

**MINISTRY OF ENVIRONMENT
DECISION NOTE**

June 3, 2015
File: 280-20
CLIFF/tracking #: 284661

s.12,s.13

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Withheld pursuant to/removed as

s.12;s.13

**MINISTRY OF ENVIRONMENT
INFORMATION NOTE**

May 25, 2015

File: 280-20

CLIFF/tracking #: 284350

PREPARED FOR: Honourable Mary Polak, Minister of Environment.

ISSUE: Since the Cabinet decision in 2011 to not support the proposed national park reserve in the South Okanagan, stakeholder groups and the public have remained divisive over the issue. A process to consider addressing interests in the area using provincial tools and designations has been initiated.

BACKGROUND:

In 2011, Cabinet considered a proposal for a national park reserve (NPR) in the South Okanagan that would represent the Interior Dry Plateau region of Parks Canada's system plan. Due to the level of opposition to the proposal, Cabinet did not approve the proposal moving forward. Since that time, there has been continued lobbying by some stakeholders to re-engage in negotiations with Parks Canada. Lobbying has resulted in continued media attention and continued resistance from stakeholders opposed to the proposed NPR and overall tensions in the area remain high over this issue.

In 2014, Minister Polak initiated discussions with stakeholder groups and the Okanagan Nation Alliance (ONA) as represented by the Penticton Indian Band, Osoyoos Indian Band and the Lower Similkameen Indian Band. The discussions were focused on interests of the parties in the area in an effort to find alternatives to the NPR using provincial designations, approaches and tools. A follow-up meeting, in April 2015 with ONA, further identified areas and topics of interest.

In these meetings, the Minister committed to working with parties (starting with ONA) to consider options for meeting interests identified. BC Parks has identified some potential key areas within the South Okanagan for consideration for enhanced protection.

DISCUSSION:

Prior to a follow-up meeting with ONA in June 2015, BC Parks has examined the list of interests and land areas identified to date that could be pursued. These include:

Area 1: South Okanagan Grasslands Component:

Area 1 is comprised of the southern component of the 2010 NPR proposal (does not include the Vaseaux Lakes area) and is approximately 27,400 hectares in area.

Portions of this area (approximately 9,400 hectares) are established as protected area under the *Environment and Land Use Act*. s.13

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Of

the remaining lands, about 1/3 of the total area are private lands and about 1/3 Crown lands. s.13

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s.13 Some private lands (about 1,400 hectares) are owned by Nature Conservancy of Canada.

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A No Registration Reserve (Conditional Reserve) is in place over the entire NPR concept area (2010) which prevents any new claims from being registered.

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Ministry of Forests, Lands and Natural Resource Operations is undertaking a process to manage motorized recreation on Crown lands in the area (outside of provincial protected areas) s.13

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Recommendation: s.13,s.16

s.13,s.16

Area 2: White Lake Basin

Area 2 is approximately 7,344 hectares in area including the existing White Lakes Grasslands Protected Area (approximately 3,700 hectares). As per the rationale for the

designation decision for South Okanagan Grasslands, White Lake was continued to be established under the *Environment and Land Use Act* pending the outcome of the NPR discussions. Of the remaining lands, about 10% of the total area is private lands and about 90% Crown lands (Provincial and Federal – National Research Council).

The White Lake Basin is the epicentre for species and habitats at risk and contains significant conservation values and challenges. Future implications from the federal *Species at Risk Act* (SARA) may present themselves as pressures continue from development and climate change.

The federal government (National Research Council) holds notations of interest and OIC interests in lands in this area related to the Dominion Radio Astrophysical Observatory.
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s.13 Some private lands are held by The Nature Trust which operates a “biodiversity ranch” in the immediate vicinity.

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Outdoor recreation in this area has less motorized use and impacts. Forestry interests are also expected to be low given that the area is predominately a grassland/open forest ecosystem. s.13,s.17

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s.13,s.17 A No Registration Reserve (coal, placer, mineral) is in place over a large portion of Area 2 (White Lake Basin).

ONA has specific interests in the White Lake Basin for food, gathering and traditional ceremonial/social use.

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s.13 . Currently, there is mapping and analysis underway between Washington State and British Columbia on landscape connectivity to assist in climate change adaptation and migration of species. The South Okanagan is identified as a very important yet narrow corridor to maintain species. s.13

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Recommendation: s.13,s.16
s.13,s.16

Additional Areas:

Yellow Lake: Yellow Lake abuts Highway 3A west of Kaleden and could be captured under Area 2 proposal. The lake has specific interest by ONA as a place of healing and spiritual importance.

Recommendation: s.13,s.16
s.13,s.16

Recommendation: s.13,s.16
s.13,s.16

Goal 2 sites: The Okanagan Shuswap LRMP has remaining Goal 2 sites that have not yet been designated. Generally, all stakeholders support the designation of the Goal 2 sites to complete the implementation of the protected area recommendations of the LRMP. Proposed Area 1 does capture the Oliver Mountain Goal 2 site, with a proposed connectivity corridor that adjoins the balance of Area 1.

