



Our File: 4406032

August 8, 2019

Attention: Tammy Anderson

Ministry of Transportation and Infrastructure
447 Columbia Street
Kamloops, BC V2C 2T3

Dear Tammy Anderson,

Re: Notice of Establishment of a Land Act Section 16 Map Reserve

Attached is your Section 16 Map Reserve tenure document.

Please be advised that it is the responsibility of the Ministry of Transportation and Infrastructure to consult with First Nations and to refer to applicable agencies and/or stakeholders. Please provide appropriate documentation to our Ministry advising outcome and conclusion of referrals and consultation.

The subject lands are located within the boundaries of an agricultural land reserve. Please note any surveys and or planned non-conforming use may require authorization by the Agricultural Land Commission.

It is recommended that a Section 16 Reserve be established on behalf of the Ministry of Transportation and Infrastructure (MOTI) for future Land Exchange purposes for a term of 5 years. The Reserve is for Land Exchange purposes and subject to the following conditions:

1. The Reserve is established with the understanding that MOTI is aware of existing encumbrances (water works, water licences, trap lines, guide outfitter territories, grazing tenures, petroleum tenures, etc.), which overlap the subject lands, and will resolve any conflicts or compensation issues identified prior to the subject lands being transferred to the Federal government.

2. MOTI is aware that the lands fall within an agricultural land reserve and any activities undertaken on the land may require authorization from the Agricultural Land Commission.
3. MOTI providing our ministry with survey, appraisal, land exchange agreement and any other information related to the exchange of the subject property.

Your Contact is: Courtney Gardener, Sr. Portfolio Administrator
Telephone (250) 426-1756
Email: Courtney.Gardener@gov.bc.ca

Yours truly,

A handwritten signature in blue ink, appearing to read 'C Gardener', is positioned above the printed name.

Courtney Gardener
Sr. Portfolio Administrator



Notice of Establishment Withdrawals From Disposition (Section 16)

File: 4406032

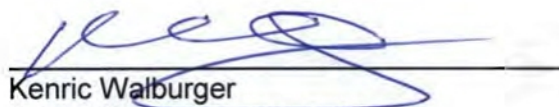
Reserve No.: R194034

Ministry of Transportation and Infrastructure
447 Columbia Street
Kamloops, BC V2C 2T3

WHEREAS: The undersigned has been charged with the administration of Section 16 of the *Land Act*, and

WHEREAS: The undersigned considers it advisable in the public interest to establish an interest to withdraw from disposition the area identified on the attached map; then

THEREFORE: The Crown land area outlined on the attached map is hereby withdrawn from disposition on behalf of the Ministry of Transportation and Infrastructure due to its importance for First Nations reserve expansion and land exchange purposes, for a period of 5 years, effective August 8, 2019.


Kenric Walburger
Acting Director, Authorizations
Kootenay Boundary

August 8, 2019
Date Signed

cc: Ministry of Transportation and Infrastructure, Tammy.Anderson@gov.bc.ca

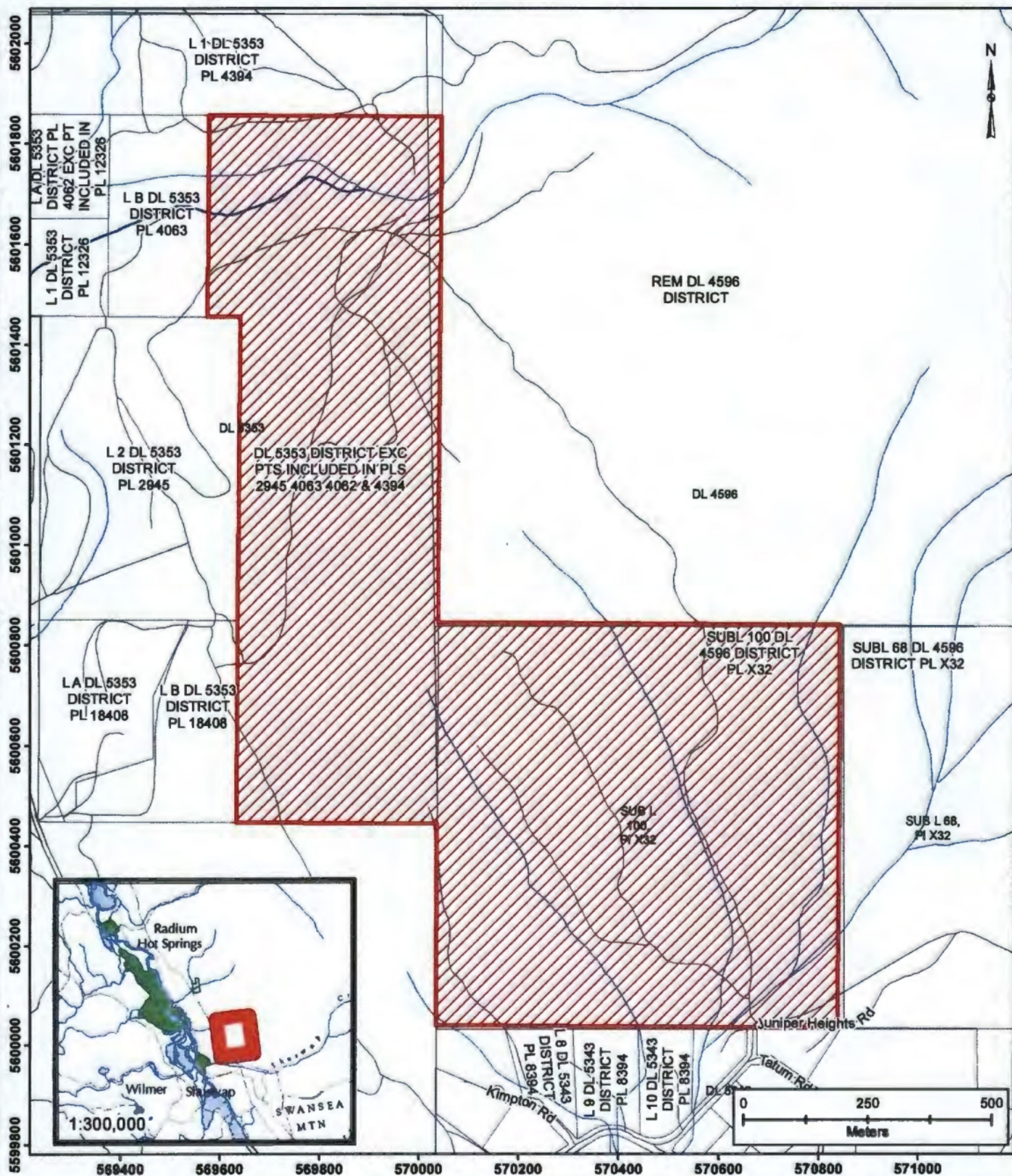
**Ministry of Forests,
Lands, Natural
Resource Operations
& Rural Development**

Kootenay Boundary
Region

Mailing Address and Location:
1902 Theatre Road
Cranbrook BC V1C 7G1

Phone: 250 426-1766
Fax: 250 426-1767
Website: www.gov.bc.ca

District Lot 5353, Kootenay District, except parts included in Plans 2945, 4063, 4062 & 4394; together with Sublot 100, District Lot 4596, Kootenay District, Plan X32, more particularly shown outlined in red and containing 124.15 hectares, more or less





**Land Act:
Notice of Intention to Apply for
a Disposition of Crown Land**

Take notice that Ministry of Transportation and Infrastructure (MoTI) from the Southern Interior Region has applied to the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD), Kootenay Boundary Region, for a Land Exchange for Indian Reserve Lands purposes situated on Provincial Crown land located at District Lot 5353, except parts included in Plans 2945, 4063, 4062 and 4394 as well as Sublot 100, District Lot 4596, Plan X32.

