elizabeth Lake.

Maple Leaf Forestry Ltd. was asked by Jim Fiorentino to provide a timber evaluation for the privately held timbered parcel PID 013052373 located near Elizabeth Lake. The site was visited by Aaron Byng-Hall on November 10, 2016.

#### Assignment

1. Provide an accounting of the timber volume and species composition with associated value for the privately held timbered parcel PID 013052373 located near Elizabeth Lake, Cranbrook BC.

#### Limits of Assignment

- Our investigation is based solely on our visual inspection of the trees on November 10, 2016. Our inspection was conducted from ground level.
- The values in this report are based on the British Columbia Interior 3 month Log Market Value Report ending Sept 2016.

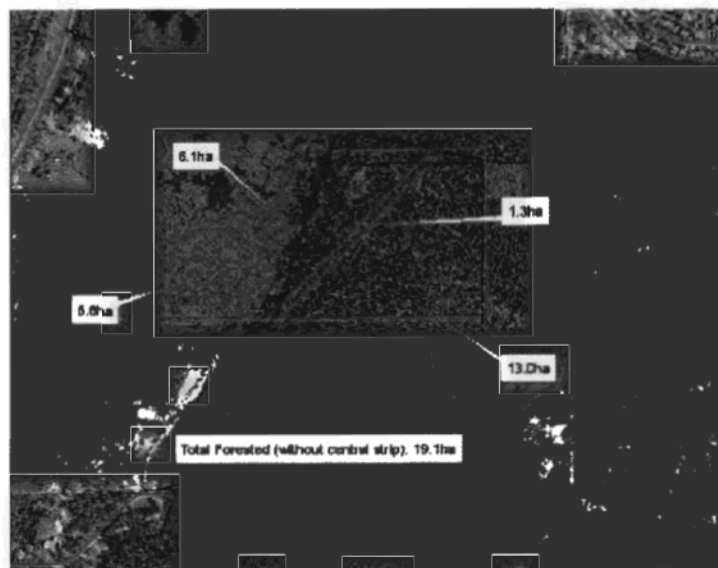


Figure 1. Aerial photo of land parcel near Elizabeth Lake



## Methodology

The timber volume calculations were based on systematic field sampling. A single BAF or Prism was chosen on site based on the size and density of the stand so that greater than 4 trees per plot were sampled. Volume was then based on measures of basal area, diameter and height. Plot locations were selected from the office with an emphasis on sampling all homogeneous timber types while ensuring good coverage of the entire parcel of land. At the plot center each tree was inspected for general quality while other notable conditions in the adjacent area were noted as well. All volume and quality sampling was based on standard FLNRO timber cruising practices of the British Columbia Forest Industry and all assessments and professional estimates were conducted by an ABCFP accredited timber cruiser using local experience and knowledge.

## Polygon Descriptions

**Type 1:** An overall even mix of Douglas-fir (Fd) and Western Larch (Lw) with approximately 1000 stems/ha. Gentle slopes and benches leading down to the lake. Minor underbrush with minor blowdown. Wood quality overall is good with average heights of 22m and average dbh of 35cm with an average 200 m<sup>3</sup>/ha.

**Type 2:** This polygon is Douglas fir (Fd) leading with a minor component of Western Larch (Lw). Gentle slopes with benchy terrain. Wood quality is good with no significant insect or disease component observed. Minor underbrush with moderate amount of blowdown. Some natural open areas were observed but none of any significance. Wood quality overall is good with average heights of 22m and average dbh of 35cm with an average 200 m<sup>3</sup>/ha.

**Type 3:** This polygon is a non timbered polygon. It contains mostly shrub willow and low growing riparian vegetation. There is no measurable timber located within the area so was left out for the purposes of this report.



Photo 1. An example of smaller piece sized timber which was not very prominent within each of the timbered types.



Photo 2. An example of the high volume of timber from type 1.



Photo 3. Another example of some high volume found within type 2



Photo 4. An example of the gentle slopes and large piece size observed in type 1.



Photo 5. Some open areas noted from type 2.



Photo 6. Some of the larger Western larch observed throughout type 2.

Table 1. Volume and species breakdown by polygon

Polygon	Timber Type	Area (ha)	m <sup>3</sup> /ha	Sawlog %	Total Fd (m <sup>3</sup> )	Total Lw (m <sup>3</sup> )	Total (m <sup>3</sup> )
1	Lw <sup>5</sup> Fd <sup>5</sup>	9.8	200	60	980	980	1960
2	Fd <sup>8</sup> Lw <sup>2</sup>	10.6	200	60	1696	424	2120
3	N/A	5.6	N/A	N/A	N/A	N/A	N/A
Totals					2676	1404	4080

Table 2. Value breakdown by polygon

Polygon	Timber Type	Total Fd (m <sup>3</sup> )	Total Lw (m <sup>3</sup> )	Total Fd/Lw Sawlog (m <sup>3</sup> )	Total Fd/Lw Pulp (m <sup>3</sup> )	Fd/Lw Sawlog Value (\$)	Fd/Lw Pulp Value (\$)	Total Value (\$)
1	Lw <sup>5</sup> Fd <sup>5</sup>	980	980	1176	784	\$88,364.64	\$28,757.12	\$117,121.76
2	Fd <sup>8</sup> Lw <sup>2</sup>	1696	424	1272	848	\$95,578.08	\$31,104.64	\$126,682.72
3	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Total								\$243,804.48

Table 3. Log Market Report for the 3 month period of July 1, 2016 to September 30, 2016

DF-Larch	Average Price (\$/m3)	
	Sawlog	75.14
	Pulp	36.68

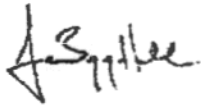
*For purposes of this report:*

- *Values are based on BC Log Market Report 3 month average ending Sept 2016*
- *Merchantable timber is defined as 12.5cm min dbh for PI and min 17.5cm dbh for all other species*
- *Sawlog is defined as min 20cm dbh, min 10cm top diameter, min 5m log length*
- *Pulp wood is defined as everything else*
- *Values do not take into account waste and decay %*

If there are any questions or concerns as to the contents of this report, please contact us at any time.

Sincerely,

Project Staff:



Aaron Byng-Hall, RFT ATC  
ISA Certified Arborist (PN6578A)  
Certified Tree Risk Assessor (538)

Phone: 250-489-0005

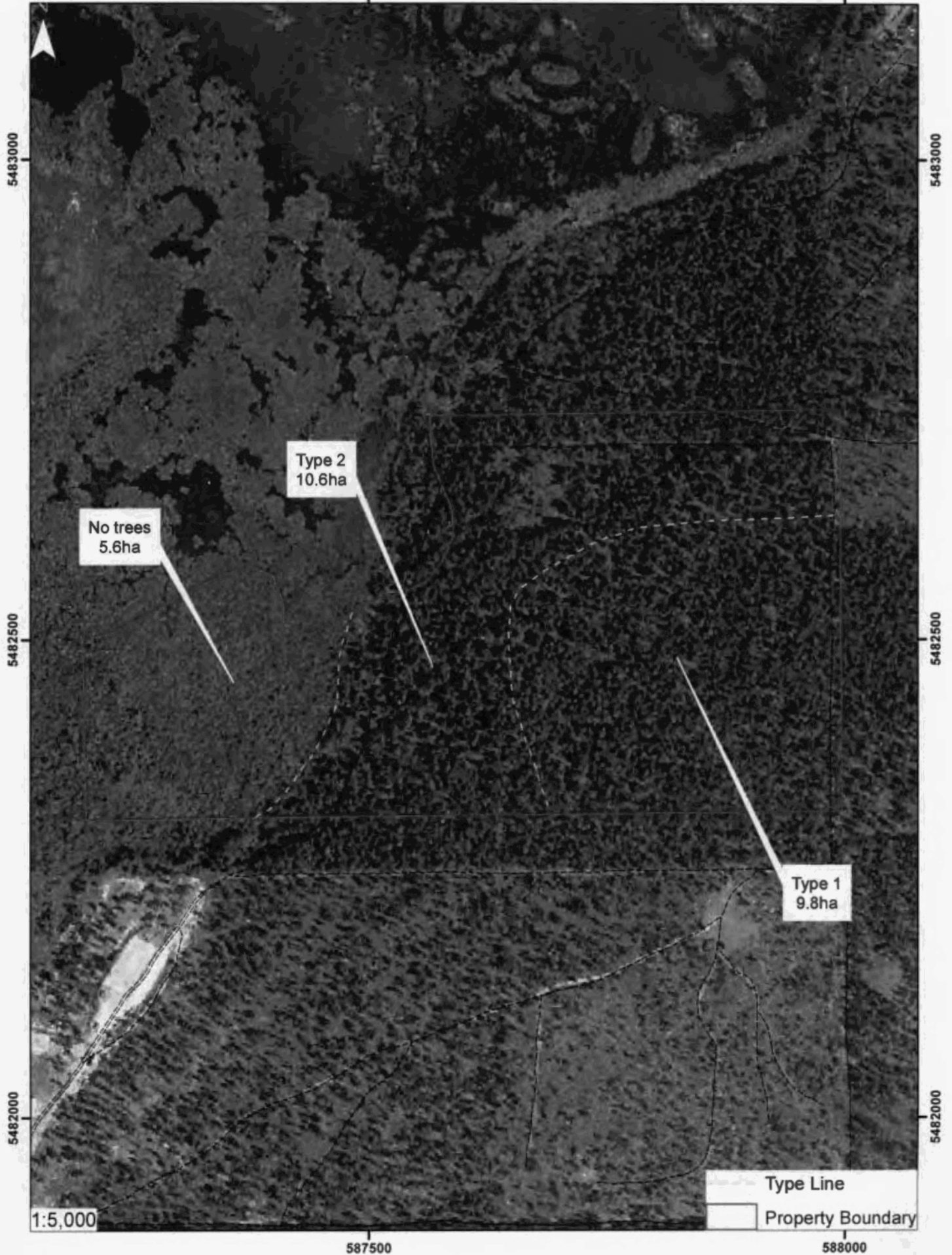
Fax: 250-489-0006

Email: [inquiries@mapleleaforestry.ca](mailto:inquiries@mapleleaforestry.ca) or [abyng-hall@mapleleaforestry.ca](mailto:abyng-hall@mapleleaforestry.ca)

Website: <http://www.mapleleaforestry.ca>

587500

588000



## B.C. Interior Log Market Report for the 3 month period of July 1, 2016 to September 30, 2016

	Product <sup>1</sup>	Species Group								Total/Avg
		SPF <sup>2</sup>	Df-Larch	Hem-Bal <sup>3</sup>	Cedar <sup>4</sup>	White Pine	Yellow Pine	Deciduous	Other <sup>5</sup>	
Volume (m <sup>3</sup> )	Sawlog	2,540,239	329,591	145,430	108,091	2,600		-		3,125,952
	Peelers	127,469	194,491	-			-	-		321,961
	Poles / House			-		-	-	-	-	-
	Minor Products <sup>6</sup>		-	-		-	-	-	-	-
	Pulpwood	305,400	13,845	76,413						395,657
	Other								50,814	50,814
	Total		2,973,108	537,927	221,843	108,091	2,600	-	-	50,814
Average Price (\$/m <sup>3</sup> ) <sup>7</sup>	Sawlog	69.84	75.14	61.38	120.37	73.37		-		71.76
	Peelers	93.90	86.69	-			-	-		89.55
	Poles / House			-		-	-	-	-	-
	Minor Products		-	-		-	-	-	-	-
	Pulpwood	35.71	36.68	35.79						35.76
	Other								46.36	46.36
	Wtd. Average		67.37	78.32	52.56	120.37	73.37	-	-	46.36

<sup>1</sup> Intended end use identified by the log purchaser.<sup>2</sup> Spruce, pine and balsam fir. Excludes balsam for log purchases in the Kalum and Kispiox Timber Supply Areas.<sup>3</sup> Hemlock or balsam fir. Includes balsam for log purchases in the Kalum and Kispiox Timber Supply Areas.<sup>4</sup> Cedar log prices vary significantly, depending on quality.<sup>5</sup> Mixed species. Data from species/ product groups that do not meet the 3 mill minimum may be summarized under 'Other'.<sup>6</sup> Logs that will produce fence posts, shake/shingle or other special forest products<sup>7</sup> Reported log prices represent averages. Individual transaction prices could vary considerably due to a number of factors, such as quality, distance to market, etc.<sup>8</sup> Three month totals may not equal the sum of previously published one month totals due to late and/or revised submissions.

Prepared by: Timber Pricing Branch, Ministry of Forests, Lands and Natural Resource Operations

Compiled on October 28, 2016

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## Dailey, Sharon H FLNR:EX

---

**From:** Gus Fiorentino s.22  
**Sent:** Friday, October 20, 2017 9:26 PM  
**To:** Dailey, Sharon H FLNR:EX  
**Subject:** RE: Acting Section Head

Thanks Sharon

---

**From:** Dailey, Sharon H FLNR:EX [<mailto:Sharon.Dailey@gov.bc.ca>]  
**Sent:** Friday, October 20, 2017 7:52 AM  
**To:** 'Gus Fiorentino' s.22  
**Cc:** Lohr, Christine P FLNR:EX  
**Subject:** Acting Section Head

Hi Gus,

Christine Lohr is acting for me s.22, she is based out of Castlegar and I have sent her your file. She will start the appraisal process, but I just wanted to give you her name and contact information in case you have any questions.

[Christine.lohr@gov.bc.ca](mailto:Christine.lohr@gov.bc.ca) or you can call her at 250-356-8627.

Thanks,  
Sharon

Sharon Dailey  
Section Head, Land Authorizations  
Kootenay Boundary Region  
Ministry of Forests, Lands and Natural Resource Operations  
Tel: 250-426-1753  
Email: [Sharon.dailey@gov.bc.ca](mailto:Sharon.dailey@gov.bc.ca)

## Dailey, Sharon H FLNR:EX

---

**From:** Gus Fiorentino s.22  
**Sent:** Tuesday, October 17, 2017 10:37 AM  
**To:** Dailey, Sharon H FLNR:EX  
**Cc:** Lina Fiorentino; s.22  
**Subject:** FW: Land Exchange Proposal - update

Sharon

We will see you tomorrow at 3:30 (Wednesday - Oct 18th).

Gus

-----Original Message-----

From: Dailey, Sharon H FLNR:EX [mailto:Sharon.Dailey@gov.bc.ca]  
Sent: Tuesday, October 17, 2017 10:29 AM  
To: 'Gus Fiorentino'  
Subject: RE: Land Exchange Proposal - update

3:30 is just fine :) See you then!

-----Original Message-----

From: Gus Fiorentino [mailto:s.22]  
Sent: Tuesday, October 17, 2017 10:22 AM  
To: Dailey, Sharon H FLNR:EX  
Subject: RE: Land Exchange Proposal - update

Is 3:30 too late for you?

-----Original Message-----

From: Dailey, Sharon H FLNR:EX [mailto:Sharon.Dailey@gov.bc.ca]  
Sent: Tuesday, October 17, 2017 10:13 AM  
To: 'Gus Fiorentino'  
Subject: RE: Land Exchange Proposal - update

Absolutely. What time do you want to come in? I will book a room for us to meet.

Sharon

-----Original Message-----

From: Gus Fiorentino [mailto:s.22]  
Sent: Tuesday, October 17, 2017 9:57 AM  
To: Dailey, Sharon H FLNR:EX  
Subject: RE: Land Exchange Proposal - update

Can we arrange a meeting towards the end of your day tomorrow?

Gus

-----Original Message-----

From: Dailey, Sharon H FLNR:EX [mailto:Sharon.Dailey@gov.bc.ca]



Sent: Tuesday, October 17, 2017 9:40 AM  
To: 'Gus Fiorentino'  
Subject: RE: Land Exchange Proposal - update

Hi Gus,

I am back in the office today, s.22  
s.22 . Do you guys want to meet today or tomorrow? Let me know what works best for you and a time.

Thanks,  
Sharon

-----Original Message-----

From: Gus Fiorentino s.22  
Sent: Sunday, October 15, 2017 10:31 AM  
To: Dailey, Sharon H FLNR:EX  
Subject: RE: Land Exchange Proposal - update

Hi Sharon  
Sounds great, Wednesday works fine. Don't worry about the meeting.

-----Original Message-----

From: Dailey, Sharon H FLNR:EX [mailto:Sharon.Dailey@gov.bc.ca]  
Sent: Sunday, October 15, 2017 10:22 AM  
To: Gus Fiorentino  
Cc: Lina Fiorentino; s.22  
Subject: Re: Land Exchange Proposal - update

?Hi Gus,

s.22 I will touch base with you as soon as I get  
back as to when we can meet. I s.22  
s.22 Maybe Wednesday would be a good day to meet?

I'm sooooo excited!!

Sharon

---

From: Gus Fiorentino s.22  
Sent: Monday, October 02, 2017 5:09 PM  
To: Dailey, Sharon H FLNR:EX  
Cc: Lina Fiorentino; s.22  
Subject: FW: Land Exchange Proposal - update

Hi Sharon

s.22

land swap. We will make sure we don't get in the way<sup>s.22</sup> and also glad to hear things are coming along quite well on the if need be we can just reschedule the meeting. For now lets plan on the October 17th meeting date.

Cheers  
Gus Fiorentino

From: Dailey, Sharon H FLNR:EX [mailto:Sharon.Dailey@gov.bc.ca]  
Sent: Monday, October 2, 2017 1:09 PM  
To: 'Gus Fiorentino'  
Subject: RE: Land Exchange Proposal - update

Hi Gus,

No concerns raised by First Nations, but some things that need to be addressed from government agency and public referrals. Unfortunately, I have no time to meet with you guys until the week of October 16th; I am in full day meetings this week and next week I am in interviews trying to get someone hired to help me with all this work. Are you guys available to meet on the 17th? The only thing that might make me have to change that meeting<sup>s.22</sup>

s.22  
s.22

Cheers,  
  
Sharon

From: Gus Fiorentino<sup>s.22</sup>  
Sent: Monday, October 2, 2017 10:39 AM  
To: Dailey, Sharon H FLNR:EX  
Subject: FW: Land Exchange Proposal - update

Hi Sharon

Just wondering if you have heard anything from the First Nation?