Recommendation: s.13,s.16
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Recommendation: s.13,s.16
s.13,s.16

The Osoyoos Desert Centre: The desert centre near Osoyoos is dedicated to nature interpretation of the southern Okanagan ecosystem and operates under a 30 year lease on Crown land. s.13

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s.13 MLA Larson has proposed that this site be considered for World Heritage Site designation. Area 1 illustrates a proposed extension to capture the Osoyoos Desert Centre and environs.

Recommendation: s.13

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Recommendation: s.13,s.16

s.13,s.16

Additional Considerations:

s.13,s.16

Attachment 1: Summary tables of areas

Attachment 2: Maps of areas.

Contact:

Jim Standen, ADM

*BC Parks and Conservation
Officer Service
(250) 387-1288*

Alternate Contact:

*Brian Bawtinheimer,
Executive Director*

*Conservation, Planning and
Aboriginal Relations Branch
250 387 4355*

Prepared by:

*Brian Bawtinheimer,
Executive Director*

*Conservation, Planning and
Aboriginal Relations Branch
250 387 4355*

Reviewed by	Initials	Date
DM		

DMO	WS	27 May/15
ADM		
Exec Dir RO		
Exec Dir CPAR	BB	25 May/15
Mgr PPM	KM	25 May/15
Author	BB/DB	25 May/15

Attachment 1

Summary Tables of Areas

Table 1: Summary of Issues/Opportunities: Area 1, Area 2, Seven Peaks

Issue Opportunity	Area 1 (Southern Grasslands)	Area 2 (White Lake Basin)	Seven Peaks Study Area
<i>ONA land use interests</i>	s.13,s.16,s.17		
<i>Aboriginal tourism</i>	<p>Sites would be appropriate for aboriginal tourism, education and awareness.</p> <p>Could include traditional harvesting, land management and cultural awareness</p>	<p>Sites would be appropriate for aboriginal tourism, education and awareness.</p> <p>Could include traditional harvesting, land management and cultural awareness</p>	<p>Sites may be appropriate for aboriginal tourism, education and awareness.</p> <p>Could include traditional harvesting, land management and cultural awareness</p>
<i>Tourism</i>	<p>Tourism associated with larger protected areas and diversity of activities would assist enhancing overall tourism in the region.</p> <p>May be opportunities to expand trails, campsites.</p>	<p>Tourism associated with larger protected areas and diversity of activities would assist enhancing overall tourism in the region.</p> <p>s.13,s.16</p>	<p>Generally unknown, but larger protected areas and diversity of activities would assist enhancing overall tourism in the region.</p>
<i>Conservation</i>	<p>High concentration of species and habitat at risk.</p> <p>s.13,s.17</p> <p>Existing partnerships with private conservation organizations (NCC, TNT)</p>	<p>High concentration of species at risk.</p> <p>s.13,s.16</p> <p>Existing partnerships with private conservation organizations (TNT)</p>	<p>Higher elevation (sub-alpine and alpine environment), much of which remains unprotected in this portion of the region.</p> <p>Source of numerous watersheds.</p>

<i>Motorized recreation</i>	Controlled by provincial park regulation in existing sites, yet largely unmanaged outside of existing protected areas. Requires an access management plan. NCC and TNT lands restrict motorized use.	Controlled by provincial park regulation in existing sites, yet largely unmanaged outside of existing protected areas. Requires an access management plan.	Medium use by ORV's in summer seasons. s.13 High use of snowmobiles in winter season. Requires an access management plan.
<i>Non-motorized recreation</i>	High use in spring, early summer and fall. Areas of concentration are Mt. Kobau, Kilpoola and Blue lakes.	High use in all seasons. Areas of concentration are Mahoney Lake, Mt. Koegan, White Lake Basin. Significant popularity for wildlife viewing.	Low to medium use. Brent Mtn Protected Area and Apex Mountain Resort draws hikers and mountain biking. Highly popular Nickel Plate Nordic Centre.
<i>Ranching</i>	Several home ranches hold tenure for grazing s.22 s.22 Home ranches are also land owners within Area 1.	Range is largely within lands owned by TNT and operated under lease. The balance as Crown range.	Range use is dissipated. First Nations hold range tenure within the area. s.13
<i>Hunting</i>	Permitted on all provincial protected lands within Area 1 with the exception of NCC held properties.	Permitted on all provincially protected lands within Area 2 with the exception of Mahoney Lake Ecological Reserve. Hunting within TNT lands is by permission only. NRC lands (OIC and map reserve held) no hunting permitted.	No hunting within the boundaries of the Apex Mountain Resort, all other Crown areas are open to hunting.
<i>Helicopter use</i>	Park Use Permits issued for select areas provincial protected area sites within Area 1. Additional use on Crown land outside of PPAs.	Use on Crown land outside of PPAs and on conservation lands held by TNT.	Unknown
<i>Forestry</i>	No commercial resource use within existing PPA. Low number and size of cutting permits due to grassland topography/dispersed tree cover and poor growing conditions.	No commercial resource use within existing PPA. Low number and size of cutting permits due to grassland topography,dispersed tree cover and poor growing conditions.	Cutting permits concentrated in higher elevation ESSF. High concentration of extraction along the eastern boundary of Brent Mtn Protected Area.