The Lands File for this application is 4406032. Written comments concerning this application should be directed by mail or email to Tammy Anderson, Senior Advisor, Indigenous Relations, Southern Interior Region, Ministry of Transportation and Infrastructure, at 342-447 Columbia Street, Kamloops, BC V2C 2T3, or Tammy.Anderson@gov.bc.ca. Comments will be received by MoTI up to January 31st. MoTI may not be able to consider comments received after this date. Please visit the following website for more information: <https://comment.nrs.gov.bc.ca/>

Be advised that any response to this advertisement will be considered part of the public record. For information, contact the Freedom of Information Advisor at Ministry of Forests, Lands, Natural Resources and Rural Development's Office in the Kootenay Boundary Region of British Columbia.



From: [Anderson, Tammy TRAN:EX](#)
To: [Dailey, Sharon H FLNR:EX](#)
Cc: [Shibata, Elaine TRAN:EX](#); [Fennell, Kipp TRAN:EX](#); [Lucas, Brent M FLNR:EX](#)
Subject: FW: SIB_Sec 16 application for Replacement lands
Date: May 23, 2019 9:14:53 AM
Attachments: [SIB-Invermere-Prop7 Replacement Lands.pdf](#)
[Legal description Replacement Appraisal review final Values.pdf](#)
[Section 16 Map Reserve application.doc](#)

Hi Sharon,

Sorry, I thought that we had submitted the Section 16 Map Reserve application for Shuswap Indian Band land replacement. Please find attached the application form, map, and the legal description.

Thank-you,

Tammy

Tammy Anderson, BNRS., P.Ag
Senior Advisor, Indigenous Relations
Ministry of Transportation and Infrastructure
Southern Interior Region
Office: (250) 371-3878
Cell: (250) 320-4175
Tammy.Anderson@gov.bc.ca

From: Anderson, Tammy TRAN:EX
Sent: Thursday, May 23, 2019 9:08 AM
To: Shibata, Elaine TRAN:EX
Subject: FW: SIB_Sec 16 application for Replacment lands

From: Anderson, Tammy TRAN:EX
Sent: Monday, February 11, 2019 8:46 AM
To: Shibata, Elaine TRAN:EX
Subject: SIB_Sec 16 application for Replacment lands

Hi Elaine,

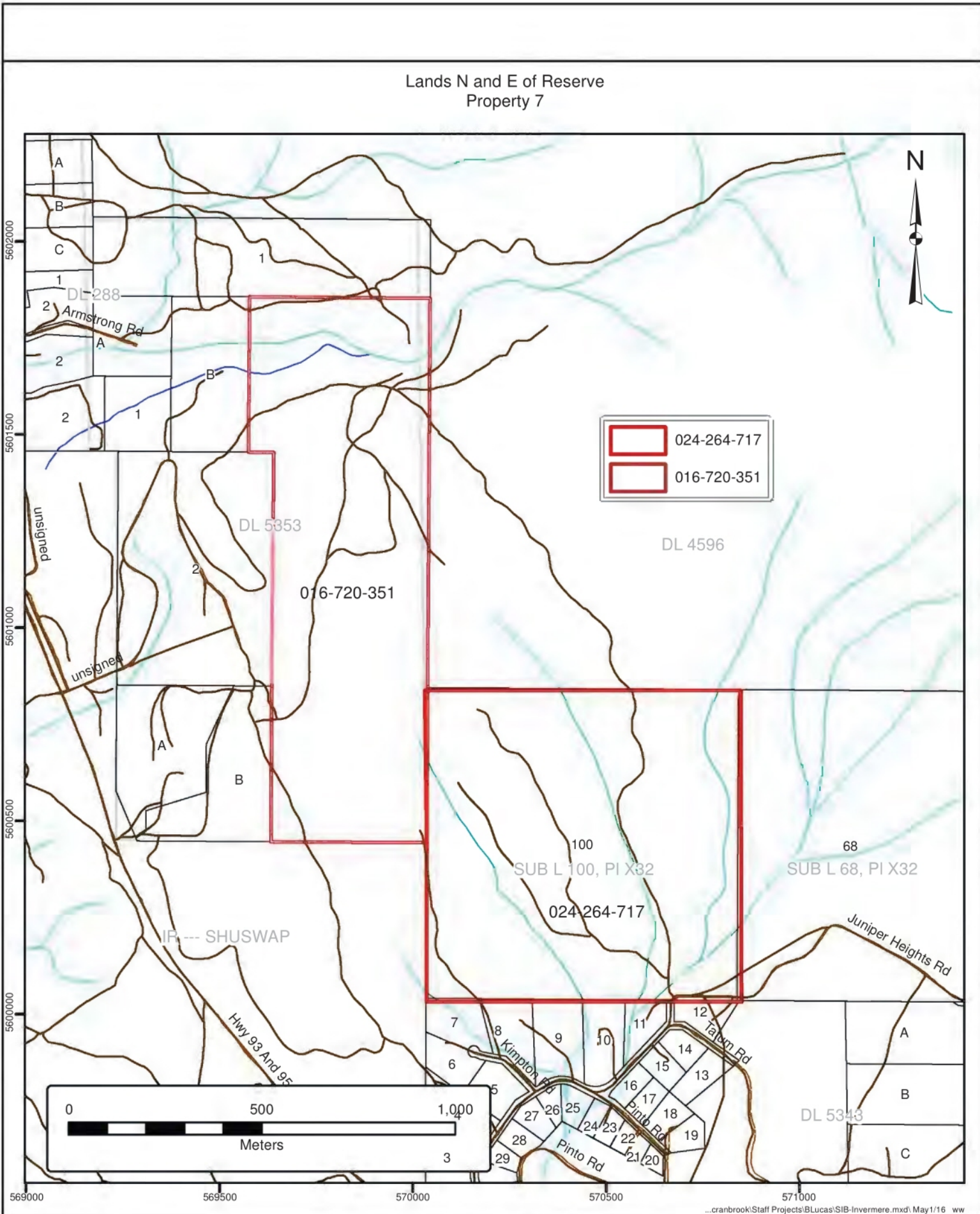
Map, legal description and application form attached.