Should we be giving them a bit of a nudge?

Cheers  
  
Gus Fiorentino

From: Dailey, Sharon H FLNR:EX [mailto:Sharon.Dailey@gov.bc.ca]  
Sent: Wednesday, August 2, 2017 11:16 AM  
To: 'Gus Fiorentino'<sup>s.22</sup>  
'Lina Fiorentino'  
Cc: s.22  
Subject: Land Exchange Proposal - update

Hi guys,

I just wanted to touch base with you before I head out<sup>s.22</sup>

. Public comments close at end of day tomorrow. There is a lot of support for the proposal and a few letters of opposition so far.

. The file is still undergoing First Nations consultation and that will probably take quite a bit longer. Unfortunately, our First Nations group have lost a couple of staff members over the last two months, so they are quite a bit behind on getting through the consultation workloads. I don't anticipate any opposition from First Nations, but you never know.

. Still waiting on referral responses from the Regional District of East Kootenay and the City of Cranbrook. All other government agency referrals have been submitted and there is no opposition.

Hope you all are having a wonderful summer!<sup>s.22</sup>

Sharon

Sharon Dailey  
Section Head, Land Authorizations  
Kootenay Boundary Region  
Ministry of Forests, Lands and Natural Resource Operations  
Tel: 250-426-1753  
Email: Sharon.dailey@gov.bc.ca<mailto:Sharon.dailey@gov.bc.ca>

# Land Exchange Proposal

Property	Jurisdiction	OCP Bylaw	Zoning Bylaw	Designation	ALR	Legal Access	Approximate Size
Fiorentino	C	2255	1402	RR-60	Yes	No	34.5 ha
Crown	C	2255	1402	RR-60	Yes	Yes	22.5 ha +/-

## Next steps:

Fiorentino's Government  
 Fiorentino's Both Parties Government  
 Government  
 Fiorentino's Government

Decide if willing to take parcel as is, no preconditions of zoning etc.

Appraisal of Crown parcel

Addendum to appraisal of land to reflect NO legal access

Review of all appraisals and decision to proceed

Apply to Agricultural Land Commission to see if Crown parcel can be subdivided into approx 22 ha parcel

Survey of Crown parcel

Legal transfer of private parcel

Crown Grant of Crown parcel

*agree* ✓

*Met w/ Gus + Frank Oct 18th @ 3:30pm. They agree to all of next steps.*

*[Signature]*

**Crown land file #4405812 – Land Exchange Proposal – Public Comments**

**13 letters of support:** Total support of the land exchange to enhance Elizabeth Lake.

**1 letter of non-support:**

- Not in favour states: I am not in favour of this exchange. There should be more consultation with the residents of Cranbrook. The residents already voted against this area being developed some 5 years ago. I am in favour of them selling their current property and purchasing the new property.

**2 letters with comments/questions:**

**1<sup>st</sup> letter:**

- Will existing corridors currently used for access to Community Forest be maintained (from 9<sup>th</sup> Street northward)?
- If the land is developed, will covenants ensure that new residences are built to the standards currently in the neighbourhood, ie. No mobile homes, no RV storage, no dog kennels etc.
- Is the intention of the developer to incorporate this property into the city and thereby increase the potential density?
- Will unconstructed 38<sup>th</sup> Ave be developed in order to provide access to any proposed acreages? That scenario would increase traffic on 9<sup>th</sup> St. and impact the current owners of property adjacent to that avenue.

**2<sup>nd</sup> letter:**

- Will this land swap be reviewed/administered fully in a public process, or is this letter the only opportunity to voice an opinion on this whole file?
- Will there be a Cabinet Minister involved who oversees this portfolio?
- I am questioning this government on safe guards; what can taxpayers rely upon that will assure this process for a land swap has criteria to be met and followed, and carried out with all information made available in a public process?
- The company goes on their proposal stating there would be results in a net benefit to wildlife and biodiversity values; including many other talking points of Wetlands and Riparian Habitats. If this statement reflects the nature of this land swap to be carried out; is the Land conservancy of British Columbia Canada or Nature Conservancy of Canada going to speak publicly on behalf of this proposed land swap for the extension of these Wetlands for conservation.
- This is supposed to be a public letter, so why do I require an application for a Freedom of Information to see any of this application questions on this land swap from the public, or that this letter was even considered if I can't review the public response.
- Has the BC Government started to investigate this parcel of land and made any determination on the importance of this property for conservation and its benefits to the province and their taxpayers by extending the Elizabeth Lake Sanctuary and Conservation Lands for wildlife?
- What is the process/criteria requirements the government will follow for this land swap proposal?

- I want to be assured by this Provincial Government that the land swap is for the reasons being stated and investigated and not because this parcel of land is under a land lock or in a flood plain/zone making development unrealistic or very expensive to gain access.
- I want to be assured that the proposed land swap is based on a written appraisal using the true values for a land lock parcel versus unrestricted access to a parcel of prime crown land close to the city of Cranbrook limits or boundaries.
- Who reads these letters, and can it be forwarded to a Ministry of this Portfolio. I want to request Application and cost please for Freedom of Information.
- I do not know the Private Holding Company that is applying for the land swap, or do I question any of their business decisions. Or their statements they have made in regards to the land swap proposal, or how they manage their owned assets.
- The Private Holding Company states that there are many public walking trails, but this parcel is land locked; so how are these trails accessed, and how will they be kept open to the public under a Land Reserve if the land around it is privately owned?
- The company states the land is heavily treed so that would be easy to review or investigate and shows the land has not been logged for profit at this time; as the parcels off Baker Mountain Road will also have the availability of timber to be harvested and is of value in this land swap.
- I do hope that the same emphasize is put on wildlife corridors for all parcels of land being considered.
- There are other alternatives available for easement through the courts to gain access to a land locked property by history of land and any previous access provided.
- I do hope the government assures taxpayers this land swap is for the reasons being stated, as I am not concerned about putting important properties into a land reserve if they should be protected and it would add to the need of preserving this land if the conservancy groups listed above spoke up about this Elizabeth Lake Sanctuary, along with a Minister of this portfolio.
- Appraised values for each parcel of land in this proposal and the whole process open to a public forum for review/input.
- I do think the land swap should be consistent with apples to apples, as the crown land along Baker Mountain Road would fetch a considerable value on the open market if sold in that manner and these funds would return to the province of BC upon sale.

**Lohr, Christine P FLNR:EX**

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**From:** Lohr, Christine P FLNR:EX  
**Sent:** Thursday, November 9, 2017 5:33 PM  
**To:** 'lhastings@ekappraisals.com'  
**Cc:** Dailey, Sharon H FLNR:EX  
**Subject:** Your quote for the ITQ / Crown land appraisal on Baker Mountain Road / Land file 4405812

**CONTRACT OFFERED  
TO LOWEST BID**

Hi Linda, further to our telephone discussion today, you were the lowest bidder on the above-noted ITQ. We are offering you the contract to conduct the appraisal work, pending final government approval of the appraisal contract. I will advise when we receive the final approvals. Thank you Linda!

*Christine Lohr, RPF*  
**Acting Section Head**  
Crown Lands Authorizations Division / Kootenay Boundary Region  
845 Columbia Avenue  
Castlegar, BC V1N 1H3  
(250) 365-8627  
**Forests, Lands and Natural Resource Operations**

**\*\*If you have a question on how to apply for a Crown Land use: please call: FrontCounter BC (Toll free): 1-877-855-3222**

**Lohr, Christine P FLNR:EX**

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**From:** Lohr, Christine P FLNR:EX  
**Sent:** Thursday, November 9, 2017 5:44 PM  
**To:** 'Brad McInnes'  
**Cc:** Dailey, Sharon H FLNR:EX  
**Subject:** Your quote for the ITQ / Crown land appraisal on Baker Mtn Road / Lands file 4405812

NOTICE TO  
UNSUCCESSFUL BIDDER

Hi Brad, I am informing you that you were not the lowest bidder on this ITQ, and we have offered the contract to the lowest bidder. Once the contract signed, I will be able to disclose the name of the successful bidder if that is of interest to you.

I did also want to advise you that your quote was submitted on a signed letter with company letterhead, as was required, but it was not accompanied by the completed ITQ form, which was also required. I would like to discuss this further with you if possible, as feedback for any future bids with the Province.

Kind Regards,

*Christine Lohr, RPF*  
**Acting Section Head**  
Crown Lands Authorizations Division / Kootenay Boundary Region  
845 Columbia Avenue  
Castlegar, BC V1N 1H3  
(250) 365-8627  
**Forests, Lands and Natural Resource Operations**

**\*\*If you have a question on how to apply for a Crown Land use: please call: FrontCounter BC (Toll free): 1-877-855-3222**



**Lohr, Christine P FLNR:EX**

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**From:** Jen Steckle <jen@rmappraisal.ca>  
**Sent:** 1. Wednesday, October 25, 2017 8:31 AM  
**To:** Lohr, Christine P FLNR:EX  
**Subject:** Quote - 4405812  
**Attachments:** FLNRO - 4405812.pdf

2 QUOTES RECEIVED

Hello Christine,

Please see the attached quote for your file: 4405812.

Would you be able to update our address in your files to the one below? The one you have on file is not correct.

Thank you!

--

**Jennifer Steckle**

Rocky Mountain Appraisal  
Suite 2, 926 Baker Street  
Cranbrook, BC V1C 1A5  
Phone: 250-489-4413 ext 5  
Toll Free: 877-489-4413  
Fax: 250-489-4449



**Rocky Mountain  
Appraisal**

Suite 2, 2nd Floor  
926 Baker Street  
Cranbrook, BC V1C 1A5

Tel 250-489-4413  
Fax 250-489-4449  
info@rmappraisal.ca

www.rmappraisal.ca

October 25, 2017

The Ministry of Forests, Lands, Natural Resource  
Operations and Rural Development  
Crown Land Authorizations  
845 Columbia Avenue  
Castlegar, BC V1N 4S5  
Attn: Christine Lohr

Via email: Christine.lohr@gov.bc.ca

**Quote for Appraisal Services  
File: 4405812**

Dear Christine:

We are pleased for the opportunity to provide you with a quote.

We are prepared to provide you with a full legal digital copy of a Self Contained Short Narrative Report for each of the two properties. The reports will be prepared in compliance with the Code of Professional Ethics and the Canadian Uniform Standards of Professional Appraisal Practice of the Appraisal Institute of Canada. The reports will estimate market value in fee simple.

Our fee to complete both reports is \$5,000.00 plus applicable taxes.

If these conditions are acceptable, your signature below will act as your authorization for us to proceed. We can have the appraisal reports completed no later than December 15, 2017.

Sincerely,

Brad McInnes AACI, P.App

\_\_\_\_\_  
Signature of Acceptance

\_\_\_\_\_  
Date

2.

November 8, 2017

**Ministry of Forests, Lands and Natural Resource Operations**  
845 Columbia Ave.  
Castlegar, B.C.

**ATTENTION: Ms. Christine Lohr, Land Officer**

Dear Ms. Lohr:

Re: Request for two appraisal reports to determine current market values of property described as: That part of D.L. 36, Kootenay District, except 1) part included in Plan NEP2668, and 2) part included in RW NEP1463, and 3) Parcel 1 (see 11814-I) more particularly shown outlined in red and either containing the right-of-way lands with 21.4 hectares, or **not** containing the right-of-way lands with 19.8 hectares, more or less. - Your File #4405812

As per your request, appraisal reports to determine the current market values of the lands as described above can be provided at an estimated fee of **\$4,200 plus GST**. The valuations are expected to be completed within 21 to 28 days of direction to proceed, or by December 15, 2017.

The reports will assume that:

- The Regional District of the East Kootenays expects that future development of the subject lands will require City of Cranbrook water, sewer, storm sewer and natural gas lines
- The subject property is being acquired for its potential to be incorporated into the City of Cranbrook's boundaries for future subdivision.
- The Fortis Gas Line will require a 1 foot clearance from all servicing lines that are expected to cross the right-of-way. All installations beneath or above the gas line will require a Fortis inspector.
- Timber values will **not** be included in the valuation.

I trust that the foregoing is satisfactory for your needs, but should you have any questions or require clarification, please do not hesitate to contact the undersigned.

Sincerely,



Linda Hastings, A.A.C.I., P. App.  
**E.K. APPRAISALS**

LH/lh



Invitation to Quote (ITQ)  
for  
**Fee Appraisal**

**This is NOT an order**

File #: 4405812 Issue Date: October 24, 2017

THIS COMPLETED FORM MUST BE RECEIVED BY  
THE PROVINCE OF BRITISH COLUMBIA AT THE:

**The Ministry of Forests, Lands, Natural Resource  
Operations and Rural Development  
Crown Land Authorizations  
845 Columbia Avenue  
Castlegar, BC V1N 4S5**

COMPANY NAME: E.K. Appraisals  
Address: 3178-49<sup>th</sup> Street, Cranbrook, BC, V1C 7A2  
Supplier # (if known):  
Phone: (250) 426-6564  
Email: [lhastings@ekappraisals.com](mailto:lhastings@ekappraisals.com)

Ministry Contact: Christine Lohr  
Phone: (250) 365-8627  
Fax: (250) 365-8568  
Email: [Christine.lohr@gov.bc.ca](mailto:Christine.lohr@gov.bc.ca)

**NOT LATER THAN 3:00 pm (Pacific Time Zone) ON  
THE DUE DATE OF: November 8, 2017**

THE UNDERSIGNED AGREES TO BE BOUND BY THE TERMS AND CONDITIONS OF THIS ITQ AND TO  
SUPPLY THE SERVICE DESCRIBED IN THE ATTACHED TERMS OF REFERENCE AT THE PRICES  
QUOTED IN THE SUBMITTED QUOTATION. IF A SERVICE CONTRACT (GENERAL) IS ISSUED BY THE  
PROVINCE TO THE UNDERSIGNED, THE UNDERSIGNED WILL BE BOUND BY AND WILL COMPLY WITH  
THE QUOTATION AND THE CONTRACT TERMS AND CONDITIONS CONTAINED IN THIS ITQ.

AUTHORIZED OFFICIAL (Please print) \_\_\_\_\_

*LINDA S. HASTINGS*

SIGNATURE \_\_\_\_\_

*Linda Hastings*

DATE \_\_\_\_\_

*Nov. 7/2017*

**SERVICES:** I invite you to provide a quote for two appraisals of the current market value of the fee  
simple interest in a single parcel of land: 1) with the gas pipeline right of way included in the land and  
2) without the gas pipeline right of way, respectively described as:

- 1) That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part  
included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in  
red and containing 21.4 hectares, more or less  
*and*
- 2) That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part  
included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in  
red and containing 19.8 hectares, more or less

I am attaching Terms of Reference, mapping, and zoning information for your reference.

Please return this completed form (via e-mail to [Christine.Lohr@gov.bc.ca](mailto:Christine.Lohr@gov.bc.ca), or by hard copy delivery), along with  
your price quote contained in a signed letter on your company letterhead, for the appraisal **by November 8,  
2017, 3:00pm**. In the letter, please also include the time frame for completion of the work as outlined. It is  
expected that the appraisals will be completed by **December 15, 2017**.

If you have any questions, please call me at (250) 365-8627  
Regards,  
Christine Lohr, RPF  
Land Officer,  
Ministry of Forests, Lands and Natural Resource Operations  
845 Columbia Avenue, Castlegar, BC V1N 4S5

**Lohr, Christine P FLNR:EX**

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**From:** Linda Hastings <lhastings@ekappraisals.com>  
**Sent:** Wednesday, November 8, 2017 1:19 PM  
**To:** Lohr, Christine P FLNR:EX  
**Subject:** Cranbrook quote  
**Attachments:** File 4405812 EK Appraisals.pdf

Hello Christine:

Please accept the attached in response to your invitation to quote.

*Regards,*  
*Linda Hastings, AACI, P.App.*  
E.K. Appraisals.  
(250) 426-6564

**Lohr, Christine P FLNR:EX**

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**From:** Lohr, Christine P FLNR:EX  
**Sent:** Tuesday, October 24, 2017 3:25 PM  
**To:** 'Brad McInnes'  
**Subject:** Request: An invitation to quote on Crown Land near Cranbrook / Lands file 4405812  
**Attachments:** ITQ\_RockyMountainAppraisals.pdf

ITQ: 3 BIDDERS

Hi Brad, please find attached an Invitation to Quote for an appraisal of an unsurveyed parcel of Crown Land near Cranbrook (Lands file 4405812). You may return the completed quote and letter via hard copy delivery, or via e-mail to me, by November 8, 2017. Details and instructions are in the attached document.

Kind Regards,

*Christine Lohr, RPF*  
**Land Officer**  
Crown Lands Authorizations Division / Kootenay Boundary Region  
845 Columbia Avenue  
Castlegar, BC V1N 1H3  
(250) 365-8627  
**Forests, Lands and Natural Resource Operations**

**\*\*If you have a question on how to apply for a Crown Land use: please call: FrontCounter BC (Toll free): 1-877-855-3222**



Ministry of  
Forests, Lands and  
Natural Resource Operations

## Invitation to Quote (ITQ) for **Fee Appraisal**

**This is NOT an order**

File #: 4405812 Issue Date: October 24, 2017

THIS COMPLETED FORM MUST BE RECEIVED BY  
THE PROVINCE OF BRITISH COLUMBIA AT THE:

**The Ministry of Forests, Lands, Natural Resource  
Operations and Rural Development  
Crown Land Authorizations  
845 Columbia Avenue  
Castlegar, BC V1N 4S5**

COMPANY NAME: Rocky Mountain Appraisal  
Address: 1909-12<sup>th</sup> Street South, Cranbrook, BC V1C  
6M7  
Supplier # (if known):  
Phone: (250) 489-4413  
Email: [info@rmappraisal.ca](mailto:info@rmappraisal.ca)

Ministry Contact: Christine Lohr  
Phone: (250) 365-8627  
Fax: (250) 365-8568  
Email: [Christine.lohr@gov.bc.ca](mailto:Christine.lohr@gov.bc.ca)

**NOT LATER THAN 3:00 pm (Pacific Time Zone) ON  
THE DUE DATE OF: November 8, 2017**

THE UNDERSIGNED AGREES TO BE BOUND BY THE TERMS AND CONDITIONS OF THIS ITQ AND TO  
SUPPLY THE SERVICE DESCRIBED IN THE ATTACHED TERMS OF REFERENCE AT THE PRICES  
QUOTED IN THE SUBMITTED QUOTATION. IF A SERVICE CONTRACT (GENERAL) IS ISSUED BY THE  
PROVINCE TO THE UNDERSIGNED, THE UNDERSIGNED WILL BE BOUND BY AND WILL COMPLY WITH  
THE QUOTATION AND THE CONTRACT TERMS AND CONDITIONS CONTAINED IN THIS ITQ.