Mining	<p>No Registration Reserve is in place over Area 1. No new claiming allowed.</p> <p>Older claims still in place but very low number of works outside of PPA's.</p>	<p>No Registration Reserve is in place over 70% of Area 2. No new claiming allowed.</p> <p>Older claims still in place but very low number of works outside of PPA's.</p> <p>High level of uranium within bedrock.</p>	<p>High concentration of active claims mostly centred on the former Nickel Plate Mine (now owned by Barrick Gold Inc.).</p> <p>High level of uranium in bedrock.</p>
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Table 2: Specific Sites of Interest

Site	Management Approach
<i>Spotted Lake</i>	s.13,s.16,s.17,s.22
<i>Yellow Lake</i>	
<i>McIntyre Bluff</i>	
<i>Goal 2 sites</i>	
<i>The Land Conservancy sites</i>	
<i>Osoyoos Desert Centre</i>	
<i>Rattlesnake Island (outside the South Okanagan area)</i>	
<i>Sun-Oka (outside the South Okanagan area)</i>	
<i>Other (outside the South Okanagan area)</i>	

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Withheld pursuant to/removed as

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**MINISTRY OF ENVIRONMENT
INFORMATION NOTE**

June 12, 2015
File: Permit 6099, 3008 & 3478
CLIFF/tracking #: 284824

PREPARED FOR: Lori Halls, Assistant Deputy Minister, Environmental Protection Division

ISSUE: Impending Demands for Pellet Plant Permitting in the North

BACKGROUND:

The Authorizations - North team is currently experiencing increased pressures from proposed pellet plants requiring waste discharge permits. Currently, the ministry is aware of four proposed plants located in Smithers, Terrace, Fort St. John and Meziadin Junction. The ministry expects significant public opposition with some of the applications due to the sensitivity of the airshed and the specific locations proposed for the pellet plant within the community. The ministry is presently in receipt of two permit applications for the communities of Smithers and Fort St. John and anticipates applications for Terrace and Meziadin Junction to be submitted this summer.

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DISCUSSION:

Pellet plants have been a sensitive and controversial issue in northern and central BC due largely to the poor quality of emissions at some of the original pellet plants (e.g. Burns Lake, Houston, Williams Lake, Princeton, Meadowbank) and the incompatible locations selected for the pellet plants. The recently permitted Pinnacle Pellet facility in Lavington is currently under appeal due to public concerns over an additional industrial discharge in an already compromised airshed and its location near an elementary school.

While the Smithers and Fort St. John proposals will be using new low emission flat-bed (Stella) driers, pellet plant proposals remain controversial and retain the poor compliance stigma of the original less advanced pellet plant technology. The provincial discharge standard is 60 mg/m^3 and the ministry expects that the two proposed facilities would be well below that level ($\sim 10 \text{ mg/m}^3$). The Terrace proposal involves new low temperature

rotary driers which should comply with the standard and the Meziadin proposal is so remote as to not pose human health concerns.

The issues confronting the ministry regarding the proposed facilities are 1) poor public perception and opposition to the proposals based on emissions of older, first generation pellet plants; and 2) the expectation of the proponents that authorizations for these facilities will be produced within a short time frame. Specifically, the expectation of the proponents is that these facilities will be fast tracked. In 2014, the Regional Operations Branch dedicated a small team to focus on pellet plant authorizations and technology. The work of the dedicated team has concluded, and the pellet plant sector is not satisfied with being treated the same as all other applications and industries. s.13

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NEXT STEPS:

Northern authorizations staff are actively interacting with proponents regarding technical supporting information (i.e. atmospheric dispersion modelling) and public and First Nations consultation requirements in support of their applications. The Smithers application has already generated a number of public inquiries.

A generic email drop box (authorizations.north@gov.bc.ca) has been established to manage incoming email inquiries and comments on these and other pending applications that are anticipated to be controversial s.13

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It is felt that this will assist with file management, including any FOI requests, as well as diverting much of the anticipated email volume away from front line staff.

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Contact:

*Jennifer McGuire
EP/Regional Ops
604-582-5284*

Alternate Contact:

*Brady Nelles
EP/ROB/Auths - North
(250) 565-6401*

Prepared by:

*Dan Bings
ROB/ Authorizations - North
(250) 398-4545*

Reviewed by	Initials	Date
ADM	LH	June 29/15
Dir./Mgr.		
Author		