Please send the application to Sharon Dailey:

Sharon.Dailey@gov.bc.ca

Thanks!

Tammy

[illegible]

Scale 1:12,500
BCGS Mapsheet(s): 82K.060

Scale 1:12,500
BCGS Mapsheet(s): 82K.060



Proposal for Reserves Notations Withdrawals Transfer of Administration

- ☐ ORDER-IN-COUNCIL RESERVE (SEC. 15)
☒ WITHDRAWAL (SEC. 16)
☐ TRANSFER OF ADMINISTRATION (SEC. 106)
☐ TRANSFER OF ADMINISTRATION & CONTROL (SEC. 31)

- ☐ CONDITIONAL WITHDRAWAL (SEC. 17)
☐ DESIGNATED CLOSURE AREA (SEC. 66)
☐ NOTATION OF INTEREST

AGENCY NAME:

Ministry of Transportation and Infrastructure

AGENCY FILE NO:**RESPONSIBLE OFFICIAL FOR
CONTACT:**

Tammy Anderson

AGENCY ADDRESS: 447 Columbia Street,
Kamloops, BC V2C 2T3

EMAIL ADDRESS: Tammy.Anderson@gov.bc.ca

PHONE NO:

250-371-3878

LAND PURPOSE:

Section 35 Land Transfer - exchange lands for highway right of way

LAND LOCATION:

Invermere

LAND DISTRICT:

Kootenay

AREA (ha):

124.158

- ☐ Digital Shapefile (.SHP) supplied in BC Albers NAD83 projection

CROWN LAND IS:

- ☒ SURVEYED
- GIVE LEGAL
DESCRIPTION

OR

- ☐ UNSURVEYED
- GIVE METES
AND BOUNDS
DESCRIPTION

District Lot 5353, Kootenay District, Except parts included in Plans 2945, 4063, 4062 and 4394
Sublot 100, District Lot 4596, Kootenay District, Plan X32

PID 024 264 717 and PID 016 720 351

THE AREA REQUESTED IS OUTLINED **IN RED** ON ATTACHED MAP (IF APPLICABLE)**Term Required**

- ☐ 1 YEAR ☐ 2 YEARS ☐ 3 YEARS ☐ 4 YEARS ☐ 5 YEARS ☒ OTHER As required

RATIONALE FOR PROPOSAL (ATTACH SEPARATE SHEET IF NECESSARY)

Secure areas of land for exchange land purposes

PROPOSAL IMPACT ON EXISTING OR POTENTIAL LAND USE (ATTACH SEPARATE SHEET IF NECESSARY)**AGENCY
AUTHORIZATION**

Date _____

Signature _____

Title _____

**FOR OFFICIAL
USE ONLY****DATE RECEIVED (D/M/Y)**

/ /

FILE NO.**ADMINISTRATIVE REGION****LAND INSPECTION REQUIRED**☐ YES ☐ NO**PROPOSAL FOR**

- ☐ FORESHORE ☐ OTHER

LAND IN

- ☐ PLANNED AREA ☐ UNPLANNED
AREA ☐ PROVINCIAL
FOREST

ESTIMATE OF LAND VALUE

\$

Page 012 of 285 to/à Page 064 of 285

Withheld pursuant to/removed as

s.13 ; s.16 ; s.17

Page 065 of 285 to/à Page 066 of 285

Withheld pursuant to/removed as

s.3

Page 067 of 285 to/à Page 074 of 285

Withheld pursuant to/removed as

s.13 ; s.16 ; s.17

Page 075 of 285

Withheld pursuant to/removal as

s.22



**Notification of Section 16 Map Reserve Application for two parcels
on unsurveyed Crown land located in the vicinity of Hwy 93-95 and
Athalmer Road
Engagement Letter**

August 19, 2019

Ktunaxa Nation Council
7468 Mission Road
Cranbrook BC V1C 7E5

Dear Chair, Ktunaxa Nation Council:

I am writing to notify you that the Ministry of Transportation and Infrastructure (MoTI) is applying for Section 16 Map Reserve under the Land Act for the following two parcels on unsurveyed Crown Land, located in the vicinity of Hwy 93-95 and Athalmer Road.

- District Lot 5353, Kootenay District, except parts included in Plans 2945, 4063, 4062 and 4394 –PID 024 264 717
- Sublot 100, District Lot 4596, Kootney District, Plan X32 – PID 016 720 351

MoTI is currently negotiating an agreement with Shuswap Indian Band to resolve a tenure issue on Hwy 93-95 and Athalmer Road within Shuswap Indian Reserve IR #0. MoTI is seeking a Federal transfer of Reserve land required for Hwy 93-95 and Athalmer Road. As part of an overall negotiated agreement with Shuswap Indian Band, MoTI is looking to transfer the two parcels of Crown land under a Land Act -Transfer of Administration and Control to Canada, the land will be added to reserve for use and benefit by Shuswap Indian Band. A Section 16 Map Reserve is required to ensure no further encumbrances are placed on the lands prior to transfer to Shuswap Indian Band.

Table 1: Project Overview

ACTIVITY TYPE: Section 16 Map Reserve under the Land Act	
PROJECT DESCRIPTION: transferring two parcels of unsurveyed Crown Land to Shuswap Indian Band reserve for use and benefit by Shuswap Indian Band	
Provincial approach: Single-agency decision <input checked="" type="checkbox"/> or Multi-agency project <input type="checkbox"/>	
PROPONENT: Ministry of Transportation and Infrastructure	
LOCATION: Invermere, BC	
AOI link: http://apps.gov.bc.ca/pub/geomark/geomarks/gm-	

[A532B8F3B1C6429FA2170D628C5416FE#info](http://apps.gov.bc.ca/pub/geomark/geomarks/gm-DFE06E77704A4C6E991ED576B90D8563#info)
<http://apps.gov.bc.ca/pub/geomark/geomarks/gm-DFE06E77704A4C6E991ED576B90D8563#info>

Note: This shapefile is provided as an approximate placemaker of the land parcel only and in no way represents the actual parcel boundaries.

AREA Size: 306.8ac

Provincial Government CONTACT PERSON: *Tammy Anderson, BNRSc., P. Ag*, Ministry of Transportation and Infrastructure at 250-371-3878 or email: *Tammy.Anderson@gov.bc.ca*

RESPONSE TIME: Please respond within 30 days from the date of this letter so that your interests can be fully considered in the decision making process.

Background Information:

The Province has used Schedule 1 of the Ktunaxa Nation/Province of BC Strategic Engagement Agreement (SEA) to assess potential impacts of the activities proposed to Ktunaxa Nation's Aboriginal Rights. The Province's initial assessment of the appropriate engagement level is: Level 3. A modifier has not been applied.