AUTHORIZED OFFICIAL (Please print) \_\_\_\_\_

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

**SERVICES:** I invite you to provide a quote for two appraisals of the current market value of the fee  
simple interest in a single parcel of land: 1) with the gas pipeline right of way included in the land and  
2) without the gas pipeline right of way, respectively described as:

1) That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part  
included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in  
red and containing 21.4 hectares, more or less

and

2) That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part  
included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in  
red and containing 19.8 hectares, more or less

I am attaching Terms of Reference, mapping, and zoning information for your reference.

Please return this completed form (via e-mail to [Christine.Lohr@gov.bc.ca](mailto:Christine.Lohr@gov.bc.ca), or by hard copy delivery), along with  
your price quote contained in a signed letter on your company letterhead, for the appraisal **by November 8,  
2017, 3:00pm**. In the letter, please also include the time frame for completion of the work as outlined. It is  
expected that the appraisals will be completed by **December 15, 2017**.

If you have any questions, please call me at (250) 365-8627  
Regards,  
Christine Lohr, RPF  
Land Officer,  
Ministry of Forests, Lands and Natural Resource Operations  
845 Columbia Avenue, Castlegar, BC V1N 4S5

**IMPORTANT: THIS DOCUMENT IS TO BE PROVIDED TO THE FEE APPRAISER PRIOR TO CONDUCTING THE MARKET VALUE APPRAISAL.**

**TERMS OF REFERENCE**

**FOR A REAL PROPERTY APPRAISAL ON CROWN LAND**

File Number: **4405812**

Proponent: Ministry of Forests, Lands, Natural Resource Operations and Rural Development

Legal Description of Subject Land (with and without gas pipeline ROW area – See maps 1 and 2):

- 1) That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in red and containing 21.4 hectares, more or less  
and
- 2) That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in red and containing 19.8 hectares, more or less

This form is for a land swap, to transfer the subject parcel of Crown land **“as is”**, zoned RR-60 and in the ALR.

The appraiser must submit a narrative appraisal to the Ministry of Forests, Lands, Natural Resource Operations and Rural Development **by December 15, 2017**. The appraisal report can be emailed to [christine.lohr@gov.bc.ca](mailto:christine.lohr@gov.bc.ca) or mailed to: *The Ministry of Forests, Lands and Natural Resource Operations, Castlegar District Office, 845 Columbia Avenue, Castlegar, BC, V1N 4S5, Attention: Christine Lohr, Land Officer.*

The purpose of the appraisal is to determine the current market value for the fee simple rights of the Crown land described as

- 1) That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in red and containing 21.4 hectares, more or less.

This description includes the area of a FortisBC gas pipeline right of way, and small remaining area to the west (see Map 1). An excerpt of the ROW Plan (NEP63347) is attached (Map 4).

We would also like a separate value / appraisal for the land without the gas pipeline included (nor any of the remaining area to the west), see Map 2, as follows:

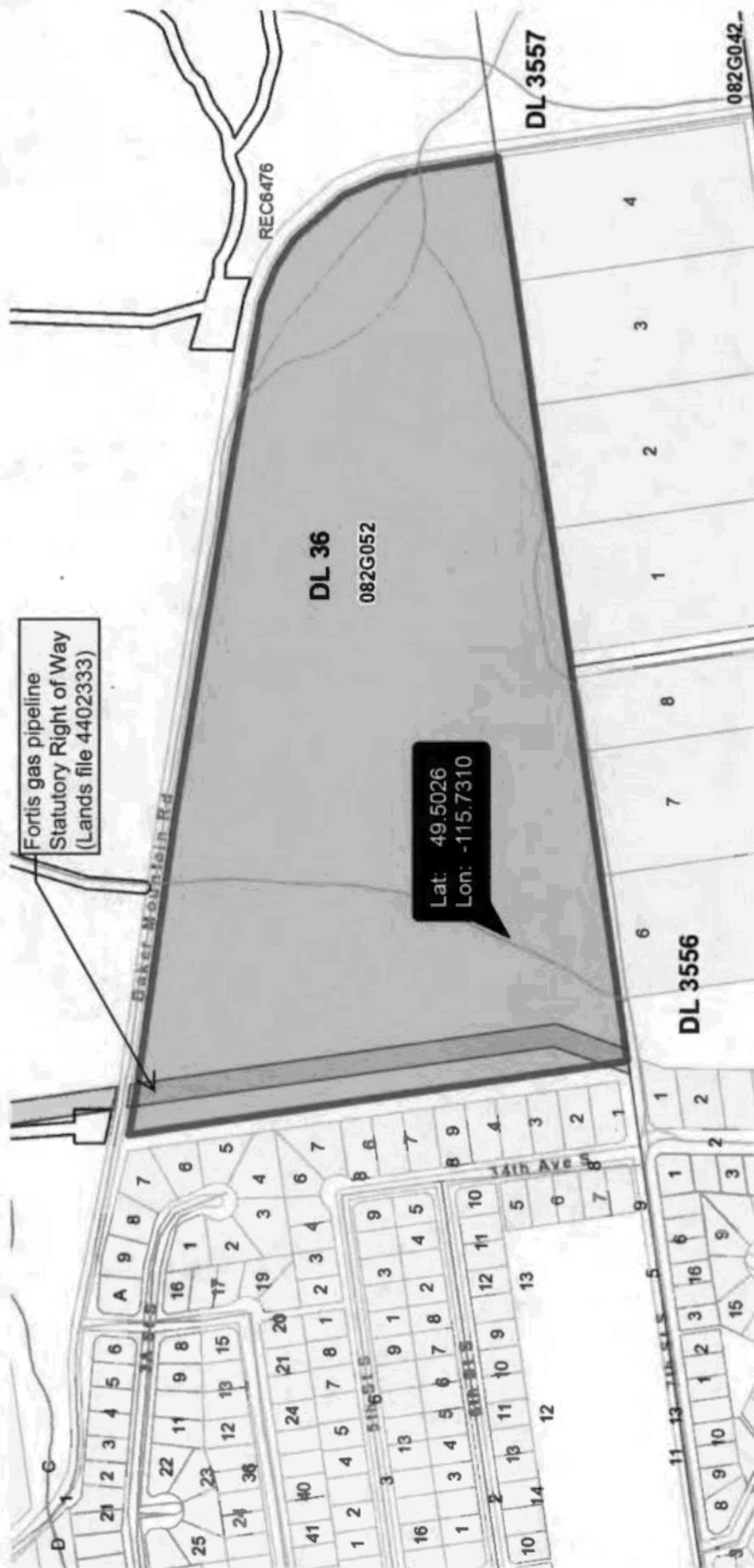
- 2) That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in red and containing 19.8 hectares, more or less



1. Highest and best use for the Crown land is "as is" with current zonation and ALR.
  - a. The parcel is to be appraised as if vacant and unimproved.
  - b. Proper zoning is to be assumed.
  - c. The final appraisal amount is subject to GST.
  - d. Timber values are NOT to be included in this valuation
  - e. The internal road "blip" (see Map 3) is to be discussed, but not factored into value of appraisal. (MOTI intends to close this portion of road).
2. The appraisal should also indicate that the opinion of value is not a reflection of the market value of the entire property for assessment purposes.
3. As you are a member of the Appraisal Institute of Canada (AIC) the appraisal must be completed in accordance with the revised Code of Ethics and Uniform Standards of Professional Appraisal Practice as adopted by the AIC.
4. Please place a copy of these Terms of Reference in the addendum of your report.
5. We are looking for a well substantiated report. Your appraisal report therefore must include reasons for adjustments to the comparable sales, maps showing the location of sales, zoning details, time trends, etc. Comparable sales may require local, regional, provincial, national or international research. Please provide a summary adjustments table that outlines the narrative explanation for adjustments.
6. The report requires a map showing the location of comparable sales, including a brief description of the physical conditions and attributes of each comparable.
7. Current BCA actual values, if available, are to be included in the appraisal.
8. The contents of the appraisal may be subject to a request pursuant to the Freedom of Information and Protection of Privacy Act (the Act). The appraiser may include in the appraisal, a notice denying liability to third parties purporting to rely upon the opinions expressed and the information contained in the appraisals, but the Ministry of Forests, Lands and Natural Resource Operations cannot guarantee that the appraisal will not be released to the public upon request under the Act.
9. The appraisal is to be completed by a fully qualified appraiser currently practising in Canada, an A.A.C.I. or R.I. (B.C.) with the appraisal option. Co-signing is not acceptable.
10. The appraisal will be reviewed. In order to assist us in the appraisal review, please provide names and telephone numbers of individuals who have provided sales or other information that cannot be confirmed with Land title Office searches.
11. If you require further information, please contact Christine Lohr, Land Officer at (250) 365-8627.

# Map 1: Appraisal

That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in red and containing 21.4 hectares, more or less



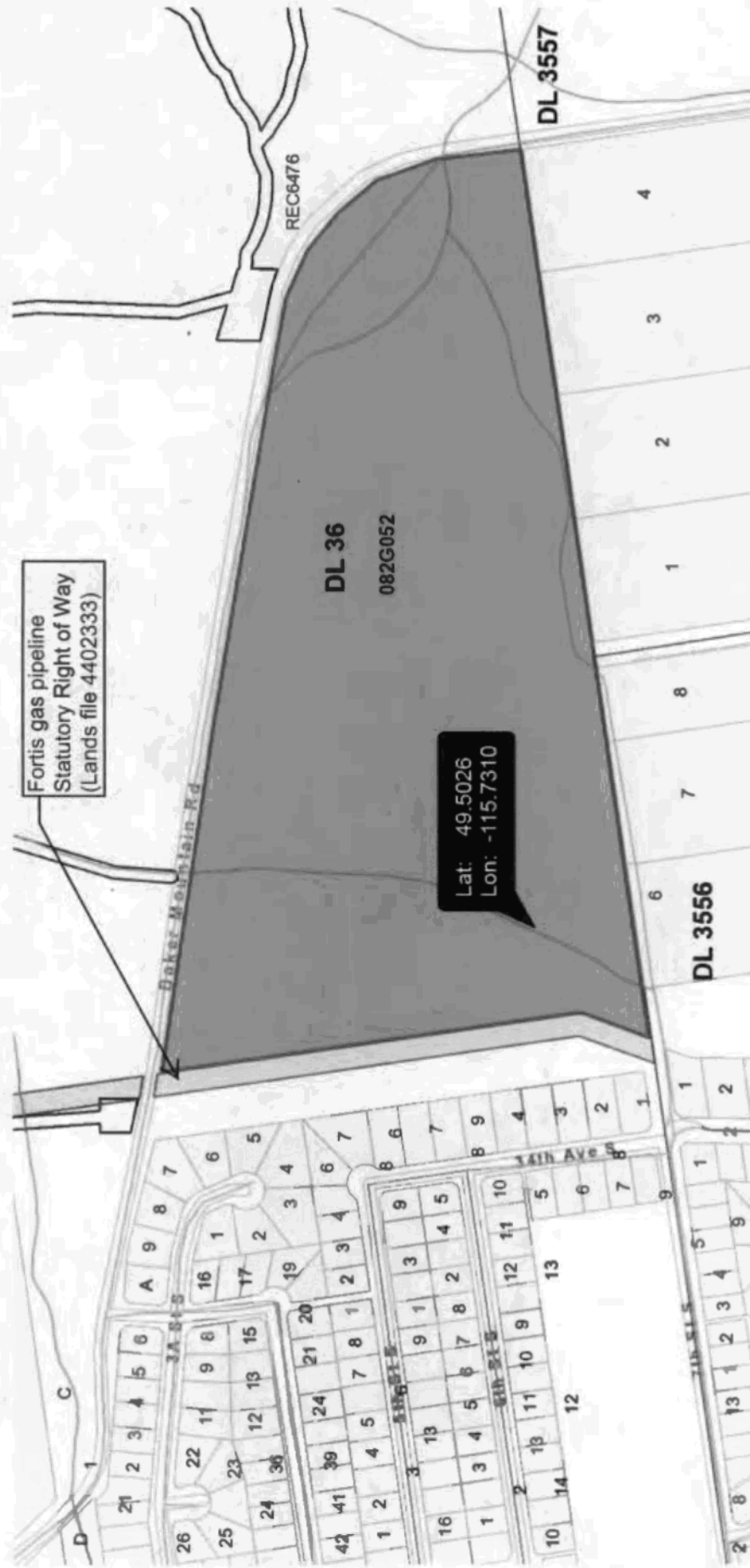
Scale: 1:5,000

BCGS Mapsheet(s): 82G.052

Area to be appraised

## Map 2: Appraisal

That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in red and containing 19.8 hectares, more or less



Scale: 1:5,000

BCGS Mapsheet(s): 82G.052



Area to be appraised



### Map 3 - Appraisal

File No.: 4405812

Disposition No.:

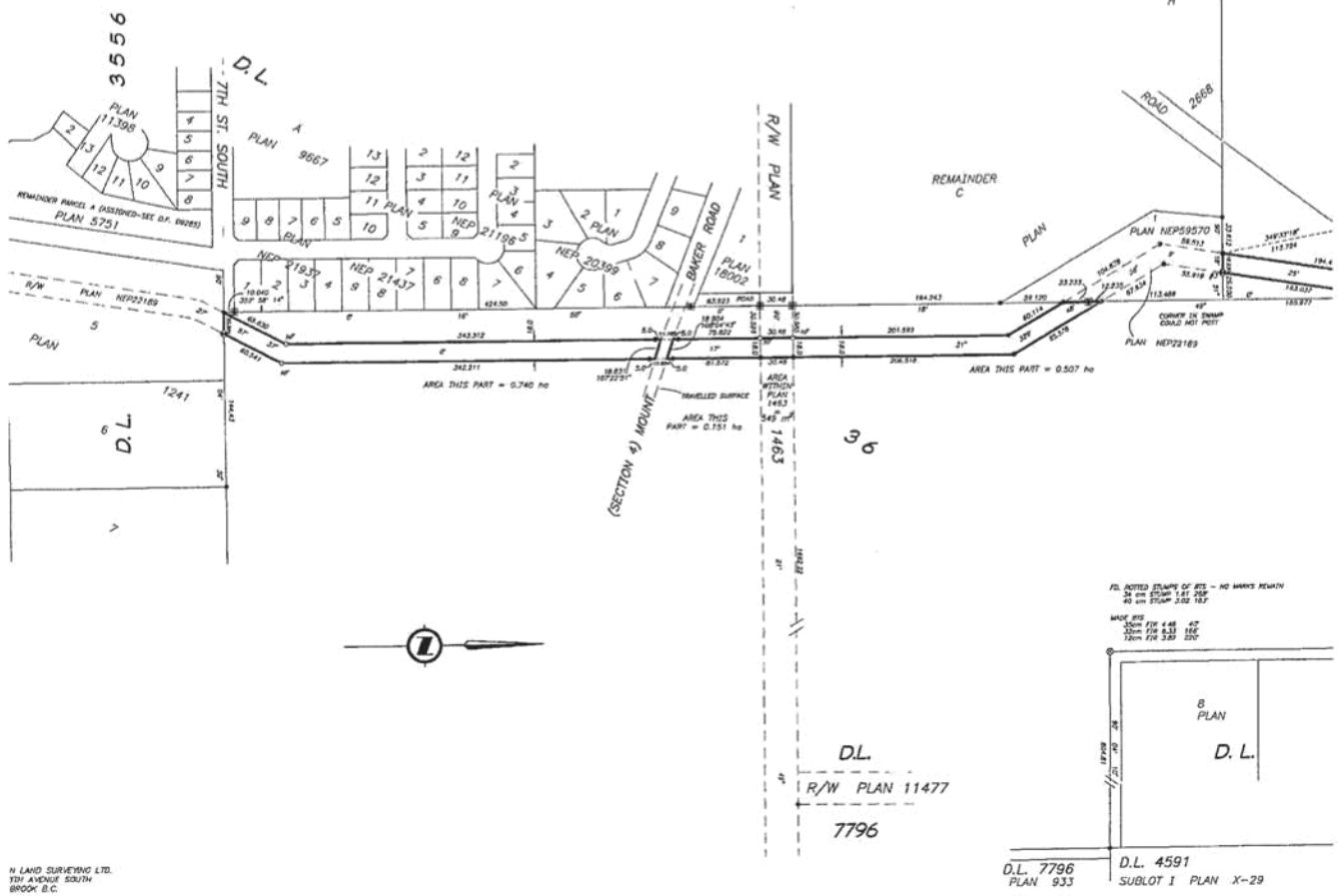
Internal road will be closed and cancelled by Ministry of Transportation and Infrastructure. Please discuss this road in report, but do not incorporate this road into appraisal value.



Scale: 1:10,000

BCGS Mapsheet(s): 82G.052





**Lohr, Christine P FLNR:EX**

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**From:** Lohr, Christine P FLNR:EX  
**Sent:** Tuesday, October 24, 2017 3:27 PM  
**To:** 2. 'jeff Konchak'  
**Subject:** Request: An invitation to quote on Crown Land near Cranbrook / Lands file 4405812  
**Attachments:** ITQ\_Konchak.pdf

Hi Jeff, please find attached an Invitation to Quote for an appraisal of an unsurveyed parcel of Crown Land near Cranbrook (Lands file 4405812). You may return the completed quote and letter via hard copy delivery, or via e-mail to me, by November 8, 2017. Details and instructions are in the attached document.

Kind Regards,

*Christine Lohr, RPF*

**Land Officer**

Crown Lands Authorizations Division / Kootenay Boundary Region

845 Columbia Avenue

Castlegar, BC V1N 1H3

(250) 365-8627

**Forests, Lands and Natural Resource Operations**

**\*\*If you have a question on how to apply for a Crown Land use: please call: FrontCounter BC (Toll free): 1-877-855-3222**





Ministry of  
Forests, Lands and  
Natural Resource Operations

## Invitation to Quote (ITQ) for **Fee Appraisal**

**This is NOT an order**

File #: 4405812 Issue Date: October 24, 2017

THIS COMPLETED FORM MUST BE RECEIVED BY  
THE PROVINCE OF BRITISH COLUMBIA AT THE:

The Ministry of Forests, Lands, Natural Resource  
Operations and Rural Development  
Crown Land Authorizations  
845 Columbia Avenue  
Castlegar, BC V1N 4S5

COMPANY NAME: Konchak Valuation Services  
Address: Box 894, Invermere, BC V0A 1K0  
Supplier # (if known):  
Phone: (250) 342-3591  
Email: [konch@cyberlink.bc.ca](mailto:konch@cyberlink.bc.ca)

Ministry Contact: Christine Lohr  
Phone: (250) 365-8627  
Fax: (250) 365-8568  
Email: [Christine.lohr@gov.bc.ca](mailto:Christine.lohr@gov.bc.ca)

**NOT LATER THAN 3:00 pm (Pacific Time Zone) ON  
THE DUE DATE OF: November 8, 2017**

THE UNDERSIGNED AGREES TO BE BOUND BY THE TERMS AND CONDITIONS OF THIS ITQ AND TO  
SUPPLY THE SERVICE DESCRIBED IN THE ATTACHED TERMS OF REFERENCE AT THE PRICES  
QUOTED IN THE SUBMITTED QUOTATION. IF A SERVICE CONTRACT (GENERAL) IS ISSUED BY THE  
PROVINCE TO THE UNDERSIGNED, THE UNDERSIGNED WILL BE BOUND BY AND WILL COMPLY WITH  
THE QUOTATION AND THE CONTRACT TERMS AND CONDITIONS CONTAINED IN THIS ITQ.

AUTHORIZED OFFICIAL (Please print) \_\_\_\_\_

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

**SERVICES:** I invite you to provide a quote for two appraisals of the current market value of the fee  
simple interest in a single parcel of land: 1) with the gas pipeline right of way included in the land and  
2) without the gas pipeline right of way, respectively described as:

- 1) That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part  
included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in  
red and containing 21.4 hectares, more or less  
*and*
- 2) That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part  
included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in  
red and containing 19.8 hectares, more or less

I am attaching Terms of Reference, mapping, and zoning information for your reference.

Please return this completed form (via e-mail to [Christine.Lohr@gov.bc.ca](mailto:Christine.Lohr@gov.bc.ca), or by hard copy delivery), along with  
your price quote contained in a signed letter on your company letterhead, for the appraisal **by November 8,  
2017, 3:00pm**. In the letter, please also include the time frame for completion of the work as outlined, It is  
expected that the appraisals will be completed by **December 15, 2017**.

If you have any questions, please call me at (250) 365-8627  
Regards,  
Christine Lohr, RPF  
Land Officer,  
Ministry of Forests, Lands and Natural Resource Operations  
845 Columbia Avenue, Castlegar, BC V1N 4S5

**IMPORTANT: THIS DOCUMENT IS TO BE PROVIDED TO THE FEE APPRAISER PRIOR TO CONDUCTING THE MARKET VALUE APPRAISAL.**

**TERMS OF REFERENCE**

**FOR A REAL PROPERTY APPRAISAL ON CROWN LAND**

File Number: **4405812**

Proponent: Ministry of Forests, Lands, Natural Resource Operations and Rural Development

Legal Description of Subject Land (with and without gas pipeline ROW area – See maps 1 and 2):

- 1) That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in red and containing 21.4 hectares, more or less  
and
- 2) That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in red and containing 19.8 hectares, more or less

This form is for a land swap, to transfer the subject parcel of Crown land **“as is”**, zoned RR-60 and in the ALR.

The appraiser must submit a narrative appraisal to the Ministry of Forests, Lands, Natural Resource Operations and Rural Development **by December 15, 2017**. The appraisal report can be emailed to [christine.lohr@gov.bc.ca](mailto:christine.lohr@gov.bc.ca) or mailed to: *The Ministry of Forests, Lands and Natural Resource Operations, Castlegar District Office, 845 Columbia Avenue, Castlegar, BC, V1N 4S5, Attention: Christine Lohr, Land Officer.*

The purpose of the appraisal is to determine the current market value for the fee simple rights of the Crown land described as

- 1) That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in red and containing 21.4 hectares, more or less.

This description includes the area of a FortisBC gas pipeline right of way, and small remaining area to the west (see Map 1). An excerpt of the ROW Plan (NEP63347) is attached (Map 4).

We would also like a separate value / appraisal for the land without the gas pipeline included (nor any of the remaining area to the west), see Map 2, as follows:

- 2) That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in red and containing 19.8 hectares, more or less



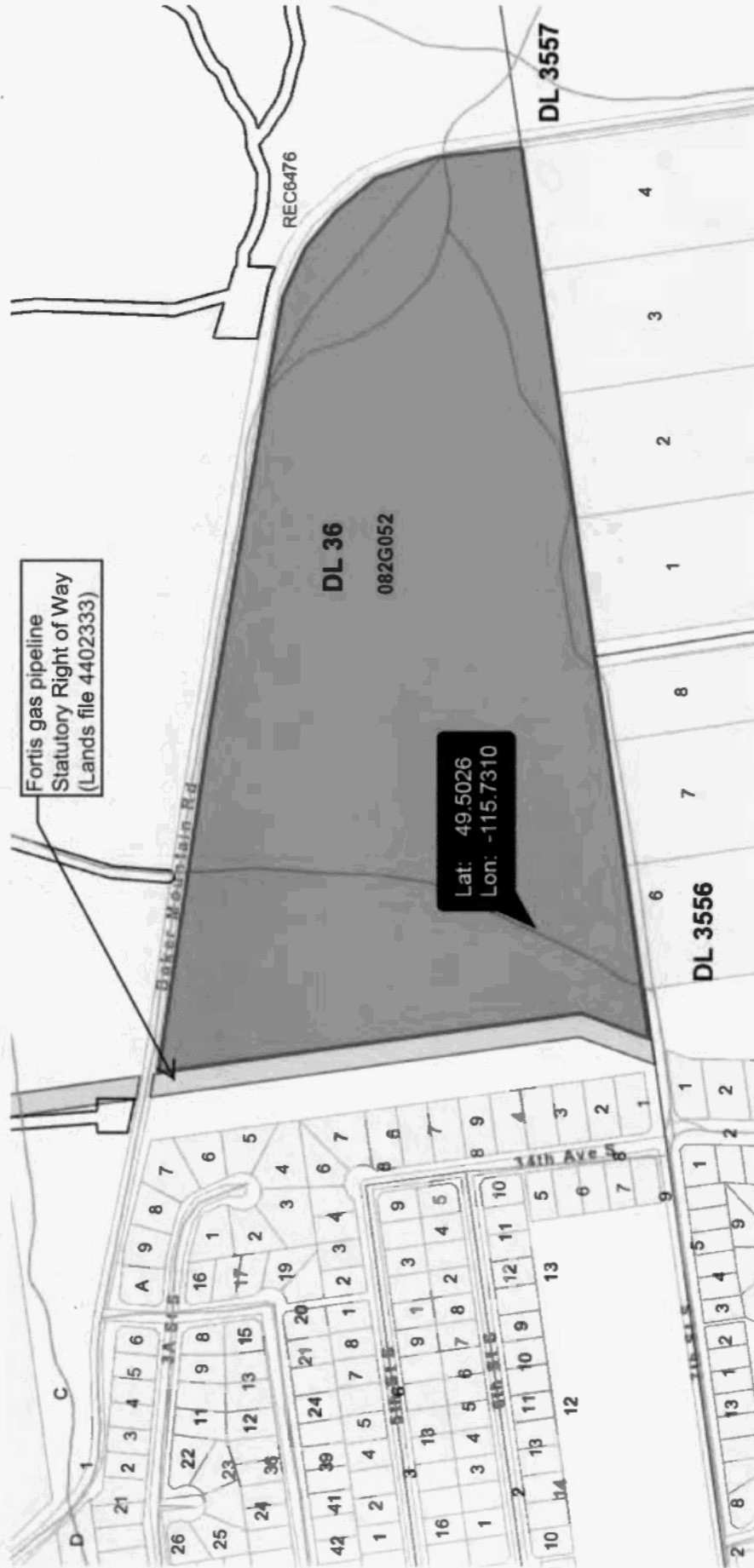
1. Highest and best use for the Crown land is "as is" with current zonation and ALR.
  - a. The parcel is to be appraised as if vacant and unimproved.
  - b. Proper zoning is to be assumed.
  - c. The final appraisal amount is subject to GST.
  - d. Timber values are NOT to be included in this valuation
  - e. The internal road "blip" (see Map 3) is to be discussed, but not factored into value of appraisal. (MOTI intends to close this portion of road).
2. The appraisal should also indicate that the opinion of value is not a reflection of the market value of the entire property for assessment purposes.
3. As you are a member of the Appraisal Institute of Canada (AIC) the appraisal must be completed in accordance with the revised Code of Ethics and Uniform Standards of Professional Appraisal Practice as adopted by the AIC.
4. Please place a copy of these Terms of Reference in the addendum of your report.
5. We are looking for a well substantiated report. Your appraisal report therefore must include reasons for adjustments to the comparable sales, maps showing the location of sales, zoning details, time trends, etc. Comparable sales may require local, regional, provincial, national or international research. Please provide a summary adjustments table that outlines the narrative explanation for adjustments.
6. The report requires a map showing the location of comparable sales, including a brief description of the physical conditions and attributes of each comparable.
7. Current BCA actual values, if available, are to be included in the appraisal.
8. The contents of the appraisal may be subject to a request pursuant to the Freedom of Information and Protection of Privacy Act (the Act). The appraiser may include in the appraisal, a notice denying liability to third parties purporting to rely upon the opinions expressed and the information contained in the appraisals, but the Ministry of Forests, Lands and Natural Resource Operations cannot guarantee that the appraisal will not be released to the public upon request under the Act.
9. The appraisal is to be completed by a fully qualified appraiser currently practising in Canada, an A.A.C.I. or R.I. (B.C.) with the appraisal option. Co-signing is not acceptable.
10. The appraisal will be reviewed. In order to assist us in the appraisal review, please provide names and telephone numbers of individuals who have provided sales or other information that cannot be confirmed with Land title Office searches.
11. If you require further information, please contact Christine Lohr, Land Officer at (250) 365-8627.

File No.: 4405812

Disposition No.:

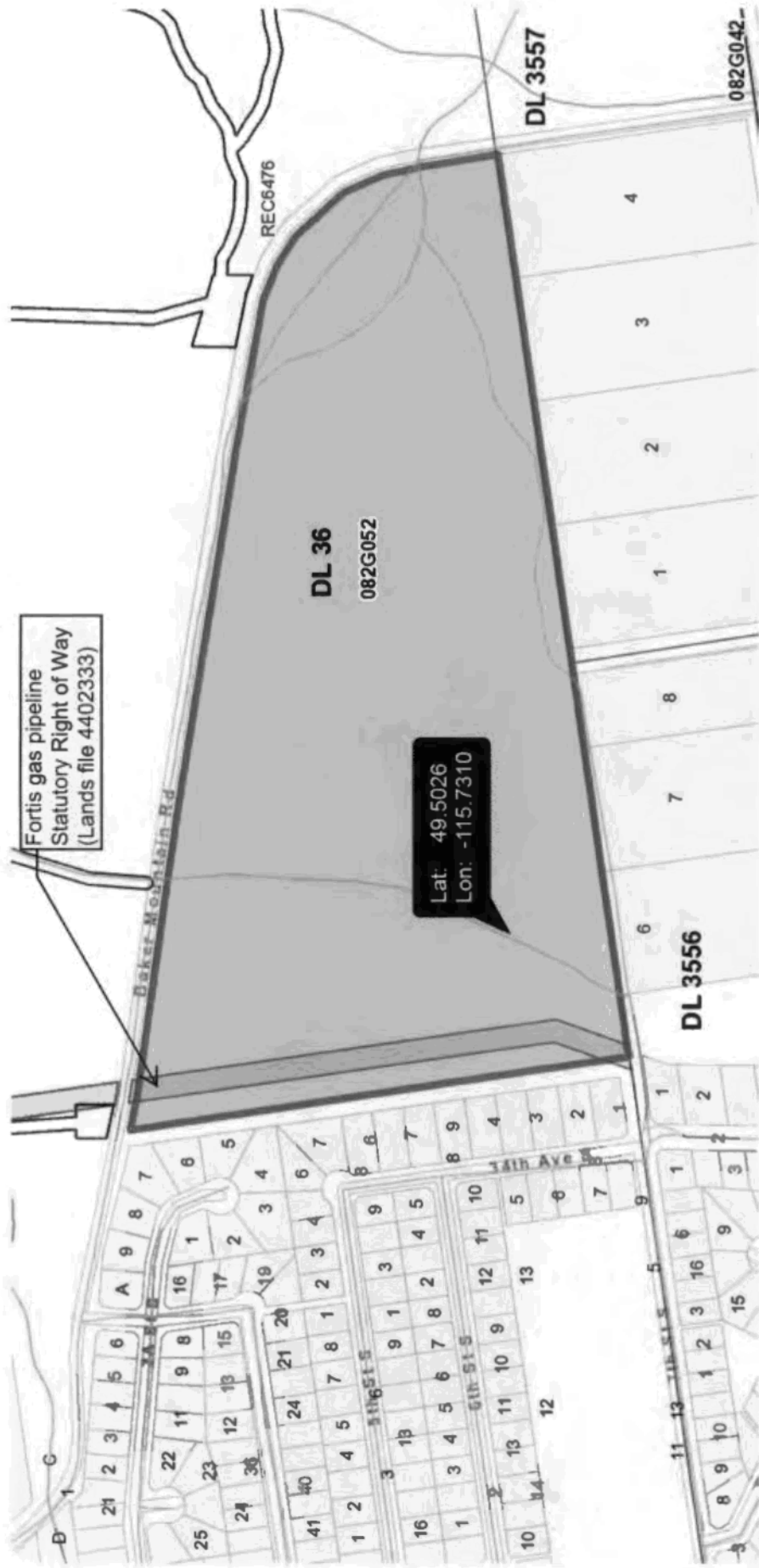
## Map 2: Appraisal

That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in red and containing 19.8 hectares, more or less



# Map 1: Appraisal

That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in red and containing 21.4 hectares, more or less



Scale: 1:5,000

BCGS Mapsheet(s): 82G.052



Area to be appraised



File No.: 4405812  
Disposition No.:

### Map 3 - Appraisal

Internal road will be closed and cancelled by Ministry of Transportation and Infrastructure. Please discuss this road in report, but do not incorporate this road into appraisal value.

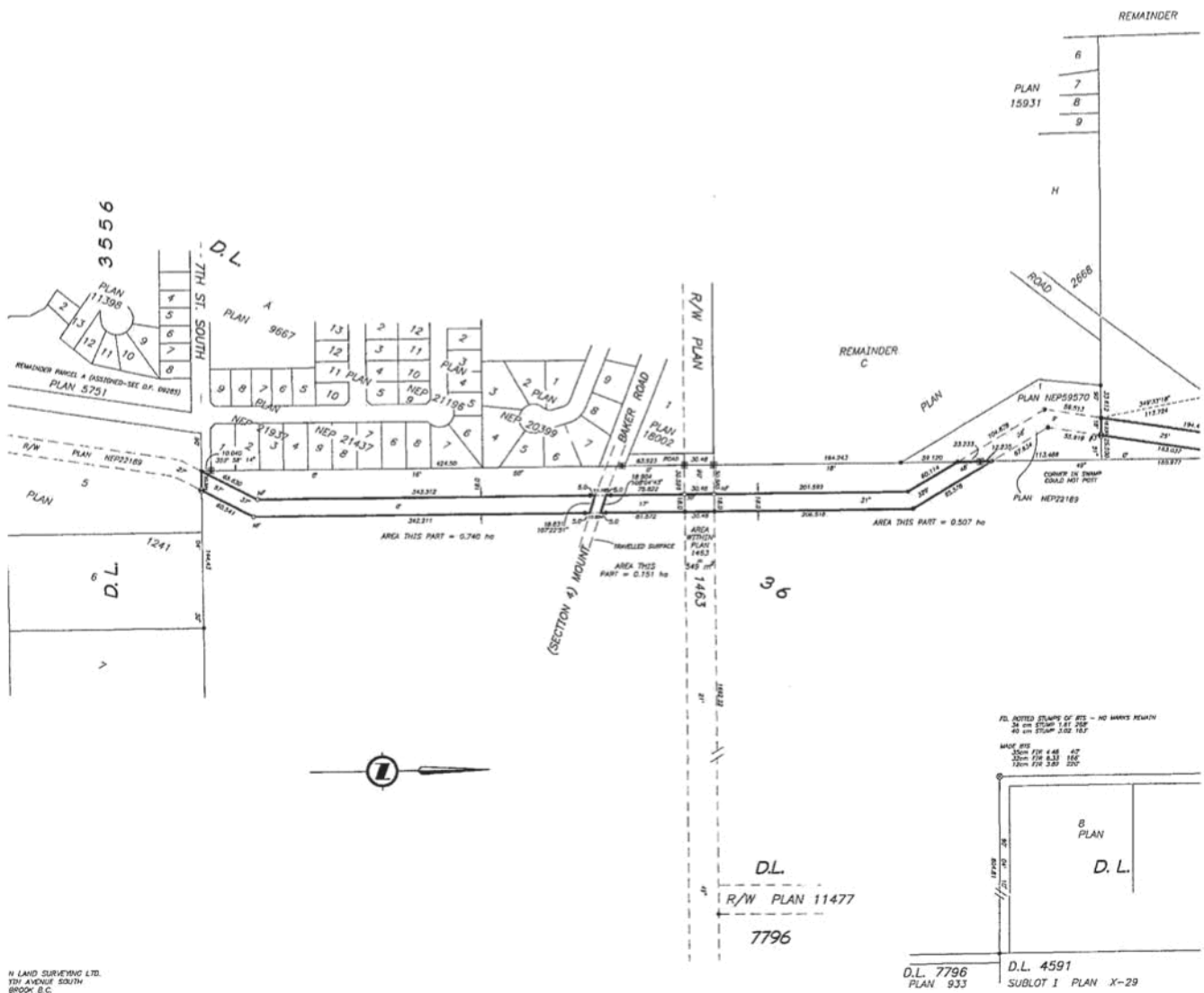


Scale: 1:10,000

BCGS Mapsheet(s): 82G.052



Map 4 - Excerpt of NEP63347



**Lohr, Christine P FLNR:EX**

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**From:** Lohr, Christine P FLNR:EX  
**Sent:** 3, Tuesday, October 24, 2017 3:22 PM  
**To:** 'lhastings@ekappraisals.com'  
**Subject:** Request: An invitation to quote on Crown Land near Cranbrook / Lands file 4405812  
**Attachments:** ITQ\_E.K.Appraisals.pdf

Hi Linda, please find attached an Invitation to Quote for an appraisal of an unsurveyed parcel of Crown Land near Cranbrook (Lands file 4405812). You may return the completed quote and letter via hard copy delivery, or via e-mail to me, by November 8, 2017. Details and instructions are in the attached document. Please advise if you would like me to mail you a hard copy package of the ITQ via Canada Post.