Please find enclosed for your reference and review the *ie. design drawings, reports, application. Etc..*

The Province proposes 30 days from the KLRA review Date for the KLRA to submit its comments on the application. Please direct comments to the Project Contact

Calculated dates:

KLRA Review Day: August 21, 2019

KLRA Initial Response Day: August 28, 2019

Proposed timeframe for KLRA to submit comments: September 19, 2019

Yours truly,

Tammy Anderson
BNRSc., P. Ag

Ministry of Transportation and Infrastructure
Southern Interior Region

Enclosure: Subject lands location maps
Copy: bcote@shuswapband.net



Lands File Number: 4406032
ATS Project: 482556

May 31, 2019

Tammy Anderson
Ministry of Transportation
and Infrastructure
447 Columbia Street
Kamloops BC V2C 2T3

Dear Tammy:

Re: Crown Land Application Section 16 Map Reserve

Thank you for your Crown land application for a Section 16 Map Reserve for land exchange purposes, in the vicinity of Invermere.

FrontCounter BC (FCBC) has accepted your application on behalf of the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD). Your application will be assigned to an Authorizations Specialist who will review your proposal and make a recommendation to approve or disallow the application.

This letter serves only as confirmation of acceptance of your application package and does not imply a tenure will be offered nor give any authorization to occupy or use the Crown land under application.

Your agency will be responsible for any necessary referrals to other agencies, including municipal governments that may be affected by your proposed activity. It is also the responsibility of your agency to determine the existence of aboriginal rights or title, assess whether the proposed activity will infringe on those rights and resolve any infringement in accordance with your established policies.

The Authorization Specialist assigned to your application will contact you if further information is required.

Yours truly,

A handwritten signature in cursive script, appearing to read 'J. Donald'.

Jo-Ann Donald
Natural Resource Specialist
FrontCounter BC
Ministry of Forests, Lands, Natural Resource Operations and
Rural Development

From: [Anderson, Tammy TRAN:EX](#)
To: [Krebs, John A FLNR:EX](#)
Cc: [Shibata, Elaine TRAN:EX](#)
Subject: RE: Meeting at Shuswap Indian Band on May 22, 2019
Date: May 21, 2019 10:52:14 AM

Hi John,

Please call in at 11:00 Mnt and we will discuss the replacement land when you phone in.

Thank-you,

Tammy

From: Krebs, John A FLNR:EX
Sent: Tuesday, May 21, 2019 10:48 AM
To: Anderson, Tammy TRAN:EX
Cc: Lucas, Brent M FLNR:EX
Subject: Re: Meeting at Shuswap Indian Band on May 22, 2019

Hi Tammy

Apologies for late response.

I will make use of the call in numbers- I have a number of conflicts between 10-11 mtn time and at 1230-1330 mtn time, 1500-1600 mtn.

Looking forward to the discussion- let me know when the agenda item is scheduled.

John

Sent from my iPhone

On May 21, 2019, at 10:40 AM, Anderson, Tammy TRAN:EX <Tammy.Anderson@gov.bc.ca> wrote:

Hi John,

I am following up on your attendance to our meeting with Shuswap Indian Band scheduled for tomorrow in Invermere at SIB office. If you are unable to attend in person, there is a call in number and join our call when we discuss the replacements lands. Please let me know as soon as possible.

Conference Call #
s.15; s.17

s.15; s.17

Thank-you,

Tammy

Tammy Anderson, BNRSc., P.Ag
Senior Advisor, Indigenous Relations
Ministry of Transportation and Infrastructure
Southern Interior Region
Office: (250) 371-3878
Cell: (250) 320-4175
Tammy.Anderson@gov.bc.ca

From: Anderson, Tammy TRAN:EX
Sent: Wednesday, May 8, 2019 11:34 AM
To: Krebs, John A FLNR:EX
Subject: Meeting at Shuswap Indian Band on May 22, 2019

Hi John,

I am following up on confirming your attendance for the Meeting with Shuswap at Shuswap Band office on **May 22, 2019** .

Meeting starts **at 9:00 am**; however, depending on your schedule I can have you later in the schedule for discussion . Let me know.

Thank-you,

Tammy

Tammy Anderson, BNRSc., P.Ag
Senior Advisor, Indigenous Relations
Ministry of Transportation and Infrastructure
Southern Interior Region
Office: (250) 371-3878
Cell: (250) 320-4175
Tammy.Anderson@gov.bc.ca

From: [Anderson, Tammy TRAN:EX](#)
To: [Lucas, Brent M FLNR:EX](#)
Cc: [Drummond, Dawn B TRAN:EX](#); [Krebs, John A FLNR:EX](#); [Dailey, Sharon H FLNR:EX](#); [Shibata, Elaine TRAN:EX](#)
Subject: RE: Shuswap Band Section 35 MOTI New Status Request
Date: June 12, 2019 8:59:57 AM

Hi Brent,

Thank-you of for the summary of our discussion from our meeting with SIB.

Regarding the things to do for the Section 16 map reserve and transfer of the parcels, MoTI will be sending out letters to FN's (as per CAD), Govt Agencies, Regional District and Stakeholders. I will need the contact name of the water officer for the water licence encumbrances issues on Stoddart creek. My understanding is Sharon will move forward with the transfer and Control and OIC when MoTI has removed the encumbrances. Sharon is also working with Gord Humphrey from FLNRORD, Kamloops office.

What is unclear is how FLNRORD will proceed with the agreement of wildlife management on the replacement lands.

Thanks,

Tammy

From: Lucas, Brent M FLNR:EX
Sent: Wednesday, June 12, 2019 8:39 AM
To: Anderson, Tammy TRAN:EX; Drummond, Dawn B TRAN:EX; Dailey, Sharon H FLNR:EX; Krebs, John A FLNR:EX
Subject: FW: Shuswap Band Section 35 MOTI New Status Request

Tammy/Dawn,

From the last meeting I understand MOTI is going forward with the land exchange with Shuswap Indian Band.

The last meeting discussions included:

- FLNR - Resource Management, Fish and Wildlife, continuing working on a habitat values agreement with Shuswap Band, and likely MIRR – In Progress - John.
- FLNR - Resource Authorizations, Lands, to prepare the new lands status conflict report (eg, existing tenures, forest licences, water licenses, guide certificates, agri land reserve, etc) – Sharon - Done.
- FLNR - Regional Lands, working with Gord Humphrey on the Transfer of Administration Application (Land Management Transfers) and OIC – In Progress - Sharon.
- MOTI – to submit section 16 map reserve application – Tammy - Done.

Things to do:

- Circulate status conflicts for comments/clearing with Ministries (FLNR, Min of Agri, Petroleum, other) - who?
- First Nations consultation - who?
- Legal review - who?

At this stage, how would you like to proceed as coordinating Ministries? Can we confirm that MOTI is project managing this forward re, timelines, dates, action tracking, a plan of who is doing what.

Comments/thoughts – a path forward please?

thanks

-Brent

From: Dailey, Sharon H FLNR:EX
Sent: Friday, May 31, 2019 11:34 AM
To: Anderson, Tammy TRAN:EX
Cc: Lucas, Brent M FLNR:EX
Subject: FW: New Status Request

Hi Tammy,

Here is the re-run status on the parcels.

Thanks,
Sharon

From: KB Statusing FLNR:EX
Sent: Tuesday, May 28, 2019 2:13 PM
To: Dailey, Sharon H FLNR:EX
Subject: New Status Request

Hi Sharon,

Here's the Status Report for the 2 parcels that MoTI wanted.

Let me know if you need anything else.

Thanks,

Laura

From: Dailey, Sharon H FLNR:EX
Sent: May 22, 2019 1:40 PM
To: KB Statusing FLNR:EX <KBStatusing@gov.bc.ca>
Cc: Lucas, Brent M FLNR:EX <Brent.Lucas@gov.bc.ca>
Subject: Laura - New Status Request

Hi ladies,

Ministry of Transportation is requesting a new/updated status for the two parcels shown on the attached map please 😊

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

From: [Drummond, Dawn B TRAN:EX](#)
To: [Giles, Wayne IRR:EX](#)
Cc: [Anderson, Tammy TRAN:EX](#); [Wiggill, Garth W FLNR:EX](#); [Walburger, Kenric FLNR:EX](#)
Subject: Re: REQUEST: SIB land exchange update
Date: April 29, 2019 1:57:46 PM

Hi Wayne,

Thanks for the email. We have an upcoming meeting with Shuswap in the next couple of weeks. We need to discuss with Shuswap with FLNRORD requirement that there is a co-management of the lands are in place before support of the transfer. So the land replacement is still a work in placement.

We also still have outstanding estate issues. These are with Shuswap and if they are not cleared up then the section 35 cannot proceed. I would not anticipate Shuswap until early 2020 with the work that is required to finish. As of recently Shuswap refuses the value of appraisals (which was completed by their own appraiser).

I will keep you updated on the status when we anticipate execution.

Dawn Drummond
Regional Manager, Indigenous Relations
SIR
250-319-2864

On Apr 25, 2019, at 8:21 AM, Giles, Wayne IRR:EX <Wayne.Giles@gov.bc.ca> wrote:

Hi Dawn. I am requesting an update on the status of the SIB land exchange. I understand that FLNRORD supports the potential transfer of the identified juniper heights parcels. I also understand that some discussion with SIB regarding conservation matters should be included in forth coming meetings though as I understand it constraints will not be included in the formal transfer arrangements when made. I am also aware that appraisal work had been completed and some discussions with MOTI and SIB had occurred regarding the appraisals though I don't know the outcome of those discussions.

As the BC relationship lead with SIB I see value in moving this forward and hopefully bringing this to a conclusion for all parties in 2019. Is there an opportunity to do so and include this in the ministry work plans for the upcoming year? Thank you,

Wayne Giles
Regional Manager, MIRR
(250) 489-8529

From: [Lucas, Brent M FLNR:EX](#)
To: [Anderson, Tammy TRAN:EX](#)
Subject: Re: Shuswap land transfer - request
Date: February 19, 2019 4:27:15 PM

Maybe give him a call to discuss respective roles with this project. He can decide.

Sent from my iPhone

On Feb 19, 2019, at 4:39 PM, Anderson, Tammy TRAN:EX <Tammy.Anderson@gov.bc.ca> wrote:

Thanks Brent. Should I invite Ken to our meeting with Shuswap on March 14th ?
Thanks,
Tammy

From: Lucas, Brent M FLNR:EX
Sent: Tuesday, February 19, 2019 3:36 PM
To: Anderson, Tammy TRAN:EX; Walburger, Kenric FLNR:EX
Cc: Krebs, John A FLNR:EX; McCuaig, Rieva IRR:EX
Subject: RE: Shuswap land transfer - request

Tammy and Ken,
Forwarding note to Ken Walburger, Resource Manager, First Nations Relations, Kootenay Boundary Region.
As this may take some time to complete, I think its best that the ongoing First Nations relations (Shuswap Indian Band) regional work reside with Ken.
Ken I can brief you on this MOTI Sec 35 land exchange file.
I will continue to administer the lands parcel exchange administration through the Regional Lands section, with Sharon Dailey and MOTI, as this progress.
Please call if you have any questions.
-Brent

From: McCuaig, Rieva IRR:EX
Sent: Tuesday, February 12, 2019 11:03 AM
To: Anderson, Tammy TRAN:EX
Cc: Lucas, Brent M FLNR:EX; Krebs, John A FLNR:EX
Subject: RE: Shuswap land transfer - request

Thanks Tammy very much for this clarification, and look forward to a meeting with Shuswap.
Rieva

From: Anderson, Tammy TRAN:EX
Sent: Tuesday, February 12, 2019 11:01 AM
To: McCuaig, Rieva IRR:EX
Cc: Lucas, Brent M FLNR:EX; Krebs, John A FLNR:EX
Subject: RE: Shuswap land transfer - request

Hi Rieva,
I forgot, Shuswap Indian Band is under First Nations Land Management Act . Therefore, all decision agreement are under their jurisdiction and not Canada. Although, MoTI will

have to transfer the Land under Canada, all agreements on the use of the land is with Shuswap. Therefore, we do not need the Kuldip Gill (Land Manger) permission. We are trying to schedule a face to face meeting with Shuswap in March or April and we would like yourself and John attend the this meeting. We are in discussion on dates. Thanks-you for your support.

Tammy

Tammy Anderson, BNRSc., P.Ag
Senior Advisor, Indigenous Relations
Ministry of Transportation and Infrastructure
Southern Interior Region
Office: (250) 371-3878
Cell: (250) 320-4175
Tammy.Anderson@gov.bc.ca

From: McCuaig, Rieva IRR:EX
Sent: Thursday, February 7, 2019 8:33 AM
To: Anderson, Tammy TRAN:EX
Cc: Krebs, John A FLNR:EX
Subject: Shuswap land transfer - request

Hi Tammy,

I wanted to follow up on the suggestion during our last call to bring the federal land officer that you work with on additions to reserve, into the discussion.

Particularly I think it might be useful to talk with them about the habitat/species concerns that have been expressed by MFLNRORD resource management and how these concerns might be addressed going forward.

On our call I did mention the idea of a covenant(s). I remember visiting with Penticton Indian Band a few years ago and they had shared that covenants on their reserve lands had been put in place for protection of an owl species (burrowing?). I will follow up with them on for a bit more information for context.

Tammy could I ask you for the federal land officer's contact info for us to pursue this conversation?