Kind Regards,

*Christine Lohr, RPF*  
**Land Officer**  
Crown Lands Authorizations Division / Kootenay Boundary Region  
845 Columbia Avenue  
Castlegar, BC V1N 1H3  
(250) 365-8627  
**Forests, Lands and Natural Resource Operations**

**\*\*If you have a question on how to apply for a Crown Land use: please call: FrontCounter BC (Toll free): 1-877-855-3222**





Ministry of  
Forests, Lands and  
Natural Resource Operations

## Invitation to Quote (ITQ) for **Fee Appraisal**

**This is NOT an order**

File #: 4405812 Issue Date: October 24, 2017

THIS COMPLETED FORM MUST BE RECEIVED BY  
THE PROVINCE OF BRITISH COLUMBIA AT THE:

The Ministry of Forests, Lands, Natural Resource  
Operations and Rural Development  
Crown Land Authorizations  
845 Columbia Avenue  
Castlegar, BC V1N 4S5

COMPANY NAME: Konchak Valuation Services  
Address: Box 894, Invermere, BC V0A 1K0  
Supplier # (if known):  
Phone: (250) 342-3591  
Email: [konch@cyberlink.bc.ca](mailto:konch@cyberlink.bc.ca)

Ministry Contact: Christine Lohr  
Phone: (250) 365-8627  
Fax: (250) 365-8568  
Email: [Christine.lohr@gov.bc.ca](mailto:Christine.lohr@gov.bc.ca)

**NOT LATER THAN 3:00 pm (Pacific Time Zone) ON  
THE DUE DATE OF: November 8, 2017**

THE UNDERSIGNED AGREES TO BE BOUND BY THE TERMS AND CONDITIONS OF THIS ITQ AND TO  
SUPPLY THE SERVICE DESCRIBED IN THE ATTACHED TERMS OF REFERENCE AT THE PRICES  
QUOTED IN THE SUBMITTED QUOTATION. IF A SERVICE CONTRACT (GENERAL) IS ISSUED BY THE  
PROVINCE TO THE UNDERSIGNED, THE UNDERSIGNED WILL BE BOUND BY AND WILL COMPLY WITH  
THE QUOTATION AND THE CONTRACT TERMS AND CONDITIONS CONTAINED IN THIS ITQ.

AUTHORIZED OFFICIAL (Please print) \_\_\_\_\_

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

**SERVICES:** I invite you to provide a quote for two appraisals of the current market value of the fee  
simple interest in a single parcel of land: 1) with the gas pipeline right of way included in the land and  
2) without the gas pipeline right of way, respectively described as:

- 1) That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part  
included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in  
red and containing 21.4 hectares, more or less  
*and*
- 2) That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part  
included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in  
red and containing 19.8 hectares, more or less

I am attaching Terms of Reference, mapping, and zoning information for your reference.

Please return this completed form (via e-mail to [Christine.Lohr@gov.bc.ca](mailto:Christine.Lohr@gov.bc.ca), or by hard copy delivery), along with  
your price quote contained in a signed letter on your company letterhead, for the appraisal **by November 8,  
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expected that the appraisals will be completed by **December 15, 2017**.

If you have any questions, please call me at (250) 365-8627  
Regards,  
Christine Lohr, RPF  
Land Officer,  
Ministry of Forests, Lands and Natural Resource Operations  
845 Columbia Avenue, Castlegar, BC V1N 4S5

**IMPORTANT: THIS DOCUMENT IS TO BE PROVIDED TO THE FEE APPRAISER PRIOR TO CONDUCTING THE MARKET VALUE APPRAISAL.**

**TERMS OF REFERENCE**

**FOR A REAL PROPERTY APPRAISAL ON CROWN LAND**

File Number: **4405812**

Proponent: Ministry of Forests, Lands, Natural Resource Operations and Rural Development

Legal Description of Subject Land (with and without gas pipeline ROW area – See maps 1 and 2):

- 1) That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in red and containing 21.4 hectares, more or less  
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This form is for a land swap, to transfer the subject parcel of Crown land **“as is”**, zoned RR-60 and in the ALR.

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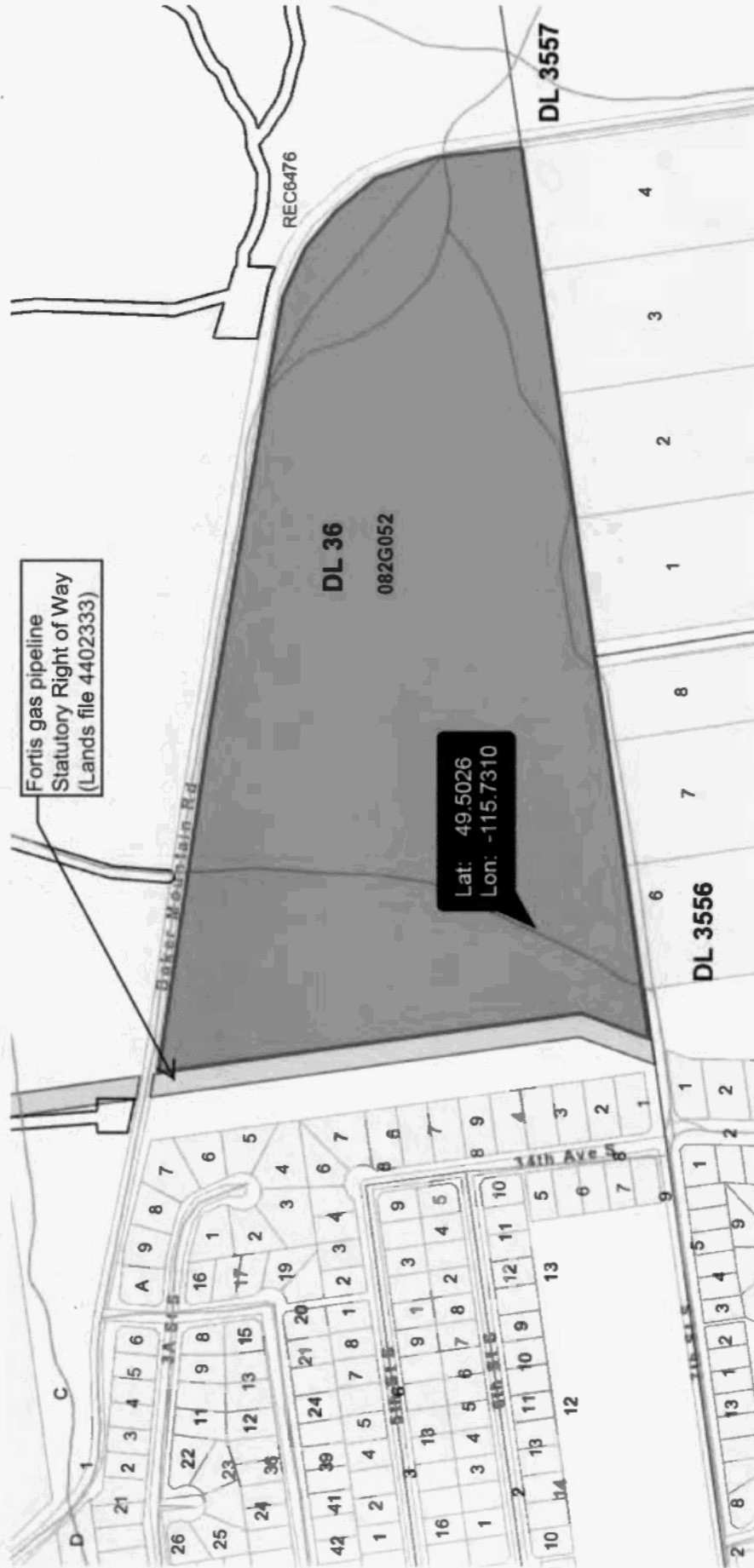
1. Highest and best use for the Crown land is "as is" with current zonation and ALR.
  - a. The parcel is to be appraised as if vacant and unimproved.
  - b. Proper zoning is to be assumed.
  - c. The final appraisal amount is subject to GST.
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9. The appraisal is to be completed by a fully qualified appraiser currently practising in Canada, an A.A.C.I. or R.I. (B.C.) with the appraisal option. Co-signing is not acceptable.
10. The appraisal will be reviewed. In order to assist us in the appraisal review, please provide names and telephone numbers of individuals who have provided sales or other information that cannot be confirmed with Land title Office searches.
11. If you require further information, please contact Christine Lohr, Land Officer at (250) 365-8627.

File No.: 4405812

Disposition No.:

## Map 2: Appraisal

That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in red and containing 19.8 hectares, more or less



Scale: 1:5,000

BCGS Mapsheet(s): 82G.052

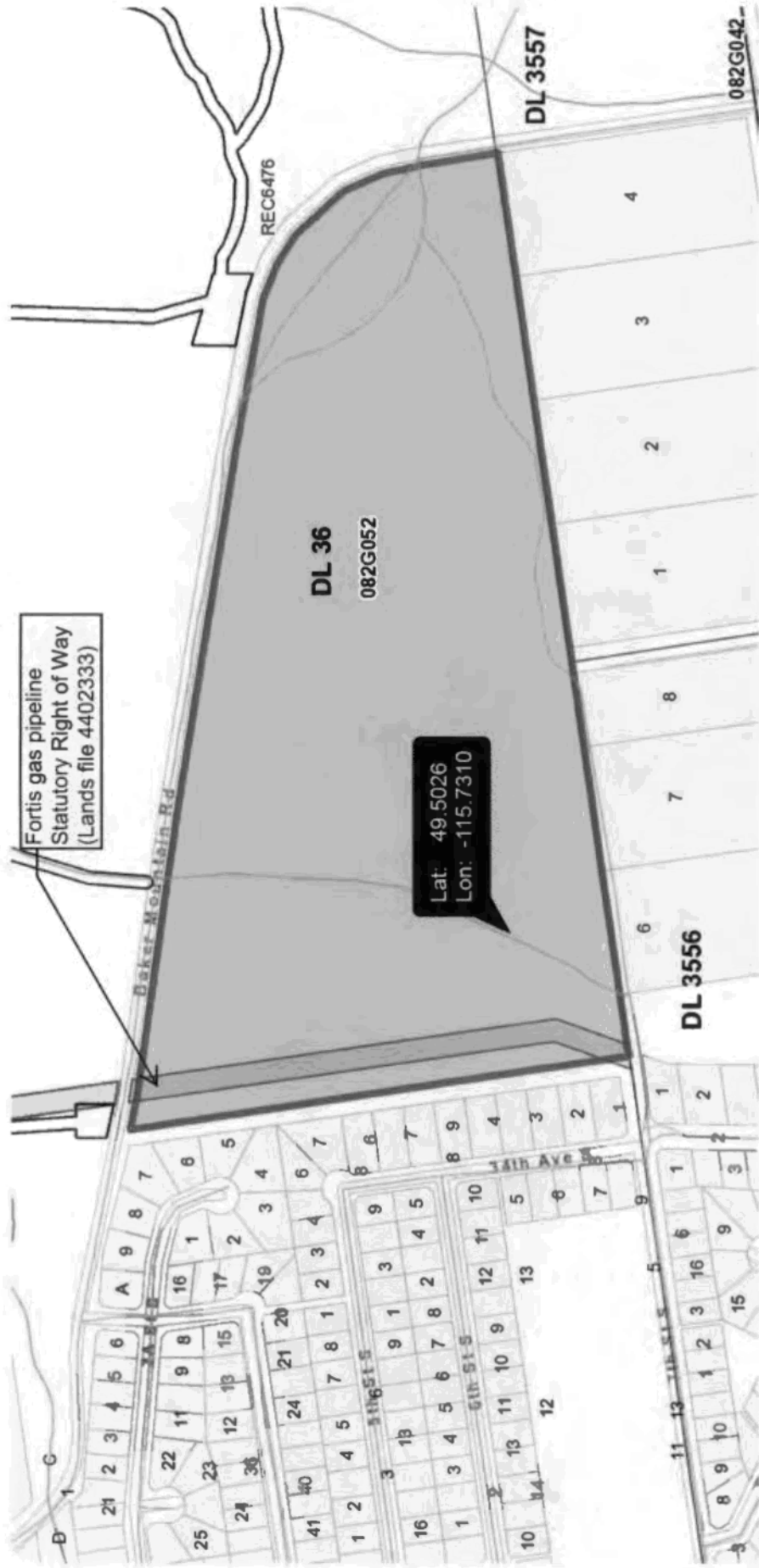


Area to be appraised



# Map 1: Appraisal

That part of District Lot 36, Kootenay District, except 1) part included in Plan 2668, 2) part included in RW Plan 1463 and 3) Parcel 1 (see 11814-I), more particularly shown outlined in red and containing 21.4 hectares, more or less



Scale: 1:5,000

BCGS Mapsheet(s): 82G.052



Area to be appraised



File No.: 4405812  
Disposition No.:



Page 1 of 1

[illegible]

**Lohr, Christine P FLNR:EX**

---

**From:** Morello, Ray FLNR:EX  
**Sent:** Wednesday, November 8, 2017 8:45 AM  
**To:** Cadogan, Iris FLNR:EX  
**Cc:** Lohr, Christine P FLNR:EX  
**Subject:** FW: Please approve contract request: Appraisal of Crown Land for Fiorentino Land Exchange (Elizabeth Lake)  
**Attachments:** nrs1400\_contract\_approval\_request\_form\_rev.docx; insurance nrs1289.pdf

CONTRACT APPROVAL

Hi Iris

Requesting ADM contract approval for KBR Lands to issue a contract to complete a valuation appraisal for a parcel of crown land. The appraisal is required as part of a private land/crown land exchange effort between Fiorentino and the Prov. The exchange is to add land to the Elizabeth Lake Sanctuary and Conservations Lands - max contract value is \$5000

Thanks

Ray

Ray Morello, RPF

Director, Authorizations, Kootenay Boundary Region

District Manager, Rocky Mountain Natural Resource District

Ministry of Forests, Lands and Natural Resource Operations and Rural Development  
1902 Theatre Road, Cranbrook, BC  
Phone: (250) 426-1718 Cell (250) 919-3847

---

**From:** Lohr, Christine P FLNR:EX  
**Sent:** Monday, November 6, 2017 5:41 PM  
**To:** Morello, Ray FLNR:EX  
**Subject:** Please approve contract request: Appraisal of Crown Land for Fiorentino Land Exchange (Elizabeth Lake)

Hi Ray, I spoke to Wade Schlatter, and he indicated that ADM / Rick Manwaring approval is required prior to entering into any contracts. I have completed the Contract Approval form and you also need to approve, prior to sending it to Rick Manwaring (Iris Codigan to forward).

Would you please review the contract approval form, and please approve? The contract value would be at most \$5000, for the appraisal works.

I am also attaching the insurance requirements form.

Thank you and please advise if you have any questions or concerns, thanks!

--Chris

*Christine Lohr, RPF*

**Acting Section Head**

Crown Lands Authorizations Division / Kootenay Boundary Region

845 Columbia Avenue

Castlegar, BC V1N 1H3

(250) 365-8627

**Lohr, Christine P FLNR:EX**

---

**From:** Schlatter, Wade CSNR:EX  
**Sent:** Monday, November 6, 2017 2:34 PM  
**To:** Lohr, Christine P FLNR:EX; Baker, Gena FLNR:EX  
**Cc:** Walker, Sandra J CSNR:EX; Dailey, Sharon H FLNR:EX; Russell, Julie CSNR:EX  
**Subject:** Land appraisal  
**Attachments:** Kootenay Boundary Q1 F18 Revenue Forecast.xlsx

Hi Gena, Chris,

I think the land would be identified in this spreadsheet. You can see there are a few properties with the 71L numbering.

I would code the land appraisal to 128/71921/30373/1531/7100000 if there isn't a project in column A. the coding can always be changed once Sharon gets back.

s.17

Wade Schlatter, MAIHM  
A/HQ Sr Financial Analyst  
Serving the Ministry of Forests, Lands, Natural Resource Operations and Rural Development  
Corporate Services for the Natural Resources Ministries  
Phone: 250-420-2166



**Lohr, Christine P FLNR:EX**

---

**From:** Lohr, Christine P FLNR:EX  
**Sent:** Monday, November 6, 2017 4:40 PM  
**To:** Morello, Ray FLNR:EX  
**Subject:** Please approve contract request: Appraisal of Crown Land for Fiorentino Land Exchange (Elizabeth Lake)  
**Attachments:** nrs1400\_contract\_approval\_request\_form\_rev.docx; insurance nrs1289.pdf

Hi Ray, I spoke to Wade Schlatter, and he indicated that ADM / Rick Manwaring approval is required prior to entering into any contracts. I have completed the Contract Approval form and you also need to approve, prior to sending it to Rick Manwaring (Iris Codigan to forward).

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I am also attaching the insurance requirements form.

Thank you and please advise if you have any questions or concerns, thanks!