Thanks, Rieva

Rieva McCuaig

A/ Sr Resource Coordination Officer, Kootenay Boundary Region
Ministry of Indigenous Relations and Reconciliation
(250) 489 8533

From: [Anderson, Tammy TRAN:EX](#)
To: [Saskia Mogen \(Saskia.Mogen@stantec.com\)](#)
Subject: SIB_Meeting Notes
Date: October 3, 2019 9:25:00 AM
Attachments: [SIB Section 35 Meeting 20191001.docx](#)

Tammy Anderson, BNRSc., P.Ag
Senior Advisor, Indigenous Relations
Ministry of Transportation and Infrastructure
MoTI Office, Kamloops
Tel: (250) 371-3878
Cell: (250) 320-4175
Email: Tammy.Anderson@gov.bc.ca

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Withheld pursuant to/removed as

s.13 ; s.16 ; s.17



Proposal for Reserves Notations Withdrawals Transfer of Administration

- ☐ ORDER-IN-COUNCIL RESERVE (SEC. 15)
☒ WITHDRAWAL (SEC. 16)
☐ TRANSFER OF ADMINISTRATION (SEC. 106)
☐ TRANSFER OF ADMINISTRATION & CONTROL (SEC. 31)

- ☐ CONDITIONAL WITHDRAWAL (SEC. 17)
☐ DESIGNATED CLOSURE AREA (SEC. 66)
☐ NOTATION OF INTEREST

AGENCY NAME:

Ministry of Transportation and Infrastructure

AGENCY FILE NO:**RESPONSIBLE OFFICIAL FOR
CONTACT:**

Tammy Anderson

AGENCY ADDRESS: 447 Columbia Street,
Kamloops, BC V2C 2T3

EMAIL ADDRESS: Tammy.Anderson@gov.bc.ca

PHONE NO:

250-371-3878

LAND PURPOSE:

Section 35 Land Transfer - exchange lands for highway right of way

LAND LOCATION:

Invermere

LAND DISTRICT:

Kootenay

AREA (ha):

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- ☐ Digital Shapefile (.SHP) supplied in BC Albers NAD83 projection

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OR

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District Lot 5353, Kootenay District, Except parts included in Plans 2945, 4063, 4062 and 4394
Sublot 100, District Lot 4596, Kootenay District, Plan X32THE AREA REQUESTED IS OUTLINED **IN RED** ON ATTACHED MAP (IF APPLICABLE)**Term Required**

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RATIONALE FOR PROPOSAL (ATTACH SEPARATE SHEET IF NECESSARY)

Secure areas of land for exchange land purposes

PROPOSAL IMPACT ON EXISTING OR POTENTIAL LAND USE (ATTACH SEPARATE SHEET IF NECESSARY)**AGENCY
AUTHORIZATION**

Date

Signature

Title

**FOR OFFICIAL
USE ONLY**

DATE RECEIVED (D/M/Y)

/ /

FILE NO.

ADMINISTRATIVE REGION

LAND INSPECTION REQUIRED

☐ YES ☐ NO**PROPOSAL FOR**
☐ FORESHORE☐ OTHER**LAND IN**☐ PLANNED AREA☐ UNPLANNED
AREA☐ PROVINCIAL
FOREST**ESTIMATE OF LAND VALUE**
\$



Land Act: Notice of Intention to Apply for a Disposition of Crown Land

Take notice that Ministry of Transportation and Infrastructure (MoTI) from the Southern Interior Region has applied to the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD), Kootenay Boundary Region, for a Land Exchange for Indian Reserve Lands purposes situated on Provincial Crown land located at District Lot 5353, except parts included in Plans 2945, 4063, 4062 and 4394 as well as Sublot 100, District Lot 4596, Plan X32.

The Lands File for this application is 4406032. Written comments concerning this application should be directed by mail or email to Tammy Anderson, Senior Advisor, Indigenous Relations, Southern Interior Region, Ministry of Transportation and Infrastructure, at 342-447 Columbia Street, Kamloops, BC V2C 2T3, or Tammy.Anderson@gov.bc.ca. Comments will be received by MoTI up to January 31st. MoTI may not be able to consider comments received after this date. Please visit the following website for more information: <https://comment.nrs.gov.bc.ca/>

Be advised that any response to this advertisement will be considered part of the public record. For information, contact the Freedom of Information Advisor at Ministry of Forests, Lands, Natural Resources and Rural Development's Office in the Kootenay Boundary Region of British Columbia.



Proof #2

Issue #51, December 19, 2019

Issue #52, December 26, 2019

6 col. (10.33") x 2" – D



Box 868, #8 - 1008 - 8th Avenue,
Invermere, British Columbia V0A 1K0
Phone: 250.341.6299
Fax: 1.855.377.0312
Email:
ads@columbiavalleypioneer.com

PROOF SHEET

Please read over your proof carefully. Complete this form and return via fax to 1-855-377-0312. E-mail approval is also acceptable. All proofs must be signed, dated and OK'd by Monday, 3 p.m.

**Approval will be assumed
if no response is received.**

☒

OK AS IS

☐

OK WITH
CHANGES

☐

PLEASE
REDO

Saskia Mogen

SIGNATURE

January 13, 2020

DATE

Upon approval the advertiser agrees to the conditions outlined in the advertising approval display, and agrees to bear responsibility for the cost of insertion. Any cancellation requests after Monday noon the week of publication are at the discretion of the Columbia Valley Pioneer and may be subject to a cancellation fee.

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The approval of an advertisement amounts to an acceptance of the above conditions, and no contract between the advertiser and the Columbia Valley Pioneer will be deemed to exist until the advertisement has been approved for publication.



Sent via Courier

2019-09-12

ATTN:

Holger Bohm
John Krebs

FLNRORD
205 Industrial Road G
Cranbrook, BC V1C 7G5

Re: Section 16 Map Reserve Application for two parcels on unsurveyed Crown land located in the vicinity of Hwy 93-95 and Athalmer Road

I am writing to notify you that the Ministry of Transportation and Infrastructure (MoTI) is applying for Section 16 Map Reserve under the Land Act for the following two parcels on unsurveyed Crown Land, located in the vicinity of Hwy 93-95 and Athalmer Road.

- District Lot 5353, Kootenay District, except parts included in Plans 2945, 4063, 4062 and 4394 – PID 024 264 717
- Sublot 100, District Lot 4596, Kootenay District, Plan X32 – PID 016 720 351

MoTI is currently negotiating an agreement with Shuswap Indian Band to resolve a tenure issue on Hwy 93-95 and Athalmer Road within Shuswap Indian Reserve IR #0. MoTI is seeking a Federal transfer of Reserve land required for Hwy 93-95 and Athalmer Road. As part of an overall negotiated agreement with Shuswap Indian Band, MoTI is looking to transfer the two parcels of Crown land under a Land Act - Transfer of Administration and Control to Canada, the land will be added to Shuswap Indian Band reserve for use and benefit by Shuswap Indian Band. You are receiving this letter as you have registered interests within the area.

Your registered interests:

- Environment, Conservation, & Recr Reserve/Notation
 - Document #: 69332 | File #: 0231987

If you have any further information that may inform how these decisions might impact any tenure you may have in the area please contact me by 2019-10-07, to enable the Province to consider such information in relation to its decision making.



If you have any questions about the proposed lands or need clarification of the attached information, please contact me at (250) 371-3878 or Tammy.Anderson@gov.bc.ca

Yours truly,

Tammy Anderson, BNRSc., P. Ag
Senior Advisor, Indigenous Relations

Attachment:

- Subject lands location maps

Copy: John.Krebs@gov.bc.ca
Holger.Bohm@gov.bc.ca



Sent via Courier

2019-09-12

ATTN:

Paul Picard
Shawna Larade

FLNRORD
1902 Theatre Road
Cranbrook, BC V1C 7G1

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Your registered interests:

- Grazing License
 - Surrogate ID: 2021052
 - Forest File ID: RAN077838

If you have any further information that may inform how these decisions might impact any tenure you may have in the area please contact me by 2019-10-01, to enable the Province to consider such information in relation to its decision making.



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Senior Advisor, Indigenous Relations

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Copy: Paul.Picard@gov.bc.ca
Shawna.Larade@gov.bc.ca



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Your registered interests:

- Guide Outfitter Area Certificate #400884

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Attachment:

- Subject lands location maps

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Holger.Bohm@gov.bc.ca



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2019-09-12

ATTN:

s.22

Re: Section 16 Map Reserve Application for two parcels on unsurveyed Crown land located in the vicinity of Hwy 93-95 and Athalmer Road

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Copy: s.22



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Senior Advisor, Indigenous Relations

Attachment:

- Subject lands location maps



Sent via Courier

2019-09-12

ATTN:

Ken Walburger
Rick Fraser

FLNRORD
1902 Theatre Road
Cranbrook, BC V1C 7G1

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Your registered interests:

- Silviculture Obligations
 - Silviculture Opening: 82K 060 0.0 163
- Silviculture Obligations
 - Silviculture Opening: 82K 060 0.0 166

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Tammy Anderson, BNRSc., P. Ag
Senior Advisor, Indigenous Relations

Attachment:

- Subject lands location maps

Copy: Ken.Walburger@gov.bc.ca
Rick.A.Fraser@gov.bc.ca



Sent via Courier

2019-09-12

ATTN:

Holger Bohm
John Krebs

FLNRORD
205 Industrial Road G
Cranbrook, BC V1C 7G5

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Your registered interests:

- Trapline Area
 - QTrap Tag: TR0425T007
- Trapline Area
 - QTrap Tag: TR0434T002

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Senior Advisor, Indigenous Relations

Attachment:

- Subject lands location maps

Copy: John.Krebs@gov.bc.ca
Holger.Bohm@gov.bc.ca



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Your registered interest:

- Trapline Area
 - QTrap Tag: TR0425T007

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Senior Advisor, Indigenous Relations

Attachment:

- Subject lands location maps



Sent via Courier

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Your registered interest:

- Trapline Area
 - QTrap Tag: TR0434T002

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Yours truly,

Tammy Anderson, BNRSc., P. Ag
Senior Advisor, Indigenous Relations

Attachment:

- Subject lands location maps



Sent via Courier

2019-10-28

ATTN:

s.22

Re: Section 16 Map Reserve Application for two parcels on unsurveyed Crown land located in the vicinity of Hwy 93-95 and Athalmer Road

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Your registered interests:

- Water License # C106543

If you have any further information that may inform how these decisions might impact any tenure you may have in the area please contact me by 2019-11-18, to enable the Province to consider such information in relation to its decision making.



If you have any questions about the proposed lands or need clarification of the attached information, please contact me at (250) 371-3878 or Tammy.Anderson@gov.bc.ca

Yours truly,

Tammy Anderson, BNRSc., P. Ag
Senior Advisor, Indigenous Relations

Attachment:

- Subject lands location maps



Sent via Courier

2019-10-28

ATTN:

Scholinder & Mackay Sand & Gravel 56026 Ltd.
790 Swansea Rd, RR3
Invermere, BC V0A 1K3

Re: Section 16 Map Reserve Application for two parcels on unsurveyed Crown land located in the vicinity of Hwy 93-95 and Athalmer Road

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Your registered interests:

- Water License # C106544

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Senior Advisor, Indigenous Relations

Attachment:

- Subject lands location maps



Sent via Courier

2019-09-12

ATTN:

Shuswap Indian Band
RR#2, 3A-492 Arrow Rd
Invermere, BC V0A 1K2

Re: Section 16 Map Reserve Application for two parcels on unsurveyed Crown land located in the vicinity of Hwy 93-95 and Athalmer Road

Dear Chief and Council,

As you are aware, the Ministry of Transportation and Infrastructure (MoTI) is applying for Section 16 Map Reserve under the Land Act for the following parcel on unsurveyed Crown Land, located in the vicinity of Hwy 93-95 and Athalmer Road.

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Your registered interests:

- Water License # F041421, PCL # 09208
- Water License # C053094, PCL # 12191

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Attachment:

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Copy: seugene@shuswapband.net



Sent via Courier

2019-09-12

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Jennifer Andrews
Paul Picard

FLNRORD
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Your registered interests:

- Water Licensed Work Line ID: 296126376
- Water Licensed Work Line ID: 296126377
- Water Licensed Work Line ID: 296126399

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Attachment:

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Copy: Jennifer.L.Andrews@gov.bc.ca
Paul.Picard@gov.bc.ca

Page 122 of 285

Withheld pursuant to/removed as

s.13 ; s.16 ; s.17



Sent via email

2020-01-13

Regional District of East Kootenay
19 - 24th Avenue South
Cranbrook, BC V1C 3H8

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If you have any further information that may inform how these decisions might impact any tenure you may have in the area please contact me by 2020-03-31, to enable the Province to consider such information in relation to its decision making.

If you have any questions about the proposed lands or need clarification of the attached information, please contact me at (250) 371-3878 or Tammy.Anderson@gov.bc.ca

Yours truly,

Tammy Anderson, BNRSc., P. Ag
Senior Advisor, Indigenous Relations

Attachment:
Subject lands location maps



Sent via Courier

2019-08-19

Adams Lake Indian Band
PO Box 588
6453 Hillcrest Rd
Chase, BC V0E 1M0
250-679-8841

Re: Section 16 Map Reserve Application for two parcels on unsurveyed Crown land located in the vicinity of Hwy 93-95 and Athalmer Road

I am writing to notify you that the Ministry of Transportation and Infrastructure (MoTI) is applying for Section 16 Map Reserve under the Land Act for the following two parcels on unsurveyed Crown Land, located in the vicinity of Hwy 93-95 and Athalmer Road.

- District Lot 5353, Kootenay District, except parts included in Plans 2945, 4063, 4062 and 4394 – PID 024 264 717
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If you have any further information that may inform how these decisions might impact any tenure you may have in the area please contact me by 2019-09-16, to enable the Province to consider such information in relation to its decision making.