--Chris

*Christine Lohr, RPF*  
**Acting Section Head**  
Crown Lands Authorizations Division / Kootenay Boundary Region  
845 Columbia Avenue  
Castlegar, BC V1N 1H3  
(250) 365-8627  
**Forests, Lands and Natural Resource Operations**

**\*\*If you have a question on how to apply for a Crown Land use: please call: FrontCounter BC (Toll free): 1-877-855-3222**





## Natural Resource Sector

## CONTRACT APPROVAL REQUEST

## MINISTRY IDENTIFICATION

Ministry:	<input type="checkbox"/> Indigenous Relations & Reconciliation <input type="checkbox"/> Agriculture <input type="checkbox"/> Energy, Mines and Petroleum Resources	<input type="checkbox"/> Environment and Climate Change Strategy <input checked="" type="checkbox"/> Forests, Lands, Natural Resource Operations and Rural Development	
Branch / Division:	Crown Lands Authorizations Division		
Region / City:	Kootenay Boundary Region, Cranbrook		
			Primary Contact for This Request (select one)
Expense Authority:	Ray Morello, Director of Authorizations	Phone: (250) 426-1718	<input type="checkbox"/>
Qualified Receiver:	Sharon Dailey	Phone: (250) 426-1753	<input checked="" type="checkbox"/>
Other contact - if applicable:	Christine Lohr	Phone: (250) 365-8627	<input type="checkbox"/>

## REQUEST DETAILS

Contract Number (if known):	OT1492025		
Project Title:	Appraisal of Crown Land for exchange with Fiorentino		
Ministry Cost Estimate:	\$5000		
Cost Recoverable:	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes - Recovery Source (e.g. name of Federal department, private organization, etc. / program or initiative name):  Amount of Recovery \$ Recovery Percentage: %		
Funding Source	Base \$5000 Other \$ Specify:		
Describe the Location, Services/Work, Purpose:	Appraisal of a Crown land parcel located near Cranbrook (on Baker Mountain Rd) to be exchanged with a privately-owned parcel adjacent to the Elizabeth Lake Sanctuary and Conservation lands		
Why Can't Existing Staff Fill the Need?	We do not have certified appraisers on staff.		
Describe the Impact on Program Delivery if Not Approved:	It is critical to know the value of the subject Crown land, in order to ensure an equitable exchange of land. The appraisal will ensure Crown assets are properly valued.		
If Direct Award:	N/A		
Include Option to Renew:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Anticipated Term of Agreement:	From: November 20, 2017	To: December 15, 2017	

### Core Policy Compliance Checklist

Y N n/a

Contract planning needs to be appropriate to the value of and complexity / risks associated with the services or work. Following are some key Core policy and best practices items. However, **this is not a complete list**. References are available at: Chapter 6 of the Core Policy & Procedures Manual, and the Financial Services Procurement Website: Planning.

- |    |  |                          |                                     |                                     |
|----|--|--------------------------|-------------------------------------|-------------------------------------|
| 1. | The Goods and Services Catalogue has been searched and a Corporate Supply Arrangement (CSA) is not available for the required services / works (CPPM 6.3.2.c.2). – Correct – no available supplier -   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                                     |
| 2. | If request is for a service contract over \$100,000, has a Cost Benefit Justification (CBJ) been prepared and placed on the contract file in the event review of the CBJ is needed (CPPM 6.3.1.5)?   | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 3. | If this contract is being direct awarded to a contractor that has been used for similar work in the previous 3 months (3 months from previous expiry date), the new contract must be approved by an expense authority with authority for the combined total of the contracts. If this condition applies to the requested contract, has the contract been approved by the appropriate expense authority (CPPM 6.3.1.4)? | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 4. | The contract will not establish an employer / employee relationship (CPPM 6.3.1.7).  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                                     |

### Best Practices Checklist

- |  |   |  |                                     |                          |
|--|---|--|-------------------------------------|--------------------------|
| 1.   | Has a Risk Assessment been done to determine appropriate insurance requirements? Refer to the <u>Insurance Requirements Matrix (NRS 1289)</u> . |  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Contract Type:   | <input type="checkbox"/> Consulting & General Services (e.g. GSA, FS1)  | <input type="checkbox"/> Minor Works (less than \$100K)                                  |                                     |                          |
|  | <input type="checkbox"/> Operational Field Services   | <input type="checkbox"/> Major Works (\$100K or more, or high risk work at lower values) |                                     |                          |
|  | <input checked="" type="checkbox"/> Local Minor Works / Services<br>Services (NRS782 – simple / low risk / \$5K max)                            | <input type="checkbox"/> Other contract/custom agreement - specify:                      |                                     |                          |
| If unsure of appropriate form of agreement, contact the Contract Support mailbox at <a href="mailto:CSNR.ContractSupport@gov.bc.ca">CSNR.ContractSupport@gov.bc.ca</a> .   |   |  |                                     |                          |
| Custom agreements, or modifications to any terms / conditions of an approved contract template, must be vetted through CSNR Procurement Policy and Advice ( <a href="mailto:CSNR.ContractSupport@gov.bc.ca">CSNR.ContractSupport@gov.bc.ca</a> ) for legal and/or risk management review and approval. |   |  |                                     |                          |

### ACCOUNT & PROCUREMENT CODING

Account Coding (STOBS: See Master STOB List & Description / Expense Tab if needed)

Client #	Response Centre #	Service Line #	STOB #	Project #	AMOUNT
128	71921	30373	1531	7100000	\$5000

See Code Descriptions at end of form for full descriptions.

Procurement Process Code (where direct award applies, include the necessary details in the justification section of this form)		
<input type="checkbox"/> 100 OPEN COMPETITIVE PROCESS	<input type="checkbox"/> 203 DIRECT AWARD – SECURITY, ORDER, Etc. Define how there would be interference.	<input type="checkbox"/> 207 DIRECT AWARD – SERVICES AND CONSTRUCTION UNDER \$25,000 not reasonable or cost effective to compete
<input type="checkbox"/> 200 DIRECT AWARD – PUBLIC SECTOR ORGANIZATION	<input type="checkbox"/> 204 DIRECT AWARD – CONFIDENTIALITY. Define how open bidding harms the ministry's confidentiality.	<input type="checkbox"/> 300 COMPETITIVE PROCESS AMONG SELECTED VENDORS. CONSTRUCTION AND SERVICES UNDER \$75,000 (no use of pre-qualification / select list).
<input type="checkbox"/> 201 DIRECT AWARD – SOLE SOURCE. If using this code, in the Justification area of the "If Direct Award" section of this form, clearly define how you have strictly proven that only one contractor is qualified and/or available.	<input type="checkbox"/> 205 DIRECT AWARD – NOTICE OF INTENT (No substantiated objections)	<input type="checkbox"/> 400 SELECTED VENDOR FROM PRE-QUALIFIED LIST (without undertaking a competitive process)
<input type="checkbox"/> 202 DIRECT AWARD – EMERGENCY	<input type="checkbox"/> 206 DIRECT AWARD – PERMITTED UNDER ANOTHER CORPORATE POLICY OR LEGISLATION	<input checked="" type="checkbox"/> 401 COMPETITION AMONG VENDORS ON A PRE-QUALIFICATION LIST
<input type="checkbox"/> 500 Purchase from a Corporate Supply Arrangement (CSA)		

**Trade Agreement Exclusion Codes**

<input type="checkbox"/>	100	Purchase Subject to Agreement on Internal Trade (AIT)	<input type="checkbox"/>	500	Excluded – Security, Order, Etc.
<input checked="" type="checkbox"/>	200	Purchase Below Applicable AIT threshold	<input type="checkbox"/>	600	Excluded – Product Compatibility / Exclusive Rights
<input type="checkbox"/>	300	Purchase of an Exempted Commodity / Service	<input type="checkbox"/>	700	Excluded – Procurement of Prototype
<input type="checkbox"/>	400	Excluded - Emergency	<input type="checkbox"/>	800	Excluded – Regional / Economic Development

**Contract Category (re: STObs 60, 61, and 63)**

<input type="checkbox"/>	GMA	<input type="checkbox"/>	PRA	<input type="checkbox"/>	BSA
<input type="checkbox"/>	HR/LR	<input type="checkbox"/>	PM	<input type="checkbox"/>	OP
<input type="checkbox"/>	IT	<input type="checkbox"/>	COM	<input checked="" type="checkbox"/>	OTH

**APPROVAL**

Authorization below (or attached) provides approval to proceed with soliciting new contract, i.e. ITQ / ITT / RFP / direct award.

Unless otherwise directed by local procedures, e-mail approval is acceptable provided the completed version of this form is included in the e-mail string.

**CONTRACT MANAGER / QUALIFIED RECEIVER - optional**\_\_\_\_\_  
Signature\_\_\_\_\_  
Date

Print Name: Christine Lohr or Sharon Dailey

**PROGRAM MANAGER / EXPENSE AUTHORITY - required**\_\_\_\_\_  
Signature\_\_\_\_\_  
Date

Print Name:

**ADM – as required**\_\_\_\_\_  
Signature\_\_\_\_\_  
Date

Print Name:

**CODE DESCRIPTIONS**  
**CONTRACT APPROVAL REQUEST - NATURAL RESOURCE SECTOR**

Procurement Process Codes	
Code	Description
100	<b>Open competitive process:</b> An open competitive solicitation process (e.g., Invitation to Quote, Request for Proposal, Joint Solution Procurement, Invitation to Tender, or other) has been used normally by advertising the opportunity on BC Bid.
200	<b>Direct Award - Public sector organization:</b> Contracts may be negotiated and directly awarded without competitive process where the contract is with another government organization.
201	<b>Direct Award - Sole source:</b> Contracts may be negotiated and directly awarded without competitive process where the ministry can strictly prove that only one contractor is qualified to provide the goods, services or construction or is capable of engaging in a disposal opportunity.
202	<b>Direct Award - Emergency:</b> Contracts may be negotiated and directly awarded without competitive process where an unforeseeable emergency exists and the goods, service or construction could not be obtained in time by means of a competitive process.
203	<b>Direct Award - Security, order, etc.:</b> Contracts may be negotiated and directly awarded without competitive process where a competitive process would interfere with a ministry's ability to maintain security or order or to protect human, animal or plant life or health.
204	<b>Direct Award - Confidentiality:</b> Contracts may be negotiated and directly awarded without competitive process where the acquisition is of a confidential or privileged nature and disclosure through an open bidding process could reasonably be expected to compromise government confidentiality, cause economic disruption or be contrary to the public interest
205	<b>Direct Award - Notice of Intent:</b> When a contract for services or construction valued at \$50,000 or more, is intended to be directly awarded on the basis that there is only one vendor that can provide the services or goods required, but this cannot be strictly proven, a Notice of Intent must be posted on BC Bid.
206	<b>Direct Award:</b> Use this code where the Direct Award was permitted under another corporate policy or legislation. Do not use this code if another direct award code applies.
207	<b>Direct Award - Services and Construction Under \$25,000:</b> Any service or construction opportunity, or supply arrangement for the supply of services or construction, with an estimated value of less than \$25,000, should be competed to the extent reasonable and cost effective. Do not use this code if one of the exceptions in <u>Core Policy and Procedures Manual: Chapter 6.3.3(a)</u> applies. In that case use one of codes 200 to 204 whichever applies.
300	<b>Competitive Process Among Selected Vendors (Construction and Services under \$75,000):</b> A competitive solicitation process among a limited list of vendors and not advertised on BCBid (i.e. solicitation of three or more vendors) If vendors are on a pre-qualification list, then use 401.
400	<b>Selected Vendor from Pre-qualification List:</b> Select this code for a contract that is issued to a vendor on a pre-qualification list without undertaking a competitive process. The process followed must be consistent with the rules set out in the original request for qualifications.
401	<b>Competition Among Vendors on a Pre-qualification List:</b> A competitive solicitation process among a limited list of vendors selected from a pre-qualification list. Select this code if a competitive solicitation process is conducted among a limited list of vendors selected from a pre-qualification list. The process followed to select vendors must be consistent with the rules set out in the original request for qualifications.
500	<b>Purchase from a Corporate Supply Arrangement (CSA):</b> A purchase from a pre-established corporate supply arrangement such as a Master Standing Offer, Standing Offer or the Queens Printer.

Codes continued . . .

**Trade Agreement Exclusion Codes** – These codes reflect Agreement on Internal Trade (AIT) reporting requirements and thresholds only. Do not use these codes to track compliance with policy or with the New West Partnership Trade Agreement (NWPTA) or other applicable trade agreements.

Code	Description
100	<b>Purchase subject to Agreement on Internal Trade (AIT):</b> The purchase is over the trade agreement (AIT) threshold for national advertising (\$25K for goods / \$100K. for services / \$100K. for construction) and is not excluded or exempted under any other category below.
200	<b>Purchase below applicable AIT threshold:</b> The purchase is under the trade agreement thresholds (dollar values as noted above).
300	<b>Purchase of an exempted commodity/service:</b> The purchase is for goods, services or construction that is exempted from coverage of AIT or to which AIT does not apply by virtue of its specific reference in AIT (for example grants, entitlements or ministerial appointments).
400	<b>Excluded – Emergency:</b> A purchase where an unforeseeable situation of urgency exists and the goods, services or construction cannot be obtained in time by means of an open procurement.
500	<b>Excluded - Security, order, etc.:</b> A purchase where compliance with the open tendering provisions set out in AIT would interfere with the Province's ability to maintain security or order or to protect human, animal or plant life or health.
600	<b>Excluded - Product compatibility/exclusive rights:</b> A purchase which must: ensure compatibility with existing products; recognize exclusive rights, such as exclusive licenses, copyright and patent rights; or maintain specialized products that must be maintained by the manufacturer or its representative.
700	<b>Excluded - Procurement of prototype:</b> The procurement of a prototype or a first good or service to be developed in the course of and for a particular contract for research, experiment, study or original development, but not for any subsequent purchases.
800	<b>Excluded - Regional/Economic development:</b> A purchase which, under exceptional circumstances, may be excluded by the Province from the application of applicable chapters of the agreements for regional and economic development.

**Contract Category for STOB 60, 61, and 63:** The following definitions are to be used to classify contracts in STOBs 60, 61, and 63 which fall into the categories listed. If the contract does not fit into one of these broad categories, it should be excluded from the analysis. If the contract falls into more than 1 category, choose the predominant category. Recoverable contracts should be identified as such and will be excluded from the information submitted to central agencies if submission is required.

Code	Description
GMA	<b>General Management Advice:</b> Contract providing information for, or advice on, the planning and/or management of programs.
HR/LR	<b>Human Resources &amp; Labour Relations:</b> Contracts providing Human Resources services or human resource related services such as coaching/facilitation and organizational design.
IT	<b>Information Technology:</b> Consulting services related to information technology. This would include contracts consulting on systems development or management of systems. It would not include the work done to develop the system, writing code, data entry etc
PRA	<b>Policy, Research and Analysis:</b> Contracts providing planning services that contribute to or recommend policy, or consultation on policy issues; contracts that provide research and analysis to advise in program management
PM	<b>Project Management:</b> Contracts where an external project manager is hired to run a project or facilitate activities.
COM	<b>Communications:</b> Contracts providing professional services related to the planning writing, preparation or distribution of communications.
BSA	<b>Business Support &amp; Administrative:</b> Contracts where administrative support is supplied such as administrative service, filing, cataloguing, records administration, etc. Also includes Secretariat support services.
OP	<b>Operational:</b> Contracts where non-consulting type work is being performed that is performing a service that does not fit into one of the categories above. Examples include data entry, building fences, maintenance activities, writing and delivery of training program.
OTH	<b>Other:</b> Contracts which do not fall into any of the above categories.



# Insurance Requirements for Ministry Contracts Natural Resource Sector

Contract/Project Name: Appraisal of Crown Land for exchange with Fiorentino

Contract or File No: OT1492025

**Note:** Any "Yes" answer leads to the requirement for insurance.

TYPE OF INSURANCE	INSURANCE REQUIREMENT		
	Yes	No	Comments
<b>COMMERCIAL GENERAL LIABILITY INSURANCE</b>			
<i>See EXAMPLES OF ACTIVITIES CONSIDERED HIGH-RISK at the end of this document</i>			
<b>Does the contract involve:</b> <ul style="list-style-type: none"> <li>A major works contract? <b>OR</b></li> <li>Labour intensive services or construction work that takes place in a location that is:                             <ul style="list-style-type: none"> <li>(a) adjacent or nearby private property; or</li> <li>(b) located where members of the public are or could be present, beside the site, or passing through;</li> </ul>                             such that it poses <i>some</i> potential for damage to private property or injury/loss to a member of the public or the Province? <b>OR</b> </li> <li>there is a requirement for professional liability insurance? <b>OR</b></li> <li>An activity which is inherently dangerous, such as shoring, blasting, excavating, underpinning, demolition, removal, pile driving and caisson work, work below ground surface, and tunnelling and grading?</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> <li>(CGL) as per Schedule B (works contracts) or Schedule D (services contracts).</li> <li>The Province must be 'additionally insured'.</li> <li>Must include a cross liability clause.</li> <li><b>Do not exempt incorporated companies or societies from the requirements of CGL.</b></li> </ul>
<b>\$2 million per occurrence</b>			
<b>Endorsements to CGL - Fire Fighting Expense Endorsement</b>			
<b>Does the contract involve:</b> <ul style="list-style-type: none"> <li>Work in a forested location during fire season where the contractor may be exposed to claims to pay fire fighting expenses for fire caused by the contractor, its employees, or subcontractors? Intended for use where there is a real possibility the contractor could start a fire from ground operations (i.e., sparks from equipment, etc.)</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>May be added to Schedule D (services contract) or Schedule B (works contract) where considered necessary.</li> </ul>
<ul style="list-style-type: none"> <li>\$500,000 - outside fire season.</li> <li>\$1,000,000 - during fire season.</li> </ul>			
<b>Endorsements to CGL - Sudden and Accidental Pollution Endorsement</b>			
<b>Does the contract involve:</b> <ul style="list-style-type: none"> <li>Contractor has large amounts of hazardous substances which, if spilled or released accidentally, could cause property damage, bodily injury or be expensive to clean up. Potential for any form of pollution to <i>suddenly</i> and accidentally cause environmental or property damage (e.g., an oil or poisonous fluid spill by a dump truck or excavator beside a fish bearing stream).</li> </ul> <p><b>Note:</b> coverage might be added by endorsement to a CGL but not every insurer can provide this type of endorsement, so a stand-alone policy may be necessary.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>May be added to Schedule D (services). It is a mandatory requirement of all major works contracts and optional for equipment rentals and minor works contracts at the discretion of the expense authority, subject to a risk analysis.</li> </ul> <p><b>Note:</b> see also Environmental Impairment Liability for seeps, drips or leaks, etc., that <i>eventually</i> cause damage over time)</p>
<p>Based on the hazards, likelihood and frequency of occurrence, potential damages, etc.</p> <p>High impact = higher level of coverage.</p> <p>\$250,000, \$500,000, or \$1 million</p>			
<b>Off-Road Vehicle Liability</b>			
<b>Does the contract involve:</b> <ul style="list-style-type: none"> <li>Operations of off-road vehicles used in the performance of services</li> </ul> <p>The following are ORV vehicle types:</p> <ul style="list-style-type: none"> <li>Golf carts</li> <li>Snow vehicles</li> <li>Snowmobiles</li> <li>All-terrain vehicles (ATV)</li> <li>Trucksters, and</li> <li>Restricted use motorcycles (RUMs)</li> </ul> <p><b>Note:</b> coverage can be obtained from ICBC (Unlicensed Vehicle Policy (APV 45) or private insurers. The Certificate of Insurance may come back from the insurance broker noting this.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/> <b>No</b>	<ul style="list-style-type: none"> <li>Where ORV's will be used, whether off or on highway, mandatory coverage is required.</li> </ul> <p><b>Note:</b> see also Automobile Liability</p>
<b>\$2 million</b>			

TYPE OF INSURANCE	INSURANCE REQUIREMENT		
	Yes	No	Comments Minimum Amount
<b>AUTOMOBILE LIABILITY INSURANCE (ICBC)</b>			
<b>Does the contract involve:</b> <ul style="list-style-type: none"> <li>The use of one or more vehicles or off-road vehicles owned, operated, or licensed in the name of the contractor, which are used extensively in the performance of the work/services by the contractor while on Crown Provincial forest land or ministry property (excluding driving to/from the work site and not using the vehicle any further) (e.g., recreation site maintenance)?</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>As per Schedule D (services contract) and Schedule B (works contract).</li> <li>Includes coverage for off road vehicles (ORV) when the ORV is operated on highways or across highways</li> </ul> <p>Based on the hazards, likelihood and frequency of occurrence, exposure, potential damages, etc. High impact/exposure = higher level of coverage. For example, fuel tanker trucks. \$2 to \$3 million per occurrence and up to \$5 million for higher hazard</p>
<b>PROFESSIONAL ERRORS AND OMISSIONS LIABILITY INSURANCE</b>			
<b>Does the contract involve:</b> <ul style="list-style-type: none"> <li>Services of professionals providing services that require a degree of specialized skills, expertise or knowledge and who are held to a higher standard of care than the average person. <b>AND</b></li> <li>Could the advice provided, the written specifications, a prescription, assessment or appraisal, improper treatment, inaccurate advice, inaccurate or inadequate information, typographical or recording errors, or the design of a structure that is negligent or faulty by means of error or omission of the professional result in significant financial losses or damages or cause bodily injury or property damage to the ministry or a third party?</li> </ul> <p><b>NOTE:</b> professional liability insurance would not be required if the professional's advice will not be the final recommendation and solely relied on without further review by internal ministry or other 3<sup>rd</sup> party expertise.</p> <p>Professionals include, but not limited to:</p> <ul style="list-style-type: none"> <li>architects/landscape architects</li> <li>engineers (structural, mechanical, electrical, geotechnical, civil, etc.)</li> <li>surveyors</li> <li>construction and project managers</li> <li>applied science technologists</li> <li>geoscientist</li> <li>information technology consultants</li> <li>management consulting professionals</li> <li>financial assurance services</li> <li>lawyers/law firms</li> <li>accountants/financial advisors</li> <li>employment agencies</li> <li>advertising agencies/graphic designers</li> <li>forensic and accident investigators</li> <li>forestry/environmental consultants</li> <li>scientists like biologists, geologists, chemists</li> <li>testing/diagnostic laboratories</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> <li>As per Schedule D (services contracts).</li> <li>Insert the following special indemnification clause into the services schedule (typically schedule A) or additional terms schedule <u><b>ONLY if the work is to be performed by an architect, landscape architect, surveyor, construction and project manager, applied science technologist, geoscientist, or engineer (structural, mechanical, electrical, geotechnical, civil, or otherwise registered under the Engineers and Geoscientist Act in British Columbia), (NOT for any other professional):</b></u></li> </ul> <p>The Contractor and the Province agree that Section ____ of the Agreement is deleted and replaced with the following:</p> <p>The Contractor hereby agrees to indemnify and save harmless the Province, its successor(s), assign(s) and authorized representative(s) and each of them from and against all losses, claims, damages, actions and causes of action (collectively referred to as "claims") that the Province may sustain, incur, suffer or be put to at any time either before or after the expiration or termination of this Agreement, that arise out of errors, omissions or negligent acts of the Contractor or its subcontractor(s), servant(s), agent(s) or employee(s) under this Agreement, excepting always that this indemnity does not apply to the extent, if any, to which the Claims are caused by errors, omissions or the negligent acts of the Province, its other contractor(s), assign(s) and authorized representative(s) or any other person.</p> <p>The required amounts are dependent on the type of professional services being used and are laid out in the FS1-d under Options #1, #2, &amp; #3.</p> <p>If your ministry uses the GSA contract form, the FS1-d will provide easy access to copy and paste the appropriate clause for your use.</p>
<b>AVIATION LIABILITY INSURANCE</b>			
<b>Does the contract involve:</b> <ul style="list-style-type: none"> <li>The operation or use of owned or non-owned aircraft necessary for the performance of the contract (i.e., infrared scanning, aerial or drift misapplication of herbicide or fertilizers)?</li> </ul> <p><b>Note:</b> aircraft insurance is not required where the aircraft is not used in the performance of the services under the contract (i.e., the contractor has opted to utilize aircraft as a means of transportation to/from the work site). (Incidental use as a means of transportation to and from the worksite does not require this liability insurance.)</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>The Province must be 'additionally insured'.</li> <li>Must have cross-liability clause.</li> </ul> <p><b>Note:</b> where the entire aviation portion of the contract will be sub-contracted to another party by the contractor, the air provider's own certificate of insurance may be substituted for our BC Certificate of Insurance for this coverage only.</p> <p>The required amounts are laid out in the FS1-d (if your ministry uses the GSA contract form, the FS1-d will provide easy access to copy and paste the appropriate clause for your use).</p> <p>Minimum \$50,000 aerial drift or misapplication.</p>

TYPE OF INSURANCE	INSURANCE REQUIREMENT		
	Yes	No	Comments
<b>WATERCRAFT LIABILITY INSURANCE</b> (also known as marine liability insurance)			
<b>Does the contract involve:</b> <ul style="list-style-type: none"> <li>Is the use of a floating vessel or structure necessary for the performance of the contract and an integral part of the contractor's operations (e.g., silviculture contract requiring the barging of crew/equipment to the work site)? <b>AND</b></li> <li>It would not be possible to perform the agreement without it?</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>The Province must be 'additionally insured'.</li> <li>Must have cross-liability clause</li> </ul> <p><b>Note:</b> in some cases this coverage can be included in a CGL policy (as determined by the insurance broker). Ask for this policy if you are unsure about the type of watercraft or whether there would be coverage under the CGL. The certificate of insurance may come back noting that there is no policy but that coverage required is already included in the CGL.</p> <p><b>Note:</b> for marina facilities, boat storage, boat repair etc. please contact a CSNR Procurement Specialist.</p>
<b>Endorsements to Watercraft Liability Insurance - Sudden and Accidental Pollution Endorsement</b>			
<b>Does the contract involve:</b> <ul style="list-style-type: none"> <li>Will there be higher risks due to contractor having large amounts of hazardous substances on the vessel which, if spilled or released accidentally could cause property damage, bodily injury or be expensive to clean up?</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>Note:</b> if no endorsement available, a separate policy is required and the COI may come back from the insurance broker noting this.</p> <p>Based on the hazards, likelihood and frequency of occurrence, potential damages, etc.</p> <p>High impact = higher level of coverage.</p> <p>\$250,000, \$500,000, or \$1 million</p>
<b>PROPERTY INSURANCE</b> (ministry assets)			
<b>Does the contract involve:</b> <ul style="list-style-type: none"> <li>Will the province's property be used by the contractor? <b>OR</b></li> <li>Will the province's property be in the care, custody or control of the contractor (e.g., storage facilities)?</li> </ul> <p><b>NOTE:</b> for Major Works Contracts, this is already part of the Builders' All Risk included on the Insurance Schedule.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>Coverage for ministry owned assets</li> <li>The Province must be "named insured"</li> <li>Must include a waiver of subrogation in favour of the Province.</li> </ul> <p><b>Note:</b> does not include vehicle out for repair or transportation only (e.g., courier, shipping) of ministry property (see Motor Truck Cargo Insurance)</p> <p>An amount to cover full replacement cost.</p>
<b>ALL-RISK PROPERTY INSURANCE</b>			
<b>Option #1 - Does the contract involve:</b> <ul style="list-style-type: none"> <li>Is the contractor performing the work out of their own facilities? <b>AND</b></li> <li>Is the services being provided major or an essential service? <b>AND</b></li> <li>If the contractor's assets are lost or damaged, will it impair the contractor's ability to perform the contract?</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>Coverage for services taking place in contractor's own facilities</li> <li>Must include a waiver of subrogation in favour of the Province.</li> </ul> <p>An amount to cover full replacement cost and extra expenses to continue operations.</p>
<b>Option #2 - Does the contract involve:</b> <ul style="list-style-type: none"> <li>Is the contractor using expensive, special equipment to perform key electronic-based services? <b>AND</b></li> <li>If the contractor's assets are lost or damaged, will it impair the contractor's ability to perform the contract?</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>Coverage for expensive, special, electronic equipment.</li> <li>Must include a waiver of subrogation in favour of the Province.</li> </ul> <p>An amount sufficient to replace the equipment.</p>
<b>BUILDERS ALL-RISK INSURANCE (construction contracts)</b>			
<b>Does the contract involve:</b> <ul style="list-style-type: none"> <li>Construction of buildings or other above-ground structures and the contract value is &gt; \$25,000?</li> <li>Construction of bridges and the contract value is &gt; \$100,000? Construction of gravel roads is non-insurable. Where the project includes a high proportion of culverts, guard rails, or other above-ground permanent structures, that portion is insurable.</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>As per Schedule B (works contract), where considered necessary</li> <li>Must have a waiver of subrogation in favour of the Province.</li> <li>Includes property or equipment for the Work while in transit.</li> </ul> <p>Standard: full value of the contract price; or, for road construction, the full value/price of the bridge, building, culverts, or other permanent structure only where these comprise a high proportion of the project, but not its full value since there are other construction aspects in the contract that are non-insurable (i.e., excavations, gravel roads, etc.)</p>



TYPE OF INSURANCE	INSURANCE REQUIREMENT			
	Yes	No	Comments	Minimum Amount
<b>CONTRACTOR'S CONSTRUCTION EQUIPMENT INSURANCE (construction contracts)</b>				
<b>Does the contract involve:</b> <ul style="list-style-type: none"> <li>Are there heavy construction machinery, equipment, or other assets used by the contractor for performance of the contract, that, if lost or damaged, would result in significant delays in contract completion due or costs associated with abandonment of the contract?</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>As per Schedule B (works contract) and equipment rental agreements condition.</li> </ul>	An amount to cover all equipment used under the contract to enable prompt repair/ replacement of the equipment, at contractor's discretion, in accordance with contract insurance requirements.
<b>MOTOR TRUCK CARGO INSURANCE</b>				
<b>Does the contract involve:</b> <ul style="list-style-type: none"> <li>Stand-alone contract to supply transportation <b>only</b> of ministry owned machinery or equipment? (e.g., courier, shipping company, etc.)</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>The Province must be 'named insured'.</li> </ul>	An amount sufficient to cover the maximum value of the load(s) being transported per vehicle
<b>EMPLOYEE DISHONESTY INSURANCE</b>				
<b>Does the contract involve:</b> <ul style="list-style-type: none"> <li>Does the service include security or janitorial services, armoured car services, couriers, debt collectors, any contractor handling money or who has access to ministry cash or assets?</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>Must protect the Province by way of a "third party endorsement"</li> </ul>	Minimum of \$5,000 and up to \$100,000 depending on the values at risk and the number of contractor's personnel exposed to ministry assets.
<b>ENVIRONMENTAL IMPAIRMENT LIABILITY (also known as Pollution Legal Liability, Environmental Site Liability, and Pollution Premises Liability)</b>				
<b>Does the contract involve:</b> <ul style="list-style-type: none"> <li>Will there be significant risk of discharge, dispersal, release or escape of significant quantities of irritants, contaminants, or pollutants into or upon land, air, or water and cause harm if accidentally spilled and/or which gradually over a slow, lengthy period of time seep to neighboring properties building contamination (i.e., release of pollutants from a pulp mill into the environment over a 20 year period, leaks from fuel tanks at gas stations, etc.)?</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Contact a ministry Contract Procurement Advisor at <a href="mailto:CSNR.ContractSupport@gov.bc.ca">CSNR.ContractSupport@gov.bc.ca</a>	This coverage includes removal, transportation and disposal of contaminants from the site.  It does not <b>typically</b> cover for the sole function of transporting, warehousing and ultimate disposal of hazardous waste unless specifically obtained by a company in that business.
<b>PERSONAL LIABILITY INSURANCE</b>				
<b>Does the contract involve:</b> <ul style="list-style-type: none"> <li>Is the contract with a private individual that relates to use of their private residence for non-commercial purposes on the land or the improvements (e.g., private moorage, staging site, etc.)?</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>Coverage is part of Homeowners Policy.</li> </ul> Contact a ministry Contract Procurement Advisor at <a href="mailto:CSNR.ContractSupport@gov.bc.ca">CSNR.ContractSupport@gov.bc.ca</a>	Minimum amount of \$1 million.

Completed by: Name (print): CHRISTINE LOHR

Signature: Christine Lohr

Date: Nov. 6/2017

#### EXAMPLES OF ACTIVITIES CONSIDERED HIGH-RISK

##### Mandatory CGL Requirements Include (but not limited to):

- all major works contracts
- all Equipment Rental Agreements
- all contracts where Professional Liability Insurance is a requirement
- aerial fertilization<sup>3</sup>
- aerial cone collection<sup>2</sup> (other methods<sup>1,3</sup>)
- mechanical site preparation<sup>3</sup>
- vegetation management (Includes aerial<sup>2</sup>, ground<sup>3</sup>, mechanical brushing, or livestock<sup>3</sup> methods) (physical methods<sup>1,3</sup>)
- forest health - MSMA application<sup>3</sup>
- forest health - fall and burn<sup>2</sup> (pheromone bait trap placement, assessment, and eradication<sup>1</sup>)

##### Optional Requirements for CGL (include but not limited to):

- juvenile spacing<sup>1,3</sup>
- pruning<sup>1,3</sup>
- tree planting<sup>1,3</sup>

<sup>1</sup> CGL required only if work area adjacent (means bordering or if during fire season, 1 km) to private property or near public facilities or recreational areas (near means potential to encounter users on a regular basis) or if contract term is between April 1 and October 31 or other periods of extreme fire hazard

<sup>2</sup> Forest Fire Fighting Liability endorsement to the CGL required throughout the term of the contract

<sup>3</sup> Forest Fire Fighting Liability endorsement to the CGL required during fire season (April 1 and October 31<sup>st</sup> or other extreme fire hazard)



File: P 151 300  
Your Reference No. 257747

August 8, 2017

Sharon Dailey, Land Officer  
Ministry of Forests, Lands, Natural Resource Operations and Rural Development  
1902 Theatre Road  
Cranbrook BC V1C 7G1

Dear Sharon:

**Re: Leeco Holdings, Tinco Holdings and Kaco Holdings**

The RDEK Board reviewed this referral at its meeting on August 4, 2017 and adopted Resolution 47212:

*"THAT the Ministry of Forests, Lands, Natural Resource Operations and Rural Development be advised the RDEK has the following comments on the application to exchange a 35 ha privately owned lot located near Elizabeth Lake with a 22 ha portion of a Crown-owned lot on Baker Mountain Road, both in the vicinity of Cranbrook:*

- The protection of environmentally sensitive areas surrounding Elizabeth Lake is supported;*
- The City of Cranbrook be consulted regarding a potential municipal boundary adjustment to take in the Baker Mountain Road property and extend municipal services to it for urban density residential development;*
- The land swap consider the valuation of the Baker Mountain Road property's development potential due to its gentle topography, proximity to City services and access to constructed road frontage.*

If you require further information, please contact Tracy Van de Wiel, Planning Technician, at 250-489-0306.

Sincerely,

Andrew McLeod  
Planning & Development Services Manager

AM/hch

PROVINCE OF  
BRITISH COLUMBIA

AUG 15 2017

RECEIVED  
CRANBROOK, BC

Page 114

Withheld pursuant to/removed as

s.13



## Response Roll-up Report

FrontCounter BC

**Referral Type:** Miscellaneous Land Uses  
**Reference Number:** 257747  
**Legislated Only:** No

**Referral Number:** 94320078  
**Referral Status:** In Summary

### Recommendations

Request	Other	
0	0	Approval of project is supported.
0	0	Interests unaffected.
3	0	No objection to approval of project.
1	0	Approval of project is supported subject to the conditions outlined below. (please explain below)
1	0	No objection to approval of project subject to the conditions outlined below.
0	0	Approval of project is not supported for reasons outlined below. (please explain below)
0	0	Recommend refusal of project due to reasons outlined below.
0	0	N/A

### Requests

**Organization:** Ministry of Forests Lands & Natural Resource Operations - Rocky Mtn Forest District - Cranbrook  
**Respondent:** Bernie Hulstein  
**Closed By:** Catherine Hulstein  
**Recommendation:** No objection to approval of project.