If you have any questions about the proposed lands or need clarification of the attached information, please contact me at (250) 371-3878 or Tammy.Anderson@gov.bc.ca

Yours truly,

Tammy Anderson, BNRSc., P. Ag
Senior Advisor, Indigenous Relations

Attachment:

- Subject lands location maps

Copy: referrals@alib.ca
dnordquist@alib.ca
bcote@shuswapband.net

Ministry of Transportation and
Infrastructure

Southern Interior Region
Indigenous Relations

Mailing Address:
342-447 Columbia Street
Kamloops, BC V2C 2T3

Telephone: 250 371-3878
Facsimile: 250 828-4229
Website: www.gov.bc.ca/tran



Sent via Courier

2019-08-19

District of Invermere
914 8th Ave
PO Box 339
Invermere, British Columbia, V0A 1K0
250-342-9281

Re: Section 16 Map Reserve Application for two parcels on unsurveyed Crown land located in the vicinity of Hwy 93-95 and Athalmer Road

I am writing to notify you that the Ministry of Transportation and Infrastructure (MoTI) is applying for Section 16 Map Reserve under the Land Act for the following two parcels on unsurveyed Crown Land, located in the vicinity of Hwy 93-95 and Athalmer Road.

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Yours truly,

Tammy Anderson, BNRSc., P. Ag
Senior Advisor, Indigenous Relations

Attachment:
Subject lands location maps

Copy: info@invermere.net



Sent via Courier

2019-08-19

Little Shuswap Indian Band
1886 Little Shuswap Lake Road
Chase, BC V0E 1M2
250-679-3203

Re: Section 16 Map Reserve Application for two parcels on unsurveyed Crown land located in the vicinity of Hwy 93-95 and Athalmer Road

I am writing to notify you that the Ministry of Transportation and Infrastructure (MoTI) is applying for Section 16 Map Reserve under the Land Act for the following two parcels on unsurveyed Crown Land, located in the vicinity of Hwy 93-95 and Athalmer Road.

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Yours truly,

Tammy Anderson, BNRSc., P. Ag
Senior Advisor, Indigenous Relations

Attachment:

- Subject lands location maps

Copy: referrals@lslib.com
sphilips@lslib.com
oarnouse@lslib.com



bcote@shuswapband.net



Sent via Courier

2019-08-19

Neskonlith Indian Band
PO Box 318
Chase, BC V0E 1M0
250-679-3295

Re: Section 16 Map Reserve Application for two parcels on unsurveyed Crown land located in the vicinity of Hwy 93-95 and Athalmer Road

I am writing to notify you that the Ministry of Transportation and Infrastructure (MoTI) is applying for Section 16 Map Reserve under the Land Act for the following two parcels on unsurveyed Crown Land, located in the vicinity of Hwy 93-95 and Athalmer Road.

- District Lot 5353, Kootenay District, except parts included in Plans 2945, 4063, 4062 and 4394 – PID 024 264 717
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Yours truly,

Tammy Anderson, BNRSc., P. Ag
Senior Advisor, Indigenous Relations

Attachment:

- Subject lands location maps

Copy: referrals@neskonlith.net
judywilson@neskonlith.net
bcote@shuswapband.net





Sent via Courier

2019-08-19

Simpcw First Nation
PO Box 220
Barriere, BC V0E 1E0
250-672-9995

Re: Section 16 Map Reserve Application for two parcels on unsurveyed Crown land located in the vicinity of Hwy 93-95 and Athalmer Road

I am writing to notify you that the Ministry of Transportation and Infrastructure (MoTI) is applying for Section 16 Map Reserve under the Land Act for the following two parcels on unsurveyed Crown Land, located in the vicinity of Hwy 93-95 and Athalmer Road.

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Yours truly,

Tammy Anderson, BNRSc., P. Ag
Senior Advisor, Indigenous Relations

Attachment:

- Subject lands location maps

Copy: referrals@simpcw.com
tina.donald@simpcw.com
shelly.loring@simpcw.com
bcote@shuswapband.net



Sent via Courier

2019-08-19

Skeetchestn Indian Band
PO Box 178
Savona, BC V0K 2J0
250-373-2493

Re: Section 16 Map Reserve Application for two parcels on unsurveyed Crown land located in the vicinity of Hwy 93-95 and Athalmer Road

I am writing to notify you that the Ministry of Transportation and Infrastructure (MoTI) is applying for Section 16 Map Reserve under the Land Act for the following two parcels on unsurveyed Crown Land, located in the vicinity of Hwy 93-95 and Athalmer Road.

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Yours truly,

Tammy Anderson, BNRSc., P. Ag
Senior Advisor, Indigenous Relations

Attachment:

- Subject lands location maps

Copy: referrals@skeetchestn.ca

bcote@shuswapband.net



Sent via Courier

2019-08-19

Splats'in First Nation
PO Box 460
5775 Old Vernon Road
Enderby, BC V0E 1V0
250-838-6496

Re: Section 16 Map Reserve Application for two parcels on unsurveyed Crown land located in the vicinity of Hwy 93-95 and Athalmer Road

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Senior Advisor, Indigenous Relations

Attachment:

- Subject lands location maps

Copy: referrals@splatsin.ca
titleandrights@splatsin.ca
bcote@shuswapband.net

Ministry of Transportation and
Infrastructure

Southern Interior Region
Indigenous Relations

Mailing Address:
342-447 Columbia Street
Kamloops, BC V2C 2T3

Telephone: 250 371-3878
Facsimile: 250 828-4229
Website: www.gov.bc.ca/tran



Sent via Courier

2019-08-19

Stk'emlupsemc te Secwepemc Nation (SSN)
PO Box 188 1030 Trans Canada
Skeetchestn, BC V0K 2J0
877-373-0056

Re: Section 16 Map Reserve Application for two parcels on unsurveyed Crown land located in the vicinity of Hwy 93-95 and Athalmer Road

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Yours truly,

Tammy Anderson, BNRSc., P. Ag
Senior Advisor, Indigenous Relations

Attachment:

- Subject lands location maps

Copy: travis@stkemlupsemc.ca
mikeanderson@skeetchestn.ca
referrals@kib.ca
bcote@shuswapband.net



Sent via Courier

2019-08-19

Tk'emlups te Secwepemc
200-330 Chief Alex Thomas Way
Kamloops, BC V2H 1H1
250-828-9700

Re: Section 16 Map Reserve Application for two parcels on unsurveyed Crown land located in the vicinity of Hwy 93-95 and Athalmer Road

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Senior Advisor, Indigenous Relations

Attachment:

- Subject lands location maps

Copy: referrals@kib.ca
kukpi7.rosanne@kib.ca
bcote@shuswapband.net

Page 135 of 285 to/à Page 285 of 285

Withheld pursuant to/removed as

s.13 ; s.16 ; s.17