**Request Number:** 003  
**Legislated:** No  
**Referral Level:** Optional

Yes	No	N/A	Question
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does this application impact your agency's legislated responsibilities? If yes, how will the proposal impact your legislated responsibility and please identify the relevant legislation (section) and what mitigative measures will be required to address these impacts in the response text box at the bottom of the page.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If the proposal proceeds, will the proponent require approval or a permit from your agency? If yes, please explain in response text box at the bottom of the page.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will on-going compliance monitoring be required by your agency as a result of your legislated responsibilities? If yes, please explain what will be required in the response text box at the bottom of the page.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Will this application affect public use of this area? If yes, please explain in the response text box at the bottom of the page.

### Explanation of Response



Affect on Public Use: expect that transfer of public land to private (along Baker Mountain Road) will be offset by transfer of private land to public (Conservation Lands near Elizabeth Lake).

Forest Tenures: No conflicts identified.

Range: This parcel is not part of any Range tenure and is adjacent to the city. No range concerns.

Roads: No FSR's involved in this transfer. RMNRD Engineering staff identified no concerns.

BC Timber Sales: No concerns but please note District Lot 36 is within BCTS operating area. The proposed transfer will reduce BCTS' Timber Harvesting Land Base by 22ha.

Stewardship: No issues identified.

**Organization:** Regional District of East Kootenay - Cranbrook  
**Request Number:** 004  
**Respondent:** Regional District of East Kootenay  
**Legislated:** No  
**Closed By:**  
**Referral Level:** Mandatory  
**Recommendation:** No objection to approval of project subject to the conditions outlined below.

Yes	No	N/A	Question
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does this application impact your agency's legislated responsibilities? If yes, how will the proposal impact your legislated responsibility and please identify the relevant legislation (section) and what mitigative measures will be required to address these impacts in the response text box at the bottom of the page.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If the proposal proceeds, will the proponent require approval or a permit from your agency? If yes, please explain in response text box at the bottom of the page.
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<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Will this application affect public use of this area? If yes, please explain in the response text box at the bottom of the page.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	For Municipal/Regional Government Use Only: Is the application area zoned for the proposed purpose? If no, please provide the current zoning. In the event the applicant wishes to apply for re-zoning, please also provide the estimated time required for this decision. Your comments can be entered in the response text box at the bottom of the page.

#### Explanation of Response



An ALR subdivision application will be required to separate the subject portion of the Baker Mtn Rd property to prepare it for private ownership separate from the rest of this Crown-owned parcel of land. RDEK support of the ALR application will be required before the application can move on to the ALC for their final decision. Rezoning will not be required for the initial land swap but if the Baker Mtn Rd land is intended for future subdivision, rezoning will be required at that time.

**RDEK Comments:**

THAT the Ministry of Forests, Lands and Natural Resource Operations be advised the RDEK has the following comments on the application to exchange a 35 ha privately owned lot located near Elizabeth Lake with a 22 ha portion of a Crown-owned lot on Baker Mountain Road, both in the vicinity of Cranbrook:

- The protection of environmentally sensitive areas surrounding Elizabeth Lake is supported;
- The City of Cranbrook be consulted regarding a potential municipal boundary adjustment to take in the Baker Mountain Road property and extend municipal services to it for urban density residential development;
- The land swap consider the valuation of the Baker Mountain Road property's development potential due to it's gentle topography, proximity to City services and access to constructed road frontage.

**Organization:** Ministry of Transportation and Infrastructure - Rocky Mountain District - Cranbrook  
**Request Number:** 005  
**Respondent:** Cliff Razzo, District Development Technician  
**Legislated:** No  
**Closed By:**  
**Referral Level:** Optional  
**Recommendation:** Approval of project is supported subject to the conditions outlined below. (please explain below)

Yes	No	N/A	Question
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Does this application impact your agency's legislated responsibilities? If yes, how will the proposal impact your legislated responsibility and please identify the relevant legislation (section) and what mitigative measures will be required to address these impacts in the response text box at the bottom of the page.
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<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Will this application affect public use of this area? If yes, please explain in the response text box at the bottom of the page.

**Explanation of Response**



Mount Baker Road travels through the remainder of District Lot 36. Mount Baker Road was established by gazette on August 23, 1984 as shown on Highways District Plan 19-48. The Ministry of Transportation and Infrastructure would like to ensure that Mount Baker Road removed from title if District Lot 36 is to be subdivided as part of the land exchange.

**Organization:** Ministry of Forests, Lands and Natural Resource Operations - Habitat Mgmt - Cranbrook  
**Request Number:** 006  
**Respondent:** Tim Davis  
**Legislated:** No  
**Closed By:** Tim Davis  
**Referral Level:** Optional  
**Recommendation:** No objection to approval of project.

Yes	No	N/A	Question
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does this application impact your agency's legislated responsibilities? If yes, how will the proposal impact your legislated responsibility and please identify the relevant legislation (section) and what mitigative measures will be required to address these impacts in the response text box at the bottom of the page.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If the proposal proceeds, will the proponent require approval or a permit from your agency? If yes, please explain in response text box at the bottom of the page.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will on-going compliance monitoring be required by your agency as a result of your legislated responsibilities? If yes, please explain what will be required in the response text box at the bottom of the page.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Will this application affect public use of this area? If yes, please explain in the response text box at the bottom of the page.

#### Explanation of Response

No objections as this will benefit both environmental/wildlife values at Elizabeth Lake while still allowing for urban development within Cranbrook.

**Organization:** Ministry of Energy Mines, Kootenay/Boundary - Regional Geologist  
**Request Number:** 007  
**Respondent:** Fiona Katay  
**Legislated:** No  
**Closed By:** Fiona Katay  
**Referral Level:** Optional  
**Recommendation:** No objection to approval of project.

Yes	No	N/A	Question
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does this application impact your agency's legislated responsibilities? If yes, how will the proposal impact your legislated responsibility and please identify the relevant legislation (section) and what mitigative measures will be required to address these impacts in the response text box at the bottom of the page.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If the proposal proceeds, will the proponent require approval or a permit from your agency? If yes, please explain in response text box at the bottom of the page.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will on-going compliance monitoring be required by your agency as a result of



your legislated responsibilities? If yes, please explain what will be required in the response text box at the bottom of the page.

- ☐ ☒ ☐ Will this application affect public use of this area? If yes, please explain in the response text box at the bottom of the page.

**Explanation of Response**

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**Contact**

**FrontCounter BC**

Contact: Sharon Dailey  
E-mail: [sharon.dailey@gov.bc.ca](mailto:sharon.dailey@gov.bc.ca)



# First Nations Consultation Report

Basic Information	
<b>Proponent/ Applicant</b>	Kaco Holdings Ltd., Leeco Holdings Ltd...
<b>Project Name:</b>	Crown Grant - Land Exchange
<b>Project Purpose:</b>	Lands-Residential
<b>Resource District:</b>	Rocky Mountain
<b>Consultation Lead:</b>	Rick Fraser
<b>Internal Consultation Number:</b>	4405812

Consultation Status and Dates	
<b>Consultation Status:</b>	Awaiting SDM Approval(s)
<b>Consultation Lead Start Date:</b>	2017-07-04
<b>Anticipated Completion Date:</b>	
<b>Initiation: (Letters Sent)</b>	2017-07-20
<b>Initial Consultation Period:</b>	2017-08-20
<b>Engagement: (First Response)</b>	
<b>Report Ready For SDM:</b>	2017-09-07
<b>Determination Made: (file closed)</b>	

Location	
<b>Geo Mark or Landmark:</b>	Cranbrook  KML in Comm. Log
<b>Map Sheet Number:</b>	82G 042

Lands	Forests and Range	Water
Mines	Fish and Wildlife	Other

*Signed off  
by Ray in CTS*

<b>Project Information</b>
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<p>The Holding Companies propose to exchange Lot 1, District Lot 31, Kootenay District, Plan 9701 (34.5 hectares) located near Elizabeth Lake, for a parcel of Crown land located in the vicinity of Baker Mountain Road described as that part of District Lot 36, together with all that unsurveyed Crown land, Kootenay District (22.5 hectares).</p>
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<b>Project Notes</b>
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## Overview By First Nation

First Nation	Level of Consultation	
Ktunaxa Nation Council	SEA Level 2	No Response Recieved
Shuswap Indian Band	RFA Normal	No Response Recieved

# Initiation and Pre-Screening Evaluation

## ARCHAEOLOGICAL REVIEW

Archaeological Overview Assessment:	Not Identified
Archaeological Sites Within Authorization Area:	Not Identified
Archaeological Sites Within 50 M Of Authorization Area:	Not Identified
Comments:	

## Proponent/applicant Engagement

Describe the extent of the applicants pre-application engagement with First Nations	No Engagement

Required Questions	Yes	No	Additional Comments/Explanation	
Is the consultation level being set based upon a predetermined standard?	<input checked="" type="radio"/>	<input type="radio"/>	Default LOC	
Will you be completing an Initial View of Strength of Claim (Initial Review Tab)	<input checked="" type="radio"/>	<input type="radio"/>		
Will you be completing an Initial View of Seriousness of Adverse Impacts upon Aboriginal Interests (Impact Review Tab)	<input checked="" type="radio"/>	<input type="radio"/>		

# INITIAL IMPACT REVIEW

A review of potential impacts upon the core Aboriginal Interests commonly Asserted by First Nations

## Key Impact Factors

Impact Factor	Nature of Impact Factor
Permanence	Permanent (e.g. land alienation or alteration)
Exclusivity	Permanent closures; excludes others
Access	No increased public access; no restriction of First Nation access
Size/geographic extent	Small
Riparian and Water	Indirect or incidental association with riparian areas or water
Seasonality	Some elements of proposal are seasonally flexible
Existing Level of Disturbance	Area has been partially disturbed, or has been impacted by adjacent activities

## Physical Impacts

An initial Review of the physical impacts of the proposed activity has been performed and resulted in the following findings:  
Administrative. Administrative. the activity involves no clearing of vegetation. Administrative. The activity involves no removal, or significant disturbance of soil. Administrative. No drilling will occur. Administrative. The activity includes no linear developments. Administrative. No material will be introduced into a lake, river, or stream. Administrative. Water removal will not occur. Administrative. No up or downstream effects are anticipated. Administrative. There is no planned discharge associated with this activity.

## Conflicting Land Designations

A review of land-use designations and available information has resulted in the following finding: There are no known Species at Risk in the activity area. No specially recognized wildlife habitat features exist in the area. The area is not recognized to be high value migratory bird habitat. The activity does not occur in, or immediately adjacent to a recognized migratory corridor. No special wildlife habitat values, such as UWR, WHA, WMA or Core Caribou designation, have been ascribed to this area. The area is not designated as a Sensitive Fish Watershed. No known Fish Bearing Stream is in or near to the activity area. Administrative amendment to strategic plan - no land-based activities.

<b>Initial View of Seriousness of Potential Impacts to Aboriginal Interests</b>	
<b>Aboriginal Interests associated with Hunting:</b>	Negligible Impact.
<b>Aboriginal Interests associated with Fishing:</b>	Negligible Impact.
<b>Aboriginal Interests associated with Gathering:</b>	Negligible Impact.
<b>Other Aboriginal Interests:</b>	Negligible Impact.
<b>Assessed Potential Impact to Aboriginal Interests</b>	None

# Preparation and Initiation Phase- Initial Review

A First Nation Specific Review of information relating to Aboriginal Interests in the Area and Strength of Claim

**First Nation:** Ktunaxa Nation Council

Agreements	Yes	No	Agreements	Yes	No	Attachments: IIA/SEA
Treaty	<input type="radio"/>	<input checked="" type="radio"/>	Forestry Agreement	<input type="radio"/>	<input type="radio"/>	<input type="checkbox"/> File Attachment
EBA\ECDA	<input type="radio"/>	<input type="radio"/>	SEA or other engagement protocol	<input checked="" type="radio"/>	<input type="radio"/>	

## Initial View of Aboriginal Interests in the Area

<p>List the readily available information that you have found regarding this First Nation's interests in the area.</p>	s.16
What best describes the nature of this First Nation's Aboriginal Interests in the Area?	
Where there are asserted aboriginal rights, what best describes the readily available information relating to pre-contact use of this area by that First Nation?	
Where there is asserted aboriginal title, what best describes the readily available information relating to occupation or regular and intensive use of this area at 1846?	
Initial evaluation of <b>Rights</b> :	
Initial evaluation of <b>Title</b> :	

## Initial View of Serious

Proven or Specific Aboriginal Interests
Assessed Potential Impact to Aboriginal Interests

Level of Consultation
Comments:

**First Nation:** Shuswap Indian Band

Agreements	Yes	No
Treaty	<input type="radio"/>	<input checked="" type="radio"/>
EBA\ECDA	<input type="radio"/>	<input checked="" type="radio"/>

Agreements	Yes	No
Forestry Agreement	<input type="radio"/>	<input checked="" type="radio"/>
SEA or other engagement protocol	<input checked="" type="radio"/>	<input type="radio"/>

Attachments: IIA/SEA
<input checked="" type="radio"/> File Attachment

**Initial View of Aboriginal Interests in the Area**

<p>List the readily available information that you have found regarding this First Nation's interests in the area.</p>	<p>s.16</p>
<p>What best describes the nature of this First Nation's Aboriginal Interests in the Area?</p>	
<p>Where there are asserted aboriginal rights, what best describes the readily available information relating to pre-contact use of this area by that First Nation?</p>	
<p>Where there is asserted aboriginal title, what best describes the readily available information relating to occupation or regular and intensive use of this area at 1846?</p>	
<p>Initial evaluation of <b>Rights</b>:</p>	
<p>Initial evaluation of <b>Title</b>:</p>	

**Initial View of Serious**

Proven or Specific Aboriginal Interests
Assessed Potential Impact to Aboriginal Interests

Level of Consultation
Comments:



# Engagement and Accommodation

## Preliminary Assessment and Concerns and Accommodation Tracking table

**First Nation:** Ktunaxa Nation Council

### Preliminary Assessment

<b>Revised Level of Rights:</b> Strong		📎 File Attachment
<b>Revised Level of Title:</b> not reviewed while...		
<b>Revised Level of Impact to Known Rights/Title:</b> None		📎 File Attachment
<b>Revised Level of Consultation:</b> SEA Level 2		



### Concerns and Accommodation Tracking Table

<b>Replacement Attachment:</b>	📎 File Attachment	<b>Additional Comments:</b>	
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<b>Concern Description</b>	
<b>Analysis of concern</b>	
<b>Potential Accommodation</b>	
<b>Recommendation for Accommodation</b>	

**First Nation:** Shuswap Indian Band

### Preliminary Assessment

<b>Revised Level of Rights:</b> Weak to Moderate		 File Attachment
<b>Revised Level of Title:</b> not reviewed while...		
<b>Revised Level of Impact to Known Rights/Title:</b> None		 File Attachment
<b>Revised Level of Consultation:</b> RFA Normal		

### Concerns and Accommodation Tracking Table





<b>Replacement Attachment:</b>	 File Attachment	<b>Additional Comments:</b>	
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<b>Concern Description</b>	
<b>Analysis of concern</b>	
<b>Potential Accommodation</b>	
<b>Recommendation for Accommodation</b>	

# FIRST NATIONS COMMUNICATIONS LOG

**First Nation:** Ktunaxa Nation Council

Basic Info		Comments	Attachments
<b>Date</b>	2017-07-21	Engagement Letter with one attachment	 KNC - LANDS - Crown Grant - Land Exchange at Cranbrook - 4405812.docx Microsoft Word Document 57.9 KB
<b>Initiator</b>	Rick Fraser, FLNR		
<b>Medium</b>	Email		
<b>Date</b>		Attachment 1 - Proposal	 Attachment 1 - Proposal.pdf Adobe Acrobat Document 979 KB
<b>Initiator</b>			
<b>Medium</b>			
<b>Date</b>		Attachment 2 - Elizabeth Lake KML File	 Attachment 2 - Elizabeth Lake KML File.kml KML 1.40 KB
<b>Initiator</b>			
<b>Medium</b>			
<b>Date</b>		Attachment 3 - Baker Mountain KML File	 Attachment 3 - Baker Mountain KML File.kml KML 1.51 KB
<b>Initiator</b>			
<b>Medium</b>			

**First Nation:** Shuswap Indian Band

Basic Info		Comments	Attachments
<b>Date</b>	2017-07-20	Initial Engagement letter to SWAP with same attachment as above.	 SWAP - LANDS - Crown Grant - Land Exchange at Cranbrook - 4405812.docx Microsoft Word Document 56.1 KB
<b>Initiator</b>	Rick Fraser, FLNR		
<b>Medium</b>	Email		
<b>Date</b>	2017-07-20	Receipt of submission to SWAP portal.	 SWAP Submission Receipt.docx Microsoft Word Document 16.9 KB
<b>Initiator</b>	SWAP		
<b>Medium</b>	Email		

## OTHER PROJECT COMMUNICATIONS

	Comments	Attachments
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## Associated Documents

<input type="radio"/> File Attachment	

## Recommendation to Decision Maker(s)

Based on available information, and given the nature of the proposed decision it is recommended that you proceed to decision. Consultation and accommodation pursued with these First Nations can be considered complete and adequate as there are no known site specific concerns, and the proposed decision is not expected to result in new adverse impacts to First Nations rights and/or title.

<b>Summary - Preparation &amp; Initiation</b>	<p>Since the Tsilhqot'in decision, the Kootenay Boundary region has not received notice from any First Nation to a new claim of aboriginal title.</p> <p>An impact and initial review were completed as part of the preparation for this consultation.</p> <p>First Nations were identified in the Consultative Area Database. A review of the ethno-historic and cultural heritage information for these First Nations was reviewed along with an Initial Assessment of Impacts from the proposed works as well as SOC with respect to Rights. A review of Title was excluded from this exercise as per regional practice to date.</p>
<b>Summary - Engagement</b>	<p>Normal level engagement was pursued with the First Nations.</p> <p>There were no responses from the First Nations.</p>
<b>Summary- Accommodation</b>	<p>No accommodation is required; at this time government is not aware of adverse impacts to First Nations treaty rights associated with this decision.</p>
<b>Other Issues</b>	<p>None.</p>